

**Present:**

Mayor Mark Chilton, Alderman Jacquelyn Gist, Alderman Michelle Johnson, Alderman Lydia Lavelle and Alderman Sammy Slade

**Absent:**

Alderman Randee Haven-O'Donnell

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

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

Katherine Dydak, a current urban planning graduate student at UNC, invited the Board to attend the Smart Math of Mixed Use Development event on March 21, 2013 at 6:30 p.m. The parking lot is available for parking after 5:30 p.m. Alderman Gist asked that the item be placed on the Town's website and sent to the Town Clerk for distribution to the Town's advisory boards.

Alderman Lavelle requested that the Town receive a copy of the presentation if it is recorded.

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**B. RESOLUTIONS AND PROCLAMATIONS****EARTH HOUR PROCLAMATION**

Mayor Chilton proclaimed March 23rd, 2013, 8:30 pm as "Earth Hour" in Carrboro.

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**A RESOLUTION IN SUPPORT OF THE UNITING AMERICAN FAMILIES ACT (HR 519/S 296) AND THE INCLUSION OF LGBT FAMILIES IN COMPREHENSIVE IMMIGRATION REFORM**

**A motion was made by Alderman Lavelle, seconded by Alderman Gist, that this resolution be approved.**

Resolution in Support of the  
Uniting American Families Act (HR 519/S 296)  
and the Inclusion of LGBT Families in Comprehensive Immigration Reform

WHEREAS, a driving goal under U.S. immigration law is family unification and the ability of families and individuals to reside legally in the U.S., engaging fully in our country's rich civil traditions and form of government; and,

WHEREAS, the Town of Carrboro celebrates and respects all immigrant groups and all families, including gay and lesbian families; and,

WHEREAS, current U.S. immigration law discriminates against a U.S. citizen or lawful permanent resident and his or her foreign-born partner by not allowing the sponsorship of the foreign partner for immigration benefits, although an opposite-sex couple would have the right to do so; and,

WHEREAS, this form of discrimination and unfair treatment under the law has devastating and life-altering consequences for same-sex partners; and,

WHEREAS, the inability to sponsor a same-sex partner leaves the couple with the following limited options: choosing to remain in a costly long-distance international relationship; choosing to live abroad in the foreign partner's country, if allowable; seeking a visa, independent of the partnership, for the foreign-born partner, creating a limited duration of legal stay; choosing to allow the foreign-born partner to remain undocumented or allow a visa to lapse, creating daily uncertainty and fear of deportation; or terminating the relationship; and,

WHEREAS, the limited legal options for same-sex partners to keep their relationship unified exacts an enormous emotional, financial, and mental toll, disproportionate to opposite-sex couples in bi-national relationships; and,

WHEREAS, beyond the personal challenges to same-sex couples, the Town of Carrboro and the entire country risk a great loss of talent should the foreign partner and/or the U.S. citizen or lawful permanent resident be forced to depart the U.S. to keep the relationship whole in another country; and,

WHEREAS, currently pending in the U.S. Congress is the Uniting American Families Act (H.R. 519/S.296), reintroduced by Representative Jerrold Nadler (D-NY-10) and Senator Patrick Leahy (D-VT). The purpose of this bill is "to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships"; and,

WHEREAS, the Uniting American Families Act would allow same-sex relationships to be treated no differently from opposite sex relationships and all legal requirements of qualifying under the statute and proving the good faith nature of their relationship would remain; and,

WHEREAS, the Uniting American Families Act would bring U.S. immigration law in line with the 31 other countries that already recognize same sex partnerships for immigration purposes, including Australia, Austria, Belgium, Brazil, Canada, Czech Republic, Denmark, Finland, France, Germany, Iceland, Ireland, Israel, the Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, Switzerland, and the United Kingdom; and,

WHEREAS, the Town of Carrboro fully supports the measures of Congress to allow gay and lesbian partners to access immigration benefits in an equal and fair manner, equivalent to opposite sex partners who currently enjoy such legal rights;

NOW THEREFORE BE IT RESOLVED that we, the members of the Carrboro Board of Aldermen, do hereby express our strong support for the passage of the Uniting American Families Act, and its inclusion in comprehensive immigration reform legislation, or other laws that will end discrimination for

bi-national same-sex partners under the immigration laws and will allow gay and lesbian residents of the State of North Carolina fair and equal access to immigration benefits through their permanent partnerships.

BE IT FURTHER RESOLVED that copies of this resolution be prepared and sent to U.S. Senator Kay Hagan; U.S. Senator Richard Burr, U.S. Representative David Price; Speaker of the House of Representatives John Boehner; Leader of the Senate Harry Reid, and Vice-President of the U.S. and President of the U.S. Senate Joseph Biden.

The motion carried by the following vote:

**Aye:** - Mayor Chilton, Alderman Gist, Alderman Johnson, Alderman Lavelle and Alderman Slade

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**C. CHARGES ISSUED**

The Town Clerk issued charges to the following recent advisory board appointees:

1. Paul Daughtry
2. Will McInerny
3. Steven Canady
4. Gabe Riven
5. Andrea Tanner

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**D. CONSENT AGENDA**

**APPROVAL OF PREVIOUS MEETING MINUTES**

The purpose of this item was to adopt the previous meeting minutes for February 19<sup>th</sup> and February 26<sup>th</sup>, 2013.

**A motion was made by Alderman Slade, seconded by Alderman Lavelle, that the minutes be approved. The motion carried by the following vote:**

**Aye:** Mayor Chilton, Alderman Gist, Alderman Johnson, Alderman Lavelle and Alderman Slade

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**REQUEST TO MAKE AN APPOINTMENT TO THE RECREATION AND PARKS**

The purpose of this item was for the Mayor and Board to consider making an appointment to the Recreation and Parks Commission.

**A motion was made by Alderman Slade, seconded by Alderman Lavelle, that this Resolution be approved.**

**A RESOLUTION MAKING AN APPOINTMENT TO THE  
RECREATION AND PARKS COMMISSION**

WHEREAS, three at-large seats on the Recreation and Parks Commission have expiring terms.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES;

Section 1. The Board of Aldermen hereby appoints the following applicants and recommended representatives to the Recreation and Parks Commission:

Seat Designation	Appointee	Term Expiration
Out-of-Town	Eric Allman	2/1/2016

Section 2. This resolution shall become effective upon adoption.

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

**Aye:** Mayor Chilton, Alderman Gist, Alderman Johnson, Alderman Lavelle and Alderman Slade

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**RECOGNITION OF RECEIPT OF DISTINGUISHED BUDGET PRESENTATION AWARD  
FROM GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)**

The purpose of this item was for the Board of Aldermen to consider the attached resolution recognizing the Town's receipt of the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) for the FY12-13 Budget.

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

A RESOLUTION RECOGNIZING RECEIPT OF THE DISTINGUISHED BUDGET PRESENTATION AWARD FROM GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)

WHEREAS, The Government Finance Officers Association (GFOA) has notified the Town that the FY12-13 Budget has received the Distinguished Budget Presentation Award; and

WHEREAS, this award reflects the commitment of the Board of Aldermen and Town staff to meeting the highest principles in governmental budgeting; and

WHEREAS, in order to receive this award, the Town had to satisfy nationally recognized guidelines for effective budget presentation, including an assessment of how the Town's budget serves as a policy document, a financial plan, an operations guide and a communications device; and

WHEREAS, The Town's budget was rated proficient in all four broad categories and the fourteen (14) criteria within those categories; and

WHEREAS, Carrboro is one of 1,328 entities in the country to receive this award during this rating period, and one of 26 municipalities in North Carolina; and

WHEREAS, This is the 10<sup>th</sup> year in a row the Town has received this award.

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen hereby recognizes the receipt of the Distinguished Budget Presentation Award and thanks Town Staff, particularly the Management Services Department, for their efforts.

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

Mayor Chilton, Alderman Gist, Alderman Johnson, Alderman Lavelle and Alderman Slade

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**REQUEST TO SET THE PUBLIC HEARING FOR THE SHELTON STATION  
CONDITIONAL USE PERMIT REQUEST**

Belmont Sayre, LLC as represented by Coulter, Jewell and Thames, submitted an application for the construction of a mixed-use commercial/residential development located adjacent to and including 402 N. Greensboro Street. The Conditional Use Permit, if approved, would allow the creation of a four story multi-family residential building with 94 dwelling units and a two-story, 22,706 square foot of commercial building with associated infrastructure. The applicants requested that the Board set the public hearing date for the conditional use permit request on March 21st, 2013.

Alderman Gist requested that the applicant be informed that the Board desires to see good neighbor issues fully addressed at the time of the public hearing.

**A motion was made by Alderman Gist, seconded by Alderman Lavelle, that this resolution be approved.**

**A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED SHELTON  
STATION CONDITIONAL USE PERMIT REQUEST**

**WHEREAS**, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed projects; and

**WHEREAS**, an application has been received for a Conditional Use Permit authorizing a commercial/residential mixed-use development on the N. Greensboro Street parcels identified by Orange County PINs 9778877556, 9778877448, 9778879369 & 9778970512.

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Board of Aldermen that the Aldermen call a public hearing on March 21<sup>st</sup>, 2013 to discuss the proposed Shelton Station CUP project.

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

**Ayes:** Mayor Chilton, Alderman Gist, Alderman Johnson, Alderman Lavelle and Alderman Slade

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**408 LLOYD STREET SEWER EASEMENT GRANTING FOR 308 BROAD STREET SEWER SERVICE**

Mr. Clarence Payne, owner of the property at 307 Broad Street (PIN 9778975675), as represented by Wayne Hadler, attorney, requested that the Town grant a 10' private sewer lateral easement across Town property located at 408 Lloyd Street (PIN 9778974626) to provide access to OWASA sewer services.

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

**RESOLUTION OF THE TOWN OF CARRBORO BOARD OF  
ALDERMEN AUTHORIZING THE GRANTING OF A 10' PRIVATE SEWER EASEMENT ON  
THE TOWN-OWNED PROPERTY AT 408 LLOYD STREET TO THE OWNER OF THE  
PROPERTY AT 307 BROAD STREET**

WHEREAS, the Town of Carrboro is the owner of the real property known as 408 Lloyd Street in Carrboro (Orange County PIN 9778974626); and

WHEREAS, the Town has become aware that a residence located on an adjoining parcel, 307 Broad Street (Orange County PIN 9778975675) does not have direct access to OWASA sewer services; and

WHEREAS, the owner of the adjoining parcel has requested that the Town grant them an easement to access the OWASA sewer service located on the Town property; and

NOW, THEREFORE, be it resolved by the Town of Carrboro Board of Aldermen that:  
The Town Board of Aldermen authorizes the granting of a sewer service easement per the intent of the plat and profile prepared by Freehold Land Surveys, Inc. and dated October 23, 2012 subject to the following condition;

- That prior to recording of the easement plat that the previously approved recombination of the 408 and 410 Lloyd Street properties is recorded.

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

Mayor Chilton, Alderman Gist, Alderman Johnson, Alderman Lavelle and Alderman Slade

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**E. OTHER MATTERS**

**UPDATE ON THE WATCH FOR ME NC PEDESTRIAN AND BICYCLE SAFETY CAMPAIGN**

The Board received an update on Watch for Me NC, a regional pedestrian safety campaign led by the NCDOT Division of Bicycle and Pedestrian Transportation, and considered a resolution establishing

Town participation in year two of the campaign, which will focus on both pedestrian and bicyclist safety.

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

Alderman Gist stated that she also wants to see an effort on educating bikers and pedestrians on their responsibilities.

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

A RESOLUTION SUPPORTING THE PARTICIPATION IN THE WATCH FOR ME NC  
PEDESTRIAN/BICYCLE SAFETY CAMPAIGN IN COOPERATION WITH THE NORTH  
CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, *Carrboro Vision 2020* states that the "safe and adequate flow of bus, auto, bicycle and pedestrian traffic within and around Carrboro is essential" (Policy 4.0); and

WHEREAS, the Comprehensive Bicycle Transportation Plan recommends, among other educational and enforcement activities, developing bicycle safety educational materials, enforcing unsafe behavior, producing education messages in distributions and media, and developing training sessions for local law enforcement (Ch. 4); and

WHEREAS, the Safe Routes to School Action Plan recommends starting a comprehensive motorist/pedestrian/bicyclist safety campaign (Ch. 5); and

WHEREAS, the Town of Carrboro recognizes the importance of educating pedestrians, bicyclists and drivers on how to share the road safely; and

WHEREAS, the North Carolina Department of Transportation is leading a pedestrian and bicycle safety campaign for the Triangle region, known as Watch for Me NC; and

WHEREAS, the North Carolina Department of Transportation is seeking commitment from Triangle-Area communities for involvement in the Watch for Me NC 2013 campaign; and

WHEREAS, the Watch for Me NC campaign would provide safety education for pedestrians, cyclists and drivers through various strategies; and provide training to officers to support enforcement activities and provide information for campaign evaluation.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board of Aldermen pledges, in cooperation with the North Carolina Department of Transportation, to participate in the 2013 Watch for Me NC campaign.

BE IT FURTHER RESOLVED that the Planning Department, Police Department, and other departments if directed by the Town Manager, are directed to coordinate with staff from other municipalities and stakeholders involved in the Watch for Me NC campaign as necessary to ensure successful participation.

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

**Aye:** Mayor Chilton, Alderman Gist, Alderman Johnson, Alderman Lavelle and Alderman Slade

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**DISCUSSION OF GREENE TRACT/ROGERS ROAD**

The purpose of this agenda item was for a Board discussion of the Greene Tract in relation to the work of the Historic Rogers Road Neighborhood Task Force.

Trish McGuire, the Town's Planning Director, made the presentation to the Board.

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

A RESOLUTION SPECIFYING BOARD OF ALDERMEN COMMENTS REGARDING  
DISPOSITION OF THE GREENE TRACT

WHEREAS, the Board of Aldermen participated in Historic Rogers Road Neighborhood Task Force Meetings and discussion of the Greene Tract at the December 6, 2012 Assembly of Governments; and

WHEREAS, the Board of Aldermen has previously adopted resolutions regarding the disposition of the Greene Tract; and

WHEREAS, possible alternative uses have been raised in discussions of the proposed utility district for the Rogers Road area and in relation to the Chapel Hill Small Area Plan for the Rogers Road area.

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen specifies the following comments regarding uses of the Greene Tract

- 1.The Board of Aldermen is not interested in selling the Greene Tract in its entirety and supports open space and affordable housing uses, as desired and appropriate, with slight adjustments to the acreages previously specified in their 2002 resolution (85.9 open space/ 18.1 affordable housing) to allow for a public school site.
- 2.The Board stated their desire to see on the order of 60+ affordable housing units.
- 3.The Board supports conservation easements on open space areas.
- 4.The Board stated that some additional area should be reserved along the railroad right-of-way to accommodate future expansion of the rail corridor.
- 5.The Affordable Housing Taskforce should follow-up with professional community development corporation representatives to discuss the possibility of affordable housing and mixed use together.

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



**Aye:** Mayor Chilton, Alderman Gist, Alderman Johnson, Alderman Lavelle and Alderman Slade

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**UPDATE ON THE TOWN'S SOLID WASTE OPERATIONS AND REQUEST TO  
AUTHORIZE THE TOWN MANAGER TO ENTER INTO AN AGREEMENT FOR A SOLID  
WASTE TRANSFER STATION**

The purpose of this agenda item was to update the Board of Aldermen on the selection of a disposal site for municipal solid waste as a result of the Orange County Landfill closing on June 30, 2013.

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

**A RESOLUTION ACCEPTING THE TOWN'S SOLID WASTE OPERATIONS AND  
AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT FOR A SOLID  
WASTE TRANSFER STATION**

Section 1. The Board of Aldermen hereby accepts the town staff report updating the Board of Aldermen about proposed changes to the Town's solid waste operations in response to the closing of the Orange County Landfill on June 30, 2013.

Section 2. The Board of Aldermen hereby authorizes the Town Manager to negotiate and execute an agreement with Waste Industries for use of a Solid Waste Transfer Station; and execute amendments to or modifications of the contract, if necessary or appropriate, provided that such amendments or modifications are consistent with the general intent and purpose for which the contract is made.

Section 3. This resolution shall become effective upon adoption.

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

**Aye:** Mayor Chilton, Alderman Gist, Alderman Johnson, Alderman Lavelle and Alderman Slade

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**ROSSBURN WAY TRAFFIC CALMING REQUEST FOLLOW-UP REPORT**

A follow-up report on traffic calming on Rossburn Way was presented to the Board of Aldermen.

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

**A RESOLUTION RELATING TO TRAFFIC CALMING MEASURES ON ROSSBURN WAY**

WHEREAS, the Board of Aldermen adopted the Residential Traffic Management Plan (RTMP) in June of 1996 to provide "a process for identifying and addressing existing problems related to speeding, excessive volumes, and safety on town-maintained residential streets"; and,

WHEREAS, a valid traffic calming petition, in accordance with the RTMP, was received from residents of the Kent Woodlands neighborhood in November 2010; and,

WHEREAS, a traffic evaluation was completed, and the Transportation Advisory Board made a recommendation, both of which were presented to the Board of Aldermen on October 18, 2011; and,

WHEREAS, at this meeting, the Board of Aldermen adopted a resolution recommending Stage 1 traffic calming measures and directed that research on potential Stage 2 measures be completed and presented to the Transportation Advisory Board, Town of Chapel Hill, and neighborhood residents; and,

WHEREAS, the Transportation Advisory Board has reviewed the aforementioned Stage 2 research and options; received feedback from neighbors; and made a recommendation to the Board of Aldermen; and,

WHEREAS, enforcement and education have been implemented with Town staff, working with neighborhood residents;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board receives the traffic calming report on Rosburn Way.

BE IT FURTHER RESOLVED that:

1. That Stage 1 traffic calming measures continue to be pursued as necessary.
2. That the following Transportation Advisory Board recommendations be included:
  1. The Transportation Advisory Board recommends to the Board of Aldermen that the Stage 1 measures continue to be implemented;
  2. The TAB recommends that the Town communicate with the Police Department about conducting speed enforcement operations in the neighborhood between the times of 4:00 and 6:00 P.M., which is when the problem seems to be its worst;
  3. The TAB has suggested to the neighbors that the license plate numbers of offenders be reported to the Police Department and that they ask the Police Department to follow up on those as anonymous reports;
  4. The TAB has suggested that the neighbors invite the Police Department to speak at a neighborhood function about the speeding problem in the neighborhood;
  5. After these actions have been done, the Town should evaluate speeds on that stretch of road

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

**Aye:** Mayor Chilton, Alderman Gist, Alderman Johnson, Alderman Lavelle, and Alderman Slade

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**REQUEST TO SET PUBLIC HEARING FOR MAJOR MODIFICATION TO THE  
CLAREMONT SOUTH PLANNED UNIT DEVELOPMENT CONDITIONAL USE PERMIT**

Parker Louis, LLC submitted an application for a Major Modification to the Claremont South Planned

Unit Development Conditional Use Permit for the properties addressed as 1001 Homestead Road. Prior to reaching a decision on these requests, the Board of Aldermen must receive public input.

**At the request of the applicant, this item was tabled.**

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**H. MATTERS BY TOWN ATTORNEY**

**CLOSED SESSION - ATTORNEY CLIENT PRIVILEGE**

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN JOHNSON TO ENTER INTO CLOSED SESSION. VOTE: AFFIRMATIVE ALL

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**ADJOURNMENT**

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN LAVELLE TO ADJOURN THE MEETING AT 11:48PM. VOTE: AFFIRMATIVE ALL