



301 W. Main St.  
Town Hall  
Carrboro, NC 27510

**Town of Carrboro  
Meeting Minutes  
Town Council**

**June 18, 2024**

**7:00 PM**

**Council Chambers - Room 110**

**Present:** Mayor Barbara Foushee, Council Member Catherine Fray, Council Member Jason Merrill, Mayor Pro Tem Danny Nowell, Council Member Randee Haven-O'Donnell, Council Member Eliazar Posada

**Also Present:** Marie Parker, Assistant Town Manager; Lamar Joyner, Town Clerk; Nick Herman, Town Attorney

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**POETRY READING**

Jay Bryan read one of his own poems entitled We've Got Attitude.

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**PROCLAMATIONS – Juneteenth and Recreation & Parks Month**

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**UPCOMING MEETINGS**

Board of Adjustment Meeting, June 26, 2024, 7:00 PM – 9:00 PM at Town Hall

Affordable Housing Advisory Commission June 26, 2024, 7:00 PM – 8:30 PM at Town Hall

Transportation Advisory Board/SRTS Implementation Committee Meeting, Canceled

Racial Equity Commission Meeting, Canceled

Affordable Housing Advisory Commission, June 26, 2024, 7:00 PM – 8:30 PM, Virtual

Carrboro Tourism Development Authority, July 1, 2024, 3:00 PM – 4:00 PM, Virtual

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**PUBLIC COMMENT**

Ron Kunkle expressed concern with the Summit report. He is not in favor of building on this parcel of land as it is currently defined. Asked Council to talk to Spring Valley residents about the flooding they are seeing, and to first fix the current culvert system.

Jon Ross expressed concern about the Summit report, and asked if council members had any concern about the survey report. Mr. Ross also asked if the company that helped to determine the initial feasibility of the project is expecting to receive subsequent projects if this initial project moves forward.

Marc Levy expressed concern about the Summit report and the process behind the Pathway Drive parcels. Mr. Levy voiced his support of quality, affordable housing. He proposed an independent and impartial assessment to get a fair evaluation of whether the land is suitable for development.

Margaret Weiner expressed concern about the Summit report, and the economic and environmental cost of clearcutting, scraping, and blasting mature trees of various species. The existing stormwater problems downhill from the Pathway Parcels have been worsening with climate change.

John McGowan expressed concern about the Summit report, and voiced doubt that the project would end up being affordable due to the cost of the lot. Encouraged Carrboro's stormwater team to assess the site.

Susan Stone has been a resident of Carrboro since 1984. Ms. Stone expressed concern about the Summit report, noting the benefits of the Pathway Drive parcels that meet Town goals- recreation and greenspace, tree canopy and shade, and carbon sequestration.

Jane Danielewicz expressed concern about the Summit report, and the cost of the Pathway Drive Project and loss of shade trees. Ms. Danielewicz thanked Council for touring the Pathways parcels.

Cary White expressed concern about the Summit report and Pathway Drive Project.

Clara Zelasky expressed concern about the Summit report. According to the report, there are over 300 trees, and the Pathway Drive parcel has been wooded since 1938. Ms. Zelasky used a tree app on her phone to date the trees, which she found to be over 200 years old.

Andrew Montgomery expressed concern about the Summit report. Mr. Montgomery has been a Spring Valley resident for thirty years and voiced that the community already experiences water issues.

Diane Robertson has been a Spring Valley resident since 1991. Spring Valley has a retention pond and dam that was created in the 1980s to manage the stormwater for over a hundred homes. Ms. Robertson voiced concern that the Pathway Drive project provides limited solutions at a high cost. A short-term political choice, but not good policy.

Ms. Buckner read comments for Jillian Dempsey who thanked Council for visiting the Pathway Parcels, and voiced concern for the flooding in the area. Ms. Dempsey wrote that the Summit report failed to consider the impact of the project on existing homeowners. Ms. Buckner expressed her hope that the Town could wait until the land use ordinance be revised, so that new developments come under the 100-year storm level instead of the 25-year plan.

Susan Beck has lived in Carrboro for forty years and expressed concern for assessing the feasibility and affordability of the Pathway Drive project. Ms. Beck asked Council to keep residents' comments and opinions at the forefront during the decision-making process.

Bridget Pemberton-Smith is a lifelong Orange County resident and board member of Pro Bono Counseling Network (PBCN), a group of diverse mental health clinicians who donate eight sessions per year to individuals who are underinsured or have no health insurance at all. Ms. Pemberton-Smith expressed gratitude for a recommendation from Town staff that funding go to PBCN.

Mignon Hooper, another PBCN board member, highlighted that PBCN has a working board that connects people with counselors who represent the intersections of their lives. Suicide rates continue to grow, and younger and younger children are coming

forth with mental health concerns. Ms. Hooper thanked the Council for considering providing funding to PBCN.

Alison Cody expressed concern for the development of the Pathway Drive parcel. Ms. Cody asked Council to consider that any benefit to Carrboro regarding additional affordable housing is offset by the project's inherent complexity and cost. Ms. Cody noted that Carrboro's ability to face a changing climate is dependent on its tree canopy.

Kendall Wimberley, Durham resident and Policy Advocate for Toxic Free NC detailed how Carrboro has been a leader in supporting pollinators and public health through implementing alternatives to harmful pesticides. Carrboro has had an integrated pest management policy since March of 1999. Wimberley shared that Congress is trying to put language in the Farm Bill that would preempt or remove the ability to have state or local level pesticide restrictions.

Marilyn Pinschmidt expressed concern about the Summit report and Pathway Drive affordable housing project.

Elizabeth Young requested the Town of Carrboro provide property tax bill assistance to help Carrboro citizens stay in their own home through support of the Longtime Homeowners Assistance program (LHA). Ms. Young expressed concern for the Rogers Road community due to the property tax increase.

Heidi Perov Perry, board member of BikeWalk NC encouraged community members to attend the Annual BikeWalk Transportation Summit taking place in Chapel Hill this year. Ms. Perry requested that the Council consider being sponsors of the summit.

William Goldstein expressed concern about the location of Pathway Drive due to the steep slope and drainage and flooding issues

Laura Case, a Carrboro resident and physical therapist, expressed concern about the slope and inaccessibility of the housing project for community members who use wheelchairs.

Rob Crook expressed concern about affordable housing not being in a safe area. He also brought up the relationship between biodiversity and climate change, and the cost of construction of the project.

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## **CONSENT AGENDA**

### **APPROVAL OF MINUTES FROM TOWN COUNCIL MEETINGS HELD ON OCTOBER 3, 10, 24, NOVEMBER 14, 29, AND DECEMBER 5, 2023.**

**Mayor Foushee pulled the minutes from meetings held on October 3<sup>rd</sup>, 10<sup>th</sup>, and 24<sup>th</sup>, as well as minutes from November 14<sup>th</sup> and 29<sup>th</sup>. Those minutes will be voted on at the first meeting in September 2024.**

**Motion carried unanimously.**

**Council Member Haven O'Donnell made a motion to approve the minutes the meeting held on December 5, 2023. Council Member Posada seconded the motion.**

**The motion passed 6-0.**

### **APPROVAL OF RECOMMENDED HUMAN SERVICES FUNDING FOR FY 2024-2025**

The purpose of this item is for the Town Council to approve human services funding recommendations for FY 2024-2025.

**A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT FOR THE DEVELOPMENT OF AN EMERGENCY OPERATIONS PLAN**

PURPOSE: This agenda item is to request that the Town Council consider adopting a resolution to authorize the Town Manager to enter into an interlocal agreement with Orange County, the Town of Chapel Hill, and the Town of Hillsborough for the development of a comprehensive emergency operations plan.

**AMERICAN RECOVERY PLAN ACT (ARPA) FUND - REVENUE REPLACEMENT**

PURPOSE: This agenda item seeks Town Council approval to formally allocate all ARPA funds as revenue replacement for salaries between July 1, 2022 and June 30, 2023.

**CARRBORO'S GREEN FUTURE: ADVANCING ZERO EMISSION VOCATIONAL VEHICLES**

PURPOSE: This item seeks approval from council to apply for the Environmental Protection Agency's Clean Heavy Duty Vehicle Grant (EPA CHDV).

**REQUEST TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH CENTRAL PINES REGIONAL COUNCIL FOR A FY25-26 TRANSPORTATION DEMAND MANAGEMENT GRANT**

PURPOSE: For the Town Council to consider authorizing the Town Manager to enter into an agreement with Central Pines Regional Council for the FY25-26 Transportation Demand Management Grant Program, Triangle Transportation Choices.

**REQUEST TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO A GLOBAL CAPITAL AGREEMENT TO CONTINUE TO RECEIVE ORANGE COUNTY TRANSIT FUNDS**

PURPOSE: To request that the Town Council authorize the Town Manager to enter into a Global Agreement for Capital and Infrastructure Town with Orange County, GoTriangle and the DCHC-MPO in order to continue to receive transit funds for Town capital projects identified in the 2022 Orange County Transit Plan Update, subject to Town Attorney final review and approval.

**AUTHORIZATION FOR THE TOWN MANAGER TO EXECUTE A CONTRACT FOR THE INSTALLATION OF BICYCLE DETECTION AT FOUR SIGNALIZED INTERSECTIONS (TIP# U-4726DF)**

PURPOSE: To request Town Council adopt a resolution authorizing the Town Manager to award a contract to install bicycle detectors at four intersections: East Main Street at Roberson Street, Main Street at North Greensboro Street, Weaver Street at North Greensboro Street, and NC 54 at West Poplar Avenue.

**AUTHORIZE THE MAYOR TO EXECUTE A REVISED MEMORANDUM OF UNDERSTANDING WITH ORANGE COUNTY PARTNERSHIP TO END HOMELESSNESS**

PURPOSE: The purpose is to authorize the Mayor to execute a MOU with Orange County Partnership to End Homelessness for FY 2025.

**AN ORDINANCE AMENDING CHAPTER 4 OF THE CARRBORO TOWN CODE RELATED TO SERVICE LEVEL BENEFITS**

PURPOSE: The purpose of this agenda item is to request that the Town Council amend the personnel policy to reflect a proposed benefit change for Town employees.

**TRUTH PLAQUE TASK FORCE AND RACIAL EQUITY COMMISSION CONSOLIDATION**

PURPOSE: The purpose of this agenda item is for the Council to approve the consolidation of the Truth Plaque Task Force (TPTF) and Racial Equity Commission (REC) to one commission serving Carrboro residents.

**A RESOLUTION ISSUING A BUSINESS REVOLVING LOAN**

PURPOSE: To approve a resolution authorizing the Town Manager to issue a Business Revolving Loan Program loan of \$12,000 plus closing costs to Stevie Webb.

**RESOLUTION AUTHORIZING TOWN MANAGER TO EXECUTE A CORRECTION PLAT FOR THE GREENE TRACT TO PROPERLY SHOW AN EASEMENT**

PURPOSE: The purpose of this agenda item is for the Town Council to approve a resolution authorizing the Town Manager to sign a Correction Plat of the Greene Tract to properly reflect a 60 foot wide easement for the benefit of the Inman property and any successor in interest to that property.

**ARTS COMMITTEE AND RECREATION & PARKS COMMISSION CONSOLIDATION AND ADOPTION OF CHARGES**

PURPOSE: The purpose of this agenda item is for the Council to approve the consolidation of the Arts Committee and Recreation & Parks Commission as one to be named the Recreation, Parks & Cultural Resources Advisory Board serving the Carrboro residents and adoption of the recommended charges.

**Council Member Haven O'Donnell made a motion to approve items 2-14 on the consent agenda. Council Member Posada seconded the motion.**

**The motion passed unanimously.**

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**PUBLIC HEARING**

**LEGISLATIVE PUBLIC HEARING ON REVISED LAND USE ORDINANCE TEXT AMENDMENTS RELATING TO NEIGHBORHOOD CAFES AND RESIDENTIAL DENSITY**

PURPOSE: The Town has received a request for text amendments to the Land Use Ordinance to add a new restaurant use for neighborhood cafes and to allow additional residential density in certain zoning districts. The Council must receive public comment before making a decision.

Mayor Foushee opened the public hearing, and Tina Moon, Planning Administrator, gave a presentation on the item.

After Ms. Moon's presentation, Mayor Foushee opened the floor for questions and comments from the applicants, members of the public, and members of the Council.

Council Member Haven O'Donnell and Council Member Merrill commented that the Economic Sustainability Commission deliberated, but they did not make a decision. The Economic Sustainability Commission gave no recommendation at this time.

Council Member Haven O'Donnell noted that members of the Economic Sustainability Commission liked the density and work-live aspect, but they had concerns about how the business will expand.

Mayor Foushee asked if there were any concerns about the other zoning districts in section number two.

Council Member Merrill commented that some individuals on the Economic Sustainability Commission felt that a measured approach with two districts was

Council Member Haven O'Donnell proposed that HR-CC and HR-R be moved into the alternate so that those districts can be included.

Council Member Fray voiced that they are in support of section two as written.

Mayor Pro Tem Nowell was in support of section two as written.

Council Member Posada was in support of section two as written.

Mayor Foushee closed the public hearing.

**Council Member Fray moved that the Council finds that the proposed amendment is consistent with the comprehensive plan, affordable housing, economic sustainability, and land use strategies noted that the action is reasonable and in the public interest, and that the Council approves the proposed amendment to the text with section two.**

**Council Member Posada seconded the motion.**

**The motion carried unanimously.**

**Council Member Fray moved that Council adopt the ordinance with section two.**

**Council Member Posada seconded the motion.**

**The motion carried unanimously.**

**PUBLIC HEARING ON TOWN MANAGER’S RECOMMENDED BUDGET FOR FY 2025**

PURPOSE: The purpose of this agenda item is to provide an opportunity for the public to comment on the Town Manager’s Recommended Budget for FY 2025 as required by G. S. 159-12 (b)

Mayor Foushee opened the public hearing.

Darrell Keyes, Interim Finance Director, gave a presentation on the recommended budget as well as the Town’s debt services breakdown in comparison to other municipalities in North Carolina.

Council Member Haven O’Donnell commented that Carrboro is peerless, and the Town does not do anything the way other municipalities do. She asked about the six and half months of money in reserves, and if that would last if the November election went a certain direction.

Kimberly Sanchez, Executive Director of Community Home Trust (CHT), thanked the Council for their support, and shared CHT’s plans for growth.

Kelly Gregory, former board member of CHT and current long-time homeowner in a CHT home shared that she feels safe in her community. She went on to thank the Council and Mayor for their support.

Jackie Jenks from Inter-faith Council for Social Service (IFC) extended gratitude to the Council for their leadership and support of IFC’s mission and services.

Mayor Foushee closed the public hearing.

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**GENERAL AGENDA**

**ADOPTION OF THE FY 2024-25 ANNUAL BUDGET**

PURPOSE: The purpose of this agenda item is for the Town Council to adopt the annual budget for fiscal year 2024-25.

**Council Member Posada made a motion to adopt attachments A-F. Mayor Pro Tem Nowell seconded the motion.**

**Motion carried unanimously.**

**POLICE DEPARTMENT QUARTERLY EQUITY REPORT**

PURPOSE: The purpose of this item is to provide a report to Council on the Quarterly Equity Report for Q2 and Q3 for 2023.

Chris Attack, Chief of Police, gave a presentation on roadway demographics, enforcement action, searches, and incidents which included use of force.

Members of the council asked questions throughout the presentation.

Council Member Fray asked about the policy on stops for registration stickers and if all the use of force incidents were justified?

Chief Attack answered yes.

Council Member Fray asked for clarification about the difference between a taser and an electronic device. They also asked for clarification about whether the taser/electronic device was pointed or discharged.

Chief Attack said he would get clarification on that.

Council Member Fray also asked for policy information around pointing a weapon in breaking and entering cases.

Chief Attack explained that pointing a weapon is situational based on each instance.

Council Member Merrill asked about the high search rate.

Council Member Posada asked what the criteria is to have a police officer stationed in an apartment complex parking lot.

**SITE ASSESSMENT REPORT ON TOWN-OWNED LAND IDENTIFIED FOR POSSIBLE AFFORDABLE HOUSING USE**

PURPOSE: The purpose of this agenda item is for the Town Council to receive a report from Summit Design and Engineering Services on the site assessment of identified town-owned land for possible affordable housing use.

William Wirt, Project Manager with Summit Design and Engineering Services, gave a presentation on the due diligence report for Pathway Drive and Crest Street.

Council Members asked questions about the feasibility of the project.

Mayor Foushee invited Anne-Marie Vanaman, Director of Housing and Community Services, to provide comments about next steps in the process.

Ms. Vanaman explained that identifying the land and the due diligence report were part of step one in the process. The next step is for staff to review the report and come back to Council in the fall.

**ORDINANCE AMENDING THE CARRBORO TOWN CODE TO CREATE PAID PARKING IN CERTAIN PUBLIC PARKING LOCATIONS**

PURPOSE: To amend Town Code Chapter 14, Section 14-13 to begin charging for public parking.

**Mayor Pro Tem Nowell made a motion to move this item to after the summer break. Council Member Haven O'Donnell seconded the motion.**

**The motion passed unanimously.**

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**OTHER MATTERS BY COUNCIL**

Council Member Posada discussed with council members and the Town Clerk to add pronouns to the name plaques on the dais.

All council members affirmed that they would like to move forward with adding pronouns to their name plaques.

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**ADJOURNMENT**

**A motion was made by Council Member Posada, seconded by Mayor Pro Tem Nowell to adjourn the meeting.**

**The motion carried unanimously.**

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