



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

Thursday, February 19, 2015

7:30 PM

Board Chambers - Room 110

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

**Also Present:** David Andrews, Town Manager, Nate Broman-Fulks, Assistant to the Town Manager, Mike Brough, Town Attorney

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### **POLICE DEPARTMENT ADMINISTERED NAXOLONE TO COUNTER DRUG OVERDOSE**

David Andrews, Town Manager, stated that the Carrboro Police and Fire Departments responded to a call with associated with a drug overdose of three young people. The Police Department administered Naxolone to the individuals and they were transported for further medical assistance.

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### **APPROVAL OF PREVIOUS MEETING MINUTES**

**MOTION WAS MADE BY ALDERMAN SEILS , SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF FEBRUARY 3, 2015, FEBRUARY 6, 2015, AND FEBRUARY 10, 2015, AS AMENDED.**

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### **REQUEST-TO-SET A PUBLIC HEARING ON LAND USE ORDINANCE TEXT AMENDMENTS RELATING TO TEMPORARY FAMILY HEALTH CARE STRUCTURES**

The purpose of this item was for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance to allow temporary family health care structures as provided for in S.L. 2014-94.

Alderman Gist noted that this is prescribed by the General Assembly and that the units that allowed are so specific that the manufacturer may have lobbied the General Assembly to require that style.

Alderman Haven-O'Donnell also stated that something about this doesn't seem right based on the size. **A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this resolution be approved.**

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE  
CARRBORO LAND USE ORDINANCE RELATING TO TEMPORARY FAMILY HEALTH CARE  
STRUCTURES

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on March 24, 2015, to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance to Allow a Temporary Family Health Care Structure as an Accessory Use to a Single Family Detached Dwelling on Residentially Zoned Property."

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County, the Town of Carrboro Planning Board.

This 19<sup>th</sup> day of February, 2015.

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

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

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**REQUEST-TO-SET A PUBLIC HEARING ON LAND USE ORDINANCE TEXT  
AMENDMENTS RELATING TO UNDERGROUND UTILITY LINE INSTALLATIONS**

The purpose of this item was for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance to establish a new use classification and permitting process for underground utility line installations.

Alderman Slade asked that this be referred to the EAB and TAB.

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

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE  
CARRBORO LAND USE ORDINANCE RELATING TO UNDERGROUND UTILITY  
INSTALLATIONS

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on March 24, 2015, to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance to Require a Special Use Permit for Underground Electric and Gas Utility Lines."

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County, the Town of Carrboro Planning Board and the following Town of Carrboro advisory boards and commissions for consideration and recommendation prior to the specified public hearing date: Northern Transition Area Advisory Committee, Transportation Advisory Board, and Environmental Advisory Board

This 19<sup>th</sup> day of February, 2015.

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

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

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**BOARD FOLLOW-UP DISCUSSION ON PROPOSED CARRBORO ARTS AND INNOVATION CENTER**

The purpose of this item was to allow the Board to discuss the proposed Carrboro Arts and Innovation Center.

Alderman Gist stated that she can't support the project because of her fiscal responsibility to the taxpayers of Carrboro. She stated that the biggest supporters were connected with the project and that the majority of citizens were not for it. She also stated that the Town needs to support the Cats Cradle and the ArtsCenter but that this project isn't the right way. She expressed a concern with taking on the debt and this being the largest amount of debt in the Town's Capital Improvement Program (CIP).

Alderman Johnson stated that there are concerns with the financial viability of the players. She also stated that there are questions related to funding from Orange County and that it is misleading to think that they have had discussions about the project. She stated that she agrees with Alderman Gist's concern regarding the CIP. She stated that it does not feel that the process is true to what the Board normally follows. She expressed a desire to take care of the ArtsCenter and the Cats Cradle. She stated that she is not ready to move forward with this proposal.

Alderman Chaney stated that this is a project is missing assumptions that she can live with and that the Town would be much more conservative than they have been asked to be. She explained that is a synthetic tax increment financing setup and that the hotel and ArtsCenter projects need to be separated. She stated that the comments from the public were from really wise folks and that they should be read by the key partners and that the partners need to be responsible for the public's perception of their organization. She stated that there is a bill that is coming down the pipe that will require the Town to invest funds in the transit system or require a tax increase unless the Town can manage all of their expenses very well. She stated that she can't look at this project independently because of the other projects that require the Town's funds. She stated that there are other ways to finance this project and other locations that are available. She stated that she is ready to push the reset button rather than the reject button. She stated that there are alternative financing methods available and different pathways to get to a new proposal.

Alderman Slade stated that the timeframe required for the hotel is unrealistic and he is unable to support the proposal. He stated that the numbers provided by the partners for proposed occupancy tax revenue don't match what the estimated debt costs of the proposed ArtsCenter. He suggested that funding be allocated for the support of all arts in the Town.

Alderman Seils stated that the ArtsCenter and the hotel need to be separated. He stated that the ArtsCenter and the Cat's Cradle are both important and valued by the Board but that they should also be separated when support methods are discussed. He explained that the proposed use of occupancy tax funds to pay for debt are not guaranteed and may not be allowed. He expressed concern with the tenuous situation that this proposal would place the ArtsCenter in along with concern with their financial viability. He stated that this concept leaves the Town responsible for the majority of this project and that the process seems to be happening backwards. He stated that he is still unsure where the specifics of the proposal came from and that it doesn't seem to be attached to any strategic planning from the organizations. He stated that the Town could assist the ArtsCenter by finding the right tools to plan for their success. He said that this presents the Town an opportunity to look at itself and the way strategic planning is handled and that it would be very valuable for the Town to have a comprehensive plan.

Alderman Haven-O'Donnell stated that having five partners in the project has made it difficult. She pointed out that the Hampton Inn hotel is locally owned by a Chapel Hill resident. She stated that Main Street Partners, Kidzu, the ArtsCenter, and Cat's Cradle are all local businesses that seem to be trying to find a way to succeed. She stated that the financials are very confusing to say the least and that the Town is not ready to take on that extra debt. She stated that both the ArtsCenter and Cat's Cradle are wanted in Carrboro. She expressed concern with how the library fits in with the project and suggested continuing a conversation with the County about multiple ways that this project can succeed. She asked the partners to think outside of the box and to craft another plan alongside the Town. She stated that it is not financially sound for the Town to invest in this project as it is presented. She suggested that the Town Manager speak with the County Manager about how to keep this project alive and to include the library in those conversations.

Mayor Lavelle stated that in the past year she has noticed in mayor's meetings she has attended that many communities across North Carolina have been in discussions regarding the building of new arts centers. She noted many of these discussions did not seem to include established arts centers that already belonged to and meant a lot to these communities, such as we have in Carrboro. She asked that the ArtsCenter and Kidzu not lose sight that even through the criticism, the Town feels extremely lucky to have been presented with this proposal. She thanked the partners for all of the work that they put into the proposal. She stated that the hotel needs to be decoupled from the proposal and that the process needs to be slowed down. She stated that she is not against another hotel being built in the Town. She stated that she is not in favor of using the occupancy tax to fund the debt for this project. She agreed with Alderman Chaney and said that there are other financing mechanisms that could be worked out to pay for it and that the project needs to be reset rather than rejected. She asked if there is a way where the Town can be more involved in shaping the way the project looks rather than just having a

project brought to them.

Alderman Chaney stated that pressing the reset button means taking everything off the table. Specifically, the location, the financing mix, the architectural plans, the ownership structure, and all of the original concepts around the proposal, would be removed from the table and placed aside. She stated that the process would not include a hotel because that needs to be decoupled. She asked that the partners meet with Town and County staff members to develop a proposed process that is brought back to the Board. She asked that the timeline be generous and have time-bound benchmarks. She stated that this idea is to see if a better proposal could be accomplished but would in no way commit the Town unless the proposal is better. She stated that the process should include:

- 1) Shared objectives are critical to any public/private partnership.
- 2) Just because the Town is engaging in the process does not mean it is committing to funding any financial resources.
- 3) The ArtsCenter retains their current interim director, Noel James, long enough to conduct a really thorough business planning process that is facilitated through an outside consultant. She stated that she is open to having a conversation about the Town assisting in funding for the business planning process. She stated that a transition plan should also be included.

Alderman Gist thanked Alderman Chaney and asked that the library be included in the discussions and that the County be considered a partner.

Alderman Slade thanked Alderman Chaney and stated that the Cat's Cradle should be protected and that the Town should work with the developer to ensure the Cat's Cradle stays in Carrboro. He stated that the County's ¼ cent sales tax could be used for these projects and asked that the Town have a conversation with the County to support locally owned businesses.

After the discussion, the Board:

- 1) Requested that the Mayor and Manager have a discussion with the CAIC partners on their thoughts on the proposed path
- 2) Requested to receive an update from the County on the library
- 3) Schedule a conversation on ways the Town can support the Cat's Cradle
- 4) Requested to find out from the County what available resources there are to support the Cat's Cradle and for other business retention scenarios.
- 5) Decided to schedule a Development Finance Toolbox 101 type of work session

## **CLOSED SESSION**

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

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**OPEN SESSION**

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN GIST TO RETURN TO OPEN SESSION. VOTE: AFFIRMATIVE ALL

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**ADJOURNMENT**

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL