



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

**Tuesday, September 2, 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

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### **CHARGE ISSUED TO ROB CROOK**

The Town Clerk issued a charge to Rob Crook, a recent appointee to the Greenways Commission.

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### **AAA BOND RATING**

Mayor Lavelle noted that the Town was upgraded to a AAA Bond Rating during the summer by Standard and Poor's.

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### **FIRE TRUCK CEREMONY**

Mayor Lavelle noted that the Town is planning a fire truck ceremony to install the newly purchased fire truck.

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### **JOINT MEETING CHAPEL HILL-CARRBORO SCHOOL BOARD**

The Board authorized the Town Clerk to work with the School Board to schedule a joint meeting for October 28, 2014.

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## **APPROVAL OF PREVIOUS MEETING MINUTES**

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF JUNE 24, 2014, AS AMENDED. VOTE: AFFIRMATIVE ALL.

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## **A RESOLUTION CANCELING THE SEPTEMBER 23, 2014 PUBLIC HEARING**

The purpose of this item was to cancel the Board's regularly scheduled September 23, 2014 public hearing.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE RESOLUTION BELOW:

A RESOLUTION CANCELLING THE SEPTEMBER 23, 2014 BOARD OF ALDERMEN MEETING

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN THAT:  
Section 1. The September 23, 2014 Board of Aldermen meeting is cancelled.

This the 2nd day of September, 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

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## **A REQUEST TO SET A PUBLIC HEARING ON THE TEMPORARY STREET CLOSING PERMIT APPLICATION FOR THE SAINT PAUL AME CHURCH 5K**

The purpose of this item was to set a public hearing for September 16th, 2014 on a Street Closing Permit Application submitted by Saint Paul AME Church for the temporary closing and usage of streets from 9:00 AM to 10:00 AM on Saturday, March 7th, 2015 to accommodate the Saint Paul AME Church 5K

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE RESOLUTION BELOW:

A RESOLUTION SETTING A PUBLIC HEARING ON A TEMPORARY STREET CLOSING REQUEST

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that September 16<sup>th</sup>, 2013 at 7:30 PM is hereby set as the date for a public hearing on a request by Saint Paul AME Church to temporarily close and use the following streets on Saturday, March 7, 2015 from 9:00 AM to 10:00 AM for the Saint Paul AME Church 5K event:

1. Old Fayetteville Road from McDougale School entrance to Hillsborough Rd.
2. Hillsborough Road from Old Fayetteville Rd to Lorraine St.
3. Lorraine St from Hillsborough Rd to Carol St.

4. Carol St. from Lorraine St. to Old Fayetteville Rd.
5. Old Fayetteville Rd from Carol St. to McDougale School entrance.

This the 2nd day of September, 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

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**REQUEST TO APPROVE A BUDGET AMENDMENT - REVENUES FROM CDTA**

The purpose of this item was to recognize and appropriate for use \$20,000 of funding from the Carrboro Tourism Development Authority (CTDA) to support Community Events undertaken by the Town's Recreation and Parks Department.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE ORDINANCE BELOW:

**AMENDMENT TO ANNUAL BUDGET ORDINANCE FY 2014-15**

Ordinance No. 1/2014-15

WHEREAS, the Town Board of the Town of Carrboro on June 17, 2014 adopted annual budget ordinance number 32/2013-14 for the fiscal year beginning July 1, 2014 and ending June 30, 2015; and

WHEREAS, it is appropriate to amend certain budget accounts in the general fund to provide for increased revenues and expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following revenue and expense accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

ACCOUNT CODE			ACCOUNT NAME	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
ORG	OBJECT	PROJ				
6604	436202	54200	DONATIONS - MUSIC FESTIVAL	\$ 7,634.00	\$ 12,000.00	\$ 19,634.00
6604	436202	54600	DONATIONS - FILM FESTIVAL	\$ 2,000.00	\$ 7,000.00	\$ 9,000.00
6604	436202	54300	DONATIONS - POETRY ALIVE	\$ 61.00	\$ 1,000.00	\$ 1,061.00
623	504703	54200	MUSIC FESTIVAL	\$ 35,500.00	\$ 12,000.00	\$ 47,500.00
623	504703	54600	FILM FESTIVAL	\$ 11,750.00	\$ 7,000.00	\$ 18,750.00
623	504703	54300	POETRY ALIVE	\$ 3,750.00	\$ 1,000.00	\$ 4,750.00

**REASON:** To recognize \$20,000 of revenue from the Carrboro Tourism Development Authority for support of Recreation and Parks Community Events; and appropriate for expenditure \$12,000 for the Music Festival; \$7,000 for the Film Festival; and \$1,000 for the Poetry Alive Festival.

This the 2nd day of September, 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

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**CLEAN FUEL ADVANCED TECHNOLOGY GRANT PROJECT ORDINANCE**  
**AMENDMENT**

The purpose of this item was to request that the Board of Alderman modify the Clean Fuel Advanced Technology Grant Project Ordinance No. 28/13-14 to allocate additional Town funds to purchase a hybrid solid waste truck.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE ORDINANCE BELOW:

**AMENDMENT TO CLEAN FUEL ADVANCED TECHNOLOGY GRANT PROJECT  
ORDINANCE  
ORDINANCE NO. 2/2014-15**

WHEREAS, the Town of Carrboro Board of Aldermen on June 3, 2014 adopted a Clean Fuel Advanced Technology Grant Project Ordinance, Ordinance No. 28/13-14; and,

WHEREAS, it is necessary and appropriate to amend Ordinance No. 28/13-14 to provide additional Town funds to purchase an Autocar E3 Refuse Truck with Parker Hannifin Hybrid Drive technology; and,

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT THE CLEAN FUEL ADVANCED TECHNOLOGY GRANT PROJECT ORDINANCE NO. 28-13-14 IS HEREBY AMENDED AS FOLLOWS:

1. Revenue from the Town General Fund is increased from \$297,703.00 to \$304,601;
2. Total revenues for the project are increased from \$395,000 to \$401,898 and anticipated as follows:

North Carolina Solar Center \$97,297.00  
Town General Fund \$304,601.00  
Total \$401,898.00

3. The total amount appropriated for this project is increased from \$395,000 to \$401,898.00 to purchase an AutoCar E3 Refuse Truck with Parker Hannifin Hybrid Drive Technology.

4. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

This the 2nd day of September, 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

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**CARRBORO BUSINESS ALLIANCE REPORT ON THINK LOCAL FIRST CAMPAIGN**

The purpose of this agenda item was to update the Board of the progress of the Think Local First Committee meetings held during the summer break.

Annette Stone, Economic and Community Development Director, introduced the item.

Clay Schossow, a member of the Think Local First Committee, made the presentation to the Board.

Alderman Gist asked that the Think Local First Committee include LaUNCH and 1789 on the invite list for the events.

Alderman Haven-O'Donnell suggested working with Hypestarter from Chapel Hill. She recommended that the Town renew membership in BALLE.

Alderman Johnson encouraged participation from the healing arts community and asked that the Committee work in conjunction with the festivals in Town.

Alderman Chaney suggested that the Town continue to collaborate with the Chamber.

Alderman Seils stated the importance of including businesses that do not have a storefront location. He also suggested using local survey experts for future surveys.

Mayor Lavelle suggested that the neighborhood listserves be included to capture in-home businesses.

**MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE, THAT THIS REPORT BE ACCEPTED. VOTE: AFFIRMATIVE ALL**

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**CULTURAL ARTS AND CREATIVITY DISTRICT PLANNING PROCESS UPDATE**

The purpose of this agenda item was to provide a status update concerning the Cultural Arts and Creativity District planning process.

Anita Jones-McNair made the staff presentation to the Board.

Alderman Johnson suggested that the survey be included with the Orange County Artist Guild survey.

Alderman Gist stated that she wants to ensure that the professional and community design charrettes are led by someone that is independent from the current process and that they are not tied to the outcome.

Mayor Lavelle also suggested involving the Orange County Arts Commission with the distribution of the survey.

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### **A RESOLUTION ESTABLISHING A TOWN HISTORIAN**

The purpose of this item was to allow the Board of Aldermen to consider adopting a resolution to establish a Town historian.

Alderman Gist stated that Jay Bryan suggested that the resolution be amended to include that the historian will represent the Town on Carrboro's history, advise the Board of Aldermen on the preservation of historic Town sites, and create a historic repository.

Alderman Chaney stated that she would like the application to elicit information on how the historian would engage the community on how they interpret the multiple histories of Carrboro.

Mayor Lavelle stated that she will work with the Town Clerk to develop an application for the position.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN JOHNSON THAT THIS ITEM BE BROUGHT BACK ON A FUTURE CONSENT AGENDA ITEM WITH THE CHANGES TO THE RESOLUTION AS SUGGESTED BY THE BOARD. VOTE: AFFIRMATIVE ALL

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### **CHANGES TO TOWING ORDINANCE**

The purpose of this item was to amend the Town's current Towing Regulation Ordinance to comply with state law.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE ORDINANCE BELOW:

AN ORDINANCE AMENDING THE CARRBORO TOWN CODE PROVISIONS REGULATING  
FEES CHARGED BY TOWING OPERATORS  
Ordinance No. 3/2014-15

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Section 8-78.1 of the Carrboro Town Code ("Limitation on Fees for Towing from Private Property") is rewritten as follows:

## Section 8-78.1 Acceptance of credit cards required.

~~No person who tows or removes a motor vehicle from private property may charge the owner or operator of the vehicle removed an amount in excess of one hundred dollars (\$100.00) for the towing or removal. No person who stores a motor vehicle so removed may charge the owner or operator of the vehicle a storage fee in excess of twenty dollars (\$20.00) per day. No storage fees shall be charged for the first twenty-four (24) hour time period from the time the vehicle is initially removed from the private property. The fees referred to herein shall be all inclusive; no additional fees may be charged for the use of particular equipment or services. The towing or storage firm must accept payment by major credit and debit cards in addition to cash for all fees charged for services regulated by covered under this article (including fees charged under Section 8-78.3). A refusal by a towing operator to accept payment by a major credit or debit card shall constitute a waiver by such operator of any entitlement to receive payment of such fee. The towing or storage firm must provide a receipt for each payment at the time the payment is made.~~

Section 2. Section 8-78.1 of the Carrboro Town Code ("Release Prior to Tow") is amended as follows:

## Section 8-78.3 Release Prior to Tow

If, prior to the tow truck and vehicle having left the private property at which the vehicle was parked, the owner or operator or other person able to move the vehicle returns to the property, the tow truck operator shall release the vehicle to that person. No fee may be charged unless the vehicle has been attached to the tow truck prior to the arrival of the person. ~~in which case a fee not in excess of fifty dollars (\$50) may be charged.~~

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.

This the 2nd day of September, 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

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## **CLOSED SESSION**

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ENTER INTO CLOSED SESSION TO DISCUSS AN ECONOMIC DEVELOPMENT MATTER AND A PERSONNEL MATTER. VOTE: AFFIRMATIVE ALL

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## **OPEN SESSION**

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS TO ENTER INTO OPEN SESSION. VOTE: AFFIRMATIVE ALL

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**ADJOURNMENT**

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