



Town of Carrboro

301 W. Main St.

Town Hall

Carrboro, NC 27510

Meeting Minutes Board of Aldermen

Tuesday, November 15, 2016

7:30 PM

Board Chambers - Room 110

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

Absent: Alderman Michelle Johnson

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

AN OPEN LETTER TO ORANGE COUNTY RESIDENTS

Mayor Lavelle read a joint letter from herself, Chapel Hill Mayor Pam Hemminger, Hillsborough Mayor Tom Stevens, and Orange County Board of Commissioners Chair Earl McKee regarding the recent election. Alderman Slade translated the letter in Spanish.

Mayor Lavelle discussed two instances of harassment to be clear that the letter was written in a non-partisan manner. She stated that the letter was not an attack on Donald Trump supporters but was an emphasis on the fact that Carrboro is a welcoming place for all and that harassment will not be tolerated.

Alderman Gist asked for citizens to step-up and not tolerate the harassment if they see it. She said that it is up to people that see things to call them out and ask them to stop or call 911.

The text of the letter is included in its entirety below:

An Open Letter to Orange County Residents:

Like many, since Election Day we have reflected on what our country's presidential election will mean for our communities.

Many of the core community values under which our elected boards operate could be affected by the result of this presidential election. We value and embrace our immigrant residents. We advocate for

non-discrimination and equality for our LGBT residents. We acknowledge the reality of climate change and believe we need to take steps to protect the future of our planet. We support efforts to provide health care to all citizens. We believe guns need to be regulated in a commonsense fashion to protect the safety of our community. We believe no one should feel unsafe in our community because of their gender, religion, ethnicity, or cultural heritage. We stand against bullying, harassment, and assault for any reason. And because we care about these very important issues that have been so prominent in the recent election campaign, we understandably have concern as to how they might impact us on the local level under the new presidential administration.

As your elected leaders, we have heard from several residents who want reassurance from our local governing bodies that we will hold true to our values. We assure you that we and our colleagues will.

We have also heard that some residents have been the victims of racial, religious and homophobic slurs since the election. Perhaps this is an outgrowth from the recent inflammatory campaign season, but let us be clear: this type of harassment has no place in our county or our towns, and will not be tolerated.

Any residents that are the victims of this type of behavior should call 911 immediately and report these incidents to our law enforcement agencies.

As we move forward with this transition, we need to listen to each other and pay special attention to our values of inclusiveness and respect. This is the way democracy works in our country, and we believe this ultimately makes us a stronger nation. In the meanwhile, we all need to work hard and keep advocating for our very important community values.

RECOGNITION OF LT. DUNN AS HOMETOWN HEROES AWARD RECIPIENT, RELIEF DRIVER STEVE JORDAN AS FIREFIGHTER OF THE YEAR, AND SERGEANT DAVID DESHAIES AS POLICE OFFICER OF THE YEAR

The purpose of this item was for the Board of Alderman to recognize the Hometown Heroes award recipient, Firefighter of the Year, and Police Officer of the Year.

Mayor Lavelle recognized Lieutenant Dunn, Relief Driver Steve Jordan and Sergeant David Deshaies.

PROCLAMATION: CARRBORO HIGH SCHOOL WOMEN'S VOLLEYBALL TEAM STATE CHAMPIONS

Mayor Lavelle proclaimed November 16, 2016 as "Carrboro High School Women's Volleyball Day" in Carrboro and presented the proclamation to the team and coach.

PROCLAMATION: CHAPEL HILL WOMEN'S CROSS COUNTRY

Mayor Lavelle proclaimed November 16, 2016 as "Chapel Hill Women's Cross Country Day" in Carrboro and presented the proclamation to the team.

PROCLAMATION: CHAPEL HILL MEN'S CROSS COUNTRY

Mayor Lavelle proclaimed November 16, 2016 as “Chapel Hill Men’s Cross Country Day” in Carrboro and presented the proclamation to the team.

CHARGES ISSUED TO MEMBERS OF THE YOUTH ADVISORY BOARD

Catherine Dorando, the Town Clerk, issued charges to the following Youth Advisory Board members: Rachel Broun, Spencer Buebel, Kris Chellani, Talullah Chen, Sam Chilton, Kyesha Clark, Jasper Cobb, Lena Cohen, Miranda Copenhaver, Zeke Leone and Zara Waheed.

ANNOUNCEMENT OF UPCOMING MEETINGS

Catherine Dorando, the Town Clerk, announced the upcoming public meetings.

APPROVAL OF PREVIOUS MEETING MINUTES OF OCTOBER 25, 2016 AND NOVEMBER 1, 2016

A MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN SEILS, TO APPROVE THE MINUTES OF OCTOBER 25, 2016 AND NOVEMBER 1, 2016, AS AMENDED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (JOHNSON)

REQUEST TO MAKE AN APPOINTMENT TO THE RECREATION AND PARKS COMMISSION

The purpose of this item was for the Mayor and Board to consider making an appointment to the Recreation and Parks Commission.

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

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

WHEREAS, Ryan Byars has submitted an application to serve on the Recreation and Parks Commission; and,

WHEREAS, there are two vacant seats on 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 applicants to the Recreation and Parks Commission:

Seat Designation	Appointee	Term Expiration
In-Town	Ryan Byars	2/2020

Section 2. This resolution shall become effective upon adoption.

The motion carried by the following vote:

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

Absent: Alderman Johnson

REQUEST TO MAKE APPOINTMENTS TO THE PLANNING BOARD

The purpose of this item was for the Mayor and Board to consider making appointments to the Planning Board.

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

A RESOLUTION MAKING APPOINTMENTS TO THE PLANNING BOARD

WHEREAS, Rachel Gaylord-Miles and Roberto Rivera have submitted applications to serve on the Planning Board; and,

WHEREAS, there are two vacant seats on the Planning Board.

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

Section 1. The Board of Aldermen hereby appoints the following applicants to the Planning Board:

Seat Designation	Appointee	Term Expiration
In-Town	Rachel Gaylord-Miles	2/2018
In-Town	Roberto Rivera	2/2018

Section 2. This resolution shall become effective upon adoption.

The motion carried by the following vote:

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

Absent: Alderman Johnson

NOTICE TO PROPERTY OWNERS PRIOR TO CONSTRUCTION SECTION PURSUANT TO NCGS 160A-499.4

The purpose of this item was to notify property owners of the following upcoming construction notice at Town Commons:

The Town of Carrboro hereby provides notice that Construction for the "Town Commons Improvement" project is scheduled to begin after December 6, 2016 and continue through April 2017. The location of the project is 301 West Main St, Carrboro, NC.

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 amending the Land Use Ordinance to replace the existing provisions for protest petitions with a new policy for citizen comment.

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

Alderman Gist stated that she refuses to vote for this item because it takes local authority away.

Alderman Slade asked if the language could be kept in the code with additional language added to allow it to go back into effect once the law is changed by the state.

Alderman Chaney asked if there could be language added that suspended the law until a future date. She also suggested adding parenthetical language to the ordinance that reflects the Board's displeasure of the law.

Nick Herman, the Town's Attorney, suggested that the Board consider a resolution expressing their concerns with the state law that would be adopted at the same time of the ordinance. He stated that he could draft such as resolution and bring it back at a future meeting.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY FOR THE TOWN ATTORNEY TO DRAFT A RESOLUTION EXPRESSING THE BOARD'S DISPLEASURE WITH THE STATE MANDATE AND REMOVAL OF THE ZONING PROTEST PETITION PROCESS AND TO CONTINUE THE PUBLIC HEARING TO JANUARY 17, 2016.
VOTE: AFFIRMATIVE SIX, ABSENT ONE (JOHNSON)

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDED JUNE 30, 2016

The purpose of this item was for the Town's independent auditor, Dixon Hughes Goodman LLP, to present and deliver to the Board of Aldermen the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2016.

Mr. Frank with Goodman Dixon and Hughes provided the financial summary and presented the CAFR.

Alderman Slade asked about the investment earnings. He asked how the fund balance percentages have fluctuated over the last ten years. Mr. Frank stated that there is a chart included in the CAFR that provides the data.

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

A RESOLUTION ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT AND INDEPENDENT AUDITOR'S SAS 114 LETTER FOR THE FISCAL YEAR ENDING JUNE 30, 2016

WHEREAS, the Carrboro Board of Aldermen have received the Comprehensive Annual Financial Report including independent auditor's opinion and SAS 114 Letter for fiscal year ending June 30, 2016; and

WHEREAS, the Aldermen were informed by the Town's independent auditors, Dixon Hughes Goodman LLP, that the Town's financial statements are free of material misstatement and that the audit tests conducted by the firm did not uncover any material weaknesses;

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

Section 1: Accept the Comprehensive Annual Financial Report with independent auditor's opinion and SAS 114 Letter for fiscal year ending June 30, 2016.

The motion carried by the following vote:

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

Absent: Alderman Johnson

DISCUSSION OF GREENE TRACT

The purpose of this agenda item was to allow the Board to have a discussion of the Greene Tract in preparation the November 17th Assembly of Governments (AOG) meeting.

Trish McGuire the Town's Planning Director, provided the staff report. She stated that the Board will have time at future meetings to further discuss their intent for the Greene Tract.

Alderman Gist stated that she will not be at the AOG Meeting on this coming Thursday. She stated that

she had discussions regarding the affordable housing units and suggested that tiny houses be built for individuals and smaller houses that are built for couples. She stated that she does not prefer a tiny house village but suggested that as the Board considers affordable housing, that tiny houses and studio apartments, be included.

Alderman Chaney stated that it appears that the decision for what could happen on this property is fifteen years behind. She stated that there has been new information and input and that she feels like it is evolving in a positive direction. She stated that Carrboro has an opportunity to help extend the work that has been done to support and improve the infrastructure in the Rogers Road Neighborhood at the same time that Carrboro has an opportunity to divest from the process, take the money and invest it in Carrboro for affordable housing and infrastructure. She asked for clarification on the Town's obligation to remain in the process and for the implications of divesting.

Trish McGuire stated that the agreement requires notice to the other parties if the Town were to decide to try to sell.

Alderman Seils asked what the Town would get from selling their share of ownership. He stated that the property is not within the Town's planning jurisdiction or the Town's legal jurisdiction. He stated that if it is not helpful for the Town to be participants in the development process, then maybe they should sell.

Alderman Haven-O'Donnell stated that in the future there will be more need to partner but not less; especially when it comes to solid waste. She stated that she is not comfortable to talk about divesting because there is a parcel that can meet many county-level objectives while also addressing some of Carrboro's goals.

The Board asked for information on what it would look like to divest from ownership but remain partners and advocates in the process.

Nick Herman suggested that the current agreement could be amended. Mayor Lavelle asked if the Board could withdraw but also be a part of the taskforce.

Staff will provide responses to these questions at a future date.

COMMUNITY CLIMATE ACTION PLAN FOLLOW UP

This item was tabled until January 15, 2017.

PRESENTATION OF PARKING STUDY FINDINGS AND DRAFT PLAN RECOMMENDATIONS

The purpose of this agenda item was for the Board of Aldermen to receive a presentation from VHB on the parking study findings and draft plan recommendations.

Timothy Tresolahvy, the project coordinator with VHB Engineering, provided the Board with an overview of the executive summary and current project findings.

Alderman Slade asked of staff and/or consultant an estimate of when exhausting parking surplus could happen accounting for various assumptions including the degree to which new developments have been or will be held to our parking requirement standards without waivers, relative to town historic trends.

He suggested a program for businesses to pool their parking, participating businesses would be identified through decals and signs in their parking lot, identifying them as 'Good Business' participants. He requested that the climate change task force report information that 5% walk or bike to work in Carrboro be supplemented with the parking study information that 25% walk or bike for leisure to the downtown. He asked that the consultant slides be included on the Town website

Alderman Seils stated that the Town could serve as a third party to assist with shared parking agreements.

The Board agreed that wayfinding signs should be added.

Mayor Lavelle stated that shared parking and signage is low-hanging fruit that could move forward.

Alderman Gist stated that a number of businesses operate between 9:00 am and 5:00 pm and that there are municipal lots that have space during those hours. She stated that she would like to pursue allowing private employees to park in the municipal lots during the day.

Mayor Lavelle stated that she would like to have a future conversation related to business use of municipal parking so that it could be thoroughly vetted and approached fairly. This would include reviewing businesses that are being required to have employee parking.

CLOSED SESSION

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS TO ENTER INTO CLOSED SESSION PURSUANT TO NCGS 143.318.11(A) TO DISCUSS AN ECONOMIC DEVELOPMENT MATTER. VOTE: AFFIRMATIVE SIX, ABSENT ONE (JOHNSON)

OPEN SESSION

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO ENTER INTO CLOSED SESSION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (JOHNSON)

ADJOURNMENT

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN CHANEY TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (JOHNSON)