

# **Town of Carrboro**

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

# Meeting Minutes Board of Aldermen

Tuesday, June 21, 2016

7:30 PM

**Board Chambers - Room 110** 

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

Also Present: David Andrews, Town Manager, Catherine Dorando, Town Clerk, Nick Herman, Town Attorney

## **REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR**

### **GOOGLE HUT**

Matthew Barton, president of Village Square Town Home Board, stated that the Board unanimously approved a resolution that he read to the Board. The resolution requested that the Town cancel the lease to Google or move the Hut to another site. They also requested long-term land use plans for the cemetery. A copy of the resolution was presented to the Clerk.

Janine Domingues-Vasquez stated that the cemetery is home to many different wildlife species and expressed a desire for Google to locate at a different location.

Ellen Perry suggested placing picnic tables, a barbeque, or a paved path in the meadows. She stated that all additions should be ADA compliant.

Delaney Watson stated that he has been collecting signatures for Save Carrboro Greenspaces.

Judith Ferster, the Conservation Chair of the Orange-Chatham Sierra Club, read a resolution to the Board.

Bob Proctor provided a summary of his efforts to date and stated that he had a chance to meet with the Mayor and representatives from Google.

Lillie Atwater stated that opening up the meadow to quiet activities would be nice. She questioned the Town's public hearing process.

Betsey Elbogen, owner of Perch Studios, stated that she is in support of the completion of the *Town of Carrboro Page 1 June 21, 2016* 

Carrboro Google Hut in its current location. She stated that her business and the renters depend on the internet and that the fiber will have an incredible impact.

Devin Ceartas stated that he runs a business out of Perch Studios. He stated that he is in favor of Google Fiber in its current location.

Adam Green stated that he runs a business out of Perch Studios. He expressed support for Google Fiber.

Darren Bell an employee of the Chapel Hill-Carrboro City School District and he works to close the digital divide. He thanked the Board for their support and the work that the town has put in to create a competitive environment for internet service providers. He stated the Google Fiber is a big win for his project.

Terri Turner stated that she works at Weaver Street Realty and spoke in favor of Google fiber.

Aaron Nelson, president of the Chapel Hill-Carrboro Chamber of Commerce, expressed his thanks to the Board and spoke in favor of Google fiber. He also thanked Google for their efforts during the siting process.

Mayor Lavelle stated that the Town wants Google in the community. The Town set the rules and Google followed them.

Alderman Slade thanked everyone for working together. He stated that he is supportive of the resolution because he does not see it jeopardizing Google's presence in Carrboro (because they have already been approved by the BOA and built their hut) but rather an opportunity to set standards for the Board to use in the future for when we are approached by a utility for town owned park or urban greenspace to site their facilities.

Alderman Gist stated that she agrees with the Mayor and that the concerned partners have had a chance to meet with Google. She stated that she wants staff to investigate on what the Town can do to maintain and enhance the open space that is in the area. She stated that she does not want to pass the resolution at this time.

Alderman Seils stated that he will not support the resolution because Google did not do anything wrong and followed all Town rules.

Alderman Haven-O'Donnell stated that she would like groups to work with the Town to discuss land-ethics in the Town of Carrboro. She stated that the cemetery land is not designated as a park and suggested that the Board look at other areas throughout Town to designate as such. She stated that Google Fiber provides a great good to the community and provides support to many Carrboro businesses, residents, and students.

Alderman Chaney agreed that the land owned by the Town can be looked into for land use changes. She pointed out that Town Commons is going through a design process and encouraged neighbors to let the Town know their needs. She stated that the Town should look

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into an ADA compliant picnic table. She also stated that there are currently four openings on the Recreation and Parks Committee.

Alderman Johnson stated that the Board is learning from the public process.

Alderman Slade stated that supporting this resolution is not contrary to supporting google fiber or the local economy. The resolution speaks of 'pools of candidate sites'; Google has already chosen and built on a site. He expressed the last resolve potentially being problematic as it does not specify when the town should ask a service provider to not locate in Urban Greenspaces or Parks and could be interpreted that the town should ask Google now. He agreed that Google should not be penalized for a flawed process that the town, not Google, is responsible for.

MOTION WAS MADE BY ALDERMAN SLADE TO APPROVE A RESOLUTION AS REQUESTED BY BOB PROCTOR, WITH THE LAST 'RESOLVE' EDITED TO READ: "THEREFORE BE IT RESOLVED THIS BOARD ASKS ANY SERVICE PROVIDER SEEKING A CONTRACT OR RENEWAL OF A CONTRACT FOR USE OF TOWN PROPERTY TO SITE THEIR FACILITIES TO AVOID PARKS AND URBAN SPACES. THE MOTION FAILED WITH NO SECOND.

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### ANNOUNCEMENT OF UPCOMING MEETINGS

Alderman Haven-O'Donnell stated that the Mom's Demand Action Against Gun Violence will take place on June 22nd and they will be screening the documentary "Under the Gun" from 7pm until 10pm.

Alderman Chaney stated that the TJCOG delegates meeting will take place on Thursday at the new Apex Arts Facility.

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### APPROVAL OF PREVIOUS MEETING MINUTES OF MAY 17 AND MAY 24, 2016

## MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN CHANEY TO APPROVE THE MINUTES OF MAY 17 AND MAY 24, 2016, AS AMENDED. VOTE: AFFIRMATIVE ALL

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#### HUMAN SERVICES FUNDING FOR FISCAL YEAR 2016-17

The purpose of this item was for the Board of Aldermen to consider human services funding allocation recommendations for FY 2016-17.

Alderman Slade, speaking as the liaison for Food Policy Council, requested funding be directed to the Food Policy Council from an alternative source.

Alderman Gist stated that the Human Services Advisory Commission seeks to fund direct<br/>services. She stated that there are discretionary funds from the Board that could be researched<br/>*Town of Carrboro*Page 3June 21, 2016

by staff.

Alderman Chaney requested that staff look into a way to more fully fund the Food Policy Council.

Alderman Haven-O'Donnell stated that she does not feel comfortable making a last minute decision regarding the budget and that if it will be considered, it should be considered for next year.

Alderman Chaney asked staff to work with other partner governments to figure out opportunities out fully fund the Food Policy Council.

Alderman Seils stated that the rationale for reducing the Community Empowerment Foundation (CEF) fund was concerning. He asked that next year a fuller conversation is had with the CEF so that all members of the Human Services Advisory Commission understand the work of CEF.

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

#### A RESOLUTION ACCEPTING THE RECOMMENDATIONS FROM THE HUMAN SERVICES ADVISORY COMMISSION FOR FISCAL YEAR 2016-17 HUMAN SERVICES FUNDING

**WHEREAS**, the Town of Carrboro established as a policy to support human services agencies that provide invaluable services to Carrboro citizens; and

**WHEREAS,** Fifty-three (53) agencies applied for funding through the established Human Services funding process; and

**WHEREAS**, the Human Services Advisory Commission has met with all applicants that applied for funding in the 2016-17 funding cycle; and

**WHEREAS**, town staff indicated that the human services funding level for fiscal year 2016-17 is

\$250,000.00, which represents a 14% increase over last year's funding of \$220,000; and

WHEREAS, the total amount of funding requests for 2016-17 was \$342,215.00.

#### **NOW THEREFORE**, THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVE THAT:

Section 1. Subject to approval of the FY 2016-17 Budget, \$250,000 will be allocated to Human Services.

Section 2. That the Human Services Advisory Commission have heard the requests from the applicants and are making a final recommendation for allocation of the available funds to agencies.

Section 3. That the Carrboro Board of Aldermen approve the recommendation for funding by the Human Services Advisory Commission in the amount of \$250,000.00 for fiscal year 2016-17.

### This the 21<sup>st</sup> day of June, 2016

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

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

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#### REPORT ON HWY 54 DEVELOPMENT FOR AFFORDABLE COMMERCIAL

The purpose of this agenda item was to update the Board on progress in regards to creating affordable commercial development.

Alderman Chaney asked when the Board will see a resolution for next steps. Annette Stone stated that it would be in the fall.

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#### A RESOLUTION MAKING AN APPOINTMENT TO THE RECREATION AND PARKS COMMISSION

The purpose of this item was to allow the Board to make an appointment to the Recreation and Parks Commission.

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

#### A RESOLUTION MAKING AN APPOINTMENT TO THE RECREATION AND PARKS COMMISSION

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

Section 1. The Board of Aldermen hereby appoints the following applicant to the Recreation and Parks Commission:

Seat Designation	Appointee	<b>Term Expiration</b>	
In-Town		Becki Cleveland	2/2019

Section 2. This resolution shall become effective upon adoption.

## This the 21<sup>st</sup> day of June, 2016

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

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

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#### ACCEPTANCE OF OFFER OF DEDICATION

The purpose of this agenda item was for the Board of Aldermen to consider accepting a public pedestrian easement that provides access near Morgan Creek along the northern edge of the University Commons property.

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

#### A RESOLUTION SPECIFYING THE TOWN'S ACCEPTANCE OF AN OFFER OF DEDICATION

WHEREAS, the Carrboro Board of Aldermen has identified that certain portions of development tracts may be suitable for public use as greenways, open space, and bicycle and pedestrian access areas, and,

WHEREAS, the development review and approval for the conditional use permit and final plat for the University Commons development on Smith Level Road included an offer of dedication for a public pedestrian easement along the northern edge of the property near Morgan Creek.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accepts the public pedestrian easement specified by Orange County Plat Book 81, page 72 and more specifically in Orange County Plat Book 78, page 174, attached as exhibits from the University Commons and McCormick Lands Recombination & Boundary Plat and the University Commons Subdivision Plat, respectively.

## This the 21<sup>st</sup> day of June, 2016

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

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

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#### DESIGNATION OF FUND BALANCE FOR FY 2015-16 BUDGET ITEMS NOT YET SPENT OR ENCUMBERED

The Board of Aldermen was requested to designate fund balance in the General Fund to carry over to next year for certain budget items where funds have not been spent or encumbered.

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

#### A RESOLUTION APPROVING DESIGNATION OF FUND BALANCE FOR FY 2015-16 BUDGET ITEMS NOT YET SPENT OR ENCUMBERED

WHEREAS, the Town Manager has described to the Board the desirability of adopting a resolution to designate fund balance for certain projects:

BE IT RESOLVED by the Board of Aldermen that fund balance is designated to fund the following items:

Department	Designated Fund Balance FY 2015-16	Amount	
Rec & Park	Arts Committee	\$ 14,077.00	
Town Clerk	OWASA Subsidy	\$ 80,502.00	
Planning	Bicycle Gold Designation	\$ 21,000.00	
Police	Seizure Funds - State	\$ 4,494.00	
Police	Seizure Funds Federal	\$ 95,648.00	
	TOTAL	\$215,721.00	

#### Summary of Designated Fund Balance Budget Items

**Arts Committee** – The Arts Committee has unexpended budget funds remaining and requests they be reserved for use in the upcoming year.

**OWASA Subsidy** – The unspent portion of the OWASA sewer subsidy budget is reserved annually until spent entirely.

**Bicycle Gold Designation** – These funds will be used to carryout activities necessary to move the Town from Silver Award to Gold Award.

**Seizure Funds** – The Police Department uses these restricted revenues to supplement ongoing investigations. Unexpended funds in a given year are carried over to the next year. The federal seizure funds will be used to purchase a firearms training simulator.

BE IT FURTHER RESOLVED, that upon confirmation of the actual amount for the above projects by the independent audit for the year ending June 30, 2016, the Town Manager may transfer fund balance up to the amount confirmed by the independent audit to the appropriate department(s) without further action by the Board.

# This the 21<sup>st</sup> day of June, 2016

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

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

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#### PERMIT EXTENSION REQUEST FOR PREVIOUSLY ISSUED CONDITIONAL USE PERMIT FOR CLUB NOVA

The Board was asked to consider approving a request for an extension of the date when a Conditional Use Permit would otherwise expire for Club Nova.

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

#### A RESOLUTION APPROVING AN EXTENSION OF THE DATE ON WHICH A CUP WOULD OTHERWISE EXPIRE FOR CLUB NOVA

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit Major Modification for Club Nova on June 24, 2014; and

WHEREAS, the Board of Aldermen finds, per Section 15-62(c) of the LUO, that: 1) the CUP has not yet expired, 2) the permit recipient has proceeded with due diligence and in good faith, and 3) conditions have not changed so substantially as to warrant a new application.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the permit is extended, with a new expiration date for Club Nova CUP of June 24, 2018.

## This the 21<sup>st</sup> day of June, 2016

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

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

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### ADOPTION OF FY 2016-17 ANNUAL BUDGET

The purpose of this agenda item was for the Board of Aldermen to complete budget discussions and adopt the annual budget for fiscal year 2016-17.

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

#### ANNUAL BUDGET ORDINANCE FY 2016-17 Town of Carrboro, North Carolina Ordinance No. 14/2015-16

WHEREAS, the recommended budget for FY 2016-17 was submitted to the Board of Aldermen on May 3, 2016 by the Town Manager pursuant to G.S. 159-11 and filed with the Town Clerk pursuant to G.S. 159-12;

WHEREAS, on May 17, 2016, the Board of Aldermen held a public hearing on the budget pursuant to G.S. 159-12;

WHEREAS, on June 21, 2016, the Board of Aldermen adopted a budget ordinance making appropriations and levying taxes in such sums as the Board of Aldermen considers sufficient and proper in accordance with G.S. 159-13;

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO, NORTH CAROLINA:

**Section 1.** The following amounts are hereby appropriated for the operation of the Town of Carrboro and its activities for the fiscal year beginning July 1, 2016 and ending June 30, 2017, according to the following schedule.

SCHEDULE A - G	ENERAL FUND	
GENERAL GOVERNMENT		\$4,792,472
Mayor & Board of Alderman	\$278,127	
Advisory Boards	\$17,850	
Governance Support	\$650,815	
Town Manager	\$422,843	
Economic & Community Development	\$250,980	
Town Clerk	\$133,472	
Finance	\$1,062,796	
Human Resources	\$624,287	
Information Technology	\$1,351,302	
PUBLIC SAFETY		\$6,647,295
Police	\$3,811,230	
Fire	\$2,836,065	
PLANNING		\$1,384,881
TRANSPORTATION		\$1,720,288
PUBLIC WORKS		\$3,727,696
PARKS & RECREATION		\$1,667,581
NONDEPARTMENTAL		\$871,451
DEBT SERVICE		\$1,220,693
TOTAL GENERAL FUND	-	\$22,032,357

**Section 2.** It is estimated that revenues from the following major sources will be available during the fiscal year beginning July 1, 2016 and ending June 30, 2017 to meet the foregoing schedule:

#### **SCHEDULE A - GENERAL FUND**

Ad Valorem Tax	\$12,393,363
Local Sales Taxes	\$3,978,713
Other Taxes & Licenses	\$1,417,527
Unrestricted Intergovernmental	\$1,254,520
Restricted Intergovernmental	\$641,816
Fees & Permits	\$1,245,095
Sales & Services	\$259,596
Investment Earnings	\$1,110
Other Revenue	\$153,751
Other Financing	\$686,865
TOTAL GENERAL FUND	\$22,032,357

**Section 3.** Pursuant to GS 159-13.2, the Board of Aldermen may authorize and budget for capital projects and multi-year special revenue funds in its annual budget or project ordinance. The project ordinance shall clearly identify the project and authorize its undertaking, identify

the revenues that will finance the project, and make the appropriations necessary to complete the project.

**Section 4.** Charges for services and fees by Town Departments are levied in the amounts set forth in the Miscellaneous Fees and Charges Schedule.

**Section 5.** The following authorities shall apply:

- a. The Town Manager can transfer funds between departments and functions within the General Fund for pay adjustments; service level benefits; law enforcement separation allowance; unemployment insurance; retiree, dependent, and permanent part-time health benefits; and, for other purposes deemed necessary by the Town Manager without further action by the Board.
- b. The Town Manager can transfer funds within departments and functions.
- c. When unassigned fund balance exceeds 35% in the General Fund, the Town Manager, in accordance with the Town fiscal policy, may set aside an amount in assigned fund balance for transfer to the Capital Projects Fund for future projects.
- d. All operating funds encumbered or designated within fund balance for project expenditures as confirmed in the annual audit for the year ending June 30, 2016 shall be re-appropriated to the Fiscal Year 2016-17 Adopted Budget without further action by the Board.
- e. The Finance Officer may approve intradepartmental transfer requests between appropriation units and between programs or organizational units within the departmental budget.
- f. Transfers between Funds may be authorized only by the Board of Aldermen.
- g. The Orange County Tax Collector, is authorized, empowered, and commanded to collect the 2016 taxes set forth in the tax records filed in the office of the Orange County Tax Assessor, and in the tax receipts herewith delivered to the Tax Collector, in the amounts and from the taxpayers likewise set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Orange. This section of the ordinance shall be a full and sufficient authority to direct, require, and enable the Orange County Tax Collector to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.
- h. Pursuant to NCGS 160A-314.1 and 160A-317 the Town of Carrboro authorizes Orange County to provide recycling collection services within the Town and to impose and administer a basic services fee for recycling services and a solid waste convenience center fee for residents within the Town.
- i. Under GS143-64.32, architectural, engineering, and surveying services with fees less than thirty thousand dollars (\$30,000) may be exempt from the RFQ (Request for Qualification) process.

**Section 6.** There is hereby levied the following rates of tax on each one hundred dollars (\$100) valuation of taxable property as listed for taxes as of January 1, 2016 for the purpose of raising the revenue constituting the general property taxes as set forth in the foregoing estimates of revenue and in order to finance the foregoing appropriations.

General Fund ......\$.5894

**Section 7.** In accordance with G.S. 159-13, a copy of this ordinance shall be filed with the Town Manager, the Finance Officer, and the Town Clerk.

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### This the 21<sup>st</sup> day of June, 2016

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

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

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

# RESOLUTION ADOPTING CHANGES TO TOWN OF CARRBORO POSITION CLASSIFICATION AND PAY PLAN

WHEREAS, the Board of Aldermen has adopted a comprehensive Position Classification and Pay Plan for the Town of Carrboro;

WHEREAS, the Town Manager has submitted a budget for FY 2016-17 with proposed changes to the Position Classification and Pay Plan;

# NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Position Classification and Pay Plan is hereby modified as follows:

- a.Change Deputy Fire Chief, Salary Grade 18, to Deputy Fire Chief/Fire Marshall, Salary Grade 17;
- b.Eliminate Fire Marshall/Safety Officer, Salary Grade 16;
- c.Create new position of Fire Captain/Training Officer, Salary Grade 15;
- d.Change Streets Superintendent, Salary Grade 15, to Streets Supervisor, Salary Grade 14;
- e.Transfer Program Support Assistant II, Salary Grade 4, from the Finance Department to Human Resources Department;
- f.Change Accounting Payroll Specialist, Salary Grade 8, to Payroll and Benefits Specialist, Salary Grade 10; and,
- g.Create new position, Capital Projects Manager, Salary Grade 16.

Section 2. Merit Pay will not be provided to Town employees in FY 2016-17.

Section 3. All other provisions of the Position Classification and Pay Plan remain unchanged.

Section 4. The Human Resources Director shall revise the Position Classification and Pay Plan to reflect the changes in Section 1 through Section 2.

Section 5. This resolution shall become effective July 1, 2016.

# This the 21<sup>st</sup> day of June, 2016

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

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

#### A motion was made by Alderman Gist, seconded by Alderman Johnson, that this

### RESOLUTION APPROVING ACROSS THE BOARD SALARY ADJUSTMENT AND HOUSING WAGE SALARY ADJUSTMENT

**BE IT RESOLVED** that the Town of Carrboro Board of Aldermen hereby approves the following as a part of the Annual Budget for FY 2016-17:

Section 1. All Town permanent full-time, permanent part-time, appointed employees and elected officials shall receive an across the board salary increase of 1.5% effective July 1, 2016.

Section 2. Permanent full-time Town employees shall be paid a minimum annual salary that is at least equal to the Minimum Housing Wage of \$31,158.

Section 3: The Town Manager shall increase the salary of any permanent full-time Town employee earning less than \$31,158 to the annual Minimum Housing Wage.

Section 4. This resolution shall become effective July 1, 2016.

# This the 21<sup>st</sup> day of June, 2016

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

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

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

#### **REIMBURSEMENT RESOLUTION FOR EQUIPMENT AND VEHICLE FINANCING**

WHEREAS, the Town Manager, has described to the Board of Aldermen the desirability of adopting a resolution, as provided under federal tax law, to facilitate the Town's use of financing proceeds to restore its funds when the Town makes capital expenditures prior to closing on a lease-purchase installment financing.

BE IT RESOLVED by the Town of Carrboro Board of Aldermen as follows:

Section 1. The equipment and vehicles to be purchased in FY 2016-17 include the following:

Department	Vehicle	Cost	
Police	Patrol Vehicle Replacements -6 @ \$47,916	\$	287,496
Public Works	Ford Ranger Pick Up	\$	27,770
Public Works	Backhoe	\$	96,040
	TOTAL	\$	411,306

Section 2. The expected type of financing, which may be subject to change, for the above equipment and vehicles is installment purchase financing as allowed in North Carolina General Statutes Section 160A-20.

Section 3. Funds that have been advanced, or may be advanced, from the Town's General Fund for the aforementioned items are intended to be reimbursed from the financing proceeds up to an amount of \$411,306.

Section 4. The adoption of this resolution is intended as a declaration of the Town's official intent to reimburse project expenditures from financing proceeds.

Section 5. This resolution shall become effective upon adoption.

### This the 21<sup>st</sup> day of June, 2016

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

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

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

#### A RESOLUTION APPROVING CONTRACT FOR TOWN ATTORNEY

#### BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1: The Board hereby approves a contract for legal services with the Brough Law Firm for FY 2016-17 beginning July 1, 2016 and ending June 30, 2017.

Section 2: This resolution shall become effective upon adoption.

## This the 21<sup>st</sup> day of June, 2016

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

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

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

A RESOLUTION APPROVING MISCELLANEOUS FEES AND CHARGES SCHEDULE

#### BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1: The Board hereby approves the attached Miscellaneous Fees and Charges Schedule for FY 2016-17 effective July 1, 2016.

Section 2: This resolution shall become effective upon adoption.

### This the 21<sup>st</sup> day of June, 2016

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

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

# A motion was made by Alderman Chaney, seconded by Alderman Gist, that this resolution be approved.

#### RESOLUTION AUTHORIZING TRANSFER FROM GENERAL FUND AND APPROPRIATION OF FUND BALANCE TO AFFORDABLE HOUSING SPECIAL REVENUE FUND

WHEREAS, the Board of Aldermen through the adoption of policies and ordinances seek to endorse and encourage the creation of affordable housing within the Town and its planning jurisdiction; and,

WHEREAS, on June 27, 2007 the Board of Aldermen adopted Resolution No. 15/2008-09 that established the Affordable Housing Special Revenue Fund; and,

WHEREAS, the Board of Aldermen on March 3, 2015 updated "Guidelines for the Affordable Housing Special Revenue Fund"; and,

WHEREAS, the Board of Aldermen wants to ensure that sufficient financial resources are available to support efforts to create and maintain affordable housing within the Town and its planning jurisdiction;

# NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1: Funds appropriated in the General Fund budget for FY 2016-17 for the following Governance Support programs are to be transferred from the General Fund to the Affordable Housing Special Revenue Fund:

Home Consortium Match		9,719
Partnership to End Homelessness		13,718
Orange County Housing/Community Home Trust		75,052
Human Services Grants:		
Community Empowerment Fund		1,750
EmPOWERment Inc.		10,000
IFC		11,950
Rebuilding Together of the Triangle, Inc.		8,450
Total	\$	130,639

Section 2: Funds in the amount of \$500,000 are appropriated from the fund balance in the General Fund to the Affordable Housing Special Revenue Fund.

Section 3: Within five (5) days after this resolution is adopted, the Town Clerk shall file a copy of this resolution with the Finance Director.

# This the 21<sup>st</sup> day of June, 2016

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

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

#### A motion was made by Alderman Haven-O'Donnell, seconded by Alderman Johnson,

#### that this ordinance be approved.

#### CAPITAL PROJECT ORDINANCE AUTHORIZING THE USE OF FUND BALANCE FOR DESIGNATED CAPITAL PROJECTS Ordinance No. 15/2015-16

WHEREAS, the Board of Aldermen for the Town of Carrboro has adopted a Fund Balance Policy; and,

WHEREAS, the adopted Fund Balance Policy provides that when the unassigned fund balance exceeds 35% the Town Manager may set aside an amount in assigned fund balance for transfer to the Capital Projects Fund for future projects; and,

WHEREAS, the adopted Fund Balance Policy requires formal action by the Board of Aldermen to commit the use of fund balance for projects or purposes in any current year or future year's budget; and,

WHEREAS, the Town's annual audit at June 30, 2015 confirmed that the fund balance exceeds 35% and the amount above 35% may be committed for capital projects;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1: The following projects are authorized to be undertaken until all project activity is completed:

A.FIRE AND POLICE RADIO UPGRADE – (SET	
ASIDE #2 OF 3)	\$ 273,000
B.FIELD FENCE AND BLEACHERS, ANDERSON	
PARK	\$ 95,000

#### TOTAL APPROPRIATION <u>\$ 368,000</u>

Section 2: Funds are appropriated from fund balance in the General Fund for transfer to the Capital Projects Fund for design, engineering, construction expenses and/or debt service to carry out the project(s) identified in Section 1.

Section 3: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

Section 4: This capital project ordinance shall be effective July 1, 2016.

## This the 21<sup>st</sup> day of June, 2016

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

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

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

#### RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT FOR FINANCING OF NEW BUSES WITH THE TOWN OF CHAPEL HILL AND THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

WHEREAS, funding for public transportation infrastructure (e.g., buses, facilities, etc.) from federal and state sources have become increasingly limited; and,

WHEREAS, the Town of Chapel Hill, Town of Carrboro, and The University of North Carolina at Chapel Hill (known as the Funding Partners) understand that there is a growing need to use local revenue sources to replace existing transit buses; and

WHEREAS, the funding Partners for Chapel Hill Transit recognize that the Town of Chapel Hill has the fiduciary responsibility for operation of the public transit system, including, but not limited to, issuing any debt necessary to finance the purchase of the new buses as well repayment of that debt; and,

WHEREAS, The Chapel Hill Transit funding Partners have achieved consensus on the terms of the risk-sharing agreement relating to the financing of 10-15 new buses;

# NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1: The Town Manager is authorized to sign and enter into an agreement for financing of new buses for transportation services between the Town of Carrboro and Town of Chapel Hill and The University of North Carolina at Chapel Hill.

Section 2: The terms of this agreement shall be essentially the same as those set out in the attached proposed agreement. The Town Manager is authorized to approve changes to the proposed agreement provided the intent and purposes of the agreement are not modified.

Section 3. In addition to its annual support of the operating costs of the transit system, the Town of Carrboro's share of the debt service payment will be 11% (Carrboro's annual share of the debt service is estimated to be approximately \$83,600).

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

Section 5: This resolution shall be effective July 1, 2016.

# This the 21<sup>st</sup> day of June, 2016

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

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

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### COMMUNITY CLIMATE ACTION PLAN PUBLIC HEARING FOLLOW UP

The purpose of this agenda item was to provide a report to the Board on additional community<br/>*Town of Carrboro*Page 16June 21, 2016

outreach and potential fiscal impacts related to the draft Community Climate Action Plan.

Randy Dodd, the Town's Environmental Planner, made the staff presentation.

Arwen Carlin, a kindergarten teacher at Carrboro Elementary, stated that it is imperative that the impact of animal agriculture be included in the climate action plan. She expressed concern with hog farming in North Carolina.

Caroline Dyar spoke to the Board about the importance in educating citizens about the importance of a plant-based diet.

Alderman Haven-O'Donnell asked for clarification on if the Board is asking the Climate and Energy Taskforce to come back.

Trish McGuire stated that staff will prepare the edits at the direction of the Board and then staff would invite the Taskforce members to see the edits and then staff will bring the item back in the fall.

Alderman Johnson suggested that the speakers also work with the Food Policy Council and their work to decrease the food desert.

Alderman Chaney stated that this this plan is an example of where the Board can recognize where policy contradictions exist and suggested that staff develop a way to include this in the document. She stated that she would like the Board to include edits to Transportation Recommendation #2 that she had drafted. She stated that she would like to forward that language to the Board for possible inclusion in the plan and that it does not prescribe a detailed solution.

Alderman Haven-O'Donnell stated that the Board needs to have a discussion about connectivity and what that means to the Board. She also expressed concern about the process of the reintroduction of Transportation Recommendation #2 when some Aldermen had a chance to review the draft prior to the meeting and some did not.

Alderman Gist stated that she wished the Board would get back to having more community facilitated meetings. She also stated that the Board should come to an agreement on what received, accepted, and approved means when the language is being used interchangeably.

Trish McGuire stated that staff was attempting to place the Board's role in editing the document ahead of that of the advisory board members, since they are the policy making body.

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

#### A RESOLUTION DIRECTING STAFF TO PURSUE FOLLOW UP FOR THE COMMUNITY CLIMATE ACTION PLAN

WHEREAS, a temporary Energy and Climate Action Task Force was formed in 2014 to present community climate action planning recommendations; and

WHEREAS, the Task Force has presented drafts of a Community Climate Action Plan to the Board of Aldermen; and

WHEREAS, a Public Hearing to receive input on the draft plan was held on April 26th;

WHEREAS, staff have pursued additional outreach and studied fiscal impacts since the public hearing.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen direct staff to prepare the final plan incorporating possible changes including: 1)Edits to incorporate Board of Aldermen review comments;

2)Edits to incorporate plant-based diet information submitted as part of public input;

3)Edits to incorporate other public input received

4) Alderman Chaney will distribute revised language for Transportation Recommendation #2 to the Board of Aldermen for their review. Comments from the Board regarding the draft language should be sent directly to staff.

BE IT FURTHER RESOLVED that the Aldermen 1) requests that the Task Force be invited to meet with staff to review edits prior to presentation of the final version to the Board of Aldermen; and 2) directs staff to prepare a climate action benefits analysis and an implementation schedule consistent with the edited final plan in the early fall.

## This the 21<sup>st</sup> day of June, 2016

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

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

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## AN UPDATE ON CARRBORO'S PARKING PLAN

The purpose of this agenda item was for the Board of Aldermen to receive an update on the progress of the Town's Parking Plan.

Trish McGuire, the Town's Planning Director, provided the staff presentation.

Alderman Chaney stated that she would like to hear more about shared parking agreements and/or leases as an engineered solution.

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## **REVISED LAND USE ORDINANCE TEXT AMENDMENTS THAT WOULD PROVIDE FOR A SITE SPECIFIC, FLEXIBLE ZONING DISTRICT**

The purpose of this item was for the Board of Aldermen to consider further revisions to the Land Use Ordinance amendments that would authorize the establishment of site specific, flexible zoning districts.

Tina Moon, the Town's Planning Administrator, provided the staff report. She summarized differences from the last time the ordinance was in front of the Board.

#### MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN CHANEY TO OPEN THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

Amy Jeroloman, NTAAC Chair, discussed her comments and stated that they are included in the Board's packet. She provided a copy of her comments to the Clerk.

Anahid Vrana, a member of the NTAAC, stated that the absence of performance standards presents a great level of concern.

Jay Bryan, a member of the NTAAC, stated that the NTAAC had requested a revised ordinance and that they are requesting that the process be followed and reviewed by the Town's advisory boards.

The Board discussed their thoughts on the ordinance and had questions answered by staff.

Omar Zinn, the parcel owner, expressed concern with the possibility of getting trapped in the small area plan. The Mayor clarified that "may" is currently the word used and that provides much more flexibility than the word "must."

Alderman Gist stated that the in-depth language in the ordinance is difficult for average people to understand. She suggested that future language be clearer.

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

#### A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE FOR A SITE SPECIFIC, FLEXIBLE ZONING DISTRICT.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with the Facilitated Small Area Plan for Carrboro's Northern Study Area and Carrboro Vision2020, particularly the provisions relating to floating zones, mixed-use developments and balanced and controlled growth with public input as described below:

#### Goals and Objectives - Carrboro's Northern Study Area

**1.3** Endorse the concept of a "floating zone" for future residential village developments in the

Transition Area.

- **1.6** Create a new business/office/assembly area that would allow certain types of light manufacturing, flex space, and office uses subject to performance standards.
- 7.3 Develop a process for dialogue between developers and existing residents.
- 7.4 New residential areas in the Study Area should be developed on a neighborhood-scale.
- **8.1** Promote cluster and traditional style development, providing for neighborhood-scale commercial uses in residential areas, and developing pedestrian and bicycle networks, will all serve to foster a pedestrian scale community.

#### **Provisions in Vision 2020**

#### 2.0 DEVELOPMENT

Carrboro's development should take place in a manner consistent with a set of adopted

values. Growth should occur in a balanced fashion, and at a rate that does not jeopardized the values set forth by Vision 2020. The interests of all members of the community,

including property owners, neighbors, and other interested citizens should be considered

when making development decisions.

#### 2.5 Balanced and Controlled Growth

**2.51** The town should support the implementation of our Small Area Plan.

### **3.0 ECONOMIC DEVELOPMENT**

With the population of Carrboro expected to increase during the Vision 2020 period, additional commercial development should be anticipated both downtown and in peripheral areas.

#### 3.1 Nature of Development

In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

Section 2. The Board further concludes that the above described amendment is reasonable and in the public interest because it creates a process that allows rezonings to occur, only after significant public input including a site specific planning study by the Town to determine the most appropriate potential development options for the property.

Section 3. This resolution becomes effective upon adoption.

## This the 21<sup>st</sup> day of June, 2016

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

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

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

#### AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE FOR A SITE SPECIFIC, FLEXIBLE ZONING DISTRICT Ordinance No. 16/2015-16

#### THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. The Carrboro Land Use Ordinance is amended by adding a new Section 15-141.5 to read as follows:

#### Section 15-141.5 Site Specific, Flexible Zoning District

- (a) A site specific, flexible zoning district (FLX) may be established in accordance with the provisions of this section. The purpose of such a district is to establish detailed standards for alternative possibilities for the development of a specific tract of land, thereby facilitating the development of that property according to the demands of the market, but in a way that is consistent with sound planning and the promotion of the public health, safety, and welfare.
- (b) To be considered for FLX zoning, a tract must (i) be at least twenty-five acres in size, (ii) be, as a whole, owned by or under control or option to be purchased by one or more individuals or entities, (iii) be located adjacent to a major arterial such that, when developed, the principal entrance to such development will be from that arterial, (iv) have been the subject of a site specific planning study by the Town to determine the most appropriate potential development options for such tract. As used herein, the term "site specific planning study" shall mean a collaborative programmatic and design study for the site performed either by, or with the participation of the Town and input from one or more workshops, which shall result in a narrative report and conceptual master plan describing in general terms how the site might be developed and how the conceptual master plan corresponds to and addresses applicable components of all town plans for the area, and applicable conditions, and (v) be located in an area that is subject to an adopted small area plan.

- (1) If the Town receives a request for FLX zoning for a tract that has not been the subject of a site specific planning study as described in Subsection (b)(iv) above, the Planning Director shall present to the Board of Aldermen a proposal for undertaking such a study before accepting a formal application for the rezoning. If the Board of Aldermen accepts the proposal, the site specific planning study shall proceed as described in the following subsections, or as otherwise directed by the Board.
  - a. The site specific planning study shall be structured as a charrette of a minimum of one day in duration, or more as determined by the Board.
  - b. The Town shall contract a design professional, with no ties to the applicant, to conduct the charrette. The Town may also contract with a qualified facilitator to oversee the charrette process and final reports prepared from the charrette process.
  - c. Participation shall include representatives from advisory boards, neighbors, and members of the public.
  - d. Notice of the date of the charrette will be mailed to residents and property owners within 1000 feet of the subject property, published in the newspaper as well and any other means the Town deems suitable.
- (2) Findings from the site specific planning study report, or narrative, and site plan(s) shall be presented to the Board of Aldermen. Subsequent requests for FLX zoning shall demonstrate compliance with the findings from the site specific planning study.
- (3) If more than five years have elapsed since the findings from the site specific planning study were presented to the Board and the circumstances relating to the study have substantially changed, the Board may request an update to the study before accepting a request for FLX zoning. Examples of substantial changes in circumstances include but are not limited to: annexation, some or all of the tract has been subject to a rezoning, unrelated to the FLX district, that increases residential density or changes the types of uses, (i.e. residential to commercial), development on surrounding properties has changed the character or capacity of existing infrastructure.
- (c) A FLX zoning district shall address the following:

(1) The types of uses that are permissible within the FLX district, along with a maximum (and if applicable, a minimum) percentage of the gross land area that will be devoted to each such use. The description of uses may be in reference to the use classification numbers set forth in the Table of Permissible Uses, or the uses may otherwise be described. The district regulations may also establish density or intensity limitations (expressed in terms of a maximum and/or, if applicable, a minimum number of dwelling units or square feet of building floor area, and applicable ratios, if any if different types of uses within the district).

(2) The dimensional restrictions (building height, minimum lot size, setbacks) that shall apply throughout the district. Different restrictions may apply to different portions of the district, depending on the uses located therein. The dimensional restrictions may be described by reference to those applicable within particular zoning districts, or otherwise.

(3) Any limitations on the areas within the district where particular types of uses may be allowed.

(4) Any architectural standards that will apply to all or designated portions of the district.

(5) Any limitations on the timing or sequence of development of various portions of the district.

(6) The location of entrances to and exits from the tract zoned FLX.

(7) The manner in which the development of the property will comply with the stormwater requirements set forth in Article XVI, Part II. All developed lots within the district shall be subject to these standards, regardless of the amount of land disturbance, but the FLX district may allow the necessary stormwater treatment facilities to be constructed to meet these standards on a lot by lot basis, or some other basis that provides effective and efficient treatment for all new construction.

(8) Any limitations on the location or design of parking lots and facilities.

(9) Specifications and standards for the internal circulation system serving vehicular and pedestrian traffic, including a statement as to whether such facilities will be dedicated to the Town.

(10) All infrastructure improvements proposed to be constructed in conjunction with the development of the property zoned FLX (including but not limited to improvements to adjoining streets) together with a schedule that links construction of such improvements to the development of the property.

(10A) A traffic impact analysis of the FLX zone, including a phase plan or schedule of improvements along with a description of thresholds to require improvements.

(11) The extent to which, and the manner in which, development within the tract zoned FLX will be required to meet the goals of Low Impact Design and or exceed the standards for LEED gold certification.

- (d) Development of any lot within a FLX zoning district shall require a zoning permit (and a sign permit if applicable), but not a special or conditional use permit.
- (e) All relevant provisions of the Land Use Ordinance shall apply except to the extent that such provisions are superseded by the provisions of this section or any FLX district established pursuant to this section. In the case of conflict, the provisions of this ordinance or of the specific FLX district ordinance for the tract shall apply.
- (f) A text amendment establishing a FLX district as well as a map amendment applying such district to a particular tract shall be initiated and processed in accordance with the following provisions:
  - (1) The owner of property who wishes to have such property zoned FLX shall submit a written request to the Board of Aldermen, identifying the subject property and explaining why the property is a good candidate for FLX zoning. This written request shall include or attach (i) relevant documents (i.e. narrative, and site plan(s) and a list of proposed conditions which may be in the form of written statements, graphic illustrations, or any combination thereof) that describe the results of the site specific planning process referred to in subsection (b)(iv) above, and (ii) an explanation as

to why and how the proposed district is consistent with the Northern Study Area Plan, or if the property is not located within the Northern Study Area, such other plans or policies as may be applicable. The Board may, in its discretion, summarily deny the request or direct the town attorney and planning staff to work with the property owner to develop an ordinance pursuant to this section that establishes an appropriate FLX district and that applies this district to such property.

- (2) Once an ordinance has been drafted as provided in subdivision (f)(1), such ordinance shall be processed in accordance with the provisions of Article XX of this chapter applicable to ordinance amendments initiated by the town administration, except that (i) a preliminary draft of the ordinance, including a concept plan shall be presented to the planning board, Transportation Advisory Board, Environmental Advisory Board, Appearance Commission, Economic Sustainability Commission, and Northern Transition Area Advisory Committee (and other advisory boards to which the Board of Aldermen may refer the draft) prior to the ordinance being referred to the Board of Aldermen to establish a date for the legally required public hearing on the ordinance; (ii) at the time the Board of Aldermen directs that an ordinance be drafted in accordance with subsection (f)(1) above, the Board may establish such additional processes as deemed necessary to ensure that the public has an adequate opportunity for input into the proposed FLX district, and (iii) no property shall be rezoned FLX without the consent of the property owner (which consent may be withdrawn at any time before the adoption of the ordinance establishing the FLX district). The text and the map amendment may be processed simultaneously.
- (3) Amendments to a FLX district shall be initiated and processed in the same manner as the initial ordinance, except that, if the planning staff determines that a proposed amendment has no substantial impact on neighboring properties, the general public, or those intended to occupy the site zoned FLX, the staff may forward the requested amendment to the Board as provided in subsection 15-321(c)(2). In such case, the Board may (i) decline to call for a public hearing on the proposed amendment, thereby rejecting it; (ii) establish a date for a public hearing on the proposed amendment in accordance with the procedures applicable to any other zoning amendment; or (iii) direct that additional processes be followed to obtain additional public input on the proposal before setting a date for the legally required public hearing.
- (g) Property within a FLX district may be subdivided according to the provisions of this chapter applicable to minor subdivisions, even if such subdivision involves the creation of more than a total of four lots or the creation of a new public street.
- Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 3. This ordinance shall become effective upon adoption.

### This the 21<sup>st</sup> day of June, 2016

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

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

Nay: Alderman Gist

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#### <u>CLOSED SESSION - 143-318.11 (A) (3) & (4)</u>

#### MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS TO ENTER INTO CLOSED SESSION TO DISCUSS ITEMS PURSUANT TO NCGS 143-318.11 (A) (3) & (4). VOTE: AFFIRMATIVE ALL

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#### **OPEN SESSION**

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

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#### ADJOURNMENT

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