



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

Tuesday, June 10, 2014

7:30 PM

Board Chambers - Room 110

**Present:** Mayor Lydia Lavelle, Alderman Damon Seils, Alderman Michelle Johnson, Alderman Jacquelyn Gist, Alderman Randee Haven-O'Donnell, Alderman Bethany Chaney and Alderman Sammy Slade

**Also Present:** David Andrews, Town Manager, Cathy Wilson, Town Clerk, Mike Brough, Town Attorney

### PASSING OF SGT. WILLIAMS

Mayor Lavelle noted the passing of Sgt. Mahlon Williams, a former Carrboro Police Department employee.

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### IMMIGRANT HERITAGE MONTH RESOLUTION

Peter McClelland, a UNC student working with FWD.us, presented a resolution to the Board regarding Immigrant Heritage Month and immigration reform.

The Board discussed proposed amendments by Alderman Slade. After discussion, it was decided that the amendments would not be added and suggested that staff follow-up, at a later time, regarding how checkpoints are administrated.

**A motion was made by Alderman Haven-O'Donnell, seconded by Alderman Gist, that this resolution be approved.**

A RESOLUTION REGARDING SUPPORT FOR IMMIGRANT COMMUNITIES, CELEBRATION OF IMMIGRANT CONTRIBUTIONS, AND THE ESTABLISHMENT OF IMMIGRANT HERITAGE

MONTH WHEREAS, The Town of Carrboro has vibrant and healthy immigrant communities; and WHEREAS, The encouragement of our immigrant communities is critical to preserving our legacy as a nation of immigrants; and

Whereas, the Town of Carrboro has long shown support for immigrant communities by calling for the reform of US Immigration Law and Policy, working to defeat wage theft, offering training programs for immigrant workers, adopting a policy that the Carrboro Police Department will not seek to arrest persons when the sole basis for arresting such persons is that such persons have or may have committed a civil immigration violation; and,

WHEREAS, A healthy local economy and society is one that fully appreciates the contributions of all of its residents; and

WHEREAS, Official recognition and celebration of the contributions of often marginalized groups is necessary for an inclusive city; and

WHEREAS, North Carolina and Carrboro's leadership in the global economy necessitates that the Board of Aldermen be a leader on issues of immigration; and

WHEREAS, Carrboro has a demonstrated legacy of advocating social justice and a commitment to an inclusive society; and

WHEREAS, Diversity, bilingualism, and exposure to other cultures serves to strengthen our city and our society in the interconnected world of the 21<sup>st</sup> Century,

NOW, THEREFORE, BE IT RESOLVED that:

Section 1- The Board of Aldermen of the Town of Carrboro supports and encourages its immigrant communities; and

Section 2- The Board of Aldermen of the Town of Carrboro reaffirms its commitment to representing and engaging with its immigrant residents; and

Section 3- The Board of Aldermen of the Town of Carrboro, in keeping with this commitment to its immigrant residents, supports efforts in Congress to advance commonsense, comprehensive, bipartisan immigration reform; and

Section 4- The month of June shall hereafter be celebrated as Immigrant Heritage month in Carrboro.

Section 5- Upon passage, a copy of this resolution shall be sent by mail to the mayors and legislative councils of Chapel Hill, Charlotte, Raleigh, Boone, Greensboro, Durham, Hillsborough, Rocky Mount, Asheville, and Winston Salem; and

Section 6- This resolution shall become effective upon successful passage.

This the 10th day of June, 2014

**The motion carried by the following vote:**

**Aye:** Mayor Lavelle, Alderman Haven-O'Donnell, Alderman Chaney, Alderman Seils, Alderman Gist, Alderman Slade and Alderman Johnson

**MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN**

JOHNSON FOR STAFF TO REPORT BACK ABOUT THE CONCERNS WITH CHECKPOINTS IN THE TOWN OF CARRBORO AND THE NUMBER OF CITATIONS ISSUED TO HISPANICS. VOTE: AFFIRMATIVE ALL

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**SOLID WASTE ADVISORY GROUP APPOINTMENTS**

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN JOHNSON TO APPOINT ALDERMAN HAVEN-O'DONNELL AND MAYOR LYDIA LAVELLE TO THE COUNTY SOLID WASTE ADVISORY GROUP. VOTE: AFFIRMATIVE ALL

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**APPROVAL OF PREVIOUS MEETING MINUTES**

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF MAY 27, 2014. VOTE: AFFIRMATIVE ALL

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**UPDATE FROM THE NCLM REGARDING THE STATUS OF HYDRAULIC FRACTURING AND EXPLORATION OF NATURAL GAS IN NORTH CAROLINA**

Sarah Collins, the regulatory affairs director for the NCLM, provided a report to the Board regarding Hydraulic Fracturing in North Carolina.

Alderman Seils asked if the term "Hydraulic Fracturing Activity" is defined in the law. He also asked if the regulations that are considered "generally applicable" are required to be located in the Town's land use ordinance. Ms. Collins stated that she will follow-up on these questions.

Alderman Slade suggested that the NCLM develop guidelines regarding possible impacts associated with fracking for municipalities that do not have the potential for hydraulic fracturing within their jurisdiction.

Alderman Gist asked that drought plans be considered in association with the League's work with hydraulic fracturing.

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SLADE FOR STAFF TO PROVIDE COMMENTS TO THE OIL AND GAS EXTRACTION PUBLIC HEARING IN CONJUNCTION WITH INPUT FROM VARIOUS GROUPS INCLUDING CLEANWATER FOR NC. VOTE: AFFIRMATIVE ALL

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## **PRESENTATION OF IDEAS FOR THE MARTIN LUTHER KING JR. PARK**

Tamera Sanders presented an idea for a bicycle pump track at MLK Park.

Maria Hitt, representing the Orange County Partnership for Young Children, presented ideas to continue the "Growing Healthy Kids" concept for the MLK Park.

Jeff Danner presented the concept of a Pollinator Project for MLK Park.

Alderman Gist asked for Mr. Danner to provide any ordinance examples to encourage pollinators in other municipalities.

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## **CONSIDERATION OF A RESOLUTION APPROVING THE NCNGN-AT&T MASTER NETWORK DEVELOPMENT AGREEMENT**

The purpose of this item was for the Board of Aldermen to receive information on the North Carolina Next Generation (NCNGN) - AT&T Master Network Development Agreement and then to consider a resolution approving the AT&T Master Network Development Agreement.

Andy Vogel, the Town's IT Director, made the staff presentation to the Board.

Mike Brough, in response to a question from Alderman Seils, explained that the agreement does not preclude the Town from entering into an agreement with another vendor to provide gigabit service.

Aldermen Slade and Gist expressed concern with the lack of guaranteed benefits for the Town.

Alderman Haven-O'Donnell asked that the Town not immediately trade a business center for additional community centers without considering the impact on the business community.

Kristen Smith, representing the Chapel Hill-Carrboro Chamber, asked the Board of Aldermen to support this agreement.

**A motion was made by Alderman Chaney, seconded by Alderman Seils, that this resolution be approved.**

### **A RESOLUTION APPROVING A MASTER NETWORK DEVELOPMENT AGREEMENT WITH AT&T**

WHEREAS, the North Carolina Next Generation Network (NCNGN) represents a regional effort by six municipalities (Cities and Towns of Carrboro, Chapel Hill, Cary, Durham, Raleigh and Winston-Salem) and four major universities (UNC Chapel Hill, North Carolina State University, Duke University, and Wake Forest University/Wake Forest Baptist Medical Center) to work with current and potential network service providers to enhance economic development and address the digital divide by accelerating the deployment of ultra-high-speed broadband network and internet access; and,

WHEREAS, in January 2013, the Carrboro Board of Aldermen authorized Town staff to participate in an NCNGN issued Request for Proposal (RFP) inviting vendors to submit proposals to develop a next-generation ultra-high-speed broadband network; and,

WHEREAS, eight responses to the RFP were received and evaluated by NCNGN subcommittees to understand the technical, financial, and service potential of each proposal; and,

WHEREAS, AT&T was one of the companies that responded to the RFP and has worked closely with NCNGN members to develop an agreement for serving all six municipalities with upgraded and extended fiber optic networks capable of delivering next generation technologies including internet at gigabit speeds, advanced television, and voice services; and,

WHEREAS, the Town of Carrboro is being asked by AT&T to make construction speedy and predictable by designating Town staff to facilitate coordination, streamline permitting and inspection processes and applications, provide best efforts to allow AT&T access to Town rights-of-way and utility easements upon request, develop and implement community education programs regarding the benefits of a high-speed network and services and continue existing non-discriminatory policies to treat all broadband internet service providers in a competitively neutral manner; and,

WHEREAS, AT&T has proposed initiatives to promote economic development and help the digitally disadvantaged including free 1 gigabit per second service to up to 100 community sites subject to the network being upgraded around those sites which will be selected based on a list of sites provided by NCNGN on behalf of its members with the cities paying standard installation charges, free 3Mbps internet access for up to 10 eligible low income multi-dwelling unit apartment buildings with 45 – 300 living units, pre-wiring up to 100 commercial buildings that serve small and medium-sized businesses so that businesses in those buildings do not face prohibitive installation costs and optionally have the Town share installation costs with AT&T for free wireless internet for the public; and,

WHEREAS, for each proposed initiative, NCNGN members have agreed to distribute those sites roughly proportionally based on municipal population and that final designations within the Town of Carrboro will be made by the Board of Aldermen; and,

WHEREAS, AT&T has offered to work with member Universities and other community stakeholders to explore creative applications of a gigabit network in a wide range of areas that could include health and medicine, education, shared digital divide programs, regional government, and local focus areas.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board approve the AT&T Master Network Development Agreement and authorizes the Town Manager to execute and enter into the agreement with AT&T on behalf of the Town.

This the 10th day of June, 2014

**The motion carried by the following vote:**

**Aye:** Mayor Lavelle, Alderman Haven-O'Donnell, Alderman Chaney, Alderman Seils, and Alderman Johnson

**Nay:** Alderman Gist and Alderman Slade

**CONSIDER THE ESC'S REQUEST TO UPDATE THE LOCAL LIVING ECONOMY TASK FORCE RECOMMENDATIONS AND TO RE-LAUNCH THE LOCAL FIRST CAMPAIGN**

The purpose of this agenda item was to update the Board of Aldermen on the ESC's work plan to update the Local Living Economy Task Force Recommendation and to re-launch the Local First campaign.

Alderman Gist suggested that a wide range of businesses be represented and asked that the work related to finding a champion for the business network to be brought back to the Board at a future meeting.

Alderman Lavelle asked that staff consider a weather alternative for the screening of the outdoor movie.

Alderman Slade suggested continued use of the BALLE campaign manual to get the effort off the ground.

Alderman Chaney recommended that the ESC consider the emphasis on the local food economy and rural use changes to generate closer partnerships with business relationships related to farming. She also suggested that the recommendations were missing a deeper consideration of the opportunity to build business diversity. She asked the ESC to dive deeper into industry exploration and the support needed for women and minority owned businesses.

Item #6, finding and supporting a champion will be brought back to the Board in the fall and a consent report on the makeup on the commission.

**A motion was made by Alderman Haven-O'Donnell, seconded by Alderman Johnson, that this resolution be approved.**

**A RESOLUTION TO DIRECT THE ECONOMIC SUSTAINABILITY COMMISSION TO EXPLORE UPDATING RECOMMENDATIONS FROM THE LOCAL LIVING ECONOMY TASK FORCE**

WHEREAS, The Board of Aldermen established the Local Living Economy Task Force (LLETf) in 2008 and charged it with investigating and evaluating strategies that the Town of Carrboro could use to help foster the further development of a sustainable, locally-owned and run economy;

WHEREAS, the studies included, but were not limited to, strategies regarding "thinking local first" and plugging market leaks, mobilizing small businesses, entrepreneurship training, investor mobilization, and public policy reform; and

WHEREAS, sustaining the arts and creating more affordable housing continue to be important issues that should be considered along with creating a Local Living Economy; and

WHEREAS, the LLETf presented a report in May 2010 to the Board of Aldermen and the Board adopted the recommendations and directed staff to work toward implementation of the recommendations; and

WHEREAS, all the recommendations have been investigated by staff and many of the recommendations have been implemented; and

WHEREAS, the Economic Sustainability Commission (ESC) is recommending the Board of Aldermen consider allowing the ESC to update the recommendations and prepare a new Economic Development Plan

based on the principles of the Michael Schuman book *The Small Mart Revolution* and the BALLE manual *Growing Local Living Economies: A Grassroots Approach to Economic Development*; and

WHEREAS, a strong, creative Local First campaign is a critical element to growing a Local Living Economy.

NOW THEREFORE, THE CARRBORO BOARD OF ALDERMEN RESOLVES:

Section 1. The Board of Aldermen direct the ESC to undertake the task of updating the LLETTF report and prepare Economic Development Plan based on the principles Michael Schuman's book *The Small Mart Revolution* and the BALLE manual entitled *Growing Local Living Economies: A Grassroots Approach to Economic Development*.

Section 2. The Board of Aldermen will appoint a committee of local business owners to work with the Town Staff and the Splinter Group to create a new Local First campaign aimed at education of the consumer of why local matters and helping to identify locally owned operated businesses.

Section 3. That recommendation #6 "Support of Local Economy Business Network" along with the work of finding a business champion will be brought back to the Board at a later date.

This the 10th day of June, 2014

**The motion carried by the following vote:**

**Aye:** Mayor Lavelle, Alderman Haven-O'Donnell, Alderman Chaney, Alderman Seils, Alderman Gist, Alderman Slade and Alderman Johnson

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**WORK SESSION ON PROPOSED GENERAL USE ZONING STRATEGY FOR NSA IMPLEMENTATION**

The purpose of this item was to provide the Board of Aldermen with an opportunity to further discuss a possible new mixed-use zoning classification as part of the strategy to implement recommendations from the Northern Study Areas Plan Implementation Review Committee (NSAPIRC).

Tina Moon, the Town's Planning Administrator, made the staff presentation.

Alderman Gist stated that 50 feet would be too high for the non-residential maximum.

Alderman Seils stated that he would not support something consistent with the B-4 zoning district for the plan. He stated that he would like the residential to non-residential ratio to be tied to the original reasoning behind the workshops. He also expressed an interest in how the residential space would be designed and stated that he would like to know the compactness of the development. He stated that the Board will need to consider how many residential units will be necessary to support the commercial aspect of the development.

Alderman Chaney stated that there is a need to determine the minimum commercial development. She also suggested a payment-in-lieu for affordable housing but stated that she is not averse to other forms of added benefit. She would like to add community facilities or civic community space in addition to open space.

Alderman Haven-O'Donnell stated that this area should have more of a rural feel rather than resembling the Timberlyne shopping area. She asked for Kristen Smith, with the Chapel Hill-Carrboro Chamber to provide statistics on what types of businesses would be best suited with the residential population.

Mayor Lavelle stated that given the site location on Eubanks Road, she would like to see consideration of affordable housing.

Alderman Slade stated that he is interested in hearing ideas about the transition between residential and commercial. He also asked to see types of zoning that would allow residential and commercial space to be located together, in the same building.

Omar Zinn, the property owner, spoke to the Board about his vision of the property. He stated that he would like to begin with multifamily development that would jumpstart the development process.

The Board asked for the Town Clerk to send a note to citizens in attendance that had to leave prior to hearing this item.

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### **ADJOURNMENT**

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN CHANEY TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL