



# Town of Carrboro

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

## Meeting Agenda Board of Aldermen



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Tuesday, December 10, 2013

7:30 PM

Board Chambers - Room 110

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**A. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR**

**B. RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS**

1. [13-0498](#) Bill of Rights 2013

Attachments: [Bill of Rights 2013](#)

**C. OTHER MATTERS**

1. [13-0486](#) A Discussion of the Process for Filling the Alderman Seat Vacated by the Election of Mayor Lavelle

PURPOSE: The purpose of this item is to allow the Board of Aldermen to discuss, and possibly decide, which method they will use to fill the upcoming vacancy on the Board.

2. [13-0493](#) Discussion of Downtown Parking Issues

PURPOSE: The purpose of this item is for the Board of Aldermen to hold a discussion and provide direction to staff regarding management of downtown public parking areas.

Attachments: [Attachment A- Resolution 12-10-13](#)

[Attachment B - Parking Inventory](#)

[Attachment C - Downtown Parking Survey](#)

[Attachment D SharedParking map](#)

**D. MATTERS BY TOWN CLERK**

**E. MATTERS BY TOWN MANAGER**

**F. MATTERS BY TOWN ATTORNEY**

**G. MATTERS BY BOARD MEMBERS**

## **P R O C L A M A T I O N**

### **“Bill of Rights Day”**

**WHEREAS**, the people of North Carolina withstood many hardships in order to secure their inalienable rights; and

**WHEREAS**, the State of North Carolina withheld ratification of the Constitution of the United States until a **Bill of Rights** could be added, providing that the rights of the people might be preserved from infringement by government; and

**WHEREAS**, freedom of belief, expression and association, due process of law and equal protection of the laws as proclaimed by the **Bill of Rights** of the United States Constitution are indispensable to a democratic society; and

**WHEREAS**, the Town of Carrboro reaffirmed the human rights of its residents by passing “A Resolution Regarding the USA Patriot Act and the Protection of Civil Rights and Liberties (Resolution No. 186/2001-02)” on June 25, 2002; and

**WHEREAS**, the Town of Carrboro again reaffirmed the human rights of all its residents by passing “A Resolution Establishing a Policy that the Carrboro Police Department Will Not Seek to Arrest Persons when the Sole Basis for Arresting Such Persons Is that Such Persons Have or May Have Committed a Civil Immigration Violation (Resolution No. 123/2005-06)” on May 16, 2006; and

**WHEREAS**, the Town of Carrboro once again, on April 21, 2009, reaffirmed the human rights of all its residents by passing “A Resolution Adopting the Universal Declaration of Human Rights as Guiding Principles (Resolution No. 89/2008-09),” enabling it to be called a "Human Rights City."

**NOW, THEREFORE, BE IT RESOLVED** that I, Mark H. Chilton, Mayor of the Town of Carrboro, North Carolina, do hereby proclaim **December 15, 2013**, as “**BILL OF RIGHTS DAY**” in Carrboro and commend this observance to all people.

This the 10<sup>th</sup> day of December 2013

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Lydia Lavelle, Mayor



# Town of Carrboro

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## Agenda Item Abstract

File Number: 13-0486

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**Agenda Date:** 12/10/2013

**Version:** 1

**Status:** Other Matters

**In Control:** Board of Aldermen

**File Type:** Abstract

**Agenda Number:** 1.

**TITLE:**

A Discussion of the Process for Filling the Alderman Seat Vacated by the Election of Mayor Lavelle

**PURPOSE:** The purpose of this item is to allow the Board of Aldermen to discuss, and possibly decide, which method they will use to fill the upcoming vacancy on the Board.

**DEPARTMENT:** Town Clerk

**CONTACT INFORMATION:** Cathy Wilson, 919-918-7309

**INFORMATION:** Alderman Lydia Lavelle was sworn in as Mayor of the Town of Carrboro. At the time of her swearing in, her seat on the Board of Aldermen became vacant with an unexpired term of November 2015. Pursuant to Section 2-2 (f) of the Town's Charter, as authorized by the North Carolina General Assembly, the Board has the authority to fill that vacant seat by an appointment process or by calling a special election.

Previous Boards have used both the appointment and election process. When those options were used, the Town's charter only authorized the use of that particular option to fill the seat. The decision before the Board to appoint or hold an election has never before been discussed by a governing Board in Carrboro and those options were authorized by the General Assembly during the 2013 session.

In 2006, the Board filled the vacancy through an appointment process. The appointment process began on December 13, 2005 and ended on February 1, 2006, with the following timeline adopted:

December 14th - December 20th Aldermen Haven-O'Donnell and Broun to prepare a list of six questions to accompany the advisory board application form for candidates to complete.

December 20th - Application and questionnaire available on the Town's website and at Town Hall

January 11th - Applications due to Town Clerk

January 13th-Town Clerk distributes applications to Mayor and Board of Aldermen

January 19th-Public Forum to Interview Candidates

January 31st - Board of Aldermen makes appointment

The actual process included:

- January 19th - Interviewed twelve candidates

- January 31st - Through 6 rounds of ballot voting, twelve candidates were narrowed to two: Dan Coleman and current Mayor, Lydia Lavelle
- February 1st, - Dan Coleman was appointed to the vacant seat.

In 2013, the Board filled the vacancy of Dan Coleman's seat via special election, as that was the only authorized method of doing so based on the particularities of that situation. During that election, current Alderman Damon Seils, ran unopposed.

### Option 1: Filling the Vacancy by Appointment

If the Board fills the vacancy by appointment, it shall be in accordance with the provisions of G.S. 160A-63. Since the vacant seat's term of office will expire immediately following the Town's next regular election, scheduled for November 2015, the appointee shall serve the remainder of Alderman Lavelle's unexpired term.

If the Board fills the vacancy by appointment, they can direct staff on the process in which they would like to follow. Previous appointments were filled after a call for applications and an interview process.

### Option 2: Filling the Vacancy by Election

If the Board fills the vacancy by calling a special election, staff recommends that the Board schedule it to run concurrently with the May primary schedule. The Primary Election is scheduled for May 6, 2014.

If the Board fills the vacancy by election, staff will provide an item to the Board during the January 14, 2014 meeting that includes all information necessary for an election to be called.

## **FISCAL & STAFF IMPACT:**

### Option 1: Filling the Vacancy by Appointment

This process would require additional staff time in developing, posting, and accepting applications. The appointment process would also most likely require that the Board schedule additional meetings that would require staff time and attendance. There would be no additional fiscal impact associated with staff time. However, if the meetings were broadcast and recorded, there may be an additional cost associated with those contractual services.

### Option 2: Filling the Vacancy by Election

This process would require contracting with Orange County Board of Elections to organize and operate the election. The estimated cost associated to the Town of Carrboro is \$1,500. That cost would cover programming and ballot layouts specific to the Town.

**RECOMMENDATION:** Staff asks that the Board of Aldermen discuss the processes outlined above and provide direction to staff on which method they will use to fill the vacancy.



# Town of Carrboro

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## Agenda Item Abstract

File Number: 13-0493

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**Agenda Date:** 12/10/2013

**Version:** 1

**Status:** Other Matters

**In Control:** Board of Aldermen

**File Type:** Abstract

**Agenda Number:** 2.

### **TITLE:**

Discussion of Downtown Parking Issues

**PURPOSE:** The purpose of this item is for the Board of Aldermen to hold a discussion and provide direction to staff regarding management of downtown public parking areas.

**DEPARTMENT:** Town Manager, Police, Economic & Community Development, Planning

**CONTACT INFORMATION:** David Andrews (918-7315), Chief Walter Horton (918-7408), Annette Stone (918-7319), Trish McGuire (918-7327)

**INFORMATION:** Over the past four to six weeks, Town Staff has received reports of concerns from a few local businesses regarding violations of the two hour parking limits in the downtown area. These businesses have requested that the Town enforce the two hour limit. If the Town is to increase enforcement, the question of how to deal with the needs of longer-term parking for business employees arises. Some businesses have requested parking permits from the Town to allow all-day parking for their employees. Staff is seeking discussion and direction from the Board regarding increased enforcement and how to administer the question of all-day parking for business employees.

There are essentially four types of users for public parking: Students, Commuters (to locations outside of Carrboro), Business Customers and Employees (of businesses and the Town). The Board of Aldermen took steps at the June 11th and June 25th 2013 meetings to discourage the long-term use of public parking areas by students and commuters by specifying time limitations and banning overnight parking by restricting parking from 3:00am-5:00am. When the changes were made, staff began public education efforts by sending information to the media, neighborhood groups, listserv members, Facebook and Twitter users and by contributing to the UNC Commuter News newsletter in August and September.

A current inventory of public parking spaces is provided in Attachment B.

A preliminary survey of employee parking needs for downtown businesses has provided the following information. (Full survey results are available in Attachment C). Twenty-eight downtown businesses (including two Town of Carrboro departments) responded to the survey. Of those responding, 20 stated that they provided on-site parking for their employees. Of the 8 that did not provide on-site parking, 3 stated that they had shared parking agreements with another business. 7 of the 8 businesses that do not provide on-site parking for employees utilize

public parking lots for their employees. The total number of employees reported to park off-site was 94, of which 64 reported to use public parking. A map of the businesses that responded to the survey is included as Attachment D.

**FISCAL & STAFF IMPACT:** There is no fiscal impact related to the discussion of this topic. Staff impact will vary based on what direction is given by the Board of Aldermen. A limited increase in parking enforcement activities has been planned for the Police Department. Implementation and management of a parking permit system will take considerable staff time that is currently not planned.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the information provided and provide direction to staff on how to proceed.

A RESOLUTION ACCEPTING THE REPORT ON DOWNTON PARKING ISSUES AND  
PROVIDING DIRECTION TO TOWN STAFF

Draft Resolution No. \_\_\_\_\_

WHEREAS, the Carrboro Board of Aldermen has received a staff report regarding various parking issues in Downtown Carrboro.

NOW THEREFORE, THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVES THAT  
TOWN STAFF IS DIRECTED AS FOLLOWS:

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Downtown Parking Inventory (Updated November 2013)

ATTACHMENT B

<u>Parking Lot</u>	<u>Location</u>	<u>Undesignated Spaces</u>	<u>Accessible Spaces</u>	<u>Reserved Spaces</u>
Laurel	Laurel Ave. between Weaver and Jones Ferry	20	1	0
Weaver	300 Block of W. Weaver St.	32	4	0
Century Center	Intersection of W. Weaver and Greensboro	39	6	9
S. Greensboro	Intersection of S. Greensboro and Roberson	93	7	0
Roberson/Main*	Intersection of Roberson and E. Main	36	1	0
Rosemary	Corner of Rosemary and Sunset	22**	1	0
300 E. Main***	Parking Deck 300 E. Main	150-250 ****	0	0
100 Block E. Main	Behind Friendly Barber	31	0	6
Town Hall/Town Commons	301 W. Main St.	87	6	10
	<b>TOTAL</b>	<b>510-610</b>	<b>26</b>	<b>25</b>
	<b>Without Roberson/Main lot</b>	<b>474-574</b>	<b>25</b>	<b>25</b>

* Lot temporarily closed as of 11/13
** 12 spots for Chapel Hill, 10 for Carrboro (inc 1 handicap)
***July 2013 - July 2018
****150 spots 7am-5:30pm; 250 spots 5:30pm-7am

	This n That	300 East Main St	Carburritos	Weaver Street Realty	All Day Records	Southern Rail/Station	Sparrow	Steel String	Carr Mill Mall	Spotted Dog	Short Stop	Scavenger Antiques	ACME	PTA Thrift	Wings	Tylers	The Clean Machine	Armadillo Grill	Vespertine	Spacebuilders	New Media Campaigns	Wellness Alliance	The Beehive	Recs/Parks	Carboro Family Vision	Car Quest	The Clean Machine	Police
Are you providing on site parking	Y	Y	N	N	N	Y	Y	Y/N	N	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y
How many employees park off-site.	0	0	10	3	2	0	0	0	0	18	0	1	5	0	0	5	0	8	0	0	4	0	5	20	10	0	0	3
During what hours?	na	na	8a - 11p	9 a - 5 p	12 p - 8 p	na	na	na	na	10 a - 11 p	na	9 a - 5 p	10 a - 10 p	na	na	5 p - 10 p	na	11 a - 12 a	na	na	9 a - 5 p	na	9.3 a - 8.3	7 a - 9 p	8 a - 6 p	na	na	8 a - 5 p
Private or public parking?	na	na	Both	Private	Public	na	na	na	Private	Public	na	Public	Public	na	na	Public	na	Public	na	na	Private	na	Public	Public	Public	na	na	Public
Shared parking agreements?	na		6 sp with Love Overboard	Shared with Tim Robinsons Seafood	Spacebuilders and hair salon		Multiple agreements each different	Shared with all 106 businesses	All employees use parking on Roberson			Shared parking with Fleet Feet						Shared with This n That	Tom Robinsons Seafood Market									

# Downtown Carrboro, NC: Shared Parking Survey

