



Town of Carrboro

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

**Meeting Minutes
Board of Aldermen**

Tuesday, May 27, 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

LEGENDS OWNERS THANK YOU LETTER

Mayor Lavelle read a letter from a resident of the Legends thanking the Board for their action involving the affordable homes during the meeting on May 20, 2014.

PROCLAMATION – CARRBORO HIGH SCHOOL MEN’S TENNIS DAY

Mayor Lavelle proclaimed Wednesday, May 28th, 2014 as "Carrboro High School Men's Tennis Day."

REQUEST-TO-SET A PUBLIC HEARING ON LAND USE ORDINANCE AMENDMENTS RELATING TO THE TREE PROTECTION AND REPLANTING STANDARDS

The purpose of this item was for the Board to consider setting a public hearing on potential text amendments to the Land Use Ordinance to update the tree protection and replanting standards to reflect current urban forestry standards including the use of canopy cover for compliance with shade requirements.

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

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE
CARRBORO LAND USE ORDINANCE TO UPDATE THE TREE PROTECTION AND
REPLANTING STANDARDS CONSISTENT WITH CURRENT URBAN FORESTRY
STANDARDS.

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on June 24, 2014, to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance to Update the Tree Protection and Replanting Standards consistent with Current Urban Forestry Standards.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County, the Town of Carrboro Planning Board and the following Town of Carrboro advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input checked="" type="checkbox"/> Environmental Advisory Board | |
| <input type="checkbox"/> Economic Sustainability Commission | |

This the 27th day of May, 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

REQUEST FOR THE BUSINESS LOAN FUND FROM BARRY KEITH DBA SURPLUS SIDS

The purpose of this item was for the Board to consider a loan from the business loan fund to Barry Keith, owner and operator of Surplus Sids, at 309 E. Main Street, for façade improvements to the front of the building/porch addition.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO APPROVE THE LOAN APPLICATION AS PRESENTED. VOTE: AFFIRMATIVE ALL

CURBSIDE RECYCLING ROLL-OUT CART GRANT PROJECT ORDINANCE

The purpose of this item was to request the Board of Aldermen (BOA) accept a grant from the North Carolina Department of Environmental and Natural Resources (NCDENR) for the purchase of recycling roll-out carts and approve the project ordinance.

A motion was made by Alderman Damon Seils, seconded by Alderman Chaney that this ordinance be approved.

CURBSIDE RECYCLING ROLL-OUT CART GRANT PROJECT ORDINANCE

Ordinance No. 27/2013-14

WHEREAS, the Town of Carrboro (Town) has been awarded a grant in the amount of \$75,000.00 by the North Carolina Department of Environment and Natural Resources; and,

WHEREAS, the grant funds are to be used for the purchase of recycling roll-out carts to serve all households in the Town; and,

WHEREAS, the Inter-Local Agreement entered into on February 3, 2014 between Orange County (County) and the Towns of Carrboro, Chapel Hill, and Hillsborough Regarding The Acquisition of Recyclable Materials Roll Carts (Inter-Local) requires each Town to apply for grants as designated by County for funds to assist with the purchase of roll-carts; and,

WHEREAS, the Inter-Local provides for the County to make payment to the Town for roll-cart invoices for payment to the vendor; and,

WHEREAS, the Inter-Local requires Town to pay to the County an amount equal to any received grant funds for the acquisition of roll-carts; and,

WHEREAS the Board of Aldermen for the Town deems this activity to be a worthy and desirable undertaking;

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

- 1.This grant is authorized for the purchase of curbside recycling roll-out carts and is hereby authorized to be undertaken until all project activity is completed.
- 2.The following revenues are anticipated to be available to the Town of Carrboro to complete this Project:

NC Department of Environment and Natural Resources\$ 75,000.00
Orange County \$167,865.00
Total \$242,865.00

- 3.The following amount is appropriated for this project to be expended in the following manner:

Curbside Recycling Roll-Out Carts \$242,865.00

Total Appropriation \$242,865.00

4. The Town Manager is authorized to execute a grant contract and any other necessary documents for this award with the NC Department of Environment and Natural Resources.

5. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

This the 27th day of May, 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

REQUEST-TO-SET A PUBLIC HEARING ON LAND USE ORDINANCE AMENDMENTS RELATING TO LAND USES ASSOCIATED WITH DRIVE-IN AND DRIVE-THROUGH WINDOWS

The purpose of this item was for the Board of Aldermen to consider setting a public hearing on potential text amendments to the Land Use Ordinance affecting land uses with drive-in and drive-through window.

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

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO DISALLOW CERTAIN LAND USES WITH DRIVE-IN AND DRIVE-THROUGH WINDOWS FROM CERTAIN ZONING DISTRICTS.

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on June 24, 2014, to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance to Disallow certain land uses with Drive-in and Drive-through windows from certain Zoning Districts."

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County, the Town of Carrboro Planning Board and the following Town of Carrboro advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

Appearance Commission

Recreation and Parks Commission

Transportation Advisory Board

Northern Transition Area Advisory Committee

Environmental Advisory Board

Economic Sustainability Commission

This the 27th day of May, 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

APPROVAL OF ABSTRACT OF VOTES CAST AT THE MAY 6, 2014 ELECTION

The purpose of this item was for the Mayor and Board of Aldermen to consider approval of the Abstract of Votes Cast at the May 6, 2014 Election.

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

OFFICIAL CANVASS

Orange County, NC
Primary Election
May 6, 2014

RUN DATE:05/21/14 01:09 PM

0011_CARRBORO ALDERMEN (UNEX)

Select 1

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0004 CB CB CARRBORO	34	186	50				2
0015 DM DM DAMASCUS	20	59	24				2
0025 HF HF HOGAN FARMS	45	140	83				6
0027 LC LC LIONS CLUB	52	144	104				5
0030 NC NC NORTH CARRBORO	45	226	85				3
0033 OW OW OWASA	24	103	71				2
0036 SJ SJ ST JOHN	1	3	1				0
0038 TH TH TOWN HALL	46	178	55				2
0045 OS BOE	0	3	3				0
0046 OS CARRBORO	66	435	173				4
0047 OS SEYMOUR	17	119	71				2
0048 OS MASTERS	0	0	0				0
0049 OS HILLEL	1	24	19				0
0050 ABSENTEE BY MAIL	3	16	6				0
0051 PROVISIONAL	0	0	0				0
CANDIDATE TOTALS	354	1636	745				28
CANDIDATE PERCENT	12.81	59.21	26.96				1.01

This the 27th day of May, 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

**ESTABLISHMENT OF A CHARGE FOR THE TEMPORARY ENERGY AND CLIMATE
PLANNING TASK FORCE**

The purpose of this item was for the Board of Aldermen to consider adopting a charge for a temporary Energy and Climate Planning Task Force, designed to spearhead the community portion of the Town's Energy and Climate Protection Plan. .

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

**A RESOLUTION ESTABLISHING A CHARGE FOR THE TEMPORARY ENERGY AND
CLIMATE PROTECTION PLANNING TASK FORCE**

WHEREAS, the Board of Aldermen at its meeting on May 20, 2014 adopted a resolution establishing a seven-member temporary Energy and Climate Protection Planning Task Force; and

WHEREAS, the Energy and Climate Protection Planning Task Force shall be charged to support the Town with community planning for climate protection and resiliency to achieve the 350 ppm target by 2020 per the December 8, 2009 "Resolution to Take Responsibility in a Socially Just Manner for Carrboro's Portion of Co2 in the Atmosphere; Toward Getting the Atmosphere Back to a Safe Level Below 350 PPM of Co2;" and

WHEREAS, the Energy and Climate Protection Planning Task Force shall prepare a report to submit to the Board of Aldermen by June, 2015 that addresses, at a minimum:

- a. Recommendations for new actions the Town can pursue to reduce nonrenewable energy use and greenhouse gas emissions from residential and commercial buildings in Carrboro
- b. Recommendations for new actions the Town can pursue to reduce nonrenewable energy use associated with transportation in Carrboro
- c. Recommendations for new actions the Town can pursue to promote renewable energy in Carrboro
- d. Recommendations for new actions the Town can pursue to better manage vegetation, soil, and impervious surfaces to capture carbon, reduce energy use in buildings, mitigate the heat island effect, and reduce stormwater runoff

WHEREAS, the Task Force shall meet in accordance with the following procedures:

- a. The Task Force shall meet in the evening on the 3rd Thursday of the month

- b.A chair and vice chair shall be selected at its first meeting
- c.A member who misses three consecutive meetings may be dismissed from the Task Force
- d.All meetings will be open public meetings; and

WHEREAS, the first task of the Task Force shall be to create a draft report outline and schedule of topics for monthly meetings to help focus and organize its scope of work; and

WHEREAS, the final meeting shall be reserved to review and approve a draft report; and

WHEREAS, the Task Force may wish to organize participation and subgroups around specific topics to help focus the work and facilitate participation; and

WHEREAS, the Task Force shall coordinate its work with related Town climate planning activities.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board adopts the charge for the Energy and Climate Protection Planning Task Force and directs the Town Clerk to begin advertising for membership.

BE IT FURTHER RESOLVED that the Board adds the following directives to the Energy and Climate Protection Planning Task Force's duties:

This the 27th day of May, 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 HAVEN-O'DONNELL, SECONDED BY ALDERMAN SEILS FOR ALDERMAN SLADE TO BE THE LIAISON TO THE ENERGY AND CLIMATE PROTECTION PLANNING TASK FORCE. VOTE: AFFIRMATIVE ALL

ENDORSEMENT OF RECREATIONAL TRAILS PROGRAM GRANT APPLICATIONS FOR THE MORGAN CREEK GREENWAY

The Board was asked to endorse two Recreational Trails Program (RTP) grant applications that would contribute to funding the construction of Phases 1 and 2 of the Morgan Creek Greenway.

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

A RESOLUTION ENDORSING RECREATIONAL TRAILS PROGRAM GRANT APPLICATIONS

WHEREAS, the Board of Aldermen adopted the Morgan Creek Greenway Conceptual Master

Plan on March 16, 2010; and,

WHEREAS, the Town is now implementing preliminary engineering for Phases 1 and 2 of the greenway, including the addition of Alternate Phase 1; and,

WHEREAS, when completed, the first phases – and ultimately the full buildout – of the greenway will provide enhanced recreational opportunities for thousands of southern Carrboro residents; and,

WHEREAS, the Morgan Creek Greenway is identified by the Carrboro Comprehensive Bicycle Transportation Plan as the future east-west spine of the Carrboro’s bicycle network; and,

WHEREAS, costs to complete Phases 1 and 2 of the greenway exceed currently available revenues; and,

WHEREAS, the North Carolina Division of Parks and Recreation is administering Recreational Trails Program funding to support trail projects statewide;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board:

1. Endorses the Recreational Trails Program grant applications for FY14 and FY15 for the construction of Phases 1 and 2 of the Morgan Creek Greenway;
2. Commits to providing, in the event the grant is awarded, a non-federal match (consistent with the stipulations of the grant) equal to at least 25 percent of the RTP funding awarded.

This the 27th day of May, 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

UPDATE ON IMPLEMENTATION OF CAMERA TECHNOLOGY FOR POLICE DEPARTMENT

The purpose of this item was to update the Board on the Police Department’s development of policies concerning vehicle and body-worn cameras.

Chief Horton and Captain Atask made the staff presentation and responded to questions from the Board of Aldermen.

Alderman Slade asked that the Police Department request permission from the Board prior to seeking any grant that would allow other agencies access to the recordings. He expressed concern with sharing the videos with other federal and state agencies. He asked that they consider adding language to the policy that would allow a citizen, involved in a recording, to view that recording. He also suggested that the Police Department consider various methods of notifying the public that they may be under

surveillance.

Alderman Seils suggested that the adopted policy be made available on the website.

Alderman Chaney asked for the Police Department to look into other department's best practices and lessons learned and for those to be considered in the development of the Town's policy.

Alderman Haven-O'Donnell asked that disposition methods of the recordings be explicitly stated in the policy. She also asked that the policy be made available on the website and recommended that the department consider notifying the public that they may be under surveillance. She asked if there have been reports from other agencies about unintended consequences of this type of surveillance.

Sarah Preston, representing the ACLU, thanked Chief Horton for approaching the ACLU for assistance in developing the policy. She suggested that the Police Department attempt to notify the public that they may be under surveillance and adding the ability for someone to review the video upon request.

AFFORDABLE HOUSING GOALS AND STRATEGIES, PART II

The purpose of this item was for the Board of Aldermen to consider the goals and strategies associated with affordable rentals that have been developed by the Affordable Housing Task Force.

Alderman Gist suggested looking at student rentals in a creative way.

Alderman Haven-O'Donnell asked that the work continue to address rental housing that has spread into single-family residential neighborhoods.

Alderman Seils stated that the Board needs to figure out the target percentage for ownership and affordable housing. He also asked how the baseline of affordable housing will be determined. He suggested the Jones Ferry Road corridor be included in the redevelopment discussions and for the Board to take on the task of developing a small area plan for that area. He suggested that Carrboro staff work with the County staff on Section 8 voucher acceptance in the Town.

Mayor Lavelle suggested that staff report back to the Board about next steps to begin development on the Jones Ferry Road corridor.

Alderman Chaney asked that the staff position be retained to help move this policy forward and achieve desired outcomes.

Alderman Slade suggested looking into ways to increase acceptance of Section 8 housing. He asked that the Jones Ferry Road corridor study also include manufacturing.

DOWNTOWN SLOW ZONE FEASIBILITY REPORT

The purpose of this item was to provide the Board of Aldermen with a report on the feasibility of implementing a slow zone in the central business district. This item follows from a Board of Aldermen resolution from February 18, 2014.

Jeff Brubaker, the Town's Transportation Planner, made the staff presentation.

Alderman Chaney asked for the zone around Main Street and Hillsborough to be considered for slow zone application. She also asked the draft policy identify outcome measures to more clearly define the goals of the program.

Alderman Gist asked to see examples of small towns that have implemented slow zones. She also expressed concern with taking over NCDOT roads.

Alderman Seils agreed that the goals should be clearly defined. He asked how the design of the road can assist in compliance with current regulations.

Alderman Slade expressed concern with taking over state maintained roads. He asked that staff explore the transition areas to facilitate awareness of the need to slow down.

Alderman Haven-O'Donnell asked that the trouble spots, specifically in front of the Looking Glass, be included in the study. She asked that more information be gathered from small towns.

Alderman Johnson stated she is in favor of bringing a policy forward. She also asked that there be education and awareness in the current transition zones to inform drivers of their speed and need to slow down.

Mayor Lavelle stated that she does not want to takeover DOT roads. She also stated that she is interested in exploring the concept of decorative lighting above portions of the roadway. She agreed that it would be beneficial to review similar towns that have implemented the slow zone.

David Andrews, Town Manager, suggested that this work with the Arts District Planning process.

A RESOLUTION RELATING TO THE FEASIBILITY OF A DOWNTOWN SLOW ZONE

WHEREAS, Carrboro Vision 2020, Objective 3.25, states: "Walkability should be encouraged downtown and pedestrian safety and comfort should be a goal. The town should improve lighting and shading, and create auto barriers"; and,

WHEREAS, Downtown Carrboro: New Vision, identified several barriers to walkability and offered several recommendations for walkability improvements; and,

WHEREAS, Seth LaJeunesse of the Transportation Advisory Board presented the concept of a downtown slow zone to the Board of Aldermen on February 18, 2014; and,

WHEREAS, the Board of Aldermen directed that staff prepare a feasibility report on the slow zone;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Board receives the feasibility report on a downtown slow zone.

Section 2. The staff is directed to return to the Board with a Slow Zone Policy for the Board's review and consideration of adoption. The purpose of this policy would be to formally establish the slow zone as a priority, define slow zone boundaries, and serve as a guide for future decision making on projects within the slow zone area.

Section 3. The Board provides the following additional direction:

- a. the draft policy should identify outcome measures--including but not limited to crash statistics, vehicle speed compliance, and outcomes related to pedestrian safety and comfort--for the purpose of tailoring strategies to clearly defined goals;
- b. the Board is not interested at this time in the Town assuming maintenance of State-maintained streets;
- c. the boundaries of the slow zone should be expanded beyond those proposed by the Transportation Advisory Board, in order to include problem areas indicated by rates of yielding compliance at crosswalks, such as at W. Main and Hillsborough Streets;
- d. the Board would like to see examples of slow zone measures implemented in smaller communities;
- e. the Town should continue its participation in existing educational programs, such as the Watch for Me NC campaign;
- f. development of the draft policy should continue to include input from the business community and the Arts Committee; and
- g. development of the draft policy should complement planning efforts for a downtown arts and creativity district.

This the 27th day of May in the year 2014.

ADJOURNMENT

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