



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

**Town of Carrboro
Meeting Minutes
Town Council**

March 28, 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 Eliazar Posada Council Member Danny Nowell, Council Member Sammy Slade

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

POETRY READING

Poet Gary Phillips read "January Grace."

RESOLUTION – 2023 NATIVE PLANT MONTH

A motion was made by Council Member Romaine, seconded by Council Member Haven-O'Donnell, that the following resolution be approved:

NATIVE PLANT MONTH 2023

WHEREAS, native plants are indigenous species that have evolved and occur naturally in a particular region, ecosystem, and habitat; and

WHEREAS, native plants are vital for maintaining and restoring the healthy ecosystem needed to sustain our environment, including but not limited to seed dispersal; pollination of crops and natural vegetation; prevention of flooding, drought, and erosion; regulation of disease-carrying organisms; and moderation of weather extremes; and

WHEREAS, North Carolina is home to more than 3,900 native plant species, including trees, shrubs, vines, grasses, and wildflowers, making it one of the most diverse states for native plants in the Southeast; and

WHEREAS, native plants provide shelter as well as nectar, pollen, and seeds that serve as food for native butterflies, insects, birds, amphibians, and other wildlife in ways that non-native plants cannot; and

WHEREAS, 969 of the native plant species in North Carolina have been designated as significantly rare and/or in decline and may be in danger of extinction; and

WHEREAS, 94 of those 969 imperiled plants have been found in Orange County; and

WHEREAS, habitat loss and degradation, extreme weather events, and invasive species have contributed to the decline of native plants in North Carolina and Orange County; and

WHEREAS, native plants are essential components of resilient ecosystems and our natural heritage.

NOW, THEREFORE, BE IT RESOLVED that the Carrboro Town Council designates April 2023 as “**NATIVE PLANT MONTH**” and recognizes the benefits of native plants to the environment and economy of the Town of Carrboro.

This the 28th day of March 2023.

The motion carried unanimously.

PROCLAMATION – 2023 SEXUAL ASSAULT AWARENESS MONTH

APPROVAL OF JUNE 14, 2022 MINUTES

Council Member Slade requested to push this approval to the next agenda because he didn't have a change to review the minutes yet.

A motion was made by Council Member Posada, seconded by Council Member Haven-O'Donnell to push the approval of the June 14, 2022 minutes to the next agenda.

The motion carried unanimously.

RESOLUTION TO CONSIDER THE ARTSCENTER COVID-19 MITIGATION BUSINESS GRANT AWARD MODIFICATION

The purpose of this item is to request that the Town Council consider a modification to the ArtsCenter COVID-19 Mitigation Business Grant award.

A motion was made by Council Member Posada, seconded by Council Member Haven-O'Donnell, that the following resolution be approved:

A RESOLUTION APPROVING A MODIFICATION TO THE ARTSCENTER COVID-19 MITIGATION BUSINESS GRANT BUDGET

WHEREAS, the Carrboro Town Council allocated up to \$326,522 of funds from the American Recovery Plan Act to support the recovery of small businesses; and

WHEREAS, on October 11, 2022 the Carrboro Town Council approved a modification to the COVID-19 Mitigation Business Grant Policy to allow for changes to a grant application; and

WHEREAS, The ArtsCenter has requested a change to their grant application expenditures; and

WHEREAS, the COVID Loan/Grant Review Committee has met and reviewed the requested modification to the grant application expenditures; and

WHEREAS, the COVID Loan/Grant Review Committee has found the proposed expenditures in compliance with the COVID-19 Mitigation Business Grant Policy.

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

Section 1. The requested modification of The ArtsCenter budget in Attachment A be approved.

Section 2. This resolution is effective immediately and a copy of this resolution shall be forwarded to the Town's Finance Officer.

This the 28th day of March 2023.

The motion carried unanimously.

REQUEST TO SET A PUBLIC HEARING ON RENEWAL OF AN ANNEXATION BOUNDARY AGREEMENT FOR THE TOWNS OF CARRBORO AND CHAPEL HILL

The purpose of this agenda item is for the Town Council to set a public hearing to consider renewal of the annexation boundary agreement between the Towns of Carrboro and Chapel Hill.

A motion was made by Council Member Posada, seconded by Council Member Haven-O'Donnell, that the resolution be approved.

A RESOLUTION SETTING A PUBLIC HEARING ON AN AGREEMENT TO ESTABLISH AN ANNEXATION BOUNDARY FOR THE TOWNS OF CARRBORO AND CHAPEL HILL

WHEREAS, the Towns of Carrboro and Chapel Hill entered into an agreement in 1995 to establish an annexation boundary and an associated adjustment to the extraterritorial limits of both Towns; and

WHEREAS, the agreement included adoption of shared principles of protections for the town's entranceways along Smith Level Road/the eastern limits of the University Lake watershed, and

WHEREAS, the agreement's initial term has concluded and the Towns desire to renew the lapsed agreement with no changes to the agreed upon boundary; and

NOW THEREFORE, BE IT HEREBY RESOLVED that the Town Council sets a public hearing for April 18, 2023 on extending the agreement, and refers the matter to the Planning Board for its recommendation.

BE IT FURTHER RESOLVED that notice of said public hearing shall be published in accordance with NCGS 160A-58.24 (c) as provided in GS 160A-31(c).

This is the 28th day of March in the year 2023.

The motion carried unanimously.

RESOLUTION FOR APPROVAL FOR SOLAR PHOTOVOLTAIC (PV) PROJECTS

The purpose of this agenda item is to request that the Town Council consider awarding a contract to Eagle Solar and Light, LLC to install Solar PV on Town buildings including Fire Station 1, Public Works, and the 203 S. Greensboro St. Project.

A motion was made by Council Member Posada, seconded by Council Member Haven-O'Donnell, that the resolution be approved.

A RESOLUTION FOR AWARDDING THE CONTRACT FOR SOLAR PHOTOVOLTAIC (PV) PROJECTS

WHEREAS, the Town received responses to the Request for Proposals (RFP) for Town-wide solar development from Eagle Solar & Light and Southern Energy Management; and,

WHEREAS, staff have recommended Eagle Solar & Light as the most responsive, responsible firm; and,

WHEREAS, staff have further recommended that the following solar development projects be pursued:

1. 203 S. Greensboro St West Roof
2. Fire Station 1
3. Public Works; and,

WHEREAS, funding has been allocated for the 203 S. Greensboro St West Roof project in the 203 Project budget with additional Orange County Sustainability grant funding awarded; and,

WHEREAS, funding for the Fire Station 1 and Public Works Projects is set forth in this resolution,

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Carrboro authorizes a contract award not to exceed \$393,974 to Eagle Solar & Light for the following solar installation projects:

Solar Project	Total Cost Not to Exceed	Estimated Start Date	Estimated Completion Date
Public Works Turn-key Solar	\$44,679.00	2023-09-01	2023-10-01
Fire Station 1 Turn-key Solar	\$94,342.00	2023-10-01	2023-11-01
203 Project West Roof Turn-key Solar	\$254,953.00	2023-11-01	2024-02-01
Total	\$393,974		

The Town Manager is authorized to negotiate and enter a contract with Eagle Solar and Light for the installation of the above solar projects provided the contract amount does not exceed the amount for each project noted above.

The Town Manager is also authorized to transfer unassigned fund balance to Climate Action budget in an amount not to exceed \$139,021 to complete the Public Works and Fire Station 1 solar projects.

Funds to complete the 203 Project West Roof Solar project have been included in the 203 Capital Project construction budget with additional Orange County Sustainability grant funding awarded.

This the 28th day of March in 2023.

The motion carried unanimously.

BOLIN CREEK GREENWAY, PHASES 3 AND 4 – REVIEW OF A DRAFT SCOPE OF WORK FOR A FACILITATED COMMUNITY ENGAGEMENT AND PARTICIPATION PROCESS

The purpose of this agenda item is to request that the Town Council consider a draft scope of work related to consultant services for a community engagement and participation process related to Phases 3 and 4 of the Bolin Creek Greenway.

The Mayor put out guidance that the intent of this discussion is to provide feedback on the draft scope so the Town Manager and his team can move forward with the project.

Trish McGuire gave a presentation on the Bolin Creek Greenway Scope.

PUBLIC COMMENT

Linda Haac addressed the Council about the Bolin Creek Greenway.

Dave Auto addressed the Council about the Bolin Creek Greenway.

Council Member Posada thinks the scope seems broader than what was discussed during the work session and didn't want to get bogged down with work that has already been done. The council has been hearing about the Bolin Creek Greenway for 14 years now and this scope is too broad. He would like to see a more concise scope after community engagements.

Council Member Slade also requested more time for public engagement.

Council Member Romaine also agrees that the scope could be narrowed. She wants to bring in new voices using an inclusive engagement plan. The town has a communication team that has been trained in racial equity. The scope needs timetables and hope things can move along. She would like to take a vote on the plan this Fall. Also, the town needs to look at what Chapel Hill's plan for their portion of the Greenway is and how the town can link in with Chapel Hill.

Council Member Nowell would like to come to a decision by mid-October. The scope needs focus on public engagements about the alignments as agreed to in the plan.

Council Member Haven-O'Donnell feels like the work is inclusive and not too broad. The 2009 study does not mention the word climate and doesn't address current climate concerns. It's important to have up to date scientific data about the forests, streams, etc. Clear cutting and paving would destroy our native plants and species.

Mayor Seils would like to hear from broader cross sections of the community.

Council Member Nowell proposed a resolution to formally direct the staff to engage in public input process feedback no later than October 31, 2023. He encourages staff to consider a consultant if necessary. Council Member Posada seconds the proposal.

Council Member Foushee agrees that we do need a time frame and gathering public input in the 6-month time frame. Plus, she would like to see the communications director involved in the process of gathering public input and doesn't know if an outside consultant is needed.

Council Member Haven-O'Donnell believes in the facilitation because neighbors and neighborhoods are split. She doesn't want to put all of this on a staff person. It needs to be someone who is not part of the Town staff. She wants Carrboro to believe in us and not rush to get it done before election day. Can these paths be different surfaces? Who is going to be using the path and for what? We need to get the data on these.

Mayor Seils reminded the council that the goal is to define the scope of work that the town wants done. The decision of who does the work, does the town need additional capacity to do the work, and all the nuances is the job of the Town Manager. Engineering and design matters haven't been considered because it's not time for that yet.

Council Member Slade reminded the council that the process has been delayed because the status quo is what was wanted and the vote wasn't unanimous, so now there is a sense of pressure. He wants to hear more about the data and public input. Overuse of a path causes erosion and he's interested in seeing studies about the runoff and paving.

Council Member Foushee wants to use the inclusive Carrboro communications plan to engage the public instead of putting the staff in the middle of it. We must have a timeline and need an endpoint for gathering data and community engagement. Have a timeline and close the loop on the item.

Council Member Romaine wants to ensure the timing is right; are we moving too fast or not fast enough? With a bus driver shortage, kids would have an independent way to get to school, or people who would have nature access, or people that don't have a car to get around. It's important that these people get heard.

Council Member Posada wants to hear from people who are experts in their own home and getting things done in their own neighborhood. He wants to hear from folks who they haven't heard from before. Six months is more than enough time to get this done.

Mayor Seils re-iterated the motion to direct staff to conduct public engagement on the alternative alignments in the 2009 report between now and October 17th and to report to the town council no later than October 31st.

Vote passes 6-1.

Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Danny Nowell, and Council Member Sammy Slade.

Noes: Council Member Randee Haven-O'Donnell.

TOWN COUNCIL 2022-2023 RETREAT FOLLOW-UP REPORT

The purpose of this agenda item is to provide an update on the Carrboro Town Council Procedures Manual, Re-Confirm the 13 Key Strategic Areas and Deliverables, and discuss the development of the Town Manager and Town Clerk performance evaluation tools.

Mayor Seils sent out the draft Procedures Manual to each of the council members over a week ago after discussion from the retreat and is pending feedback from the council in the next week to finalize it.

Town Manager White requested the list of priorities back from the Council so he can align the priorities to the budget process.

Council Member Foushee wants to remove the Westwood Cemetery and Bolin Creek Greenway from the priorities because they are both in flux.

Council Member Slade reminded the Town Manager about the money that the governor has and how the town needs to get after acquiring some of the money. With the weatherization RFP coming up, the town needs to leverage those funds. Estimates of cost to weatherize the low-income homes and the need to look into other funds.

Council Member Romaine would like to lift up an issue with the new Assistant Town Manager on board. With her overseeing the implementation of the comp plan, can we look at ways to make our operations more efficient? The idea of a portal to take requests and follow the requests with a timeline. Also, the dashboard to follow progress. She would like to see them happen sooner rather than later to make the town processes more efficient.

Town Manager White let the Council know that the town looked a platform today called Public Input to handle the engagement process.

Council Member Nowell would like to know how soon these actions could happen and if there are any obstacles that the Council could help get rid of.

Town Mayor Seils is also interested in the timeline of these actions happening. The parking minimums for residential should cover downtown. Looking at the language in the comp plan, which says remove minimum parking requirements close to transit. When will this ordinance be before the Town Council to vote on?

Town Manager White says the analysis is with planning and would be in front of Town Council in May with a decision point in September based on a public hearing and the advisory boards.

Town Mayor Seils brought up residential density near public transit. The comp plan lays out what the Town Council is looking for but is a little bit more complicated. A timeline on that would be good to layout for the Town Council.

Council Member Posada agrees to extend the minimums for residential parking to downtown. Would also like to see more than one small area plan.

Mayor Seils is ready to see any small area plan but would like to see Jones Ferry small area plan.

Council Member Nowell agrees with downtown and with Jones Ferry. Jones Ferry is important to prioritize and then downtown because of parking access and solarization.

Mayor Seils asks if everyone is good with removing residential parking minimums close to transit based on what it says in the comp plan.

Council Member Haven-O'Donnell wants the term close to transit to be very clear. The town lacks micro transit that is required. She agrees with the small area plan because downtown is changing rapidly.

Council Member Romaine agrees with small area plans for downtown and Jones Ferry, starting with Jones Ferry. Agrees with increasing density requirements near transit and near greenways.

Council Member Slade wants to make sure that the town's climate plan is still a priority.

A motion was made by Council Member Haven-O'Donnell, seconded by Council Member Posada to offer feedback to the Town Manager to affirm the Town Priorities, that the potential text amendment regarding residential parking minimums should apply to downtown, and the Town Council is interested in at least one small area plan starting with Jones Ferry and when possible move to downtown when applicable.

The motion carried unanimously.

TOWN CLERK AND TOWN MANAGER EVALUATIONS

Town Mayor Seils and Council Member Haven-O'Donnell attended a webinar about the annual evaluation of the Town Clerk and Town Manager. They would like to pull together some of those assessment tools and bring them to the group for consideration. Also, set out the timeline for when the annual evaluation should take place. During the retreat it was discussed to do both evaluations in September, and it would be good to go ahead and get those on the books. It's important to set the goals with the Clerk and the Manager so there are goals to evaluate them on.

A motion was made by Council Member Posada, seconded by Council Member Foushee to confirm annual performance evaluations for the Town Clerk and the Town Manager every September.

The motion carried unanimously.

MATTER BY TOWN MANAGER

Town Manager notified the Town Council that a permanent part-time or full-time employee was granted a leave of absence without pay for up to twelve months in accordance with the Town Code Chapter 4, Personnel Policy. The shared leave policy is in the town personnel policy.

ADJOURNMENT

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

The motion carried unanimously.
