



Town of Carrboro

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

Meeting Minutes Board of Aldermen

Tuesday, March 3, 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, Catherine Wilson, Town Clerk, Nick Herman, Town Attorney

BILL MADDEN – POLICE DEPARTMENT COMPLAINT

Mr. Madden stated that Carrboro Police Officers behaved in an unprofessional and juvenile manner and were laughing before he told them that he didn't have time for their tomfoolery.

PROCLAMATIONS ISSUED – CHAPEL HILL HIGH SCHOOL MEN'S SWIM TEAM, CARRBORO HIGH SCHOOL MEN'S SWIM TEAM, MULTIPLE SCLEROSIS AWARENESS DAY, AND ARBOR DAY

Mayor Lavelle proclaimed Wednesday, March 4th as "Chapel Hill Men's Swim Team Day" in Carrboro, NC for winning their state championship and presented the team and coaches with the proclamation.

Mayor Lavelle proclaimed Thursday, March 5th as "Carrboro High School Jaguars Day" in Carrboro, NC for winning their state championship and presented the team and coaches with the proclamation.

Mayor Lavelle read a proclamation recognizing MS Awareness Day in Carrboro during March of 2015.

Mayor Lavelle proclaimed March 13, 2015 as "Arbor Day" in Carrboro, NC.

APPROVAL OF PREVIOUS MEETING MINUTES OF FEBRUARY 15, 2015

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE THAT THE MINUTES OF FEBRUARY 15, 2015 BE APPROVED, AS AMENDED. VOTE: AFFIRMATIVE ALL

CONSIDERATION OF MAYOR'S CHALLENGE FOR SAFER PEOPLE, SAFER STREETS

The purpose of this item is for the Board of Aldermen to receive information about Carrboro's participation in the national Mayors' Challenge for Safer People, Safer Streets, and consider a resolution in support of the Town's activities related to the Challenge.

Mayor Lavelle introduced Bergen Watterson, the Town's new Transportation Planner and stated that they will be attending the Mayor's Challenge for Safer People, Safer Streets in Washington, D.C.

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

A RESOLUTION EXPRESSING CARRBORO'S COMMITMENT TO PARTICIPATE IN THE MAYOR'S CHALLENGE - MAKING ROADS SAFE, CONVENIENT AND ACCESSIBLE FOR ALL USERS

WHEREAS, on January 22, 2015, United States Department of Secretary of Transportation, Anthony Foxx issued a Mayors' Challenge entitled Safer People and Safer Streets; and

WHEREAS, the Challenge identifies seven target activities for local action; and

WHEREAS, participation includes the creation of a Challenge Team to lead the jurisdiction's toward the target activities; and

WHEREAS, numerous goals outlined in Carrboro Vision2020 speak to the Town's commitment toward safe and multimodal transportation options within the Town's jurisdiction and particularly in the downtown; and

WHEREAS, the Town of Carrboro has actively promoted bicycle and pedestrian safety through the construction of sidewalks, installation of additional street pavement markings, open streets activities, design and construction of greenways, and adoption of a Comprehensive Bicycle Plan in 2009; and

WHEREAS, the Town of Carrboro continues to participate in such programs as: Watch for Me NC and Walk to School Day; and

WHEREAS, by February 24th, more than 85 cities had signed up for the Mayors' Challenge;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen of the Town of Carrboro expresses its commitment to making roads safe, convenient and accessible for all users, agrees to participate in the Mayors' Challenge, and directs the Transportation Advisory Board to serve as the Town's Challenge Team for this purpose.

This the 3rd day of March 2015.

The motion carried by the following vote:

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

REQUEST TO MAKE APPOINTMENTS TO THE APPEARANCE COMMISSION

The purpose of this item was for the Mayor and Board to make appointments to the Appearance Commission.

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

A RESOLUTION MAKING APPOINTMENTS TO THE
APPEARANCE COMMISSION

THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE APPEARANCE COMMISSION:

Seat Designation	Appointee	Term Expiration
Member	Roy Mars	2/2018
Member	Johnny Crncic	2/2018

Section 2. This resolution shall become effective upon adoption.

This the 3rd day of March 2015.

The motion carried by the following vote:

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

REQUEST TO MAKE AN APPOINTMENT TO THE ARTS COMMITTEE

The purpose of this agenda item was for the Mayor and Board to make an appointment to the Arts Committee.

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

A RESOLUTION MAKING APPOINTMENT(S) TO THE
ARTS COMMITTEE

THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE ARTS COMMITTEE:

Seat Designation	Appointee	Term Expiration
Member	Christine Abernathy	2/2018

Member	Jay Parker	2/2018
Member	Will McInerney	2/2018

Section 2. This resolution shall become effective upon adoption.

This the 3rd day of March 2015.

The motion carried by the following vote:

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

REQUEST TO MAKE APPOINTMENTS TO THE ECONOMIC SUSTAINABILITY COMMISSION

The purpose of this agenda item was for the Mayor and Board to make appointments to the Economic Sustainability Commission.

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

A RESOLUTION MAKING APPOINTMENT(S) TO THE
ECONOMIC SUSTAINABILITY COMMISSION

Section 1: THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE ECONOMIC SUSTAINABILITY COMMISSION:

Seat Designation	Appointee	Term Expiration
Business Owner	Arthur (Beven) Ramsey	2/2018
At-Large	Matt Neal	2/2018

Section 2. This resolution shall become effective upon adoption.

This the 3rd day of March 2015.

The motion carried by the following vote:

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

REQUEST TO MAKE AN APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD

The purpose of this agenda item is for the Mayor and Board to make an appointment to the Environmental Advisory Board.

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

A RESOLUTION MAKING APPOINTMENT(S) TO THE ENVIRONMENTAL ADVISORY BOARD

THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE ENVIRONMENTAL ADVISORY BOARD:

Seat Designation	Appointee	Term Expiration
Member	Tim Turner	2/2018

Section 2. This resolution shall become effective upon adoption.

This the 3rd day of March 2015.

The motion carried by the following vote:

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

REQUEST TO MAKE APPOINTMENTS TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE

The purpose of this agenda item was for the Mayor and Board to make appointments to the Northern Transition Area Advisory Committee.

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

A RESOLUTION MAKING APPOINTMENT(S) TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE

THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE:

Seat Designation	Appointee	Term Expiration
Carrboro Representative	Jeanette Moore	2/2018

Section 2. The Board of Aldermen hereby recommends to the Orange County Board of Commissioners that Anahid Vrana be appointed as an Orange County Representative to the Northern Transition Area Advisory Committee.

Section 3. This resolution shall become effective upon adoption.

This the 3rd day of March 2015.

The motion carried by the following vote:

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

REQUEST TO MAKE APPOINTMENTS TO THE PLANNING BOARD

The purpose of this agenda item was for the Mayor and Board to make appointments to the Planning Board.

Alderman Haven-O'Donnell stated that Thomas Tiemann represents a geographic area that is not currently represented on the Planning Board and would be valuable to the Board.

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN GIST TO APPOINT THOMAS TIEMANN RATHER THAN BEN KITTLESON. ALDERMAN HAVEN-O'DONNELL WITHDREW THE MOTION.

Alderman Chaney stated that the process should be looked into and advisory board chairs should be empowered to follow the guidelines.

After discussion, the Board requested that the Town Clerk receive a report and recommendation form from the Planning Board chair for Mr. Tiemann. After that is received, the Clerk shall bring applications from Jack Haggerty, Thomas Tiemann, and Ben Kittleson to the Board for further consideration and appointment. They decided that only reappointments to the Board would be handled at this time.

MOTION WAS MADE BY HAVEN-O'DONNELL, SECONDED BY ALDERMAN SEILS TO REAPPOINT PLANNING BOARD MEMBERS: FOUSHEE, DAVIS AND COHEN FOR THREE YEAR TERMS. VOTE: AFFIRMATIVE ALL

REQUEST TO MAKE APPOINTMENTS TO THE RECREATION AND PARKS COMMISSION

The purpose of this agenda item was for the Mayor and Board to make appointments to the Recreation and Parks Commission.

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

A RESOLUTION MAKING APPOINTMENT(S) TO THE
RECREATION AND PARKS COMMISSION

Section 1: THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE RECREATION AND PARKS COMMISSION:

Seat Designation	Appointee	Term Expiration
In-Town	Lisa Smith	2/2018
In-Town	Tamara Sanders	2/2018
In-Town	Barbara Cudmore	2/2017

Section 2. This resolution shall become effective upon adoption.

This the 3rd day of March 2015.

The motion carried by the following vote:

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

A RESOLUTION MAKING APPOINTMENTS TO THE CARRBORO TOURISM DEVELOPMENT AUTHORITY

The purpose of this item was for the Board of Aldermen to consider appointing members to the Carrboro Tourism Development Authority (CTDA).

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

A Resolution Making Appointments to the Carrboro Tourism Development Authority

Section 1. The Board of Aldermen hereby appoints:

1. Barbara Leedy
2. Erin Jobe
3. Phaedra Kelly

Section 2. Phaedra Kelly is appointed as the Chair.

Section 3. The terms shall expire January 31, 2016

Section 4. This resolution is effective immediately upon adoption.

This the 3rd day of March 2015.

The motion carried by the following vote:

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

REQUEST TO SET A PUBLIC HEARING FOR THE DISCUSSION OF THE IMPLEMENTATION OF BODY WORN CAMERAS (BWC) AND POLICY

The purpose of this agenda item was to schedule a public hearing to allow citizens to comment

on the implementation of Body Worn Cameras by the police department.

A MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE, THAT THE PUBLIC HEARING BE SCHEDULED FOR MARCH 24, 2015. VOTE: AFFIRMATIVE ALL

UPDATED AFFORDABLE HOUSING GOALS AND STRATEGIES

The purpose of this item was for the Board to consider approving the updated Affordable Housing Goals and Strategies document.

Alderman Gist stated that increased density with a closer access to public transportation actually increases the cost of housing. She also stated that studentification of housing is not being addressed. She asked that the Affordable Housing Taskforce look into the issue and report back to the Board.

Alderman Slade stated that Carrboro is looking into affordable rental and homeownership goals over the next 10 years. The next step is reviewing possible funding sources to establish those goals.

Alderman Haven-O'Donnell asked for the Affordable Housing Taskforce to set a date-certain for review of student housing and to report back. Alderman Chaney stated that the Taskforce will review and report back.

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

A RESOLUTION ADOPTING UPDATES TO THE AFFORDABLE HOUSING GOALS AND STRATEGIES

WHEREAS, at its June 26, 2012 meeting, the Board of Aldermen created an affordable housing taskforce made up of three Aldermen who provided recommendations to the Board on December 4, 2012; and

WHEREAS, at its February 19, 2013 meeting, the Board received a report from the Planning Board Chair presenting the findings from a series of dialogue sessions on affordable housing held in October of 2012; and

WHEREAS, the taskforce has continued to meet, to develop affordable housing goals and strategies for both homeownership and rental units, and to share its progress with the full Board of Aldermen at key intervals;

WHEREAS, The Board of Aldermen adopted the Affordable Housing Goals and Strategies document on June 17, 2014

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen adopts the proposed updates to the Affordable Housing Goals and Strategies effective immediately.

This is the 3rd day of March 2015.

The motion carried by the following vote:

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

APPOINTMENTS TO THE FEASIBILITY ASSESSMENT FOR LLOYD FARM MEDIATION

The purpose of this item was to appoint three Aldermen to the Feasibility Assessment for Lloyd Farm Mediation.

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

A RESOLUTION MAKING BOARD APPOINTMENTS TO THE FEASIBILITY ASSESSMENT FOR LLOYD FARM MEDIATION

THE CARRBORO BOARD OF ALDERMEN HEREBY APPOINTS: Aldermen Haven-O'Donnell, Seils, and Johnson to the team along with the Town Attorney or his designee to the Feasibility Assessment Team for Lloyd Farm Mediation.

This is the 3rd day of March 2015.

The motion carried by the following vote:

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

REQUEST TO MAKE APPOINTMENTS TO THE TRANSPORTATION ADVISORY BOARD

The purpose of this agenda item was for the Mayor and Board to make appointments to the Transportation Advisory Board.

A RESOLUTION MAKING APPOINTMENT(S) TO THE TRANSPORTATION ADVISORY BOARD

Section 1: THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE TRANSPORTATION ADVISORY BOARD:

Seat Designation	Appointee	Term Expiration
In-Town	Linda Haac	2/2018
In-Town	Sarah Moore	2/2018

Section 2. This resolution shall become effective upon adoption.

This is the 3rd day of March 2015.

The motion carried by the following vote:

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

PROPOSED UPDATES TO THE AFFORDABLE HOUSING SPECIAL REVENUE FUND

The purpose of this item was for the Board to consider the proposed changes to the Guidelines of the Affordable Housing Special Revenue Fund.

Nate Broman-Fulks, the Assistant to the Town Manager, provided the staff report to the Board.

Alderman Johnson noted that non-profits could apply for funding from the Human Services Funding and the Affordable Housing Fund and stated that the Board should determine if that is appropriate policy.

Alderman Chaney stated that a policy of how the funds are applied for, and by whom, would be helpful for the next budget year.

Robert Dowling, executive director of the Community Home Trust, thanked the Board for their assistance and asked that the Board consider the following changed to the Guidelines of the Affordable Housing Special Revenue Fund:

1. Include “of AMI” after the word “percentage” in 4E
2. Include the appraised value of a home in 9A
3. Consider how to include individuals that are purchasing an affordable home in Carrboro but are not yet residents in 7A
4. Consider specifying priority levels of AMI for 7F

Alderman Gist stated that she would like these funds to be available for use in building auxiliary units.

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

A RESOLUTION APPROVING THE UPDATES TO THE AFFORDABLE HOUSING SPECIAL REVENUE FUND

WHEREAS, the Board of Aldermen created an affordable housing special revenue fund on June 27, 2007 by the adoption of resolution no. 244/2006-07; and

WHEREAS, the Board of Aldermen established administrative procedures for the fund on September 9, 2008 by the adoption of resolution no 15/2008-09; and

WHEREAS, the Board of Aldermen has updated Land Use Ordinance provisions related to affordable housing in recent years; and

WHEREAS, the Board of Aldermen adopted the Affordable Housing Goals and Strategies document on June 17, 2014; and

WHEREAS, updates to the fund guidelines have been prepared to coordinate with the Land Use Ordinance and Affordable Housing Goals and Strategies, to expand the ways in which the funds may be used and to clarify who is eligible to apply for funds and how they go about doing so.

NOW THEREFORE, BE IT RESOLVED that the Board of Aldermen hereby ordains:

Section 1. Previously adopted resolutions pertaining to creation and administration of the Affordable Housing Special Revenue fund are superseded by the actions in the following sections.

Section 2. The Town shall continue to maintain an Affordable Housing Special Revenue Fund. Payments to the Town made by developers in lieu of providing affordable housing under the applicable provisions of the Land Use Ordinance shall be deposited into this fund. Other revenue sources for the fund may include grants, donations, loans, interest payments, or other revenues that may become available.

Section 3. Disbursement authority, eligibility, application processes, loan limitations and other administrative procedures are specified in Exhibit A, "Guidelines for the Affordable Housing Special Revenue Fund."

Section 4. Staff shall amend the "Guidelines for the Affordable Housing Special Revenue Fund" as follows:

1. Include "of AMI" after the word "percentage" in 4E
2. Include the appraised value of a home in 9A
3. Consider how to include individuals that are purchasing an affordable home in Carrboro but are not yet residents in 7A
4. Consider specifying priority levels of AMI for 7F

Section 5. This resolution shall become effective upon adoption.

This is the 3rd day of March 2015.

The motion carried by the following vote:

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

REQUEST FOR MINOR MODIFICATION TO CONDITIONAL USE PERMIT FOR 300 E. MAIN RELATED TO WALL/SIDEWALK IN FRONT OF THE NEW FLEET FEET BUILDING/PHASE A

The purpose of this item was for the Board to consider adopting a resolution approving changes to the sidewalk area in front of the Fleet Feet building/Phase A of the 300 East Main project.

Marty Roupe, the Town's Zoning Administrator, made the staff presentation.

Kevin Benedict, representing 300 East Main, stated that it was a mistake and that he takes responsibility. The construction of the wall was directly related to slope issues. He stated that if the Board wishes for

them to remove the wall, they will but they are requesting to keep the wall.

Alderman Slade stated that he would be interested in hearing from staff if steps could be used without a wall. He also asked if the electrical boxes could be moved because they block the flow. Mr. Benedict stated that the electrical boxes can't be moved.

Alderman Chaney asked if the Board requested stairs and someone tripped and sued, who they would sue. Nick Herman, the Town's Attorney, stated that the Town shouldn't be responsible in that scenario. She suggested a wall with some steps that would provide a compromise.

Alderman Haven-O'Donnell asked if additional screening would be required between the existing wall and the established outside dining area and asked that additional screening be avoided.

Alderman Seils stated that his first priority is to have a 10ft wide sidewalk across the whole property, where constraints do not exist.

Alderman Johnson stated that she agrees that the sidewalk should be wider in that area and that she is would like to look into the stairs or moving the wall.

Alderman Gist stated that she thinks that the wall should be moved back to its originally planned location and that the sidewalk be increased.

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN SEILS FOR THE DEVELOPER TO PREPARE TWO PLANS; ONE WITH STEPS AND A WALL (MOVED BACK 5 FEET) AND ONE THAT DOES NOT HAVE A WALL AND INCLUDES 10FT SIDEWALKS. THIS ITEM SHOULD BE BROUGHT BACK TO THE BOARD DURING THE FIRST MEETING IN APRIL. VOTE: AFFIRMATIVE ALL

SIDEWALK CLEANUP/CLEARING DURING SNOW

Alderman Gist asked who's responsibility it is to clear the sidewalks in front of businesses and apartment complexes after snow.

Alderman Seils stated that currently, stores are required to remove the snow from sidewalks in front of their businesses.

Alderman Gist asked if this could be enforced because it is not being done in a lot of places.

The Town Manager and the attorney are reviewing the ordinance to see what changes can be made to enforce the ordinance.

ADJOURNMENT

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