



Town of Carrboro

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

Meeting Minutes Board of Aldermen

Tuesday, October 7, 2014

7:30 PM

Board Chambers - Room 110

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

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

REV. NATHAN HOLLISTER – GSC WATER BILLING CONCERNS

Rev. Nathan Hollister discussed a petition from residents of GSC managed properties regarding inconsistencies with water bills. He requested that the Board contact GSC to schedule a meeting to discuss the inconsistencies.

Mayor Lavelle stated that she and the Town Manager will follow-up with GSC on the water metering concerns.

The Town Attorney stated that he would research if GSC is subject to the NC Utilities Commission.

Terri Buckner and Steve Dear, members of the OWASA Board of Directors, stated that OWASA is unable to intervene in these issues.

Alderman Chaney asked for staff to reach out to the NC Justice Center to see if they have done any work related to this issue.

Alderman Slade asked for staff to work with the NC Housing Coalition as well.

PLANNING BOARD OUTREACH SERIES

Dana Davis invited the Board and the public to the Planning Outreach Series scheduled for October 22nd, 29th, and November 5th.

Alderman Gist asked that the Recreation and Parks Commission be invited to attend.

Alderman Haven-O'Donnell asked that the Greenways Commission be invited to attend.

TERRI BUCKNER – PEDESTRIAN SAFETY CONCERNS

Terri Buckner asked the Board to appoint a short-term taskforce to research pedestrian safety in Town. She asked that the taskforce look at previous recommendations and begin implementation. She stated that she would be happy to work on the issue.

Alderman Chaney suggested that this item be referred to the Transportation Advisory Board.

Alderman Haven-O'Donnell recommended that a short-term taskforce be formed. After discussion, it was agreed that the Transportation Advisory Board should review these concerns.

Alderman Slade noted that the Transportation Advisory Board discussed pedestrian safety during their last meeting and will be making a recommendation to the Board shortly.

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN GIST THAT THIS PROJECT BE REFERRED TO THE TRANSPORTATION ADVISORY BOARD AND THAT THEY CREATE A SUBCOMMITTEE, INVOLVING PEDESTRIANS, AND TO REPORT BACK TO THE BOARD ON STRATEGIES FOR PEDESTRIAN SAFETY. VOTE: AFFIRMATIVE ALL

STEVE DEAR – INDIGENOUS PEOPLES DAY UPDATE

Steve Dear stated that he will work with the Board to prepare a resolution regarding "Indigenous Peoples Day" for the 2nd Monday in October in 2015.

PROCLAMATION – INTERNATIONAL WALK TO SCHOOL WEEK

Mayor Lavelle proclaimed October 8, 2014 as "International Walk to School Week" in Carrboro.

MARRIAGE EQUALITY

Mayor Lavelle noted that this Saturday will mark the 20th anniversary of the adoption of the Town's domestic partnership registry and noted that the North Carolina is waiting on a ruling from Federal judges regarding the constitutionality of the same-sex marriage ban.

Alderman Gist asked that staff raise the rainbow flags if a ruling is issued declaring the same sex marriage ban invalid and creating marriage equality.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SEILS THAT ON THE DAY THAT MARRIAGE EQUALITY IS CREATED IN NORTH CAROLINA, THE TOWN SHALL FLY ALL OF THE RAINBOW FLAGS AND THAT CHAPEL HILL AND ORANGE COUNTY BE ENCOURAGED TO ALSO FLY THE RAINBOW FLAGS. THAT DAY SHALL THEN, EACH YEAR, BE CELEBRATED AS MARRIAGE EQUALITY DAY IN CARRBORO. THE TOWN CLERK WAS DIRECTED TO DRAFT THE RESOLUTION AND TO REPORT BACK TO THE BOARD UPON THE REPEAL OF AMENDMENT ONE. VOTE: AFFIRMATIVE ALL

BULLYING PREVENTION AWARENESS MONTH

Mayor Lavelle proclaimed the month of October as "Bullying Prevention Awareness Month" in the Town of Carrboro.

APPROVAL OF PREVIOUS MEETING MINUTES

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF SEPTEMBER 16, 2014. VOTE: AFFIRMATIVE ALL

REQUEST TO MAKE AN APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD

The purpose of this item was for the Mayor and Board to consider making an appointment to the Environmental Advisory Board.

A motion was made by Alderman Jacquelyn Gist, seconded by Alderman Randee Haven-O'Donnell that this resolution be approved.

A RESOLUTION MAKING AN APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD

WHEREAS, Sharon Patrick and Jeanette O'Connor have submitted applications to serve on the Environmental Advisory Board; and,

WHEREAS, there are two vacant seats on the Environmental Advisory Board.

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

Section 1. The Board of Aldermen hereby appoints the following applicants to the Environmental Advisory Board:

Seat Designation	Appointee	Term Expiration
At-Large	Sharon Patrick	2/2018
At-Large	Jeanette O'Connor	2/2017

Section 2. This resolution shall become effective upon adoption.

This the 7th of October, 2014

The motion carried by the following vote:

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

REQUEST TO MAKE APPOINTMENTS TO THE PLANNING BOARD

The purpose of this item was for the Mayor and Board to consider making appointments to the Planning Board.

A motion was made by Alderman Jacquelyn Gist, seconded by Alderman Rande HAVEN-O'DONNELL that this resolution be approved.

A RESOLUTION MAKING APPOINTMENTS TO THE PLANNING BOARD

WHEREAS, Andrew Whittemore and Theresa Watson have submitted applications to the Planning Board; and,

WHEREAS, there are three vacant seats on the Planning Board.

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

Section 1. The Board of Aldermen hereby appoints the following applicants to the Planning Board:

Seat Designation	Appointee	Term Expiration
In-Town	Andrew Whittemore	2/2017
In-Town	Theresa Watson	2/2017

Section 2. This resolution shall become effective upon adoption.

This the 7th of October, 2014

The motion carried by the following vote:

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

REQUEST TO MAKE APPOINTMENTS TO THE ARTS COMMITTEE

The purpose of this item was for the Mayor and Board to consider making appointments to the Arts Committee.

A motion was made by Alderman Jacquelyn Gist, seconded by Alderman Randee Haven-O'Donnell that this resolution be approved.

A RESOLUTION MAKING APPOINTMENTS TO THE ARTS COMMITTEE

WHEREAS, Art Menius and Jacqueline Marx have submitted applications to the Arts Committee; and,

WHEREAS, there are four vacant, at-large seats on the Arts Committee.

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

Section 1. The Board of Aldermen hereby appoints the following applicants to the Arts Committee:

Seat Designation	Appointee	Term Expiration
At-Large	Art Menius	2/2017
At-Large	Jacqueline Marx	2/2016

Section 2. This resolution shall become effective upon adoption.

This the 7th of October, 2014

The motion carried by the following vote:

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

BEE CITY USA PARTICIPATION

The purpose of this item was for the Board of Aldermen to consider participating in the Bee City USA program.

Randy Dodd, the Environmental Planner, made the staff presentation.

Alderman Slade suggested that the Board consider creating a pollinator garden on the Town Commons.

Alderman Seils asked for the Town Attorney to look into if the Town has the authority to ban certain pesticides and to involve the Environmental Advisory Board on this subject.

Alderman Gist suggested that a unique way of promoting this idea would be for people to donate pollinators to the Town of Carrboro in honor of, or on the behalf of, a personal milestone such as a birthday or wedding.

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

**RESOLUTION SUPPORTING DESIGNATION OF CARRBORO
AS A “BEE CITY USA” TOWN**

WHEREAS, the goal of *BEE CITY USA* is to promote healthy, sustainable habitats and communities for bees and other pollinators; and

WHEREAS, thanks to the tremendous diversity of wild native bees, along with the honey bees that were brought here from Europe in the 1600s, we have very diverse dietary choices rich in fruits, nuts and vegetables: As reported by the Xerces Society for Invertebrate Conservation “One in every three bites of food we eat is courtesy of insect pollination. Even our meat and milk trace back to insects that pollinate the alfalfa and other feed for beef cattle and cows”; and

WHEREAS, bees and other pollinators around the globe have experienced dramatic declines due to a combination of habitat loss, use of pesticides, and the spread of pests and diseases, with grave implications for the future health of flora and fauna; and

WHEREAS, cities and their residents have the opportunity to support bees and other pollinators on both public and private land; and

WHEREAS, supporting pollinators fosters environmental awareness and sustainability, and increases interactions among community stewards such as commercial and backyard beekeepers, farmers, children, educators, Master Naturalists, Master Gardeners, plant nurseries, municipalities, neighborhoods, and garden suppliers and clubs; and

WHEREAS, ideal pollinator-friendly habitat:

- Provides diverse and abundant nectar and pollen from plants blooming in succession.
 - Provides clean water for drinking, nest-building, cooling, diluting stored honey, and butterfly puddling.
- Is pesticide-free or has pesticide use carried out with least ill effects on pollinators.
 - Is comprised of mostly, if not all, native species of annual and perennial wildflowers, shrubs, trees, and grasses because many native pollinators prefer or depend on the native plants with which they co-evolved.
 - Includes, where possible, designated pollinator zones in public spaces with signage to educate the public and build awareness.

- Provides for safe and humane removal of bees when required.
- Provides undisturbed spaces (leaf and brush piles, un-mowed fields or field margins, fallen trees and other dead wood) for nesting and overwintering for native pollinators; and

WHEREAS, the economic benefits of (native and honey) bee-friendliness are:

- Healthy ecosystems. Insect pollinators are required for pollination and reproduction of about 85% of flowering plants globally that: 1) are vital for clean air and water; 2) provide food, fiber and shelter for people and wildlife; and 3) support the very insects that pollinate our crops and form the basis of food webs.
- Increased vegetable and fruit crop yields due to bee pollination.
 - Increased habitat for natural enemies of crop pests and therefore reduced need for and costs associated with pesticides.
- Increased demand for pollinator-friendly plant materials from local nurseries and growers.
 - Income earned by beekeepers and others through the sale of bee products, beekeeping equipment and supplies, and hive rentals for pollination; and, heightened prestige and premium asking prices for place-based honey, which enhances the visibility and reputation of its community of origin; and

WHEREAS, Carrboro should be a *BEE CITY USA* affiliate because:

- The goals of Bee City are consistent with Town adopted policies and goals such as “Respect for and protection of the natural environment should be integrated into the Town’s policies as a high priority in enriching the quality of life” (from Carrboro Vision 2020).
- Becoming a *BEE CITY USA* affiliate publicly announces Carrboro’s intention to support bees and other pollinators on both public and private land and provides a platform for outreach to the community.
- The Environmental Advisory Board supports designation and is willing to serve as the citizen’s group required by *BEE CITY USA*
- The Town has staff available to support designation.
 - The Town is already pursuing the following actions that are consistent with *BEE CITY USA*:
 1. Planting pollinator species on Town maintained landscapes
 2. Supporting one of the premier Farmers Markets in the country that includes growers and apiarists committed to *BEE CITY USA* principles and is a natural location to hold an annual event during National Pollinator Week (the third week of June).
 3. Supporting the “Adopt-A-Spot” program which can be used to create new pollinator gardens

THEREFORE, in order to enhance understanding among municipal staff and the public about the vital role that pollinators play and what each of us can do to sustain them, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY RESOLVES that the Town agrees to meet the following standards required of all *BEE CITY USA* affiliates:

- 1) Staff will complete the application to Bee City USA, provide to the Mayor for review and signature, and submit the application to Bee City USA.

- 2) The Environmental Advisory Board and Town staff will work together to disseminate information on topics of pollinator-friendly habitat and policies to municipal departments, residents, businesses, and developers.
- 3) The Town will publicly acknowledge the community's commitment by agreeing to: a) install/maintain at least one authorized *BEE CITY USA* street sign in a prominent location, and b) create/maintain links on appropriate pages of the Town's website which will include the Town's *BEE CITY USA* liaison(s), links to a PDF of this signed Resolution and the *BEE CITY USA* website, and summaries of the pollinator-friendly activities the community has undertaken or accomplished during the previous year(s).
- 4) The Town will commit to annually celebrate National Pollinator Week (third full week of June) or some other appropriate occasion through events, proclamations, and promotions that showcase the Town's commitment to being a *BEE CITY USA* affiliate.
- 5) The Town will commit to annually apply for renewal of the community's designation and submit a report of *BEE CITY USA* activities following the format provided by *BEE CITY USA*.

This the 7th of October, 2014

The motion carried by the following vote:

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

Carr Mill Mall CUP Minor Modification: Weaver Street Market, Vestibule Additions

The purpose of this item was to review a proposed CUP modification to allow construction of two entrance vestibules on the southern elevation of Weaver Street Market.

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

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CARR MILL MALL CUP ALLOWING TWO VESTIBULES TO BE ADDED TO THE SOUTHERN ELEVATION OF WEAVER STREET MARKET.

WHEREAS, the Carrboro Board of Aldermen approved the original Carr Mill Conditional Use Permit in 1976;

WHEREAS, the Town of Carrboro Land Use Ordinance requires that any modification of an existing Conditional Use Permit that does not substantially impact neighboring properties, the general public, or the intended occupants of the project, constitutes a minor modification to the original Conditional Use Permit; and

WHEREAS, the Board of Aldermen finds that the applicant has satisfied the requirements related to minor modifications contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board hereby approves the minor modification to the Carr Mill Mall Conditional Use Permit for Weaver Street Market to install two entrance vestibules on the southern elevation.

This the 7th of October, 2014

The motion carried by the following vote:

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

CONTINUATION OF DISCUSSION ON JOINT PLANNING PUBLIC HEARING ITEM - AMENDMENTS TO ALLOW FOR THE POSSIBILITY OF LOCATING AGRICULTURAL SUPPORT ENTERPRISES IN THE RURAL BUFFER

The purpose of this item was to continue the discussion and consider taking action related to proposed amendments to the Joint Planning Area Land Use Plan and Joint Planning Agreement which will make agricultural support enterprises allowable within the Rural Buffer portion of the Joint Planning Area. These changes are necessary in order for Orange County to approve proposed text amendments to its Unified Development Ordinance that will allow the new uses to occur within the Rural Buffer.

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

Perdita Holtz, from the Orange County Planning Department, spoke to the Board and stated that Orange County staff would prefer not to implement a sunset clause.

The Board discussed the sunset clause with the Town Attorney and the Planning Director at length. After discussion, the Board directed staff to modify the resolution as follows and to report back to the Board:

- 1) In regards to the sunset clause, establish 6-year review period and opportunity for expiration to be avoided.
- 2) Should ASE provisions expire, any uses which had been established would be treated as permissible and not nonconforming.

REVOLVING LOAN FUND MODIFICATION – BRIAN RUSSELL

MOTION WAS MADE BY ALDERMAN GIST, SECONDED CHANEY TO APPROVE THE LOAN MODIFICATION AS PRESENTED AND TO RELEASE THE LIEN ON THE PROPERTY. VOTE: AFFIRMATIVE ALL

Mayor Lavelle suggested that the Town consider having a right of first refusal on properties secured by

future revolving loan fund agreements.

CLOSED SESSION

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN JOHNSON TO ENTER INTO CLOSED SESSION TO DISCUSS AN ECONOMIC DEVELOPMENT MATTER. VOTE: AFFIRMATIVE ALL

OPEN SESSION

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN JOHNSON TO RETURN TO OPEN SESSION. VOTE: AFFIRMATIVE ALL

ADJOURNMENT

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN JOHNSON TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL