



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

Tuesday, September 15, 2015

7:30 PM

Board Chambers - Room 110

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

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

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### **CARRBORO BICYCLE COALITION - RECOMMENDATION OF STEPS TO GOLD LEVEL**

The Town Clerk issued a charge to Alvin Sellers, a recent appointee to the Carrboro Tourism Development Authority.

Eric Allman, a member of the Carrboro Bicycle Coalition, made the presentation to the Board.

The presentation consisted of recommended efforts from the Coalition for the Town to "go for gold" status as a Bicycle Friendly Community. Specifically, the following were suggested:

- 1) Bike funding in the Town budget
- 2) Bike skills for adults training
- 3) Bicycle Boulevards
- 4) Bike Plan Update

Alderman Gist stated that the Arts Commission has been discussing ways to make the Art Walk better and suggested that the bike community could be tied to the event and be an "art walk and pedal." She also stated that Orange County Artist Guild has studio tours a couple of times a year and suggested that the Coalition work with those events to obtain bike parking and participation.

Alderman Johnson suggested that a Coalition representative attend the Orange County Visitor's Bureau meeting to advocate biking's tourism capabilities.

Alderman Haven-O'Donnell stated that the Hampton Inn needs more bike parking that is visible, rather than hidden.

Alderman Seils stated that he would like for the Board to have a future discussion regarding updating the bike plan.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE TO DIRECT STAFF TO WORK WITH THE CARRBORO BICYCLE COALITION TO APPLY FOR BICYCLE FRIENDLY BUSINESS STATUS FOR THE TOWN. VOTE: AFFIRMATIVE ALL

Alderman Slade stated that it would be beneficial to see a breakdown in the Town's funds of the value for the cost on transportation resources. He asked for staff to look into this and to report back at a future meeting.

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**APPROVAL OF PREVIOUS MEETING MINUTES**

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN JOHNSON, THAT THE MINUTES OF SEPTEMBER 1, 2015 AND SEPTEMBER 8, 2015 BE APPROVED, AS AMENDED. VOTE: AFFIRMATIVE ALL

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**SCHOOLS ADEQUATE PUBLIC FACILITIES ORDINANCE (SAPFO) -  
RECOMMENDED UPDATE TO STUDENT GENERATION RATES**

The SAPFO Memorandum of Understanding outlines a process for updating student generation rates used in the SAPFO processes. A study of student generation by housing types was completed in 2014; in May needed corrections were identified. The Orange County Board of County Commissioners is scheduled to consider adoption of the new rates on October 6th, 2015; comments from the other parties to the MOU have been requested by September 18th.

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

A RESOLUTION RECOMMENDING ADOPTION OF THE CORRECTED STUDENT GENERATION RATES – 2014 TISCHLER-BISE STUDY, AS AMENDED IN MAY 2015

WHEREAS, the Town of Carrboro has had a longstanding interest in the success and excellence of the Chapel Hill-Carrboro City Schools; and

WHEREAS, the Board of Aldermen accepted the Schools Adequate Public Facilities Technical Advisory Committee (SAPFOTAC) 2015 Report on April 7, 2015; and

WHEREAS, due to clerical errors, corrections to the Student Generation Rates prepared by Tischler-Bise that were included in the report were made in May ; and

WHEREAS, the Board of County Commissioners is scheduled to adopt the corrected rates on October 6th and comments from the Town and other SAPFO partners have been requested by September 18th.

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

1. Adoption of the updated Student Generation Rates (2014 Tischler-Bise Study, updated per corrections in May 2015).

**This the 15th day of September, 2015**

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

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

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**PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR PIZZERIA  
MERCATO RESTAURANT AT 408 WEST WEAVER STREET**

The Town received an application for a Conditional Use Permit (CUP) to allow a restaurant (use #8.100) on the property located at 408 West Weaver Street. Prior to reaching a decision, the Board of Aldermen must hold a public hearing to receive input on the CUP.

Speakers listed below were sworn in by the Town Clerk.

James Thomas, the Town's Zoning and Development Specialist, made the staff presentation.

Alderman Slade suggested that the applicant consider 10ft sidewalks by removing the planters. He asked for staff to provide a cost of waiving the sidewalk requirements in the future that should be answered if the Board maintains the policy. He asked staff to do a better job communicating this requirement with applicants.

Alderman Chaney stated that upgrades to existing facilities may not require the 10 foot sidewalk if it will create an undue burden on the owner.

Alderman Seils suggested that the Manager schedule the 10 ft. sidewalk policy and tree planting

policy update for a future meeting of the Board.

Alderman Gist stated that she thinks that a 10ft sidewalk would change the look and feel of Weaver Street. She encouraged the applicants to encourage the local arts.

Ben Barker, the applicant stated that this has been a goal and that they will bring an integrity and way of doing business to Carrboro.

Chris Martin, owner of the building, stated that the planters were installed originally in 1999 at the request of the Town and that the concrete is cut below the planters to provide for drainage. He stated that this application is really good for the Town and they are excited for the opportunity.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN JOHNSON TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN GIST THAT IF THE APPLICATION IS GRANTED, THE PERMIT SHALL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. Per Section 15-299 of the LUO, the permit is granted with the nineteen (19) parking spaces on site. In accordance with Section 15-299, the permit recipient is obligated to retain the off-site satellite parking spaces, or, as a continuing condition of the permit, seek additional satellite spaces if the current arrangement changes.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY THAT THE APPLICATION IS GRANTED SUBJECT TO THE CONDITIONS AGREED UPON ABOVE. VOTE: AFFIRMATIVE ALL

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**AUTHORIZATION FOR THE TOWN MANAGER TO ENTER INTO AGREEMENTS WITH DFI, KIDZU & THE ARTSCENTER AND ADOPT AN AMENDMENT TO THE FY 15-16 BUDGET ORDINANCE**

The purpose of this item was to grant authorization to the Town Manager to enter into agreements with the Development Finance Initiative (DFI), Kidzu & The ArtsCenter and to adopt associated budget amendments.

Alderman Chaney thanked staff for their work and stated that this process seems to be achieving some of the goals of the pathway to a new proposal.

Alderman Haven-O'Donnell stated that she supports this because she wants to see the model but made it clear that she does not want this to be taken as approval for a potential project.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AGREEMENTS WITH THE DEVELOPMENT FINANCE INITIATIVE (DFI), KIDZU, AND THE ARTSCENTER

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES THAT THE TOWN MANAGER IS HEREBY AUTHORIZED TO:

Section 1. Enter into a contract with DFI.

Section 2. Enter into agreements for reimbursement with Kidzu and The ArtsCenter.

Section 4. This resolution shall become effective upon adoption.

**This the 15th day of September, 2015**

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

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

**Nay:** Alderman Gist

**MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN JOHNSON TO APPROVE THE ORDINANCE BELOW:**

**AMENDMENT TO ANNUAL BUDGET ORDINANCE FY 2015-16  
Ordinance No. 2/2015-16**

WHEREAS, the Town Board of the Town of Carrboro on June 16, 2015 adopted annual budget ordinance number 16/2014-15 for the fiscal year beginning July 1, 2015 and ending June 30, 2016; and

WHEREAS, it is appropriate to amend certain budget accounts in the general fund to provide for increased revenues and expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following revenue and expense accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

ACCOUNT CODE			ACCOUNT NAME	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
ORG	OBJECT	PROJ				
420	433500		Miscellaneous Revenues	\$ -	\$ 15,000.00	\$ 15,000.00
420	504500		Contractual Services	\$ 2,000.00	\$ 15,000.00	\$ 17,000.00

**REASON:** To recognize revenues from The Arts Center and Kidzu Museum for support of Development Finance Initiative and appropriate additional funds for contractual services in Town Manager’s operating budget.

**This the 15th day of September, 2015**

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

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

**Nay:** Alderman Gist

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**UPDATE ON TOWN TRANSPORTATION PROJECTS AND INITIATIVE**

The purpose of the agenda item was to provide the Board with an update on the status of new and existing transportation projects and initiatives in the Town.

Bergen Watterson, the Town's Transportation Planner, made the staff presentation.

Alderman Haven-O'Donnell asked if the school system could assist with grading the path that goes from behind the Carrboro High School to Smith along the utility easement and stating that people are using that pathway already.

Alderman Slade asked for staff to check with NCDOT to see if they are going to make

improvements to the pavement in front of the Collins Crossing bus stop.

Alderman Chaney asked that this presentation be forwarded to the Northern Transition Area Advisory Commission.

Alderman Haven-O'Donnell asked staff to see if there is information remaining from the joint UNC blue ribbon group that fell apart.

Alderman Slade asked for Bergen to bring this information to the TAB as a staff report.

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

A RESOLUTION TO RECEIVE AN UPDATE ON TOWN TRANSPORTATION  
PROJECTS AND INITIATIVES

WHEREAS, the Board of Aldermen have not received an update on Town transportation projects and initiatives since mid-2014; and,

WHEREAS, Town staff has been working on new and existing transportation projects;

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board receives the update on Town transportation projects and initiatives.

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

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

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**UPDATE AND REPORT REGARDING MEDIATION RELATED TO THE LLOYD  
FARM DEVELOPMENT APPLICATION**

The Board received an update on the status of mediation and facilitated meetings that have taken place regarding the proposed Lloyd Farm development application.

Trish McGuire, the Town's Planning Director, provided the staff report.

Alderman Johnson stated that the Board should look into the process to consider what worked and what didn't to determine if it would be helpful to look into for future developments.

Alderman Gist cautioned the Board to stay out of the details until they are brought to the Board. She stated that she was happy to see that this process is being revisited for large projects.

Alderman Chaney suggested that the facilitator provide an evaluation to participants to begin to capture information.

Alderman Seils stated that he hopes that Andy Sachs, the facilitator will provide a consultant's report to the Board.

Alderman Haven-O'Donnell thanked staff and the Board participants for their work in the process.

Alderman Slade stated that a protest petition could be used to determine if a facilitative process be sought.

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**A RESOLUTION RECOMMENDING AN APPOINTMENT TO THE ORANGE COUNTY HUMAN RELATIONS COMMISSION**

The purpose of this agenda item was for the Mayor and Board of Aldermen to consider recommending an applicant for appointment as one of the Town of Carrboro's representatives on the Orange County Human Relations Commission.

Board members voted for candidates on paper ballots. The first vote resulted in a tie between Colin O'Banion and Prof. R. Ross Holloway. The second vote provided more votes for Colin O'Banion.

The Town Clerk read the ballot results.

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

**RESOLUTION RECOMMENDING AN APPOINTMENT TO THE ORANGE COUNTY HUMAN RELATIONS COMMISSION**

WHEREAS, the Town of Carrboro has two seats on the Orange County Human Relations Commission and one of those seats is vacant; and,

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

Section 1. The Board of Aldermen hereby recommends that the Orange County Board of Commissioners appoint Colin O'Banion as a Carrboro representative on the Orange County Human Relations Commission.

Section 2. This resolution shall become effective upon adoption.

**This the 15th day of September, 2015**



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

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

**Nay:** Alderman Gist

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**ADJOURNMENT**

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN CHANEY TO ADJOURN THE MEETING.