



Town of Carrboro

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

Meeting Minutes Board of Aldermen

Tuesday, October 18, 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

A. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

100 PINE STREET DRAINAGE REQUEST

Sophie Piesse, an architect representing the owners of 100 Pine Street, discussed an issue that they have with the depth of the ditch along Pine Street. She stated they have requested a surface inlet box but that that request has been denied since April even though the proposed solution meets the design standards.

Alderman Gist asked what options there are to allow the application to go forward.

JD Freeman, the Town's Public Works Director, stated that the ditch is currently working as designed. He stated that there are options to build a retaining wall at the driveway and the installation of riprap. He stated that there is an option to regrade the ditch but as it stands, it is the Town's preference to not place a pipe in a functioning ditch.

Sophie Piesse, stated that the slope is 10:1 and that the pipe is getting deteriorated with the flow of the water. She stated that the applicant has met all of the engineering criteria.

Alderman Chaney asked if there is a safety concern that would urge the Board to approve the request. Sophie Piesse stated that parking, water on the property and the ditch depth are safety concerns.

Alderman Gist suggested that staff work with the architect to develop a solution. From the floor, the owner stated that they would agree to build a system and then change it if the stormwater design requires a change.

Alderman Johnson stated that she agrees with Alderman Gist and suggested that staff work with the applicant to develop a plan.

Alderman Slade stated that he wants both the applicant and the town to be on the same page and for the results to be brought back to the Board.

Alderman Seils stated that the communication from the town should be clear and accurately explain the appeals process.

Alderman Chaney stated that the town should focus on alleviating the issue so that the owner can finish the driveway. She also stated that the town should do all it can to monitor the safety of the shoulder on the side of the road because the ditch is so steep.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SLADE THAT STAFF WORK WITH THE APPLICANT TO MITIGATE THE ISSUE IN WAYS THAT COULD INCLUDE THE OWNER PAYING FOR A TEMPORARY SOLUTION UNTIL THE TOWN COMPLETES THE IMPLEMENTATION OF STORMWATER SYSTEMS FOR THIS AREA. THE BOARD WOULD ALSO LIKE TO HEAR FROM STAFF ON THE QUESTIONS THAT WERE DISCUSSED DURING THIS ITEM. VOTE AFFIRMATIVE ALL

CONCERNS FROM THE CORNER OF DAVIE ROAD AND JONES FERRY

Emily Kruetzer, a resident of 806 Davie Road, spoke on behalf of the neighbors on Davie Road and Jones Ferry. She stated that the corner is a concern and asked for people to visit the area. She stated that the corner becomes men drinking all day long and that they hide the beer in a cup that looks like a regular drink from the gas station. She expressed concern with safety. She stated that she has been harassed by people at the corner. She asked the Board to talk about how they can provide safety to the neighbors in that area.

Lori Washington, a neighbor in the area of Davie Road, asked for the Board to reinstate the sign that allows Police ask people to leave if they have not gotten a job after 11:00 am. She stated that she is harassed almost every time she walks by the corner. She stated that there is a trash can that is constantly overflowing and that the area feels unsafe.

Alderman Johnson asked if the Police come by to check the area. Emily Kruetzer stated that they have to call 911 to get the Police to come by every time they see something illegal and that they end up calling 911 daily. She stated that the Police Department needs to write tickets to make the behavior end.

Alderman Johnson stated that El Centro has a staff person established to work with day laborers and asked for staff to look into these issues. She asked for the Town to look into placing a sign back in that location.

Alderman Chaney stated that the Board needs to be ok with aggressive enforcement on the corner or figure out another way to improve the quality of life for people in that community.

Alderman Slade apologized to the neighbors because he was part of the drive to get rid of the anti-linging ordinance because it was illegal. He stated that drinking in public needs to be addressed along with any other illegal behavior.

Alderman Haven-O'Donnell stated that the neighbors have been dealing with these issues for over nine years. She stated that she supports having a sign placed as a way to signal to people that there will be more aggressive monitoring.

Alderman Gist stated that the Town needs to stop people from hanging out on the corner and harassing women.

Alderman Seils stated that it seems that the Police Department may have gotten the idea that it was necessary to back off on enforcement after the repeal of the anti-linging ordinance. He stated that he agrees with Alderman Chaney that the Board needs to be comfortable with the law being enforced in that area.

Aja Kelleher stated that she only hears discussion of deterrence and that she wants to hear that illegal behavior will not be tolerated.

Alderman Haven-O'Donnell stated that it is almost impossible to catch people in the act of drinking in public so the Town is going to have to look at this in a different manner. She mentioned that it was previously discussed to move the fence so that it discouraged people gathering and that it seems that staff should look at that space again and design it so people cannot hang out.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL FOR THE TOWN MANAGER TO TAKE THE COMMENTS AND DISCUSS THEM WITH THE POLICE CHIEF AND MOVE FORWARD WITH STRONGER ENFORCEMENT, CONSIDER SIGNAGE, AND TO LOOK AT THE CORNER TO DESIGN IT TO BE LESS ATTRACTIVE. DAVID ANDREWS STATED THAT STAFF WILL REPORT BACK IN TWO WEEKS. ALDERMAN HAVEN-O'DONNELL ASKED FOR THE POLICE CHIEF TO PRESENT THE INFORMATION AND INCLUDE INFORMATION FROM PREVIOUS CALLS. VOTE: ALL IN FAVOR

A RESOLUTION OF APPRECIATION AND BUDGET AMENDMENT FOR DONATED FUNDS TO PURCHASE A DERO FIXIT STATION AND AIR PUMP

The purpose of this agenda item was for the Board of Aldermen to consider adopting a resolution of appreciation to Triangle Velo for their donation of \$1,083 towards the purchase of a Dero Fixit Station and Air Pump to install at Wilson Park. The Board was also asked to consider adopting the related budget amendment.

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

A RESOLUTION OF APPRECIATION TO TRIANGLE VELO FOR THEIR DONATION

WHEREAS, Triangle Velo has graciously offered to donate \$1,083 to the Town of Carrboro towards the purchase of a Dero Fixit Station; and

WHEREAS, this donation will allow the Town to install a bicycle repair station with air pump for use by cyclists at Wilson Park; and,

WHEREAS, installation of public bicycle repair stations will help the Town in its pursuit of Gold-level Bicycle Friendly Community;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. On behalf of the Town of Carrboro and its residents, the Board of Aldermen hereby expresses its sincere thanks and gratitude to Triangle Velo for its generous donation.
2. The resolution shall be entered into the official minutes of the Board of Aldermen and a copy thereof shall be delivered to Triangle Velo.
3. This resolution shall become effective upon adoption.

Adopted this 18th day of October 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

CANCELLATION OF THE NOVEMBER 22, 2016 BOARD MEETING

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO CANCEL THE NOVEMBER 22, 2016 BOARD OF ALDERMEN MEETING. VOTE: AFFIRMATIVE ALL

APPROVAL OF PREVIOUS MEETING MINUTES OF SEPTEMBER 20, 2016 AND SEPTEMBER 27, 2016

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN CHANEY TO APPROVE THE MINUTES, AS AMENDED. VOTE: AFFIRMATIVE ALL

RESOLUTION AMENDING THE TERMS OF CARRBORO FIRE-RESCUE DEPARTMENT RELIEF FUND BOARD MEMBERS APPOINTED BY THE BOARD OF ALDERMEN

The purpose of this item was to advise the Board of Aldermen of a change to the General Statutes pertaining to the terms of Relief Fund Board Members appointed by the Board of Aldermen.

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

**A RESOLUTION AMENDING THE TERMS OF THE CARRBORO FIRE-RESCUE RELIEF FUND
BOARD MEMBERS APPOINTED BY THE BOARD OF ALDERMEN**

SECTION 1: Pursuant to recent statutory amendments made effective June 30, 2016 to *GS58-84-30(1) Trustees Appointed; Organization* the term for the trustees appointed by the governing body has been amended as follows:

(2) The mayor and board of aldermen or other governing body shall appoint two representatives to the board to serve at the pleasure of the governing body. Board member appointed pursuant to this subdivision shall be residents of the fire district.

SECTION 2. The current appointees previously appointed by the mayor and board of alderman will serve at the pleasure of the Board of Aldermen:

Mr. Boyd Ellington
205 Simson St.
Carrboro, NC 27510

Mr. Jefferson Ray Dunn
106 Dillard St.
Carrboro, NC 27510

SECTION 3. This resolution is effective upon adoption

Adopted this 18th day of October 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

YOUTH ADVISORY BOARD CHARGE

The purpose of this item was to create a charge for the Youth Advisory Board.

Alderman Haven-O'Donnell suggested that the charge include a request for the Youth Advisory Board to assist the Town in networking and engaging with other area youth organizations.

A motion was made by Alderman Haven-O'Donnell, seconded by Alderman Chaney, that this charge be adopted for the Youth Advisory Board.

CHARGE FOR MEMBERS OF THE YOUTH ADVISORY BOARD

As a member of the Carrboro Youth Advisory Board, I will to the best of my ability exercise all responsibilities associated with the position to which I have been appointed, including:

- Attending and actively participate in all Youth Advisory Board meetings.
- Provide input to the Board of Aldermen about issues affecting young people.
- Carefully consider how local government policies and actions affect young people.
- Advocate for policies consistent with adopted town documents including Vision 2020 and the Carrboro Land Use Ordinance, as well as for any policy positions established by the Board of Aldermen.
- Assist the Town in networking and engaging with other area youth organizations

Adopted this 18th day of October 2016.

The charge was adopted by the following vote:

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

AUTHORIZATION TO PURCHASE REAL PROPERTY ADJACENT TO MARTIN LUTHER KING JR. PARK

The purpose of this item was for the Board to consider giving the Town Manager authorization to enter into a contract to purchase a parcel of land in Carrboro located at 1124 Hillsborough Road.

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

**CAPITAL PROJECT ORDINANCE FOR PURCHASE OF LAND ADJACENT TO
MARTIN LUTHER KING JR. PARK**

Ordinance No. 5/2016-17

WHEREAS, the Board of Aldermen for the Town of Carrboro has an opportunity to purchase property adjacent to Martin Luther King Jr. Park; and,

WHEREAS, the acquisition of this property will benefit the Town of Carrboro as the property will be used for a public purpose; and,

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 assign some or all of the amount above 35% for transfer to the Capital Projects Fund for future projects; and,

WHEREAS, the Town Manager has assigned an amount of fund balance above 35% for future capital project purposes; 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;

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

1. Town Manager is authorized to transfer \$145,000 from Fund Balance in the Town's General Fund to the Capital Projects Fund for the acquisition of property located at 1124 Hillsborough Road, Carrboro, NC (PIN 9779-32-1208).
2. Funds are appropriated in the Capital Projects Fund for the following expenses necessary to acquire this property:

Purchase Price \$135,000
Closing Costs \$ 10,000
Total Appropriation \$145,000

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

Adopted this 18th day of October 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

**REQUEST-TO-SET A PUBLIC HEARING ON LAND USE ORDINANCE AMENDMENTS
RELATING TO PROTESTS TO ZONING MAP AMENDMENTS**

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 replace the existing provisions for protest petitions with a new policy.

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

**A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE
CARRBORO LAND USE ORDINANCE PROVISIONS RELATED TO PROTEST PETITIONS**

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 November 15, 2016, to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance Provisions Related to Protest Petitions."

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

Adopted this 18th day of October 2016.

The motion carried by the following vote:

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

Nay: Alderman Gist and Alderman Slade

AN UPDATE ON THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) PROPOSED INTERSECTION IMPROVEMENTS AT N. GREENSBORO ST. AND ESTES DRIVE

The purpose of this agenda item was for the Board of Aldermen to receive an update from NCDOT staff on the proposed improvements at the intersection of N. Greensboro St. and Estes Drive.

Pat Wilson and Ed Lewis, representing NCDOT, made the presentation to the Board. The upcoming meeting will be on Monday, November 14th at Town Hall. The project is still in the initial design phase and no models were presented.

Alderman Haven-O'Donnell asked if there is a way to get bikelane connectors on the Estes side if a roundabout is designed. She stated that she would like to see them at least to the approach.

Pat Wilson stated that bikeways and sidewalks would probably be provided within the project limits but will not exceed the bounds of the project.

Alderman Johnson suggested that signs be placed in the intersection by banner at the end of the Shetley Bikepath. Pat Wilson stated that the town can do that if they choose and that it is a good idea.

Ed Lewis stated that the notice will be advertised in the Spanish newspaper.

Chip Romeo, 311 Carol Street, asked NCDOT to consider the impact of the Lloyd Development on the traffic on Estes.

DISCUSSION THE PROPOSED NORTH CAROLINA LEAGUE OF MUNICIPALITIES (NCLM) ADVOCACY GOALS AND SELECTION OF VOTING DELEGATES

The purpose of this item was to request that the Board of Aldermen review the proposed NCLM Advocacy Goals and highlight any areas of concern or disagreement with them. The Board was also

asked to select the voting delegates to the 2016 Advocacy Goals Conference.

Alderman Haven-O'Donnell asked questions about two of the goals. Cathy Dorando, the Town Clerk, stated that she would request clarification from a League staffer and get the information to the Board as quickly as possible.

Alderman Seils asked that the repeal of HB 2 be added to the resolution.

Alderman Slade stated that he was not in favor of goal #5 "Seek legislation to modernize and reform local property tax statutes" in the tax and finance list as it could hurt one of the ways in which non-profits are supported by government. Also he expressed not supporting goal #11 "Support legislation providing sufficient incentive funding at the state level to ensure that North Carolina can compete for economic development projects", also of the tax and finance list, as it represents a style of economic development that is a 'race to the bottom' as localities are pitted against one another competing to give money away to corporations in a bid to attract them. The remainder of the Board agreed.

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

A RESOLUTION PROVIDING COMMENT ON THE PROPOSED NCLM ADVOCACY GOALS
AND SELECTION OF THE NCLM VOTING DELEGATES

Section 1. The Board provides the following comments on the proposed 2016 NCLM Advocacy Goals and/or asks that the following additional goal(s) be considered at the Conference:

- 1) That Carrboro advocates for the repeal of HB2
- 2) That Carrboro does not support goal # 5 and goal #11 in the Tax and Finance List

Section 2: The Board hereby appoints David Andrews as the Town's Voting Delegate to the NCLM Advocacy Goals Conference

Section 3: The Board hereby appoints Cathy Wilson as the Town's Alternate Voting Delegate to the NCLM Advocacy Goals Conference.

Section 4. This resolution is effective immediately upon adoption.

Adopted this 18th day of October 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

**CONTINUATION OF PUBLIC HEARINGS ON THE PROPOSED REZONING AND
ASSOCIATED LUO TEXT AMENDMENTS FOR THE LLOYD FARM DEVELOPMENT
PROPOSAL**

The purpose of this item was for the continuation of the public hearings on the proposed rezoning at 700 Old Fayetteville Road from R-10, R-20 and B-4 to B-4-CZ and the associated text amendments for the Lloyd Farm development proposal.

Tina Moon, the Town's Planning Administrator, provided the staff report.

Alderman Chaney asked what would happen if the rezoning was approved and the applicant did not come back with a permit application. Tina Moon and the attorney stated that the rezoning would not revert back to its prior zoning classification.

Will Hines, representing the Sungate Design Group, discussed their findings regarding stormwater. He stated that there were both increases and decreases. He stated that there is a possibility with additional retention that the increases could be eliminated.

Alderman Seils asked if the stormwater retention was designed for the 25 year storm. Will Hines stated that the project engineer would have to respond to that question.

Alderman Slade asked if there would be an increase in volume of water with the project. Will Hines stated that it depends on the timing of the release of the retained water.

Alderman Chaney asked to what degree the stormwater decisions that the town makes be interdependent with the consideration of this project. Will Hines stated that the scenarios assume that the project would not change the current conditions even if all of the water is retained. He stated that that 100% retention would only decrease the existing conditions by less than a foot and that while it may be possible to retain 100%, it may not be practical.

Alan Maness, the engineer for the project, stated that the intensity of the development has been reduced and that includes a reduction of impervious surface within the development. He stated that the goal is to capture the runoff and control the rate of release.

Alderman Gist stated that storms have intensified over the last five years. She asked when water is falling faster in an intense storm event, if the storm creates great possibility of flooding because of the intensity. Alan Mangus responded that the storms of those intensity levels overwhelm catch basins before they can get to retention areas. Alderman Gist noted that high volume storms contribute to the flooding increases because it comes in fast and the systems do not have the time to absorb it.

Mayor Lavelle asked about senior homes and affordable housing.

Ellis Coleman stated that there are more flexible opportunities through the payment-in-lieu process. He stated that they are striving to keep this as a middle class model. He stated that the cottages could be dedicated to 55 and over and are fee-simple. Mayor Lavelle asked them to speak with the Director of Aging with Orange County.

Laura Linnan, a resident of Plantation Acres Neighborhood, stated that she hopes that Plantation Acres receives the same urgency that the first speaker was given for their flooding and ditch issue. She spoke

of the flooding problems along Tom's Creek and asked for the town to start fixing the problems before approving development that will exacerbate the problem. She asked that the rezoning not be approved until the underlying stormwater problems are fixed.

Glenn Hayslett, 101 Melba Circle, asked the Board to vote no on the rezoning due to flooding and stormwater runoff concerns. He also expressed concern with increased traffic, noise, litter, and light pollution. He stated that this development is not in keeping with the development of Plantation Acres and that he does not think it is a proper use of the property.

Chihiro Christmas, 208 James Street, stated that there is a small creek from Lloyd Farm and that it floods into her backyard and joins with Tom's Creek to create more flooding. She stated that there is already a problem and asked how the flooding can be improved because there is already a problem.

Julia Longo, 501 Jones Ferry Road, stated that she used to live less than a mile away from the Lloyd Farm development but that it flooded with less than a foot of rainfall and was deemed unlivable, so she had to move.

Tim West, 107 Carol Street, stated that he is concerned with the likelihood that traffic will increase due to the development. He stated that he wants to see that there will be steps to minimize traffic and stated that the addition of traffic calming devices could be helpful. He stated that it is already difficult to get out of Carol Street. He asked if there is a way to allow traffic to turn left onto Highway 54. He suggested an easier way to make a u-turn on that highway.

Alan Spalt, a resident of 300 James Street, stated that the access for traffic to the development is inadequate and needs to be addressed. He stated that the best option would be a light but that a u-turn on Highway 54 may be useful. He stated that the other issue is related to stormwater and flooding. He asked the board to consider addressing the existing flooding and not to damage the existing development with new development. He asked that the right of way dedication to James Street be reconsidered.

Gregg Rosenthal, 110 Carol Street, asked that the Board deny the rezoning until flooding issues are corrected. He stated that he is concerned with the increased traffic from the development.

Barbara Stenross, 120 Carol Street, asked the Board to vote against the rezoning. She stated that the project is too large for the area. She stated it will increase traffic, take away greenspace and increase flooding. She asked the Board to consider the impact of homes downstream of Lloyd Farm.

Austin Brown, 107 Melba Circle, asked the Board to not approve the rezoning. He stated that if they do, they should consider the traffic impact. He asked what the town will do to keep the children safe that are in the walk zone and not provided bussing. He asked if the stormwater retention system will be capable of knowing the best time to release the water. He asked the Town what oversight will be provided to make sure the retention devices are designed correctly and continue to operate as designed.

Kevin Brigham, 306 Rainbow Drive, stated that the McDougle retention pond was overflowing during Hurricane Matthew and flooding into a home. He stated that there are breaches in the wall at the retention pond. He asked the Board to reconsider the rezoning until current flooding issues are made

better.

Travis Blewit, with Kimley-Horn and Associates, introduced himself and made himself available for questions related to traffic.

Alderman Haven-O'Donnell asked if there would be a way to close off Carol Street from the Fayetteville Road side to create a more insulated neighborhood. Travis Blewit stated that if the Town wants to pursue that, it is possible, but he is unsure how it will affect emergency response and connectivity.

Mayor Lavelle asked if Carol Street could be a one-way street and stated she would be interested in hearing what the neighbors have to say about that option.

An unidentified person from the floor asked about increased traffic on James Street during construction and after the project is completed. James Barnes stated that construction traffic will be limited. Travis Blewit stated that there will be additional traffic regardless of the type of development and that their assumption is that it will be a 5% increase of traffic on James Street.

Negest Kinte, a resident with a home near the area of James Street and Main Street, stated that it is a dangerous area because of the intersection involving a convenience store and an apartment. She stated that she does not know how you will stop people from going through the Post Office parking area to access the development.

Geoff Gisler, 310 Carol Street, expressed concern with the increased traffic. He stated that there are a lot of options and that this type of development is already allowed under the current zoning structure. He asked the Board to pursue a way to think creatively beyond the suburban shopping mall so that development is concentrated closer to Highway 54 and creates more of a destination that carries forward the values of Carrboro.

Richard Ellington, 109 Bruton Drive, stated that he had a development that came into his backyard named Sunset Creek. He stated that he was very concerned about that development. He stated that the retention ponds that were designed work as they were designed and that his water problem is less now than it has been. He suggested that the Lloyd family has been here long enough and they want to use the land to its reasonable use. He stated that he is concerned that the Lloyds are being blamed for issues that the town needs to address; Tom's Creek. He asked the Board to approve the rezoning.

Lorraine Aragon, 102 Mary Street, stated that she resides on the outskirts of town and that the flooding issues are not the Lloyd's fault but that the rezoning does not advance public health, safety, and welfare. She stated that the residents enjoy the greenspace and that no one has a right to rezoning. They have a right to the current zoning and the right to sell the land as currently zoned.

Chris Hogan, stated that the town has aging infrastructure. He asked how a municipality raises funds to begin fixing the issues and stated that it is either raising taxes or increasing the revenue streams. He stated that it is a disservice to all involved for the Board to take this long to make a decision.

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS TO CONTINUE THE PUBLIC HEARING TO NOVEMBER 1, 2016. VOTE: AFFIRMATIVE ALL

Mayor Lavelle stated that she would like to review the Davenport traffic report prior to voting. She stated that she wants the Board to think about moving to vote at the next meeting.

Alderman Haven-O'Donnell asked if the developer can provide more detailed information about the ways to mitigate stormwater.

Trish McGuire stated that staff is bringing forward the next steps related to developing a stormwater utility during next week's meeting.

Alderman Chaney stated that she would like more information related to the McDougale Middle School retention pond. She asked how the Town can insure the functionality of the systems over time and about accountability measures. She asked staff to explore what is possible with traffic on and around Carol Street. She also asked for more information regarding Highway 54 options and a possible u-turn.

NOVEMBER 9, 2016 WORK SESSION ITEMS

Alderman Gist stated that she is moving the week of November 7th and asked if the work session topic could be moved to another night. The rest of the Board agreed with the suggestion.

ADJOURNMENT

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