



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

**Town of Carrboro  
Meeting Minutes  
Town Council**

**February 7, 2023**

**7:00 PM**

**Council Chambers - Room 110**

**Present:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Eliazar Posada, Council Member Sammy Slade

**Also Present:** Richard White, Town Manager; Wesley Barker, Town Clerk; Brady Herman, Town Attorney

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**POETRY READING**

Cortland Gilliam, the Poet Laureate for the Town of Chapel Hill, read "A letter to allies: new and old."

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**PROCLAMATION-BLACK HISTORY MONTH**

Mayor Damon Seils read a proclamation for Black History Month.

Anita Jones-McNair, Town of Carrboro Chief Race & Equity Officer, accepted the proclamation.

Council Member Foushee spoke on Black History Month and read a poem entitled "Invisible Man" by Ralph Ellison.

**RESOLUTION IN SOLIDARITY WITH CARRBORO'S LGBTQ+ COMMUNITY**

Council Member Posada read the resolution and spoke on NC Senate Bill 49 and NC House Bill 43 which would negatively affect the LGBTQIA+ community.

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

## RESOLUTION IN SOLIDARITY WITH CARRBORO'S LGBTQ+ COMMUNITY

**WHEREAS**, Carrboro has a proud history of advancing the rights of LGBTQIA+ people, including adding sexual orientation to the list of characteristics protected in the Town's equal employment opportunity policy in 1990; being the first municipality in the state to create a domestic partner registry in 1994; being the first to elect a gay mayor in 1995 and, later, the first to elect a lesbian mayor, a second gay mayor, and a gay Latino council member; being among the first to support civil marriage for same-sex couples and inclusion of LGBTQ families in comprehensive immigration reform; being one of several local governments to oppose the General Assembly's discriminatory Senate Bill 2 (Session Law 2015-75) in 2015; being the first to call for repeal of the discriminatory Public Facilities Privacy and Security Act (House Bill 2) in 2016; and being among the first (with the Towns of Hillsborough and Chapel Hill and Orange County) to adopt an ordinance prohibiting discrimination in public accommodations and employment based on sexual orientation, gender identity, and gender expression in 2021; and

**WHEREAS**, hate crimes targeting LGBTQIA + (lesbian, gay, bisexual, transgender, queer, intersex, & asexual) people have increased every year for the past four years; and

**WHEREAS**, there were at least 34 trans and gender nonconforming people killed in the U.S. in 2022; and

**WHEREAS**, members of the LGBTQIA+ community currently experience the highest per capita rate of hate-motivated violence of any marginalized group in the US; and

**WHEREAS**, mass shootings by domestic terrorists at LGBTQIA+ gathering spaces such as Club Q and Pulse have created fear and trauma in LGBTQIA+ communities across the country; and

**WHEREAS**, protests and demonstrations targeting drag shows and drag performers have increased dramatically over the last several years, with such protests being held in several locations in North Carolina; and

**WHEREAS**, there has been a sharp increase in anti-LGBTQ+ legislation across the country, with 233 anti-LGBTQIA+ bills filed in state legislatures across the country in January of this year alone; and

**WHEREAS**, a copycat version of Florida's "Don't Say Gay" bill has been filed in the NC Senate this session (SB49) which would prohibit discussion of LGBTQ+ identity in most elementary school's classrooms and forcibly out LGBTQIA+ students to their parents; and

**WHEREAS**, a bill has also been filed in the NC House this session (HB43) that would prohibit gender-affirming care including hormones, puberty blockers, and gender-affirming surgery for people under 18; and

**WHEREAS**, access to safe spaces at school and gender-affirming healthcare is critical for the mental and physical health of LGBTQIA+ people and teens in particular, who are four times more likely to consider suicide than their heterosexual peers; and

**WHEREAS**, the Town of Carrboro is committed to fostering an environment that values intersectional visibility and support for our LGBTQIA+ Artists, youth, staff and community members, and others. We recognize their remarkable bravery and authenticity, while also affirming the gender identity and gender expression of our LGBTQIA+ district and community members.

**NOW, THEREFORE BE IT RESOLVED** that the Carrboro Town Council affirms the full civil and human rights of our LGBTQIA+ community members; and

**BE IT FURTHER RESOLVED** that we condemn all violence and hatred against LGBTQIA+ people, LGBTQIA+ spaces, and LGBTQIA+ events; and

**BE IT FURTHER RESOLVED** that we stand in opposition to HB43, SB49, and all legislation that erodes the safety, health, civil rights, and/or bodily autonomy of LGBTQIA+ people, including minors.

**BE IT FURTHER RESOLVED** that the Town Clerk is directed to send a copy of this resolution to our North Carolina General Assembly delegation and the Leadership of both Chambers.

This the 7<sup>th</sup> day of February 2023.

**The motion carried unanimously.**

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### **PUBLIC COMMENT**

**Makeda Ma’at**, original resident of The Landings at Winmore, displayed a sign of The Landings Tenant Association containing contact information, but made no verbal public comment.

**Michael Paul**, Carrboro resident at 702 Bolin Creek Dr., spoke about changes to Bolin Forest habitats and biodiversity. Mr. Paul also spoke on alternatives of commuter infrastructure.

**Diane Robertson**, 405 Waterside Dr., spoke on the amount of carbon dioxide sequestered each year by the Bolin Forest, and spoke on importance of the forest’s biodiversity for Carrboro.

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## **APPROVAL OF MINUTES FROM THE MAY 10, 2022 MEETING**

**A motion was made by Council Member Haven-O'Donnell, seconded by Council Member Nowell to approve the May 10, 2022 meeting minutes with amendments noted.**

**The motion carried unanimously.**

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## **POLICE DEPARTMENT QUARTERLY EQUITY REPORT**

The purpose of this agenda item was to provide the Town Council with a brief overview of the quarterly equity report for the third quarter of 2022.

Chris Atack, Chief of Police, gave a presentation to Council.

Council Member Nowell requested these reports be tracked historically, to show trend reporting over the past two years.

Council Member Slade requested the reports show a side-by-side comparison of a pie chart of demographic of drivers in Carrboro based on residency tracking to pie chart of total stops per race and ethnicity. Council Member Slade also requested timeline of data to show if effects happened from pre stops policy to post stops policy.

Council Member Posada requested the data show an addendum to state what is/what is not serious under equipment and regulatory reason for police stops and the "other" designation within the report.

**A motion was made by Council Member Posada, seconded by Council Member Nowell to accept the report.**

**The motion carried unanimously.**

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## **AFFORDABLE HOUSING ADVISORY COMMISSION FUNDING RECOMMENDATION**

The purpose of this agenda item was for the Town Council to consider approving recommended funding for two nonprofit affordable housing applications to the Affordable Housing Special Revenue Fund.

Anne-Marie Vanaman, Interim Housing and Community Services Director, was present to answer questions.

Council Member Slade suggested that weatherization be included in assessments of

properties that are subject to funding and to be included in documentation that is presented to the Affordable Housing Advisory Commission and Town Council.

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

**A RESOLUTION APPROVING GRANT FUNDING FROM THE  
AFFORDABLE HOUSING SPECIAL REVENUE FUND**

**WHEREAS**, the Town Council on, June 27, 2007, by the adoption of resolution no. 244/2006-07 created the Affordable Housing Special Revenue Fund; and

**WHEREAS**, the creation of the fund is another way in which the Council can advance its goal of increasing and maintaining the stock of affordable housing within the Town and its planning jurisdiction; and

**WHEREAS**, the Affordable Housing Advisory Commission (AHAC) reviewed four funding applications for the Affordable Housing Special Revenue Fund on January 18, 2023; and

**WHEREAS**, the AHAC determined that the requests met the criteria set forth in the Affordable Housing Special Revenue Fund; and

**WHEREAS**, the AHAC made the following funding recommendations:

<b>Hope Renovations</b>	<b>\$30,815.00</b>
<b>Rebuilding Together of the Triangle</b>	<b>\$25,625.80</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Carrboro:

Section 1. Approves the recommended grant funding activity from the Affordable Housing Special Revenue Fund in FY2022-2023.

Section 2. Authorizes the Town Manager to develop and execute agreements as necessary to carry out the Council's action.

Section 3. This resolution shall become effective upon adoption.

This the 7<sup>th</sup> day of February 2023.

**The motion carried unanimously.**

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**RESOLUTION SUPPORTING AN APPLICATION FOR SAFE ROUTES TO SCHOOL NON-INFRASTRUCTURE GRANT**

The purpose of this item was for the Town Council to consider a resolution in support of an application for NCDOT's Safe Routes to School Non-Infrastructure Grant.

**A motion was made by Council Member Romaine, seconded by Council Member Foushee, that the following resolution be approved:**

**A RESOLUTION SUPPORTING AN APPLICATION FOR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION SAFE ROUTES TO SCHOOL NON-INFRASTRUCTURE GRANT**

**WHEREAS**, the Integrated Mobility Division of the North Carolina Department of Transportation has issued a call for applications for the Safe Routes to School (SRTS) non-infrastructure grant program; and

**WHEREAS**, the Town of Carrboro Town Council values the importance of enabling and encouraging children of all abilities to walk and bicycle to schools; and

**WHEREAS**, the Town of Carrboro adopted the Safe Routes to School Strategic Action Plan in 2010; and

**WHEREAS**, certain aspects of the plan, such as the demographic data are now dated; and

**WHEREAS**, the Town Council recognizes that an update to the Safe Routes to School Strategic Action Plan will provide an opportunity to better serve the current needs and interests of all students and their families, and to include Morris Grove Elementary School, which opened after the original plan was adopted; and

**NOW, THEREFORE, BE IT RESOLVED** by the Carrboro Town Council that the Town Council endorses the Town's FY24 North Carolina Department of Transportation Safe Routes to School Non-Infrastructure grant application to update the Town's Safe Routes to School Strategic Action Plan, to further implementation of the plan, and to assist with the development of a Chapel Hill-Carrboro City Schools district wide uniform and effective safe routes to school program to ensure that all children have safe and varied ways to get to and from school.

This the 7<sup>th</sup> day of February 2023.

**The motion carried unanimously.**

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**RESOLUTION SUPPORTING AN APPLICATION FOR TRIANGLE J  
COUNCIL OF GOVERNMENTS' FY 24 TRANSPORTATION DEMAND  
MANAGEMENT GRANT PROGRAM, TRIANGLE TRANSPORTATION  
CHOICES**

The purpose of this agenda item is to request the Town Council consider a resolution authorizing the submittal of an application for Triangle J Council of Governments' FY24 Triangle Transportation Choices grant program.

**A motion was made by Council Member Romaine, seconded by Council Member Foushee, that the following resolution be approved:**

**A RESOLUTION SUPPORTING AN APPLICATION FOR TRIANGLE J  
COUNCIL OF GOVERNMENTS' FY24 TRANSPORTATION DEMAND  
MANAGEMENT PROGRAM, TRIANGLE TRANSPORTATION CHOICES**

**WHEREAS**, Transportation Demand Management (TDM) is a set of strategies designed to encourage alternative choices for travel and daily commuting such as biking, walking, public transit, telework, or some combination, to reduce the environmental impacts of driving alone, particularly during peak periods; and

**WHEREAS**, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO), the Capital Area Metropolitan Planning Organization (CAMPO), and the North Carolina Department of Transportation (NCDOT) have provided funding to the Triangle J Council of Governments (TJCOG) to support Transportation Demand Management activities in the region; and

**WHEREAS**, TJCOG has updated the TDM program, changing the name to Triangle Transportation Choices and adding a new emphasis on race and equity; and

**WHEREAS**, the Town of Carrboro has partnered with the Town of Chapel Hill and the University of North Carolina at Chapel Hill to coordinate TDM activities for the last several years; and

**WHEREAS**, Carrboro is working with its partners to develop a set of activities, outreach and events as part of the upcoming FY24 TDM grant application; and

**WHEREAS**, the grant, if awarded, would provide up to 50% match of approved activities; and

**WHEREAS**, the TDM grant application requires a resolution of support from the Town Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Carrboro Town Council that the Town Council supports continued participation in the regional transportation demand management program and authorizes staff to submit an application for Triangle J Council of Governments' FY24, Triangle Transportation Choices grant program.

This the 7th day of February 2023.

**The motion carried unanimously.**

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**REQUEST TO AUTHORIZE TOWN MANAGER TO SIGN CARR MILL OFFICE SPACE LEASE**

The purpose of this agenda item was to authorize the Town Manager to sign a three-year office lease agreement with Carr Mill Mall Limited Partnership.

Town Council discussed the pros and cons of awarding the lease to a long-time, BIPOC-managed, not-for-profit community partner, Community Worx; and to Carr Mill Mall, which offered convenient and more affordable space to meet Town staffing needs.

**A motion was made by Council Member Romaine, seconded by Council Member Haven-O'Donnell to authorize the Town Manager to sign the Carr Mill office space lease with Carr Mill Mall Limited Partnership.**

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

**Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Sammy Slade.**

**Noes: Council Member Barbara Foushee, Council Member Eliazar Posada.**

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**CEMETERY PLOT SALES, FEE STRUCTURE, AND IMPROVEMENTS**

The purpose of this agenda item is to provide the Town Council with the information requested at the October 11, 2022, Council Work Session regarding prioritizing cemetery plot sales, a sliding scale fee structure for conventional cemetery plots, and funding for improvements at Old Carrboro Cemetery and Westwood Cemetery.

Ben Schmadeke, Capital Projects Manager, gave a presentation to the Council which included matters offered for Council consideration as the number of remaining cemetery plots decreases and discussion about the use of undeveloped area of Westwood



Cemetery continues. Matters to be considered included prioritizing sale of cemetery plots, consideration of a sliding scale fee structure, and cemetery improvements.

Items presented to Council included options to slow the sale of remaining cemetery plots which could be any combination of the following options:

- a. Revise town code to limit sales of cemetery plots to “at need” only,
- b. Revise town code to limit number of cemetery plots sold per person,
- c. Revise town code to limit cemetery plots to Carrboro residents only,
- d. Revise town code to limit cemetery plots to individuals located within a specific radius of Westwood Cemetery,
- e. Revise town code to limit cemetery plots to those with family members already interred at Westwood Cemetery.

**Bob Proctor**, Town resident, addressed the Council requesting suspension of future use plots and to restrict the sales to town residents, with exception of their immediate families.

**Braxton Foushee**, Town resident, addressed the Council requesting that the Town Council leave the cemetery plots as is.

Council Member Nowell stated the Council should be working toward a compromise and suggested that staff come back to the Council with additional options as a work session. Other Council members supported scheduling a work session.

Council Member Slade suggested looking at cost of land outside of the town for new plot spaces, stating solutions aren’t being met due to current cemetery spaces running out quickly.

**A motion was made by Council Member Slade, seconded by Council Member Haven-O’Donnell to hold a work session within the next three months and include information about cost of land in town for additional cemetery space and discuss working with Chapel Hill and Orange County on a possible joint cemetery. Also, to revise the Town code to coincide with options a, b, c, and d as stated above.**

Council Member Foushee spoke on the race and equity impact of the cemetery and recommended a reading by Preservation Society of Chapel Hill entitled “A Segregated Part of Heaven.” Council Member Foushee also recommended any proposed revisions be reviewed by advisory boards.

After additional discussion, **a motion was made by Council Member Posada that the motion on the floor be divided.**

**A motion was made by Council Member Slade, seconded by Council Member Haven-O’Donnell to schedule a work session within three months to address questions for the future of Westwood Cemetery, discuss possibilities of town**

**expansion of Westwood Cemetery, park space, some combination of those, and potential rural space areas and partnerships of local jurisdictions in the future.**

**The motion carried unanimously.**

**A motion was made by Council Member Slade, seconded by Council Member Haven-O'Donnell, to adopt the restrictions listed as a, b, c, and d in the agenda packet, which are amendments to the Town Code listed as:**

- a. Revising town code to limit sales of cemetery plots to “at need” only.
- b. Revising town code to limit number of cemetery plots sold per person.
- c. Revising town code to limit cemetery plots to Carrboro residents only.
- d. Revising town code to limit cemetery plots to individuals located within a specific radius of Westwood Cemetery.

Council Member Foushee requested that, if this motion passes, the proposed revisions go through the advisory boards, including Racial Equity Commission, for review.

**Council Member Posada requested a roll call vote on this motion.**

Further Council discussion then took place.

**Council Member Slade revised his motion to adopt the restrictions listed as a, b, and c in the agenda packet, which are amendments to the Town Code listed as:**

- a. Revise town code to limit sales of cemetery plots to “at need” only.
- b. Revise town code to limit number of cemetery plots sold per person.
- c. Revise town code to limit cemetery plots to Carrboro residents only.

After some discussion, **Council Member Slade withdrew his motion.**

**Council Member Slade revised his motion to adopt the restrictions listed as a and c in the agenda packet, which are amendments to the Town Code listed as:**

- a. Revise town code to limit sales of cemetery plots to “at need” only.
- c. Revise town code to limit cemetery plots to Carrboro residents only.

**and to refer to Racial Equity Commission for review, and to bring back to Council.**

**Council Member Posada seconded the motion and requested to move into a vote.**

**The motion failed with the following vote:**

**Ayes:** Council Member Randee Haven-O'Donnell, Council Member Sammy Slade

**Noes:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Danny Nowell, Council Member Eliazar Posada.

**A motion was made by Council Member Posada, seconded by Council Member Nowell, to approve the proposed cemetery improvements listed in the agenda materials.**

Council briefly discussed the status of fencing around the Old Carrboro Cemetery on whether to replace or remove.

**With nothing further, the motion carried unanimously.**

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### **OTHER MATTERS**

Council Member Posada announced that the Mexican Consulate General of Raleigh will be visiting Carrboro on Friday, February 10<sup>th</sup>, 2023.

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### **ADJOURNMENT**

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

**The motion carried unanimously.**

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**Town Clerk**

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**Mayor**