



TOWN OF CARRBORO • NC

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

**Town of Carrboro
Meeting Minutes
Town Council**

March 5, 2024

7:00 PM

Council Chambers - Room 110

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

Also Present: Marie Parker, Interim Town Manager; Wendy Welsh, Interim Town Clerk; Nick Herman, Town Attorney

POETRY READING

Poette Laurette Liza Wolff-Francis read Jenni Joseph’s poem “Warning.”

PROCLAMATION – WOMEN’S HISTORY MONTH AND INTERNATIONAL WOMEN’S DAY

WHEREAS, the theme for Women’s History Month in March 2024, as established by the National Women’s History Alliance, is “Women Who Advocate for Equity, Diversity and Inclusion,” honoring “women throughout the country who understand that, for a positive future, we need to eliminate bias and discrimination entirely from our lives and institutions.”; and

WHEREAS, the theme of the United Nations Observance of International Women’s Day on March 8, 2024, is “Inspire Inclusion,” recognizing that “when we inspire others to understand and value women's inclusion, we forge a better world.”—” when women themselves are inspired to be included, there's a sense of belonging, relevance, and empowerment”; and

WHEREAS, the history of International Women’s Day and Women’s History Month emerged from the labor and antiwar movements of the early 20th century, with an emphasis on women’s suffrage and workers’ rights that later expanded to include equal pay and other fair labor practices, sexual and reproductive rights, and the prevention of gender-based violence; and

WHEREAS, International Women’s Day and Women’s History Month offer a reminder that all attempts to subjugate women, erode women’s rights, and promote and defend gender-based violence—whether in our homes, our workplaces, or our legislatures—must be resisted; and

WHEREAS, these observances also offer an opportunity to celebrate the contributions that women of every race, class, ethnic background, and gender identity have made to the social, cultural, and economic life of the community; and

WHEREAS, women are serving in leadership roles throughout the Town of Carrboro organization, including several as department heads; and, since the election of Alderman Mary Riggsbee in 1971 and Mayor Ruth West in 1975, the people of Carrboro have been proudly electing women to local office, including currently serving Mayor Barbara Foushee and Council Member Randee Haven-O’Donnell, and

WHEREAS, a great woman poet named Nikki Giovanni once said, “Deal with yourself as an individual worthy of respect, and make everyone else deal with you the same way.” and

60 **NOW, THEREFORE**, I, Barbara M Foushee, mayor of the Town of Carrboro, North Carolina,
61 do hereby proclaim March 8, 2024, to be International Women’s Day in Carrboro and the month
62 of March 2024 to be Women’s History Month in Carrboro. I encourage all residents to
63 participate in Women’s History Month events and to learn about and celebrate the lives, history,
64 and contributions of women during this month and throughout the year.

65
66 This the 5th day of March, 2024.

67 *****

68
69 **PROCLAMATION – TRANSIT OPERATOR APPRECIATION DAY**

70
71 **WHEREAS**, local and regional public transit are necessities for our community; and

72
73 **WHEREAS**, communities across the United States observe Transit Operator Appreciation Day
74 each year on March 18 to recognize transit operators’ dedication, hard work, and the essential
75 services they provide as they move people about by rail, bus, taxi and van to name a few and

76
77 **WHEREAS**, transit operators start their days before the sun rises and finish them long after the
78 sun is set, including working weekends and on or around holidays, while many of us are
79 spending time with family and friends; and

80
81 **WHEREAS**, in addition to meeting stringent safety requirements, transit operators must
82 demonstrate customer service, patience, empathy, and understanding to create a welcoming and
83 inclusive environment for community members and visitors; and

84
85 **WHEREAS**, transit operators work hard each day to help transit users access jobs, health care,
86 school, community services, and many other personal, social, and civic opportunities; and

87
88 **WHEREAS**, we have been shown how vital public transit is to our communities; and how
89 transit operators continue to work on the front lines, adapting to new work environments and
90 safety requirements and helping transit users safely reach essential destinations while also
91 responding to various changes in their own lives; and

92
93 **WHEREAS**, here in our community, Chapel Hill Transit operates the second largest transit
94 system in North Carolina as a partnership between the Town of Carrboro, the Town of Chapel
95 Hill, and the University of North Carolina, providing fare-free, 7-day-a-week transit service to
96 help our communities and the university meet our transportation, sustainability, and equity goals;
97 and

98
99 **WHEREAS**, in 2016, Go Triangle extended regional transit service into Carrboro and, since that
100 time, has operated weekday service between downtown Carrboro and the Triangle region; and

101
102 **NOW, THEREFORE**, I, Barbara M Foushee, mayor of the Town of Carrboro, North Carolina,
103 do hereby proclaim March 18, 2024, to be Transit Operator Appreciation Day in Carrboro. I
104 encourage all residents and visitors to incorporate public transit into their transportation routines;
105 to become advocates for local and regional public transit; and, most important, to thank our local
106 and regional transit operators at every opportunity.

107
108 This the 5th day of March, 2024.

109 *****

110
111
112 **PROCLAMATION – FEMICIDE AWARENESS**

113
114 **WHEREAS**, the Town of Carrboro recognizes the urgent need to address the crisis of femicide,
115 which disproportionately affects women; and

116
117 **WHEREAS**, femicide is a hate crime directed at women- whether assigned as female at birth or
118 self-identified as female -because of their sex or gender; and

119
120 **WHEREAS**, femicide is a grave issue in our society, with more than five women losing their
121 lives daily in the United States alone, constituting 70% of the total deaths of women in high-

122 income countries. Globally, the United States ranks 34th in intentional homicides of women,
123 with a rate of 2.6 murders per 100,000 women; and

124
125 **WHEREAS** the data analysis organization Statista finds that North Carolina had the sixth
126 highest number of homicides of women by men among all US states in 2020 and

127
128 **WHEREAS**, the lack of specific legislation recognizing femicide as a distinct crime from
129 homicide in the United States hampers efforts to address and prevent these tragic deaths; and

130
131 **WHEREAS**, recent cases of femicides in North Carolina, such as the tragic death of Liliana
132 Concha, underscore the imperative for legislative action to provide justice for victims and their
133 families, enable accurate data collection and research, and serve as a deterrent against such
134 heinous crimes; and

135
136 **WHEREAS**, the Town of Carrboro recognizes the importance of taking proactive measures to
137 address gender-based violence and promote the safety and well-being of all residents; and,

138
139 **WHEREAS**, the Town of Carrboro is committed to supporting legislative efforts to classify
140 femicide as a distinct crime, ensuring that perpetrators are held accountable for their actions and
141 that victims receive the justice they deserve regardless of sexual orientation, religion, race or age
142 and

143
144 **NOW, THEREFORE, BE IT RESOLVED THAT**, I, Barbara M. Foushee, Mayor of the
145 Town of Carrboro, do hereby proclaim March 8th as a day to raise awareness about femicide and
146 call for action to prevent these murders. Let us use this day to honor the memory of victims,
147 support survivors, and advocate for policies that promote the safety, protection and equity of all
148 women, regardless of age.

149 This the 5th day of March, 2024.

150
151 *****

152
153
154 **AWARD PRESENTATION – 2024 PAUL MURRAY AWARD – NAVEAH’ HODGE**

155
156
157 This the 5th day of March, 2024.

158 *****

159
160
161 **PUBLIC COMMENT**

162
163 **William Stone** spoke against the Pathway Drive development and in favor of trees. Doesn’t
164 want affordable housing at the cost of cutting down trees.

165
166 **Clara Zelasky** spoke against the Pathway Drive development and showed a video of the
167 property on Pathway Drive doing land mulching by Summit Engineering. Requested a report of
168 Summit Engineering’s report.

169
170 **Sonia** spoke against the Pathway Drive development and showed a video of the Pathway Drive
171 property after forest mulching. Discussed flooding issues in the neighborhood.

172
173 Mayor Foushee comment on Pathway Drive parcel and that the Town Council approved
174 affordable housing on town own land. She described there are 9 steps, and the Town is currently
175 on step 2. Re-iterated there will be multiple points for public engagement and appreciates
176 comments.

177 *****

178
179
180 **RESOLUTION TO AUTHORIZE A CONTRACT FOR PROFESSIONAL SERVICES**

181
182 To request that the Town Council authorize the Town Manager to negotiate and execute a
183 contract for professional planning services for the development of a Downtown Area Plan.

184
185 **A motion was made by Council Member Haven-O'Donnell, seconded by Council Member**
186 **Nowell to approve the following resolution:**

187
188 A RESOLUTION AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND
189 EXECUTE A CONTRACT FOR PROFESSIONAL PLANNING SERVICES FOR A
190 DOWNTOWN AREA PLAN

191
192 THE TOWN COUNCIL OF THE TOWN OF CARRBORO RESOLVES:

193
194 Section 1. The Town Council hereby authorizes the Town Manager to negotiate and execute a
195 contract with Freese and Nichols, Inc. in an amount not to exceed \$298,000.

196
197 Section 2. Within five (5) days after this resolution is adopted, the Town Clerk shall file a copy
198 of this resolution with the Finance Director.

199
200 Section 3. This resolution shall become effective upon adoption.

201
202 This 5th day of March, 2024.

203
204 **The motion carried unanimously.**

205
206 *****

207
208 **APPOINTMENTS TO NORTHERN TRANSITION AREA ADVISORY COMMITTEE**

209
210 This agenda item is for the Town Council to make reappointments to the Northern Transition
211 Area Advisory Committee. This does not include any new appointments.

212
213 **A motion was made by Council Member Haven-O'Donnell, seconded by Council Member**
214 **Nowell to approve the following resolution:**

215
216 A RESOLUTION MAKING REAPPOINTMENTS TO THE NORTHERN TRANSITION
217 AREA ADVISORY COMMITTEE (NTAAC)

218
219 Section 1. The Carrboro Town Council hereby appoints the following applicant(s) to the
220 Northern Transition Area Advisory Committee (NTAAC):

221

Seat Designation	Appointee	Term Expiration
Carrboro	Lisa Brown	2/2027
Orange County	Anahid Vrana	2/2027

222
223 Section 2. This resolution shall become effective upon adoption.

224
225 This 5th day of March, 2024.

226
227 **The motion carried unanimously.**

228
229 *****

230
231 **APPOINTMENTS TO THE CLIMATE ACTION TEAM**

232
233 The purpose of this agenda item is for Council to make reappointments to the Climate Action
234 Team. This does not include new appointments.

235
236 **A motion was made by Council Member Haven-O'Donnell, seconded by Council Member**
237 **Nowell to approve the following resolution:**

238
239 A RESOLUTION MAKING REAPPOINTMENTS TO THE CLIMATE ACTION TEAM

240
241 The Carrboro Town Council hereby appoints the following to the Climate Action Team:

Appointee	Term Expiration
Tilly Pick	2/2027
Lauren Nyland	2/2027

243
244 This resolution shall become effective upon adoption.

245
246 This 5th day of March, 2024.

247
248 **The motion carried unanimously.**

249
250 *****

251
252 **FOLLOW-UP TO FY 2022-2023 AUDIT FINDING**

253
254 The purpose of this agenda item is to provide a response letter for planned corrective actions
255 relating to the audit findings presented to Council on January 9, 2024.

256
257 **A motion was made by Council Member Haven-O'Donnell, seconded by Council Member**
258 **Nowell to approve the following resolution:**

259
260 **RESOLUTION FOR CORRECTIVE ACTION PLAN TO CORRECT INTERNAL CONTROL**
261 **WEAKNESSES FOR FINANCIAL REPORTING AND BUDGET VIOATION FOR**
262 **FY 2022-2023**

263
264 **WHEREAS**, the Town Council has received a presentation of the Financial Statements and
265 Independent Audit for the Fiscal Year Ended June 30, 2023, from independent auditors,
266 FORVIS, LLP; and,

267
268 **WHEREAS**, the Independent Auditors, FORVIS, LLP, has provided a favorable opinion for the
269 Town's Annual Comprehensive Financial Statements; and,

270
271 **WHEREAS**, the Independent Auditors identified a material weakness in internal controls for
272 financial reporting and identified a budget violation where an over expenditure was identified in
273 FY 2022-2023; and,

274
275 **WHEREAS**, this material weakness caused an inaccurate reconciliation of certain asset and
276 liability accounts which required material adjusting journal entries during the audit process to
277 correct these improperly reported balances; and,

278
279 **WHEREAS**, it is important that financial reporting be accurate and complete to disclose the
280 financial condition of the Town and for management decision making; and,

281
282 **WHEREAS**, 20 NCAC 03 .0508 requires the governing body to develop a "Response to the
283 Auditor's Findings, Recommendations, and Fiscal Matters" (Response) signed by a majority of
284 the members of the governing body; and submit such Response to the Secretary of the Local
285 Government Commission within 60 days after the presentation.

286
287 **NOW THEREFORE, BE IT RESOVLED** by the Town Council of the Town of Carrboro,
288 North Carolina that:

- 289
290 1. The Finance Director position has been backfilled and Finance Department is fully staffed.
291
292 2. New role of Comptroller has been established to strategically govern and lead the accounting
293 process, including approving all journal entries input by Staff Accountant and Accounting
294 Technician.
295
296 3. The Deputy Finance Director and Finance Director will lead internal reporting metrics
297 including:
298
299 a. Monthly Balance Sheet account reconciliation.
300 b. Monthly variance reporting on Actual vs. Budget and Reforecast vs. Budget
301 c. Continually monitor unassigned fund balance goal of 22.5-35.0%.

- 302 d. Simplify fund reporting process by aggregating smaller funds into grouped reporting as
303 pursuant to North Carolina Law.
304 e. Review all balance sheet accounts, across funds.
305 f. Review and assess system processes for capital assets, accounts receivable and
306 accounts payable.
307 g. Develop, with finance staff, procedures for reconciliations of all balance sheet
308 accounts across funds to ensure that trial balances do not contain errors.
309 h. Recommend necessary training for accounting staff.

310
311 4. The above tasks in Item #3 above are to be completed no later than May 31, 2024.

312
313 5. Over-expenditures that occurred in the shared transportation fund were the result of the failure
314 to properly budget for and anticipate the annual true-up described in the joint agreement with the
315 Town of Chapel Hill. The multi-year agreement is contracted in the final month of the fiscal
316 year to cover the next fiscal year. The budget in Fiscal Year 2022-2023 carried over the standard
317 monthly payment and was not updated to reflect terms of the new contract, executed 6/24/2023.
318 Although the 2022-2023 FY budget did account for potential unknown increased operating costs
319 compared to the prior fiscal year, it was not enough to cover the operating cost increase outlined
320 in the new contract. Therefore, a one-time true-up of \$123,568.20 was accrued as an accounts
321 payable on 6/30/2023, resulting in a budget expenditure overage and budget violation identified
322 in October, 2023. Additionally, the Transportation Fund has minimal annual activity other than
323 this obligation from the Town and was not able to initiate a staff-level reclass of dollars to cover
324 the unforeseen expense, thus requiring a Council approved Budget Amendment. The Finance
325 Department has instituted various budgetary review processes and is now fully staffed to prevent
326 future occurrences, described in item (3) above.

327
328 6. The Finance Director shall report to the Town Council on the outcomes of the above by
329 September 19, 2024.

330
331 7. A copy of this resolution shall be provided to the Town's Finance Director within five days of
332 adoption.

333
334 8. A copy of this resolution and signed Council letter with majority approval shall be provided to
335 the Secretary of the Local Government Commission upon adoption.

336
337 This 5th day of March, 2024.

338
339 **The motion was carried unanimously.**

340
341 *****

342
343 **A RESOLUTION APPROVING SERVICES AGREEMENT WITH ORANGE COUNTY**

344
345 This agenda item is to request that the Town Council consider adopting a resolution to authorize
346 the Town Manager to enter into an agreement with Orange County for the provision of fire
347 protection and emergency services within the South Orange Fire Service District.

348
349 **A motion was made by Council Member Haven-O'Donnell, seconded by Council Member**
350 **Nowell to approve the following resolution:**

351
352 RESOLUTION APPROVING FIRE PROTECTION AND EMERGENCY SERVICES
353 AGREEMENT WITH ORANGE COUNTY FOR SOUTH ORANGE FIRE SERVICE
354 DISTRICT

355
356 **WHEREAS**, Orange County created the South Orange Fire Service District (District) and
357 desires to contract with the Town of Carrboro for fire protection and other services; and,

358
359 **WHEREAS**, Orange County will levy a special tax to pay the Town of Carrboro for providing
360 fire protection and other services to the District; and

361
362 **WHEREAS**, the Town of Carrboro has provided fire protection services to the District through
363 similar agreements since the formation of the District in 1968; and,

364
365 **WHEREAS**, the Town of Carrboro, desires to enter into this contract with Orange County to
366 continue providing fire protection and other services for the District;

367
368 **NOW, THEREFORE, BE IT RESOLVED** that the Carrboro Town Council authorizes the
369 Town Manager to enter into an agreement with Orange County for the provision of fire
370 protection and emergency services in the District, and to make changes and/or modifications as
371 necessary provided the original intent of the contract is unchanged.

372
373 This resolution shall become effective upon adoption.

374
375 This 5th day of March, 2024.

376
377 **The motion was carried unanimously.**

378
379 *****

380
381 **ADOPT A RESOLUTION TO AWARD A SERVICE SIDEARM TO A RETIRING**
382 **POLICE OFFICER**

383
384 The purpose of this agenda item is to acknowledge the retirement of Police Captain Tony Frye
385 from the Town of Carrboro Police Department on April 1, 2024, following 20 years of service
386 with the Town and over 25 years in law enforcement. The Police Department proposes to honor
387 Captain Frye's dedication to duty and his contributions to the Town of Carrboro by presenting
388 him with his service sidearm. The Town Council is asked to consider and adopt, through
389 resolution, the recommendation of Town staff to award the service sidearm to Captain Tony
390 Frye.

391
392 **A motion was made by Council Member Haven-O'Donnell, seconded by Council Member**
393 **Nowell to approve the following resolution:**

394
395 A RESOLUTION AWARDING A SERVICE SIDE ARM TO RETIRING POLICE OFFICER

396
397 **WHEREAS**, Captain Tony Frye is retiring from the Town of Carrboro Police Department on April
398 1, 2024, after thirty years of total service; and

399
400 **WHEREAS**, Captain Frye has demonstrated his dedication to duty and to the citizens of the Town
401 of Carrboro; and

402
403 **WHEREAS**, North Carolina General Statute 20-187.2 allows the governing body of a law
404 enforcement agency to award to a retiring member, upon request, the service side arm of the
405 retiring member;

406
407 **NOW, THEREFORE, BE IT RESOLVED** by the Carrboro Town Council that the Council
408 members adopt this resolution awarding the service side arm to Captain Frye.

409
410 This 5th day of March, 2024.

411
412 **The motion carried unanimously.**

413
414 *****

415
416 **PUBLIC PARKING UPDATE PRESENTATION AND DISCUSSION**

417
418 To provide an update presentation on the status of public parking enforcement and gather
419 feedback regarding paid parking.

420
421 Jon Hartman-Brown, Economic Development Director, gave a presentation with background, the
422 updating findings from the parking study, and proposed recommendations.

423

424 Conversation between Council Members and Jon Hartman-Brown began about parking
425 preferences, to include a possible window of initial free parking, making all spots equitable
426 (same cost), and looking into long-term costs.

427
428 Conversation between Council Members and Jon Hartman-Brown ensued about the signs to
429 include size, color, and logos, and the need for the signs to be consistent with Chapel Hill to be
430 as obvious as possible.

431
432 Council Members and Jon Hartman-Brown discussed the need for inclusiveness to be as
433 welcome as possible. Need data to see who is impacted and how. And the need for bike sharing
434 at the library to encourage people to park in the deck.

435
436 Conversation between Council Members and Jon Hartman-Brown followed about the difference
437 between private and public parking. Also discussed the ADA fine and changing it to state
438 average before implementing paid parking.

439
440 Council Members and Jon Hartman-Brown discussed the current curb stopper information and
441 how that would impact if they switched to paid parking, but software would use license plate
442 information. Council recommended using the same software, Cardinal, as Chapel Hill to make it
443 easier for residents to use. Discussed options to pay for parking: using the app, texting, or calling
444 in.

445
446 Conversation between Council Members and Jon Hartman-Brown continued about the possible
447 free window to park to encourage turnover at businesses while still having parking. Council
448 recommended ADA spots be free but encouraged the increase of the fine to \$250.

449
450 Council Members and Jon Hartman-Brown discussed the sunset of the current leased parking
451 lots, the future of them when leases come up, and the future of downtown development.

452
453 Council Members and Jon Hartman-Brown came back to the signs and to see if there was still
454 time to make changes. They also touched back on the free parking window and the need for
455 community engagement prior to implementation.

456
457 Council Members and Jon Hartman-Brown discussed the need for enforcement on current Town
458 Code and what it would take for enforcement, to include one full time employee with a vehicle.
459 Also discussed the need for software and recurring budget for it and an employee.

460
461 Jon Hartman-Brown finished up the discussion with the next steps and what staff will bring back
462 to Council with a way ahead.

463
464 *****

465
466 **MATTERS BY COUNCIL**

467
468 Council Member Posada brought up there is a resolution being passed by the Governor's
469 Advisory Council on Hispanic and Latino Affairs about the incidences going on across the State.

470
471 Council Member Fray brought up the board consolidation process and the Council's decision to
472 stop all new appointments to all the boards, but the Board of Adjustment will need new
473 appointments.

474
475 Nick Herman, Town Attorney, discussed that it is important, especially for the Board of
476 Adjustment, to elect new members.

477
478 Mayor Foushee directed the staff to allow new appointments on the Board of Adjustment, the
479 Economic Sustainment Committee, and the Stormwater Advisory Committee.

480
481 *****

482
483 **ADJOURNMENT**

484

485 **A motion was made by Council Member Posada, seconded by Council Member Nowell to**
486 **adjourn the meeting.**

487

488 **The motion carried unanimously.**

489

490
