



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

Tuesday, February 7, 2017

7:30 PM

Board Chambers - Room 110

**Present:** Mayor Lydia Lavelle, Alderman Damon Seils, Alderman Sammy Slade, Alderman Bethany Chaney, 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

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### **THANKS TO STAFF**

Mayor Lavelle thanked the Town Staff and members of the community that worked to communicate the emergency situation on Friday dealing with the OWASA water situation.

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### **POEM READING**

Gary Phillips, Carrboro's poet laureate, stated that he is collecting poems that he believes should be read aloud. He read a poem called "Gate A-4" by Naomi Shibab Nye.

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### **APPROVAL OF PREVIOUS MEETING MINUTES OF JANUARY 17, 2017**

**MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN CHANEY TO APPROVE THE MINUTES OF JANUARY 10, 2017, AS AMENDED. VOTE: AFFIRMATIVE ALL**

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**AMENDMENT TO THE TOWN CODE PERTAINING TO THE RECREATION AND PARKS COMMISSION MEMBERSHIP**

The purpose of this item was to amend the Town Code to create a liaison seat for members of the Youth Council.

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

AN ORDINANCE AMENDING SECTION 3-27 OF THE TOWN CODE TO CHANGE THE COMPOSITION OF THE RECREATION AND PARKS COMMISSION  
Ordinance No. 12/2016-17

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 3-27(a) of the Town Code is amended to read as follows:

(a) There shall be a recreation and parks commission composed of ten voting members appointed by the Board of Aldermen, and two non-voting liaison members. Seven of the voting members shall be residents of the Town, one of the voting members shall be a liaison member of the Youth Advisory Board and shall be selected from its membership, and two shall be residents of Orange County, outside the Town’s corporate limits. However, if despite its good faith efforts the Town is unable to fill the out-of- town seats with qualified out-of-town residents, then the seats may be filled by Town residents. One non-voting member shall be appointed by the Board of Aldermen from its membership at its organizational meeting, and one non-voting member shall be selected by the Chapel Hill-Carrboro City Schools Board of Education from its membership at its organizational meeting and appointed by the Carrboro Board of Aldermen. (Amend. 5/11/80, 1/27/87, 12/8/08, 4/22/14, 2/7/17)

Section 2. Except as amended by Section 1 above, Town Code Section 3-27 shall remain unchanged.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.

This the 7<sup>th</sup> day of February 2017.

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

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

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**INTRODUCTION TO POSSIBLE AMENDMENTS TO THE JOINT PLANNING AGREEMENT AND THE WATER AND SEWER MANAGEMENT, PLANNING, AND BOUNDARY AGREEMENT (WASMPBA)**

The purpose of this item was to introduce the Board of Aldermen to possible amendments to both agreements.

Mayor Lavelle asked for clarification regarding certain terms in the agreement. Trish McGuire, the

Town's Planning Director, stated that she will get the definitions to the Board in an email.

Alderman Gist asked if the changes had to be approved by the state. Trish McGuire stated that the agreement can be amended by the local governments in the agreement without the state.

Alderman Chaney asked if the additional lots that are bisected by the boundary are included in the agreement. Trish McGuire stated that this item will be brought forward as a more refined agenda item at a future date. She stated that the lots in question are still on the radar.

Alderman Slade information asked for about the University watershed ridge on Jones Ferry Road.

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### **RESOLUTION REGARDING APPOINTMENTS TO THE CARRBORO TOURISM DEVELOPMENT AUTHORITY**

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

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

A Resolution Making Appointments to the Carrboro Tourism Development Authority and Selecting a Chair Person for the Authority

Section 1. The Board of Aldermen hereby appoints:

1. Alvin Sellers
2. Erin Jobe

Section 2. The Board of Aldermen hereby selects Erin Jobe to serve as the chair.

Section 3. The terms shall expire January 31, 2018

Section 4. This resolution is effective immediately upon adoption.

This the 7<sup>th</sup> day of February 2017.

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

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

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### **PRESENTATION ON THE ORANGE COUNTY TRANSIT PLAN UPDATE**

The purpose of this agenda item was to receive a presentation from GoTriangle on the status of updating the Orange County Transit Plan (formerly the Orange County Bus and Rail Investment Plan).

Tina Moon, the Town's Planning Administrator, introduced representatives from GoTriangle that presented the County Transit Plan Update.

John Tallmadge, Director of Regional Services Development, and Danny Rodgers, Project Manager, discussed the County Transit Plan.

Alderman Gist expressed concern with the funding of the light rail by tax payers. She stated that housing along the light rail will increase in value and be unaffordable. She stated that there are a few zealots that are for the project but that she is hearing from a large majority that do not want it. John Tallmadge stated that the Orange County Transit Plan is where the community has a place to weigh in on how the tax dollars are spent on transit.

Alderman Slade stated that he is very concerned with the degree to which the projects relies on local sales tax due to the vulnerability of those funds in a financial crisis. He stated that he looks forward to hearing about the draft plan and expressed hope that it would have a back-up financial plan available. John Tallmadge stated that they are working closely with financial advisors and that they could test the plan against an 80 year recession similar to what was experienced during the housing crisis. He requested that the Board's representatives request that Chapel Hill Transit consider ways to encourage increases in ridership.

Alderman Haven-O'Donnell said she is increasingly worried about the transit plan. She said that she is in shock that the Town of Carrboro will not have a rail stop being that it is the most densely populated town in North Carolina. She asked how residents can be expected to pay when they will not be receiving the service. She stated that she would like a one-pager that shows the services that Carrboro will receive both directly and indirectly.

Mayor Lavelle stated that it is helpful to compare the costs of other means of transportation and provided examples. She stated that it would be good for GoTriangle to remind people in their publicity what the expected ridership of the light rail is and how many people it will be serving.

Alderman Seils stated that the plan serves Carrboro and that residents need to be aware of the increases in service that have already occurred.

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**CONSIDERATION OF REQUEST TO SUBMIT A PETITION TO REZONE PROPERTY AT NC OLD 86 AND EUBANKS ROAD TO A SITE SPECIFIC, FLEXIBLE ZONING (FLX) DISTRICT**

The purpose of this agenda item was for the Board to consider a request from Parker Louis, LLC to submit a petition to rezone property at the corner of NC Old 86 and Eubanks Road from to a Site Specific, Flexible Zoning (FLX) District

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

Omar Zinn, the developer, spoke to the Board about the conceptual plan.

Alderman Slade asked for the complete streets design policies to be considered in the project.

Alderman Seils noted that there is a 100 foot buffer requirement on Eubanks Road. Tina Moon stated that the FLX design allows the Board of Aldermen more flexibility to decide things as the project moves forward as long as the design stays within the plan that resulted from the original workshops. He asked a procedural question regarding the ordinance requirement that the property owner's request include an explanation of how the request is consistent with the Northern Study Area small area plan.

Tina Moon stated that a clearer statement will be brought back to the Board from the applicant at a future meeting.

Trish McGuire, the Town's Planning Director, stated that this is like conditional zoning but there is not a permit application or conditional use permit issued upon approval; rather a zoning permit. The packet for approval would include what either what is in the ordinance now or state what explicitly differs from what is in the ordinance.

Nick Herman, the Town's Attorney, stated that unless specifically changed, the Town's existing ordinance would be what is in place.

Alderman Seils stated asked that staff be explicit in noting where the project would not comply with the current ordinance. Trish McGuire noted that it will have to be explicitly clear so that staff can interpret the project appropriately.

Alderman Chaney stated that she is supportive of the process and the project moving forward. She stated that she would like to respect the process. She suggested that there be a paragraph added of how the project is consistent with the Northern Study Area Plan.

Jay Bryan stated that the Northern Study Area Advisory Board has not had a chance to review this request.

Mayor Lavelle clarified that there has not been an application submitted for review but that tonight was a check-in to see if it was ok to move forward with submitting an application. She noted that advisory boards will review the application once it has been received by the Board of Aldermen and forwarded to them with a request for comments.

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

**A RESOLUTION AUTHORIZING PARKER LOUIS, LLC, TO SUBMIT A PETITION FOR CHANGE OF ZONING TO A SITE SPECIFIC, FLEXIBLE ZONING DISTRICT**

WHEREAS, on June 21, 2016, the Board of Aldermen of the Town of Carrboro adopted amendments to the text of the Carrboro Land Use Ordinance, authorizing the Board to establish site specific flexible zoning districts, (FLX); and

WHEREAS, Parker Louis, LLC has demonstrated that the proposed site meets the four criteria necessary to be eligible for FLX zoning and has provided a written narrative and conceptual site plan that reflects the central thematic aspects of the Town sponsored site specific planning study.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro resolves that Parker Louis LLC may proceed with the submittal of a petition for change of zoning to a site specific, flexible zoning district subject to the process described in Article XX of the Carrboro Land Use Ordinance for map amendments and the specific requirements outlined in Section 15-141.5 for FLX districts, and the findings from the site specific planning study.

BE IT FURTHERMORE RESOLVED, that the Board of Aldermen offers the following additional comments:

1. The applicant provide a statement on future agenda items on how the project aligns with the Northern

Study Area Plan.

2. That the applicant continue to meet with advisory boards throughout the process; including the Northern Transition Area Advisory Committee

This the 7<sup>th</sup> day of February 2017.

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

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

**Nay:** Alderman Gist

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**PRESENTATION OF THE PARKING STUDY RECOMMENDATIONS**

Alderman Gist suggested that the Board postpone the Parking Study item and delay the remaining items move to first on the agenda until when the consultant is available.

This item was tabled until February 21, 2017.

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**DISCUSS OPTIONS FOR SHARED ROSEMARY PARKING LOT**

The purpose of this item was to discuss options for management and maintenance of the shared parking lot at Rosemary and Sunset.

This item was tabled until February 21, 2017.

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**ADJOURNMENT**

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