



Town of Carrboro

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

Meeting Minutes

Board of Aldermen

Tuesday, May 13, 2014

7:30 PM

Board Chambers - Room 110

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

Also Present: David Andrews, Town Manager, Cathy Wilson, Town Clerk, Bob Hornik, Town Attorney

DECLARATION ON THE INCLUSION OF CULTURE IN THE SUSTAINABLE DEVELOPMENT GOALS

Motion was made by Alderman Gist, and seconded by Alderman Seils, to approve the resolution below:

We, the undersigned organisations active in the field of culture and development:

Understanding the concept of development to comprise

a.human development: the pursuit of the full potential of citizens with physical, emotional, spiritual, intellectual, psychological and cultural dimensions

b.social development: the building and sustaining of structures, policies and strategies that facilitate and enhance the pursuit of human development, social cohesion and participatory governance

c.economic development: the creation of wealth and generation of economic resources that can help drive human and social development

Convinced of the unsustainability of

a.human development without fundamental rights and freedoms and respect for cultural diversity

b.social development without social justice

c.economic development that exacerbates inequality and depletes natural resources

Observing that the cultural dimensions of development are too often ignored to the detriment of the achievement of sustainable development – human, social and economic

Recognizing that

a.culture – understood as an ensemble of values, traditions, tangible and intangible heritage, religious beliefs, worldviews and the expressions of culture in ways of living – can facilitate or impede the achievement of development goals

b.development – premised on values, worldviews, ideological beliefs, vision etc – is itself an act of culture that impacts, benevolently or adversely, on the culture of its intended beneficiaries

c.conflicts rooted in economic and power disparities may be fueled by the exploitation of cultural differences, with such conflicts impacting negatively on development through the destruction of infrastructure, social cohesion and human life and the flight of people with expertise

Believing that

a.strong cultural organizations and participation can play a key role in preventing conflict by promoting dialogue and a diversity of cultural expressions

b.development means participation in the cultural life of the community and access to the arts as fundamental human rights asserted in the Universal Declaration on Human Rights

c.as the fourth dimension of sustainable development, culture is as essential as the economic, social and environmental dimensions; and therefore, the safeguarding of heritage, diversity, creativity and the transmission of knowledge are integral to sustainable development

d.human development thrives on creativity, creative expression, the arts and cultural heritage as means of emotional and psychological catharsis, intellectual stimulation and the exploration, celebration and transformation of the human condition within given circumstances

e.social development requires creativity, a diversity of creative expressions, the arts and cultural heritage as means of education, social cohesion, intercultural dialogue and the building of national identity

f.economic development will benefit from capacity building and investment in all aspects of the value chain of the arts, creative industries, and tangible and intangible cultural heritage, by in turn creating jobs and generating income

Recalling the many United Nations resolutions, international declarations and instruments on culture and sustainable development, as well as the substantial evidence, gathered during the last two decades, of the positive role of culture in development.

Convinced that culture is both a driver and enabler of development and should therefore be integral to Post-2015 Sustainable Development Goals based on

- A vision of the future anchored in human rights and universally accepted values and principles, including those embodied in the UN Charter, the Universal Declaration of Human Rights,

UNESCO's Convention on the Protection and Promotion of the Diversity of Cultural Expressions, and the Millennium Declaration;

- A focus on issues with the greatest impact on sustainable development and a set of concise goals and targets aimed at realizing the priorities of the agenda;
- A global partnership for development to mobilize implementation and a participatory monitoring framework for tracking progress and mutual accountability mechanisms for all stakeholders.

THEREFORE

Call on governments and policymakers defining the post-2015 UN Development Agenda to ensure that targets and indicators on culture be included as part of the Sustainable Development Goals,

in particular (but not limited to) those related to

- Poverty eradication
- Education
- Sustainable cities and human settlements
- Peaceful and non-violent societies
- Equality
- Ecosystems and biodiversity
- Economic growth

and

Commit to work together and with international, regional, national and local partners to achieve development policies and strategies that recognize and integrate effectively with the cultural dimensions of development.

This the 13th day of May, 2014

The motion carried by the following vote:

Aye: Alderman Johnson, Mayor Lavelle, Alderman Seils, Alderman Gist and Alderman Slade

Absent: Alderman Haven-O'Donnell

RESOLUTION REQUESTING SUPPORT FOR THE STUDENT SUPPORTERS OF THE 28TH AMENDMENT

Motion was made by Alderman Gist, seconded by Alderman Johnson to approve the resolution below:

Resolution Requesting Support for the
Student Supporters of the 28th Amendment

WHEREAS, the Town of Carrboro was petitioned by a group of Wake County students known as the Student Supporters of the 28th Amendment (SSOTA); and,

WHEREAS, the SSOTA believes that the federal government has created a sense of distrust among the American citizens as evidenced by national polls and the belief that Congress can exempt themselves from the laws they pass, thereby abusing their power; and

Whereas, the SSOTA has proposed a 28th Amendment that would reassure the American people and put trust back in government; and

WHEREAS, this proposed 28th Amendment reads, “Congress shall make no law that applies to the citizens of the United States that does not apply equally to the Senators and/or Representatives; and Congress shall make no law that applies to the Senators and/or Representatives that does not apply equally to the citizens of the United States;” and

WHEREAS, the SSOTA has studied the mechanism for amending the United States Constitution, and is asking that the legislature of the State of North Carolina apply to Congress, under the provisions of Article V of the United States Constitution, to call a convention of the states to consider this proposed Amendment, and the SSOTA is asking local governments to support their efforts;

NOW, THEREFORE, BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN THAT:

The Town of Carrboro hereby supports the SSOTA efforts and applauds their work in civic engagement and involvement in government at the local, state, and national levels.

This the 13th day of May, 2014

The motion carried by the following vote:

Aye: Alderman Johnson, Mayor Lavelle, Alderman Seils, Alderman Gist and Alderman Slade

Absent: Alderman Haven-O’Donnell

RECEIPT OF TREE CITY USA AWARD

The Town of Carrboro was named a Tree City USA for 2013 by The National Arbor Day Foundation to honor its commitment to its community forest. Student winners of the poster contest attended the meeting and were recognized with their work.

David Jantzen, Public Works Department, made the staff presentation.

Alderman Slade asked the Town Attorney if the proposed state tree legislation would jeopardize the Town's Tree City USA awards.

NATIONAL POLICE WEEK AND PEACE OFFICERS' MEMORIAL DAY

Mayor Lavelle proclaimed May 11-17 as “Police Week” and May 15th as “Peace Officers’ Memorial Day” in the Town of Carrboro.

ANNUAL REPORT ON SURFACE WATERS AND STORMWATER MANAGEMENT ACTIVITIES

The purpose of this agenda item was to provide the Board with an update on Town activities related to management of surface water and stormwater quality in the Town’s jurisdiction. This includes requirements under the existing development provisions of the Jordan Lake rules and the Town’s NPDES stormwater permit, and creek monitoring.

Alderman Gist asked for staff to continue to look at stormwater management in preparation of heavy rain events. She recommended that the Town pursue several methods of assisting homeowners to prepare for these events.

Motion was made by Alderman Slade, seconded by Alderman Seils to approve the resolution below:

RESOLUTION RECEIVING THE ANNUAL REPORT ON SURFACE WATER AND STORMWATER MANAGEMENT ACTIVITIES

WHEREAS, the Town is engaged in activities related to surface water management including the implementation of state rules passed in 2009 to restore Jordan Lake and the Town’s National Pollution Discharge Elimination System (NPDES) stormwater permit, and ongoing monitoring of creek health.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board accepts the “2014 Surface Water Management Update Report.”

This the 13th day of May, 2014

The motion carried by the following vote:

Aye: Alderman Johnson, Mayor Lavelle, Alderman Seils, Alderman Gist and Alderman Slade

Absent: Alderman Haven-O’Donnell

A REQUEST TO ISSUE PERMITS FOR THE ANNUAL FOUR ON THE FOURTH ROAD RACE, CARRBORO 10K ROAD RACE, AND THE GALLOP AND GORGE 8K ROAD RACE

The purpose of this item was to consider Street Closing Permit Applications submitted by Cardinal Track Club for the following three annual road races: Four on the Fourth Road Race, Carrboro 10 K Road Race, and the Gallop and Gorge 8 K Road Race.

Motion was made by Alderman Seils, seconded by Alderman Johnson to approve the resolution below:

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF THE FOLLOWING STREETS TO ACCOMMODATE THE FOUR ON THE FOURTH ROAD RACE, CARRBORO 10K ROAD RACE, AND GALLOP AND GORGE 8K ROAD RACE.

Section 1. The following streets shall be temporarily closed Friday, July 4, 2014 from 7:45 am to 10:00 am to accommodate the Four on the Fourth Road Race. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

1. Old Fayetteville Rd. to Carol St.
2. Carol Street to Lorraine St.
3. Lorraine Street to Hillsborough Rd.
4. Hillsborough Road to West. Main St.
5. West Main Street to James St.
6. James Street to Carol St.
7. Carol St. to Old. Fayetteville Rd.
8. Finish at McDougle Middle School

The following streets shall be temporarily closed on Saturday, October 4, 2014 from 7:45 AM to 10:00 AM to accommodate the Carrboro 10 K Road Race. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

1. Old Fayetteville Rd. to Carol St.
2. Carol St. to James St.
3. James St. to Lorraine St.
4. Lorraine St to Hillsborough Rd.
5. Hillsborough Road to Simpson St.
6. Simpson St. to West Main St.
7. West Main St. to Hillsborough St.
8. Hillsborough St. to Oak St.
9. Oak St. to North Greensboro St.
10. North Greensboro St. to Morningside Dr.
11. Morningside Dr. to Blueridge Rd.
12. Blueridge Rd. to Spring Valley Rd.
13. Spring Valley Rd to Pathway Dr.
14. Pathway Dr. to Parkview Dr.
15. Parkview Dr. to Hillsborough Rd.
16. Hillsborough Rd. to James St.
17. James St. to Rainbow Dr.
18. Rainbow Dr. to Lisa Dr.
19. Lisa Dr to Carol St.
20. Carol St. to Old Fayetteville Rd
21. Finish at McDougle Middle School

The following streets shall be temporarily closed Thursday, November 27, 2014 from 7:45 am to 10:00 am to accommodate the Gallop and Gorge 8K Road Race. This event is to be held in

accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

- 1.Weaver St. to Elm St.
- 2.Elm St. to E. Poplar St.
- 3.E. Poplar to W. Main St.
- 4.W. Main St. to Hillsborough Rd.
- 5.Hillsborough Rd. to High St.
- 6.High St. to W. Main St.
- 7.W. Main St. to Simpson St.
- 8.Simpson St. to Mary St.
- 9.Mary St. to Lorraine St.
- 10.Lorraine St. to James St.
- 11.James St. to Carol St.
- 12.Carol St. to Lisa Dr.
- 13.Lisa Dr. to Quail Roost Dr.
- 14.Quail Roost Dr. to James St.
- 15.James St. to Hillsborough Rd.
- 16.Hillsborough Rd. to Cheek St.
- 17.Cheek St. to Milton Dr.
- 18.Milton Dr. to N. Greensboro St.
- 19.N. Greensboro St. to Shelton St.
- 20.Shelton St. to Oak Ave.
- 21.Oak Ave. to W. Weaver St.
- 22.Finish on E. Weaver St.

Section 2. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

Section 3. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

Section 4. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 5. Applicant shall post signs at roadway intersections along race course, 5-7 days before the event, to notify the public about the running race.

Section 6. Applicant will be responsible for all costs incurred by Police and Public Works to facilitate this event. Applicant will be sent an itemized bill for the final costs incurred by Police and Public Works.

Section 7. This resolution shall become effective upon adoption.

This the 13th day of May, 2014

The motion carried by the following vote:

Aye: Alderman Johnson, Mayor Lavelle, Alderman Seils, Alderman Gist and Alderman Slade

Absent: Alderman Haven-O'Donnell

NCLM REGULATORY TECHNICAL ASSISTANCE FUND CONTRIBUTION

The purpose of this item was to allow the Board of Aldermen to approve an expenditure of \$560.00 to support the NCLM Regulatory Technical Assistance Fund.

Motion was made by Alderman Seils, seconded by Alderman Johnson to approve the resolution below:

A RESOLUTION APPROVING AN EXPENDITURE TO THE NCLM REGULATORY TECHNICAL ASSISTANCE FUND (REG-TAF)

WHEREAS, the NCLM supports municipalities across the state; and,

WHEREAS, the NCLM Regulatory Technical Assistance Fund has supplied external technical assistance in the League’s interventions in both the Progress Energy Carolinas and Duke Energy Carolinas rate cases before the North Carolina Utilities Commission; and,

WHEREAS, the League’s intervention in the Duke Energy Carolinas rate case is ongoing and the League continues to press Duke Energy Carolinas for an LED streetlight rate for cities and towns that would make it financially feasible to obtain the more energy-efficient technologies.

NOW, THEREFORE BE IT RESOLVED, by the Carrboro Board of Aldermen that a contribution of \$560.00 to the NCLM REG-TAF fund is approved from the FY 13/14 budget.

This the 13th day of May, 2014

The motion carried by the following vote:

Aye: Alderman Johnson, Mayor Lavelle, Alderman Seils, Alderman Gist and Alderman Slade

Absent: Alderman Haven-O’Donnell

A PUBLIC HEARING ON THE TEMPORARY STREET CLOSING PERMIT APPLICATION FOR THE NOT SO NORMAL 5K

The purpose of this item was to receive public input on the Street Closing Permit Application submitted by www.mominchapelhillnc.com for the temporary closing and usage of streets from 7:30AM to 9:30AM on Sunday, September 14th 2014 to accommodate the Not So Normal 5K.

Jay Radford, the event organizer, spoke to the Board. There were no other public comments.

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

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING AND USAGE OF THE FOLLOWING STREETS TO ACCOMMODATE THE NOT SO NORMAL 5K

Section 1. The following streets shall be temporarily used Sunday, September 14th, 2014 from 7:30 AM to 9:30 AM for Not So Normal 5K. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

- E. Main St from Lloyd St. to E Weaver St
- E Weaver St. and W Weaver St from E. Main St. to W. Main St.
- W. Main St. from W. Weaver St. to Hillsborough Rd.
- Hillsborough Rd. from W. Main St. to N. Greensboro St.
- N. Greensboro St. from Hillsborough Rd. to E. Main St.
- E. Main St. from N. Greensboro St. to Lloyd St..

Section 2. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

Section 3. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

Section 4. Applicant shall distribute flyers of notification, to persons occupying property abutting the streets where the event is to take place, of the contents of any resolution passed.

Section 5. Applicant will be responsible for all costs incurred by Police and Public Works to facilitate this event. Applicant will be sent an itemized bill for the final costs incurred by Police and Public Works.

Section 6. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 7. This resolution is contingent on the applicant providing proper liability insurance to the Town at least 30 days prior the event.

Section 8. This resolution shall become effective upon adoption.

The motion carried by the following vote:

Aye: Alderman Johnson, Mayor Lavelle, Alderman Seils, Alderman Gist and Alderman Slade

Absent: Alderman Haven-O'Donnell

PRESENTATION OF MANAGER'S RECOMMENDED BUDGET FOR FISCAL YEAR 2014-15

The purpose of this agenda item was to receive the Town Manager's Recommended FY 2014-15 Budget, set the time for a public hearing and budget work sessions.

David Andrews, the Town Manager, presented his recommended budget to the Board of Aldermen.

Alderman Slade asked Alderman Seils to report back on information regarding electric buses for Chapel Hill Transit. He also asked for future information on how the street resurfacing rating methodology.

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

**A RESOLUTION TO SET PUBLIC HEARING ON THE MANAGER'S
RECOMMENDED BUDGET FOR FY 2014-15**

WHEREAS, the Town Manager presented the FY 2014-15 Recommended Budget to the Board of Alderman on May 13, 2014; and,

WHEREAS, the Town is required by North Carolina General Statute 159-12(b) to hold a public hearing before adopting the budget ordinance;

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY RESOLVES THAT,

The Board of Aldermen will hold a public hearing on Tuesday, May 20, 2014 at 7:30 p. m. in Town Hall Board Room to receive citizen comments on the Town of Carrboro Recommended Budget for 2014-15. Citizens are invited to make written or oral comments. Comments may be emailed to cwilson@townofcarrboro.org. The entire budget document may be viewed in the Town Clerk's Office Hall from 8:30 a.m. to 5:00 p.m. weekdays or on the Town website at www.townofcarrboro.org.

The motion carried by the following vote:

Aye: Alderman Johnson, Mayor Lavelle, Alderman Seils, Alderman Gist and Alderman Slade

Absent: Alderman Haven-O'Donnell

WORK SESSION ON NCNGN-AT&T MASTER NETWORK DEVELOPMENT AGREEMENT

The purpose of this item was for the Board of Aldermen to receive an overview of the North Carolina Next Generation (NCNGN) Master Network Development Agreement with AT&T for further discussion.

[Alderman Haven-O'Donnell arrived at the meeting at 8:40 P.M.]

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

Elise Kohn, the Senior Advisor and NCNGN program director, spoke to the Board about the NCNGN program.

Walter Wells, representing AT&T, spoke to the company's participation in the NCNGN program.

Stan Waddell, Assistant Vice Chancellor for Infrastructure and Operations at UNC, discussed the University's role in the initiative.

Deron Bell, representing the Community Connections Program with CH-Carrboro City Schools,

discussed the NCNGN's role in reducing the digital divide.

Alderman Gist requested that the agreement be more inclusive of low income areas in Carrboro.

Alderman Seils asked if the speed can be improved to the FCC minimum level for broadband service. He asked about the exclusivity clauses in the agreement and stated that they concerned him. He pointed out that the agreement does not obligate AT&T to provide any of the services in the agreement but it does obligate the Town to provide certain services on AT&T's behalf. He stated that the nondiscriminatory language may limit the Town's ability to partner with future providers. He stated that he would like to see the term of five years be moved to seven years for the affordable housing areas. He asked that these points be considered in future NCNGN discussions.

Alderman Slade stated that he was concerned with AT&T being presented as the top choice without discussing the other respondents. He also asked if AT&T's privacy violations had been reviewed in the process.

UPDATE ON GOOGLE FIBER AND CONSIDERATION OF GOOGLE NETWORK HUT LEASE AGREEMENT FORM

The purpose of this item was to provide the Board of Aldermen with a status update on Google Fiber and to receive Board approval for a Google Network Hut Lease Agreement form.

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

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

A RESOLUTION APPROVING A GOOGLE NETWORK HUT LEASE AGREEMENT FORM

WHEREAS, Google is exploring building additional high speed networks, referred to as Google Fiber, in various municipalities; and,

WHEREAS, the Town of Carrboro, as part of the Raleigh-Durham Google designated region, has been identified as a possible candidate for Google Fiber ; and,

WHEREAS, the Town of Carrboro is being asked to identify and supply information about existing Town owned infrastructure and provide information that would make construction speedy and predictable for Google; and,

WHEREAS, approval of a Google Network Hut Lease Agreement Form in advance of a potential Google Fiber network build out would make construction as speedy and predictable as possible for Google; and,

WHEREAS, if Google selects a Network Hut site on Town of Carrboro-owned property then Google and the Town will follow the process established by N.C. Gen. Stat 160A-272 for leasing such site at that time.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board approves the Google Network Hut Lease Agreement Form.

The motion carried by the following vote:

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

A RESOLUTION MAKING AN APPOINTMENT TO THE OWASA BOARD OF DIRECTORS

This item was continued to the May 20, 2014 meeting.

AFFORDABLE HOUSING GOALS AND STRATEGIES, PART II

This item was continued to the May 27, 2014 meeting.

ADJOURNMENT

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