

Town of Carrboro

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

Meeting Minutes Board of Aldermen

Tuesday, March 21, 2017

7:30 PM

Board Chambers - Room 110

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

Absent: Alderman Damon Seils

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

POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

Gary Phillips, the Town's poet laurete, read a poem entitled, "Spring Equinox 2017."

EARTH HOUR RESOLUTION

The purpose of this item was to adopt a resolution encouraging participation in Earth Hour on March 25th

Alderman Haven-O'Donnell asked if the Town could dim the street lights for earth hour. David Andrews, the Town Manager stated that they would look into this for this year.

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

A RESOLUTION FOR PARTICIPATION IN EARTH HOUR ON MARCH 25TH

WHEREAS, March 25th, 2016, 8:30-9:30 PM has been designated as "Earth Hour" by the World Wildlife Fund as a reminder that, by working together, people can make a positive impact in the fight against climate change;

WHEREAS, Carrboro is joining with others across the country and around the world to raise awareness and demonstrate commitment to addressing climate change by supporting "Earth Hour," and;

WHEREAS, "Earth Hour", the largest event of its kind in the world, involves something quite simple such as turning off lights or holding an event for one hour, and otherwise raising awareness and building a global commitment;

WHEREAS, Carrboro has joined Cities for Climate Protection; adopted a climate protection resolution and earlier this year unveiled a Community Climate Action Plan;

THEREFORE, the Carrboro Board of Aldermen, do hereby proclaim, March 25th, 2017 from 8:30 – 9:30 p.m. as "Earth Hour" in Carrboro and call upon all residents and businesses of Carrboro to join in supporting the aims and goals of this effort.

FURTHERMORE, the Carrboro Board of Aldermen, do hereby direct staff to send out a public service announcement to publicize "Earth Hour". **This the 7th day of March, 2017**

The motion carried by the following vote:

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

Absent: Alderman Seils

CHARGES ISSUED TO RECENTLY APPOINTED ADVISORY BOARD VOLUNTEERS

The Town Clerk issued the following charges:

- 1) Valerie Merriweather, Recreation and Parks Commission
- 2) David Gange, Economic Sustainability Commission
- 3) Victoria Rovine, Arts Committee

ANNOUNCEMENT OF UPCOMING MEETINGS

The Town Clerk announced the upcoming public meetings.

REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

Arwen Carlin, a kindergarten teacher in the Chapel Hill-Carrboro School District, stated that she is opposed to the slaughter provision of the Carrboro Town Code. She asked the Board to ban

do-it-yourself slaughter within the town limits.

Antwan Foster stated that he is opposed to the keeping of fowl in Carrboro because of the inhumane treatment of the birds during shipment and the slaughter provision of the Carrboro Town Code.

Caylan Otto, stated that she is opposed to the keeping of fowl in Carrboro because of the inhumane treatment of the birds and the asked for the removal of the slaughter provision of the Carrboro Town Code. She encouraged the incorporation of laws that encourage the ethical treatment of animals.

Alderman Haven-O'Donnell asked if the Town is unable to restrict slaughter based on North Carolina state law. She stated that she would like to revisit the provision because it is inconsistent with the Climate Action Plan.

Alderman Johnson stated that there were steps outlined during the discussion for follow-up that are in addition to this provision.

Alderman Slade stated that he wants to make sure that this conversation includes all communities because some cultures view this issue differently.

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN CHANEY TO REVISIT THE ISSUE AT A FUTURE MEETING. VOTE: AFFIRMATIVE FIVE, NOES ONE (SLADE), ABSENT ONE (SEILS)

PATHWAY DRIVE REQUEST TO RESCHEDULE PUBLIC HEARING

Kambiz Aghaiepour stated that he appreciates the more restrictive provisions of the slaughter provision as added in the current ordinance and that he is ok with the provision because it is required to be completed in an enclosed structure. He stated that there is an agenda item next week for the extension of no-parking provisions on Pathway Drive and requested that the agenda item be postponed to a future date due to the Carrboro-Chapel Hill Schools being on their spring break holiday. David Andrews, the Town Manager, stated that the agenda item will be scheduled to another date.

<u>APPROVAL OF PREVIOUS MEETING MINUTES OF FEBRUARY 10, 2017, FEBRUARY 28, 2017 AND MARCH 5, 2017</u>

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN JOHNSON TO APPROVE THE MINUTES OF FEBRUARY 10, 2017 AND MARCH 5, 2017 AND TO TABLE THE MINUTES OF FEBRUARY 28, 2017. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SEILS)

REQUEST TO MAKE AN APPOINTMENT TO THE HUMAN SERVICES ADVISORY

COMMISSION

The purpose of this item was for the Mayor and Board to make an appointment to the Human Services Commission.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE HUMAN SERVICES ADVISORY COMMISSION

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO APPOINTS THE FOLLOWING APPLICANT(S) TO THE HUMAN SERVICES ADVISORY COMMISSION;

Name	Term Expiration
Karen Porter	2/2021

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, Mayor Lavelle and Alderman Johnson

Absent: Alderman Seils

APPROVE TEXT AMENDMENT OF TOWN CODE SECTION 14-10(A) TO PROHIBIT THE OPERATION OF UNMANNED AERIAL VEHICLES ON TOWN PROPERTY

The purpose of this agenda item was for the Board of Aldermen consider updating the Town Code to prohibit operation of unmanned aerial vehicles on town property.

Alderman Haven-O'Donnell stated that she has expressed concerns to hearing complaints about drones flying over. Nick Herman, the Town's Attorney, stated that it is a trespass and that people should call the police.

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

AN ORDINANCE AMENDING TOWN CODE SECTION 14-10(a) TO PROHIBIT THE OPERATION OF UNMANNED AERIAL VEHICLES ON TOWN PROPERTY Ordinance No. 15/2016-17

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Subparagraph (a) of Town Code Section 14-10 is amended to read as follows:

(a) Subject to subsection (b), no person on town property may engage in horseback riding, hitting golf balls, model airplane flying, **unmanned aerial vehicles (commonly referred to as "drones")**, archery, overnight camping or other recreational activities that may tend to damage or disrupt the use of town property or pose a hazard to other occupants.

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 21st of March, 2017

The motion carried by the following vote:

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

Absent: Alderman Seils

<u>CONSIDERATION OF AN APPLICATION FOR AFFORDABLE HOUSING FUNDING FROM</u> <u>CASA</u>

The purpose of this item was for the Board to consider approving an application for funding out of the Affordable Housing Special Revenue Fund.

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

Alderman Gist asked if the Town awards the grant and then the project does not occur, she wants to ensure that the Town gets the money back.

Alderman Chaney asked for Mary Jean Seyda to report to the Board in the summer on a project update.

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

A RESOLUTION TO AWARD A GRANT TO CASA FROM THE AFFORDABLE HOUSING SPECIAL REVENUE FUND

WHEREAS, the Board of Aldermen on, June 27, 2007, by the adoption of resolution no. 244/2006-07 created the Affordable Housing Special Revenue Fund; and

WHEREAS, the creation of the fund is another way in which the Board can advance its goal of increasing and maintaining the stock of affordable housing within the Town and its planning jurisdiction; and

WHEREAS, the Affordable Housing Special Revenue Fund was designed to provide funding for numerous affordable housing activities, include banking of land and critical home repairs for Carrboro residents without the means to do it on their own; and WHEREAS, CASA, a nonprofit organization that works to develop and manage affordable housing, providing opportunities for successful living has requested funding from the Affordable Housing Special Revenue Fund for land banking activities on properties in the Town of Carrboro; and

WHEREAS, the total request is for \$357,208; and

WHEREAS, Town Staff has reviewed the request and determined that the affordable housing activities proposed by CASA meet the eligibility requirements of the Affordable Housing Guidelines adopted by the Town.

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

Section 1. The Board of Aldermen approves a grant award to CASA in the amount of \$357,208 from the Affordable Housing Special Revenue Fund.

Section 2. This award is made on the condition that CASA will get the necessary approval for use of the land to carry out the affordable housing activities in their proposal dated January 20, 2017. Should CASA not secure approval for use of the land to carry out the affordable housing activities as proposed, this grant award shall become null and void.

Section 3. The Board of Aldermen authorizes the Town Manager to develop and execute an agreement as necessary to carry out the Board's action, included the noted preference for housing to be provided to Orange County residents and employees.

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 become effective upon adoption.

This the 21st of March, 2017

The motion carried by the following vote:

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

Absent: Alderman Seils

PUBLIC HEARING ON 60% REVIEW OF THE MARTIN LUTHER KING JR PARK CONSTRUCTION DESIGN

The purpose of this agenda item was to provide the Mayor,Board members and community an opportunity to review the 60% construction plans for Martin Luther King Jr Park.

Anita Jones-McNair, the Recreation and Parks Director, presented the item and introduced the consulting firm.

Jennifer Wagner and Janessa Van Deen, representing the Stewart Engineering Inc. consulting firm, provide the Board of Aldermen with the 60% construction plans.

Alderman Haven-O'Donnell made the following comments:

1) Requested that a senior focus group be created and asked that their opinion be gathered for the exercise equipment.

2) That the restrooms at Anderson Park are great and encouraged the same design.

3) That it would probably be wise to choose an amphitheater a full backed structure for safety.

4) That there may be a need to have an electrical box would be smart to add because it may be needed in the future.

5) That Durham Museum of Life and Science had a music exhibit but they had to remove it due to the noise impact in the neighborhood.

6) That the walls of the buildings be used for murals and asked for special boarding to be put in that would allow different groups to have temporary mural space.

7) That she encouraged a little free library at the park.

8) That doggy stations be provided at the front and at the back of the park.

Alderman Gist stated that she prefers that the town stay away from playground areas that look like first people's housing. She also suggested areas for chalking and painting. She stated that she wants to be careful with the siting of the amphitheater and make sure the sound is going away from neighbors.

Alderman Slade asked that the gardeners be involved in the process and that there feedback be gathered on the plans. He asked for cisterns that supply water to the gardens be considered for all structures but especially the one closest to the garden and that these supply a cistern(s) in the gardens through gravity/equalizing of water heights. He agreed with the need for an electrical outlet. He stated that a gateway from the proposed playground open into the forest of the former Shetley undeveloped property to the northwest of the park as an invitation to a truly natural unstructured play area and as an extension of the playground. He suggested a water fountain at the park and near the garden. He encouraged them to consider scuppernong grapes and fig trees. He asked for information about the more advanced pump park at a different location. Alderman Gist stated that the Recreation and Parks Commission is looking at alternative locations for the pump park. Alderman Slade asked for a diaper changing station to be included at the restroom.

Jessie Cleary, a resident of Blue Ridge Road, requested an access to the park from their side. AldermanTown of CarrboroPage 7March 21, 2017

Haven-O'Donnell asked for him to canvas his neighbors and to report back to the Board.

Alderman Chaney requested that staff look into the vacant house and why it has been vacant for so long.

Alderman Chaney requested that the Town watch their liability regarding the access points to the park.

Alderman Slade asked for, at future work session, an item for the board to consider: a program for offering to private property owners that have informal bike/pedestrian paths on their property to collaborate with the town on improving and maintaining these paths.

Tamara Sanders, the vice-chair of the Recreation and Parks Commission, stated that she saw a request for a climbing boulder in the play area. She stated that she wanted to see the pump track usable up to the age of 15. Alderman Gist stated that the commission wants the pump track to be for a toddler and beginning skills bike track and not up to age 15. Tamara Sanders stated that the Commission's meeting minutes will reflect an amendment that shows the age up to beginning bikers up to age 15.

Alderman Slade stated that he would like to see the minutes of the Recreation and Parks Commission meeting regarding the pump track and that the Board have all of the information for a pump track decision.

Alderman Haven-O'Donnell stated that the Board of Aldermen was first looking at pre-kindergartners learning to ride on the track. She stated that 72 people came out to the park and spoke strongly against the more advanced track and that the Board then compromised to the toddler pump track. She stated that the competitive pump track still has sites that are being reviewed for placement.

Mayor Lavelle asked for clarity on the pump park and information on the location of the advanced pump park.

Sonia Desai asked if a conservationist has been consulted to protect the habitat and wildlife. She also asked if there could be permits for camping. She also asked for Wi-Fi capability in the area so people can gather and debate in the outdoors. She asked if there could be dirt path instead of granite. She also asked about maintenance costs associated with park upkeep. She also asked if there could be a breakdown of costs.

Mayor Lavelle stated that camping is prohibited at the site.

Jennifer Wagner stated that there will be plantings of fruiting trees and that they are not planning on having any artificial lights.

Christine Glassteal, a resident, stated that she has provided her email address but that she has not received any communication directly.

Alderman Chaney asked to use the Town's email notice system to get the word out next time.

Mayor Lavelle asked what version they will see next. The consultant stated that the Board of Aldermen

will review plans at the 90% completion next.

Alinda Fied, a resident of Blueridge Road and gardener, asked if there was a plan to have fence around the garden. Jennifer Wagner stated that they are working with the gardeners to decide how best to fence the area.

Steve Milligan stated that he has given his email and has not received notice. He stated that there have been missing voices. He uses the park to walk the dog and watch the sunset. He stated that structures diminish the area and that there are certain people that do not want anything changed about the land. He requested a mowed path over the crushed granite walking trail.

Mayor Lavelle closed the public hearing.

Mayor Lavelle stated that she agrees with the need of electricity at the amphitheater. She stated that she would like a way to be forward thinking about a public restroom that is gender neutral and provides privacy for everyone. She stated that she would like a quote rather than a monument of Dr. King.

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

A RESOLUTION PROVIDING FURTHER DIRECTION ON THE MARTIN LUTHER KING, JR. PARK CONSTRUCTION DESIGN PROJECT

WHEREAS, the Carrboro Board of Aldermen have reviewed the 60% construction design drawings and held a public hearing to receive comment on the proposed design.

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN, THAT: Section 1: Staff and the consultant are authorized to proceed with the current direction of the plans as presented and to consider the comments offered by the Board of Aldermen.

Section 2. This resolution becomes effective upon adoption.

This the 21st of March, 2017

The motion carried by the following vote:

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

Absent: Alderman Seils

CONSIDERATION OF STAGE 2 TRAFFIC CALMING ON BLUERIDGE ROAD

The purpose of this agenda item was for the Board of Aldermen to consider the proposed design for

Stage 2 traffic calming measures on Blueridge Road.

Bergen Watterson, the Town's Transportation Planner, made the staff presentation.

A resident that did not provide her name urged the Board to approve the measures as soon as possible because it has been three years since they first brought the issue to the Transportation Advisory Board.

Josia Eagen, a resident of Aberdeen Court, stated that the majority of respondents on the listserve are on board and those that have concerns were misinformed that the street would be a one-lane. He stated that there is a wide-base of support to move forward.

Alderman Haven-O'Donnell asked if the speed tables will have the hatching so that bikers can see the speed tables in the dark. Bergen Watterson stated that there will be reflectors and signs.

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

A RESOLUTION RELATING TO TRAFFIC CALMING MEASURES ON BLUERIDGE ROAD

WHEREAS, the Board of Aldermen adopted the Residential Traffic Management Plan (RTMP) in June of 1996 to provide "a process for identifying and addressing existing problems related to speeding, excessive volumes, and safety on town-maintained residential streets"; and,

WHEREAS, a valid traffic calming petition, in accordance with the RTMP, was received from residents of the Blueridge Road area in August 2015 and a traffic evaluation was completed in February 2016; and,

WHEREAS, the Transportation Advisory Board made a recommendation in September 2016, which was presented to the Board of Aldermen on September 27th, 2016; and,

WHEREAS, at this meeting the Board of Aldermen adopted a resolution recommending that a plan for Stage 2 measures be completed and presented to the Transportation Advisory Board and the Board of Aldermen; and,

WHEREAS, the Transportation Advisory Board has reviewed the aforementioned Stage 2 proposal; received feedback from neighbors; and made a recommendation to the Board of Aldermen; and,

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

Section 1: Approves the Stage 2 traffic calming plan, allowing for adjustments based on comments from neighbors and Engineer's expertise.

This the 21st of March, 2017

The motion carried by the following vote:

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

CONSIDERATION OF STAGE 2 TRAFFIC CALMING ON TALLYHO TRAIL

The purpose of this agenda item was for the Board of Aldermen to consider the proposed design for Stage 2 traffic calming measures on Tallyho Trail.

Bergen Watterson, the Town's Transportation Planner, provided the staff report.

Alderman Gist thanked everyone for their input and emails. She stated that phasing the efforts in makes the most sense to her. She suggested to start with speed tables and signage before moving further.

Alderman Slade asked if temporary speed tables can be considered for this location. Bergen Watterson stated that those can be considered.

Alderman Chaney stated that the Oak Avenue temporary tables have been there for some time and asked how long "temporary" is. Bergen Watterson stated that it can be as long as needed.

Alexandra Hollick, a resident, stated that she would love to see traffic calming as soon as possible. She also stated that another meeting with the neighbors so they can hear information from the engineer regarding the placement of the improvements.

Patricia Sawin, a resident of Husband Court, stated that she thinks something needs to be added to the beginning of the street near Rodgers Road to slow traffic.

Allen Pollick, a resident of Fox Meadow, stated that he is in favor of the speed tables and not the traffic circles.

Jebb Saunders, a resident of Tallyho Trail, stated that he is concerned with the phasing issue because they have been waiting five years already. He stated that they would like to see other options for placement but that he is favor of anything that slows traffic down and that he does not mind the traffic circle at Huntsman. He stated that the circle at Reynard does not seem that it would slow traffic as intended.

Lynn Carino, stated that she lives at 1310 Tallyho Trail and that she is in agreement of the speed tables and that if there is a circle removed that a speed table be added.

David Gange, a new resident to the area, stated that he will deal with speed tables. He stated that he agrees with the comment that the something should be added to the road coming off of Rodgers Road.

Richard Goldberg, a resident of Tallyho Trail, stated that he is in favor of the speed tables and has questions and concerns with the traffic circles.

Laura Winsel stated that she is thrilled that the town is moving forward with this. She stated that she is

curious with the traffic circle opposition. She stated that there needs to be more effort at the front of the neighborhood.

Garret Baker, a resident of Rainer Road, stated that he supports the speed tables but not the traffic circles. He stated that he would love to see construction happen this year but that there needs to be further discussion on the location of the tables. He stated that vegetation control should also be included and asked that the neighbors be involved. He asked that the speed tables be permanent and not rubber temporary designs.

Peter Cada, stated that they are in favor of the speed tables and the location of speed table 1. He stated that he would love to see the tables and to talk more about the traffic circles.

Alderman Slade stated that it is clear to him that there are questions around the circles but that most people are ok with the speed tables.

Mayor Lavelle requested that they go with the asphalt speed tables. She also asked that the neighbors be consulted to figure out where the speed tables will go.

Alderman Haven-O'Donnell requested that staff look into installing mirrors in the curves. She also asked about a flashing light that would flash for walkers. Mayor Lavelle stated that she does not think the neighbors want a flashing light.

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

A RESOLUTION RELATING TO TRAFFIC CALMING MEASURES ON TALLYHO TRAIL

WHEREAS, the Board of Aldermen adopted the Residential Traffic Management Plan (RTMP) in June of 1996 to provide "a process for identifying and addressing existing problems related to speeding, excessive volumes, and safety on town-maintained residential streets"; and,

WHEREAS, a valid traffic calming petition, in accordance with the RTMP, was received from residents of the Fox Meadows neighborhood in June 2013 and traffic evaluations were completed in September 2013 and May 2016; and,

WHEREAS, the Transportation Advisory Board made a recommendation in September 2016, which was presented to the Board of Aldermen on September 27th, 2016; and,

WHEREAS, at this meeting the Board of Aldermen adopted a resolution recommending that a plan for Stage 2 measures be completed and presented to the Transportation Advisory Board and the Board of Aldermen; and,

WHEREAS, the Transportation Advisory Board has reviewed the aforementioned Stage 2 proposal; received feedback from neighbors; and made a recommendation to the Board of Aldermen; and,

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

- 1. Approves the Stage 2 traffic calming plan, allowing for adjustments based on comments from neighbors and Engineer's expertise.
- 2. That staff will meet with the neighborhood with the engineer to discuss current designs

3. That pedestrian education signs will be installed.

- 4. That vegetation control will be considered.
- 5.That mirrors will be considered.

This the 21st of March, 2017

The motion carried by the following vote:

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

Absent: Alderman Seils

Alderman Chaney stated that she appreciates Bergen's work and noted that it was her last day with the Town of Carrboro and that she has taken a job with Chapel Hill. She stated that the 25 MPH speed limit could be addressed by examining a slow-zone in the area and that those solutions not just be used in the downtown are. She stated that they also heard that school buses are the worst offenders and asked staff to send a letter to the superintendent and asked that the police be just as tough on the school buses as other drivers. She asked that the vegetation and signage be further examined by the neighbors and that comments be provided on how best to continue ongoing pedestrian education.

Mayor Lavelle stated that she will write a letter to the chair of the school board to request assistance with slowing buses down in the areas.

ADJOURNMENT

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