



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

**Town of Carrboro  
Meeting Minutes  
Town Council**

**September 19, 2023**

**7:00 PM**

**Council Chambers - Room 110**

**Present:** Mayor Damon Seils, Council Member Eliazar Posada, Council Member Sammy Slade, Council Member Susan Romaine, Council Member Danny Nowell, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell

**Also Present:** Richard White, Town Manager; Wesley Barker, Town Clerk; Nick Herman, Town Attorney

\*\*\*\*\*

**CALL TO ORDER**

Mayor Seils asked for an ascent to the adjustment of the agenda to add an additional item to the closed session to discuss a personnel matter as required by G.S. 143-318.11.

Council was in consensus.

\*\*\*\*\*

**POETRY READING**

Poet Laurette Liza Wolff-Francis read her poem "Powdered Sugar on Strawberries."

\*\*\*\*\*

**PUBLIC COMMENT**

**Makeda Ma'at** spoke on correction to Council minutes and thanked those involved with The Landings recent event.

\*\*\*\*\*

**APPOINTMENT TO THE CARRBORO TOURISM DEVELOPMENT AUTHORITY (CTDA)**

44  
45 The purpose of this agenda item is to request that the Town Council consider an appointment to  
46 the Carrboro Tourism Development Authority (CTDA).  
47

48 **Council Member Romaine made a motion, seconded by Council Member Posada that the**  
49 **following resolution be approved:**

50  
51 A RESOLUTION MAKING AN APPOINTMENT TO THE CARRBORO TOURISM  
52 DEVELOPMENT AUTHORITY (CTDA)  
53

54 **Section 1.** The Carrboro Town Council hereby appoints the following to the CTDA for a term to  
55 expire in January 2024:

| Appointee  | Term Expiration | 56 |
|------------|-----------------|----|
| Huru Price | 1/2024          | 57 |
|            |                 | 58 |
|            |                 | 59 |

60 **Section 2.** This resolution is effective immediately upon adoption.

61  
62 This the 19th day of September, 2023.

63  
64 **The motion was carried unanimously.**

65  
66 \*\*\*\*\*

67  
68 **RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO EXECUTE A**  
69 **CONTRACT FOR THE SITE ASSESSMENT OF TOWN-OWNED PROPERTY**

70  
71 The purpose of this agenda item is to request that the Town Council authorize the Town Manager  
72 to execute a contract for the site assessment of identified town-owned land for possible  
73 affordable housing use.

74  
75 **A motion was made by Council Member Foushee, seconded by Council Member Posada,**  
76 **that the following resolution be approved:**

77  
78 A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONTRACT  
79 FOR THE SITE ASSESSMENT OF TOWN-OWNED PROPERTY

80  
81 **WHEREAS,** the Town of Carrboro’s Comprehensive Plan outlines a goal of diversifying and  
82 expanding a variety of housing options throughout Carrboro using a mixture of affordable  
83 housing types; and

84  
85 **WHEREAS,** the Town’s Comprehensive Plan identifies Project 3.4A a priority project for  
86 implementation; and

87  
88 **WHEREAS,** four town-owned parcels located on Pathway Drive and Crest Street have been  
89 identified for site assessment services to determine the feasibility for possible affordable housing

90 development; and

91  
92 **WHEREAS**, Summit Design and Engineering Services was chosen through a Request for  
93 Qualifications (RFQ) procurement process as the most qualified and responsible firm to provide  
94 the site assessment; and,

95  
96 **WHEREAS**, the Affordable Housing Special Revenue Fund budget for FY 2023-2024 has  
97 allocated up to \$100,000 for the site assessment of these parcels;

98  
99 **NOW, THEREFORE, BE IT RESOLVED** that the Carrboro Town Council:

100  
101 Authorizes the Town Manager to enter into an agreement at a cost of \$81,544 with Summit  
102 Design and Engineering Services for the site assessment of four town-owned parcels to  
103 determine the feasibility of affordable housing development.

104  
105 This the 19th day of September, 2023.

106  
107 **The motion was carried unanimously.**

108  
109 \*\*\*\*\*

110  
111 **CAPITAL PROJECT ORDINANCE FOR THREE SIGNALIZED PEDESTRIAN**  
112 **CROSSINGS ALONG 54 AT THE FOLLOWING LOCATIONS: WESTBROOK DRIVE,**  
113 **ABBEY LANE, AND THE ENTRANCE DRIVES TO THE KINGSWOOD AND**  
114 **LAUREL RIDGE APARTMENT COMPLEXES**

115  
116 The purpose of this agenda item is to request that the Town Council adopt a capital improvement  
117 project ordinance for the Town’s participation in the construction of three signalized pedestrian  
118 crossings along NC 54 (TIP# BL-0044).

119  
120 **A motion was made by Council Member Romaine, seconded by Council Member Posada**  
121 **to approve the following ordinance:**

122  
123 **PEDESTRIAN SIGNALS AND RELATED STREET SAFETY IMPROVEMENTS FOR**  
124 **LOCATIONS ALONG NC 54 CAPITAL IMPROVEMENT PROJECT**

125  
126 *Ordinance No. 2 - FY 2023-24*

127  
128 **WHEREAS**, the North Carolina Department of Transportation (NCDOT) has programmed a  
129 TIP Project (BL-0044) for the design and construction of pedestrian signals and related safety  
130 improvements at three locations along NC 54: Westbrook Drive, Abbey Lane and the  
131 intersection at the entrance drives to the Kingswood and Laurel Ridge apartments; and,

132  
133 **WHEREAS**, the anticipated cost of the project is \$1,570,500.00; and,

134  
135 **WHEREAS**, NCDOT has agreed to manage the design and construction of the project,  
136 including the administration of any federal funds allocated to the project; and,

137  
138 **WHEREAS**, the Town Council has approved and authorized the Town Manager to execute a  
139 Municipal Agreement with NCDOT whereby the Town of Carrboro (Town) will pay NCDOT  
140 \$150,000 for its participation in project costs; and,

141  
142 **WHEREAS**, the Town has received an allocation of \$150,000 of Orange County Transit Plan  
143 revenues for the project.

144  
145 **NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE**  
146 **TOWN COUNCIL OF THE TOWN OF CARRBORO THAT:**

- 147  
148 1. The pedestrian signals and related safety improvements along NC 54 at the following  
149 locations: Westbrook Drive, Abbey Lane and the entrance drives to the Kingswood and  
150 Laurel Ridge apartments are hereby authorized to be undertaken until all project activity  
151 is completed.  
152  
153 2. The following revenues are anticipated to be available to the Town of Carrboro for the  
154 Town’s participation in the Project:

|                             |                     |
|-----------------------------|---------------------|
| Orange County Transit Funds | <u>\$150,000.00</u> |
| Total Carrboro Revenues     | \$150,000.00        |

- 155  
156  
157  
158  
159 3. The following amount is appropriated for this project to be expended in the following  
160 manner:

|                     |                     |
|---------------------|---------------------|
| Construction        | <u>\$150,000.00</u> |
| Total Appropriation | \$150,000.00        |

- 161  
162  
163  
164  
165 4. The NCDOT will administer and carryout this project in accordance with the attached  
166 Municipal agreement entered into by the Town and NCDOT.  
167  
168 5. Within five (5) days after this project ordinance is adopted, the Town Clerk shall file a  
169 copy of this ordinance with the Finance Director.

170  
171 This the 19th day of September, 2023.

172  
173 **The motion was carried unanimously.**

174  
175 \*\*\*\*\*

176  
177 **GRANT PROJECT ORDINANCE FOR SAFE ROUTES TO SCHOOL GRANT**

178  
179 The purpose of this agenda item is to request that the Town Council adopt a grant project  
180 ordinance for the Safe Routes to School Non-Infrastructure Grant A.  
181

182 **A motion was made by Council Member Romaine, seconded by Council Member Posada to**  
183 **approve the following ordinance:**

184  
185 **SAFE ROUTES TO SCHOOL NON-INFRASTRUCTURE GRANT PROJECT**

186  
187 *Ordinance No. 3 - FY 2023-24*

188  
189 **WHEREAS**, the Town of Carrboro (Town) has been awarded a Safe Routes to School Non-  
190 Infrastructure Grant from the North Carolina Department of Transportation Integrated Mobility  
191 Division; and,

192  
193 **WHEREAS**, the grant award requires the Town to enter into a Municipal Agreement with  
194 NCDOT; and,

195  
196 **WHEREAS**, the grant award is for \$89,349.00 and no local match is required, however,  
197 NCDOT may charge up to \$8,924.90 or 10% of the grant for administrative costs; and,

198  
199 **WHEREAS**, the Town adopted a Safe Routes to School Strategic Action Plan in 2010; and

200  
201 **WHEREAS**, the Town Council of the Town of Carrboro deems this activity to be a worthy and  
202 desirable undertaking.

203  
204 **NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE**  
205 **TOWN COUNCIL OF THE TOWN OF CARRBORO THAT:**

- 206  
207 1. This grant is hereby accepted and authorized to update the Town’s Safe Routes to School  
208 Strategic Action Plan; and is hereby authorized to be undertaken until all project activity is  
209 completed.
- 210  
211 2. The following revenues are anticipated to be available to the Town of Carrboro to  
212 complete this Project:
- |                                     |                |                     |
|-------------------------------------|----------------|---------------------|
| 213 NC Department of Transportation |                | \$ <u>89,349.00</u> |
| 214                                 | Total Revenues | \$ 89,349.90        |
- 215  
216 3. The following amount is appropriated for this project to be expended in the following  
217 manner:
- |                                                                      |                     |              |
|----------------------------------------------------------------------|---------------------|--------------|
| 218 Update of the Town’s Safe Routes to School Strategic Action Plan | \$ 80,424.10        |              |
| 219 NCDOT Administration                                             | \$ <u>8,924.90</u>  |              |
| 220                                                                  | Total Appropriation | \$ 89,349.00 |
- 221  
222 4. The Town Manager is authorized to execute a grant contract and any other necessary  
223 documents for this award with the NC Department of Transportation.
- 224  
225 5. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of  
226 this ordinance with the Finance Director.

227  
228 This the 19th day of September, 2023.

229  
230 **The motion was carried unanimously.**

231  
232  
233 \*\*\*\*\*

234  
235 **REQUEST-TO-SET LEGISLATIVE PUBLIC HEARING FOR TEXT AMENDMENT**  
236 **RELATING TO DENSITY IN PUDS**

237  
238 The purpose of this agenda item is to request that the Town Council consider setting a public  
239 hearing on a text amendment to the Land Use Ordinance relating to residential density in a  
240 Planned Unit Development (PUD). A resolution setting a public hearing for October 24, 2023  
241 has been provided.

242  
243 **A motion was made by Council Member Romaine, seconded by Council Member Posada**  
244 **to approve the following resolution:**

245  
246 A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE  
247 CARRBORO LAND USE ORDINANCE RELATING TO DENSITY IN PLANNED UNIT  
248 DEVELOPMENTS

249  
250 **WHEREAS**, the Carrboro Town Council seeks to provide ample opportunities for the public to  
251 comment on proposed amendments to the Land Use Ordinance.

252  
253 **NOW, THEREFORE BE IT RESOLVED** that the Town Council sets a public hearing on  
254 October 24, 2023, to consider adopting “An Ordinance Amending the Carrboro Land Use  
255 Ordinance Relating to Density in Planned Unit Developments.”

256  
257 **BE IT FURTHER RESOLVED** that the draft ordinance is referred to Orange County and the  
258 Town of Carrboro Planning Board for consideration and recommendation prior to the specified  
259 public hearing date.

260  
261 **BE IT FURTHER RESOLVED** that the draft ordinance is also referred to the following Town  
262 of Carrboro advisory boards and commissions.

- Appearance Commission
- Recreation and Parks Commission
- Transportation Advisory Board
- Northern Transition Area Advisory Committee
- Environmental Advisory Board
- Affordable Housing Advisory Commission

Economic Sustainability Commission  \_\_\_\_\_

264  
265 This is the 19th day of September, 2023.

266  
267 **The motion was carried unanimously.**

268  
269 \*\*\*\*\*

270  
271 **RESOLUTION ADOPTING CHANGES TO TOWN OF CARRBORO POSITION**  
272 **CLASSIFICATION AND PAY PLAN**  
273

274 The purpose of this agenda item is to request that the Town Council adopt the proposed changes  
275 to the Town of Carrboro Position Classification and Pay Plan to align job two titles and positions  
276 with the needs of the organization.

277  
278 **A motion was made by Council Member Romaine, seconded by Council Member Posada to**  
279 **approve the following resolution:**

280  
281 RESOLUTION ADOPTING CHANGES TO TOWN OF CARRBORO POSITION  
282 CLASSIFICATION AND PAY PLAN  
283

284 **WHEREAS**, the Town Council has adopted a comprehensive Position Classification and Pay  
285 Plan for the Town of Carrboro;

286  
287 **WHEREAS**, the Town Council has passed a budget for FY 2023-24 including a Position  
288 Classification and Pay Plan; and

289  
290 **WHEREAS**, the proposed changes do not require a budget amendment, and no additional full-  
291 time equivalent (FTE) positions are being added.

292  
293 **NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF CARRBORO**  
294 **RESOLVES:**

295  
296 Section 1. The Position Classification and Pay Plan is hereby modified as follows:

- 297  
298 a. Establish a Fire Marshal Position in Salary Grade 114.  
299 b. Establish a Comptroller position in Salary Grade 118.  
300 c. Eliminate the job title Accounting & Grants Supervisor (Salary Grade 116) from the  
301 Position Classification and Pay Plan.  
302 d. Move one (1) Accounting & Grants Supervisor position to one (1) Comptroller position.  
303 e. Move one (1) Battalion Chief position to one (1) Fire Marshal position.

304  
305 Section 2. All other provisions of the Position Classification and Pay Plan remain unchanged.

306  
307 Section 3. The Human Resources Director shall revise the Position Classification and Pay Plan to  
308 reflect the changes in Section 1.

309  
310 Section 4. This resolution shall become effective September 20, 2023.

311  
312 **The motion was carried unanimously.**

313  
314 \*\*\*\*\*

315  
316 **REQUEST TO SUBMIT A T-MOBILE GRANT TO REFRESH THE TOWN'S FREE**  
317 **PUBLIC WI-FI**

318  
319 The purpose of this agenda item is to request that the Town Council authorize the submittal of a  
320 T-Mobile grant application. If awarded, the funds will be used to refresh various critical public  
321 Wi-Fi infrastructure allowing for Wi-Fi 6/6E connectivity which offers greater bandwidth, higher  
322 speeds, and supports a greater number of Wi-Fi users.

323  
324 **A motion was made by Council Member Romaine, seconded by Council Member Posada**  
325 **to approve the following resolution:**

326  
327 A RESOLUTION TO AUTHORIZE THE SUBMITTAL OF A T-MOBILE GRANT  
328 APPLICATION AND THE ACCEPTANCE OF THE GRANT IF AWARDED

329  
330 **WHEREAS**, the Town of Carrboro has need for maintaining and upgrading the Town's free  
331 public downtown Wi-Fi infrastructure over time, and

332  
333 **WHEREAS**, T-Mobile is offering a grant opportunity for \$50,000 for shovel ready projects that  
334 foster local connections, like technology upgrades, and build stronger communities and the Town  
335 intends to apply for the T-Mobile grant to refresh various critical public Wi-Fi infrastructure  
336 allowing for Wi-Fi 6/6E connectivity which offers greater bandwidth, higher speeds, and  
337 supports a greater number of Wi-Fi users.

338  
339 **NOW, THEREFORE BE IT RESOLVED** by the Carrboro Town Council that the Council:

340  
341 Authorize staff to submit an application to pursue this opportunity.

342  
343 This the 19th day of September, 2023.

344  
345 **The motion carried unanimously.**

346  
347 \*\*\*\*\*

348  
349 **APPROVAL OF MINUTES: OCTOBER 11 (CORRECTION), NOVEMBER 1,**  
350 **NOVEMBER 15 & DECEMBER 6, 2022**

351  
352 The Mayor and Council discussed the process of having minutes changed with the Clerk.



353  
354 **A motion was made by Council Member Slade, seconded by Council Member Haven-**  
355 **O'Donnell to approve the minutes with amendments to the October 11 minutes.**

356  
357  
358 **The motion was carried unanimously.**

359 \*\*\*\*\*

360  
361  
362 **APPOINTMENTS TO THE GREENWAYS COMMISSION**

363  
364 The purpose of this agenda item is to request that the Town Council consider appointments to the  
365 Greenways Commission.

366  
367 Council Member Romaine raised concern about appointing these 2 members and cited a lack of  
368 diversity and BIPOC members.

369  
370 Wesley Barker, Town Clerk, stated that the positions have been advertised for some time and no  
371 BIPOC applicants have applied and cited the issue of quorum and the need to appoint these  
372 members.

373  
374 Council Member Posada asked about the timeline of the expiration of the current members'  
375 tenure.

376  
377 Wesley Barker, Town Clerk, stated that all are up for renewal in February. He stated they will  
378 certainly expand their advertising of the remaining open positions.

379  
380 **Council Member Haven-O'Donnell made a motion, seconded by Council Member Slade to**  
381 **approve the following resolution:**

382  
383 A RESOLUTION MAKING APPOINTMENTS TO THE  
384 GREENWAYS COMMISSION

385  
386 Section 1. The Carrboro Town Council hereby appoints the following applicants to the  
387 Greenways Commission:

388

| Seat Designation | Appointee   | Term Expiration |
|------------------|-------------|-----------------|
| In-Town Member   | Lori McLamb | 2/2026          |
| In-Town Member   | Justin Frye | 2/2026          |

389  
390 Section 2. This resolution shall become effective upon adoption.

391  
392 This the 19th day of September, 2023.

393  
394 **The motion was carried unanimously.**

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**STORMWATER INFRASTRUCTURE GRANT OPPORTUNITY**

The purpose of this item is to request that the Town Council approve a planning grant application to the North Carolina Division of Water Infrastructure Local Assistance for Stormwater Infrastructure Investments program.

Council Member Haven-O'Donnell questioned Randy Dodd, Stormwater Utility Manager, about the possibility of having the Stormwater Utility Commission have conversations with the Climate Action Team regarding the Green Neighborhood initiative.

Randy Dodd, Stormwater Utility Manager, agreed to have conversations with all stakeholders to enhance cooperation.

**Council Member Haven-O'Donnell made a motion, seconded by Council Member Slade to approve the following resolution:**

A RESOLUTION SUPPORTING A LOCAL ASSISTANCE FOR STORMWATER  
INFRASTRUCTURE IMPROVEMENTS GRANT APPLICATION

**WHEREAS**, the Town of Carrboro has need for and intends to plan for and conduct a stormwater management planning study, and

**WHEREAS**, the North Carolina Division of Water Infrastructure is accepting proposals under the Local Assistance for Stormwater Infrastructure Improvements program and the Town of Carrboro intends to request State grant assistance under the program for the project.

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Town Council that the Council:

Authorize staff to submit an application to pursue this opportunity; and

Affirms that the Town's Stormwater Utility and Stormwater Enterprise Fund exist and are supported by a rate schedule of fees and charges and other available funds which provides adequate funds for proper administration of the project and the work ensuing from the project; and,

That Richard White, Town Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a grant to aid in the project described above; and

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application; and

441 That the Town of Carrboro will substantially comply with all Federal, State, and local laws, rules,  
442 regulations, and ordinances applicable to the project and to Federal and State grants and loans  
443 pertaining thereto; and

444  
445 That Carrboro will adopt a Stormwater Management Plan as part of the completion of this project.  
446

447 This the 19th day of September, 2023.

448  
449 **The motion was carried unanimously.**

450  
451 \*\*\*\*\*

452  
453 **WESTWOOD CEMETERY MASTER PLAN**

454  
455 The purpose of this agenda item is to request that the Town Council approve the revised  
456 Westwood Cemetery Master Plan.

457  
458 Ben Schmadeke, Carrboro Public Works, and Peter Fernandez, Architect from Carter van Dyke  
459 Associates, gave a presentation on the new master plan. Ben Schmadeke, Carrboro Public  
460 Works, gave a recap of the cemetery and how things up to this point. Peter Fernandez, Architect  
461 from Carter van Dyke Associates, presented the new master plan. Next steps were provided for  
462 once the plan is approved. There are only 55 plots left as it currently stands.

463  
464 **Public comments on agenda item**

465  
466 **Lorie Clark** asked Council to think about maintaining the open space for a resting place. She  
467 liked how the new plan had different options for burial.

468  
469 **Lori Carter** made comments that she liked the expanded use of the cemetery and the different  
470 burial options presented. She requested to amend the plan by moving the fence to the roadside  
471 and enclose all the space.

472  
473 **August Larson** made comments that he was disappointed to see the expansion of the cemetery  
474 and cited the 470 signatures that wanted the open space preserved, he said the process was too  
475 rushed and the master plan doesn't address the need for green space in the community.

476  
477 **Doug Brower** requested the council refrain from giving final approval as he feels that it is too  
478 big of a cemetery. He was excited to see the pocket park and applauded the inclusion of different  
479 types of burials.

480  
481 **Bob Proctor** proposed changes to the masterplan through a presentation and requested that the  
482 circle drive not be constructed and for Zone Z to be studied.

483  
484 **Richard Ellington** spoke in support of the masterplan and stated there should be options for  
485 cremation, green and natural burials.

486

487 Discussion between the Council Members and presenters ensued about the master plan for  
488 Westwood Cemetery and how it compared to what came out of the work session.

489  
490 Mayor Seils reminded everyone that the work session is a compromise of all member's ideas  
491 thanked staff for putting together the new master plan. Some members expressed they wanted to  
492 move this plan forward because the design could be debated infinitely.

493  
494 Council Member Slade expressed that he felt what made it into the plan was one sided and asked  
495 why only one option was presented.

496  
497 Council Member Haven-O'Donnell expressed that the conversation in June was closer to a cross-  
498 community plan than what is in the current master plan.

499  
500 Council Member Slade expressed to the manager that in the future it would be nice to have two  
501 to three options presented from what comes out of work sessions.

502  
503 **A motion was made by Council Member Nowell, seconded by Council Member Posada that**  
504 **the following resolution be approved:**

505  
506 A RESOLUTION FOR APPROVING THE WESTWOOD CEMETERY MASTER PLAN

507  
508 **WHEREAS**, the Town Council has held two work sessions on the future use of the  
509 undeveloped area of Westwood Cemetery and provided comments on options for cemetery  
510 development; and,

511  
512 **WHEREAS**, a Westwood Cemetery Master Plan has been created to incorporate cemetery  
513 improvements, additional areas for burial plots, diversified internment options, and undeveloped  
514 greenspace; and,

515  
516 **WHEREAS**, the Master Plan will be implemented through a phased approach dictated by  
517 burial demand and the availability of funding;

518  
519 **THEREFORE, BE IT RESOLVED** that the Carrboro Town Council approves the Westwood  
520 Cemetery Master Plan dated September 19, 2023 and authorizes staff to begin implementation of  
521 the plan.

522  
523 **THEREFORE, BE IT FURTHER RESOLVED** that the columbarium should be designated as  
524 a potential third phase of development.

525  
526 This the 19th day of September, 2023.

527  
528 **The motion carried 5-2.**

529  
530 **Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara**  
531 **Foushee, Council Member Danny Nowell, Council Member Eliazar Posada**

532

533 **Noes: Council Member Randee Haven-O'Donnell, Council Member Sammy Slade**

534

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536

537 **PRESENTATION ON GAS-POWERED LANDSCAPING EQUIPMENT**

538

539 The purpose of this agenda item is to provide a presentation of staff findings on potential code  
540 amendments for banning gas-powered landscape equipment in Carrboro to reduce environmental  
541 and noise pollution.

542

543 Zachary Kier, Assistant to the Town Manager, and Jon Hartman-Brown, Economic Development  
544 Director, gave a presentation on the background of this issue, how it came about and  
545 recommendations on how the council could move forward. They presented three options:

546

547 Option 1: Expand and utilize existing noise ordinance to specifically include landscaping  
548 equipment. Would require a simple Town Code Enforcement.

549

550 Option 2: Create new ordinance that will limit the decibel level of landscaping equipment.  
551 Would require staff time to draft ordinance, equipment purchases and training for enforcement.

552

553 Option 3: No change to current policies.

554

555 Council Member Slade felt the presentation only presented the negative aspects to this issue and  
556 did not present the positives of banning gas-powered landscaping equipment. Explained some  
557 positive effects of implementing this as a policy. Possibility of using town funds to help  
558 businesses switch to electric.

559

560 Council Member Romaine supported option 1. Mentioned the working hours of 8am to 7pm on  
561 weekdays and 9am to 5pm on weekends, to include holidays. Also to disallow use on air quality  
562 action days. Mentioned Orange County grants to switch to electric.

563

564 Council Member Posada is in favor of expanding current ordinance. Expressed a want to know  
565 the demographics of the businesses that were surveyed and wanted to find ways to work with the  
566 groups affected in terms of equipment due to the expensive nature of replacing gas powered  
567 equipment with electrically powered equipment.

568

569 Council Member Haven-O'Donnell commented on electrification will come and the importance  
570 of moving forward with noise ordinance now. Worried about how this decision will impact small  
571 business owners. Talked about the tool bank and possible grant to the tool bank or grants from  
572 the climate action team to help these businesses upgrade equipment.

573

574 Mayor Seils explained that there are a few ways to approach this issue through both option 1 and  
575 option 2 and elaborated on both. Stated we cannot put this on our citizens without having the  
576 town to comply with this first, he also said to put the subject of grants in another motion.

577

578 Asked Council how they wanted to proceed.

579 Council Member Slade amended his existing motion to Option 2 and stated he wanted it to be  
580 like Chapel Hill’s ordinance per decibel level and range of 50 feet. He wanted to include  
581 working with El Centro on tool banks and grants. Stated he wanted to set a time frame of 2 years  
582 for the decibel level enforcement.

583  
584 Mayor Seils went back over what Council Members mentioned.

585  
586 Council Member Nowell expressed that he was in favor of this but wanted to include a way to  
587 have this enforceable.

588  
589 **Council Member Slade made a motion, seconded by Council Member Foushee to move**  
590 **forward with Option 2, to create an ordinance that will limit decibel levels to the same level**  
591 **and hours of use to the same as Chapel Hill, to include the town to adhere to the same**  
592 **hours, using equipment within the manufacturing standard, and creating debris that effect**  
593 **stormwater features, with the decibel ordinance going into effect October 2025.**

594  
595 **The motion carried unanimously.**

596  
597 **Council Member Slade made a motion, seconded by Council Member Foushee to accelerate**  
598 **electrification of privately-owned gas-powered landscaping equipment, work with El**  
599 **Centro as a tool bank and refer this to the Climate Action Committee to come up with**  
600 **recommendations.**

601  
602 **The motion carried unanimously.**

603  
604 \*\*\*\*\*

605  
606 **MATTERS BY COUNCIL MEMBERS**

607  
608 **Council Member Haven-O’Donnell made a motion to extend the Bolin Creek Greenway**  
609 **survey to 10/17 and have the report by 10/31.**

610  
611 Mayor Seils reminded Council that the 03/28/23 resolution did not state 10/17/23 was a deadline  
612 but a timeframe to have the survey completed.

613  
614 **No one seconded the motion. Motion failed.**

615  
616 \*\*\*\*\*

617  
618 **Council Member Slade made a motion, seconded by Council Member Posada to go into**  
619 **closed session.**

620  
621 **The motion carried unanimously.**

622  
623 \*\*\*\*\*

624

625 **ADJOURNMENT**

626

627 **A motion was made by Council Member Slade, seconded by Council Member Haven-**  
628 **O'Donnell to adjourn the meeting.**

629

630 **The motion carried unanimously.**

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632

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