



Town of Carrboro

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

Meeting Minutes Board of Aldermen

Tuesday, April 4, 2017

7:30 PM

Board Chambers - Room 110

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

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

POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

POETRY READING

Jay Bryan read a poem entitled, "Imagine."

CHARGES ISSUED TO RECENTLY APPOINTED ADVISORY BOARD VOLUNTEERS

Catherine Dorando, the Town Clerk, issued charges to:

- 1) Quinton Harper, Human Service Commission
- 2) Danny Schuster, Appearance Commission
- 3) Dave Mabe, Greenways Commission

RESOLUTION - SEXUAL ASSAULT AWARENESS MONTH

Alderman Johnson read a resolution declaring April as "Sexual Assault Awareness Month" in the Town of Carrboro.

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

A RESOLUTION DECLARING APRIL 2017 AS SEXUAL ASSAULT AWARENESS MONTH

WHEREAS, the Orange County Rape Crisis Center assisted over 600 survivors of sexual violence, their loved ones, and community professionals during 2014; and

WHEREAS, the Orange County Rape Crisis Center works with the county's two school systems and other groups to provide students with age-appropriate information about violence prevention, reaching over 14,800 youth and adults each year; and

WHEREAS, the coordination of the Orange County Sexual Assault Response Team (SART) is bringing together members of law enforcement, the medical community, the legal system, and other community advocates to improve services for survivors of sexual assault who come forward; and

WHEREAS, 1 in 5 American women have been sexually assaulted at some point in their lives (Centers for Disease Control and Prevention, 2010); and

WHEREAS, in the United States rape is the most costly crime to its survivors, totaling \$127 billion a year considering factors such as medical cost, lost earnings, pain, suffering, and lost quality of life (U.S. Department of Justice, 1996); and

WHEREAS, in the United States 1 in 3 women and 1 in 4 men have experienced some form of sexual or physical violence committed by an intimate partner (Centers for Disease Control and Prevention, 2010); and

WHEREAS, there are more than 22,000 sex offenders registered as living in North Carolina (Department of Justice, 2016); and

WHEREAS, victim-blaming continues to be an enormous problem in instances of rape and sexual assault; and

WHEREAS, the Orange County Rape Crisis Center, a non-profit agency that has served this community since 1974, is working to stop sexual violence and its impact through support, education, and advocacy;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen of the Town of Carrboro, do hereby proclaim **the month of April 2017** as **"SEXUAL ASSAULT AWARENESS MONTH."** We encourage all citizens to speak out against sexual violence and to support their local community's efforts to prevent and respond to these appalling crimes.

This the 4th day of April 2017

The motion carried by the following vote:

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

POETRY MONTH PROCLAMATION

Mayor Lavelle read a proclamation declaring April as "Poetry Month" in the Town of Carrboro and presented Jay Bryan with a copy of the proclamation.

ANNOUNCEMENT OF UPCOMING MEETINGS

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

REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

BOB PROCTOR

Bob Proctor, a resident of Carrboro, stated that Ellen Perry is against paving along Bolin Creek and would rather see the money used for better access. He stated that projects appear to be done for staff's career motives rather than for the good of the community. He stated that the Board and staff seem to be too friendly with one another and therefore won't question any projects. He spoke against paving of Bolin Creek.

APPROVAL OF PREVIOUS MEETING MINUTES OF MARCH 21, 2017

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SEILS TO APPROVE THE MEETING MINUTES OF MARCH 21, 2017. VOTE: AFFIRMATIVE ALL

REVIEW AND ACCEPTANCE OF THE 2017 ANNUAL REPORT ON THE SCHOOLS ADEQUATE PUBLIC FACILITIES ORDINANCE (SAPFO) FROM THE TECHNICAL ADVISORY COMMITTEE

The Orange County Board of County Commissioners referred the 2017 report for review. The Board of Commissioners has scheduled the certification of the report for April 10th.

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

A RESOLUTION ACCEPTING THE SCHOOLS ADEQUATE PUBLIC FACILITIES TECHNICAL ADVISORY COMMITTEE (SAPFOTAC) 2017 REPORT

WHEREAS, the Town has had a longstanding interest in the success and excellence of the Chapel Hill – Carrboro City Schools; and

WHEREAS, the Town has participated in the development and implementation of the schools adequate public facilities ordinance provisions since 2003; and

WHEREAS, the annual technical advisory committee report has been prepared and distributed for review.

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen of the Town of Carrboro accepts the report.

This the 4th day of April 2017

The motion carried by the following vote:

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

A REQUEST TO SET A PUBLIC HEARING ON THE TEMPORARY STREET CLOSING PERMIT APPLICATION FOR THE 2017 BCAN (BLADDER CANCER ADVOCACY NETWORK) AMPUP! WALK/RUN TO END BLADDER CANCER

The purpose for this meeting is to set a public hearing for a Street Closing Permit Application submitted by the BCAN for the temporary closing and usage of streets from 7:00 AM to 8:30 AM on Sunday May 21, to accommodate the 2017 BCAN AmpUp! Walk/Run to End Bladder Cancer 5K.

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

A RESOLUTION SETTING A PUBLIC HEARING ON A TEMPORARY STREET CLOSING REQUEST

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that April 25, 2017 at 7:30 PM is hereby set as the date for a public hearing on a request by the BCAN (Bladder Cancer Advocacy Network) for the temporary closing and usage of Town streets on Sunday, May 21st, 2017 from 7:00 AM to 8:00 AM for the 2017 AmpUp! Walk/Run 5K to End Bladder Cancer event.

This the 4th day of April 2017

The motion carried by the following vote:

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

PRESENTATION ON THE DRAFT ORANGE COUNTY TRANSIT PLAN

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

Tina Moon, the Town's Planning Administrator, introduced the item.

John Tallmadge, Go Triangle Director of Regional Services, made the presentation.

Vijay Sivaramen, a resident, stated that he supports the light rail plan and asked the Board of Aldermen to support the plan.

Diana McDuffee, a resident, spoke in favor of the resolution to Orange County and asked the Board of Aldermen to support the plan inclusive of the light rail.

Katy Lang, a resident, stated that she likes the Orange County Transit Plan and thanked the Board for their previous support and asked them to support a resolution to the Orange County Board of Commissioners.

Rachel Kiel, a resident, expressed concern with the cost of the plan and stated that she thinks the light rail will eat up all of the funds that could be used for bus rapid transit and additional bus service. She asked the Board to make sure they consider all of the options and that it will truly serve all of the people it is intended to serve.

Alderman Gist stated that she thinks the light rail project may not be the best project. She thinks that buses are more flexible. She stated that light rail brings gentrification and makes areas unaffordable. She stated that she does not feel that at this point that she can be fiscally responsible if she supports asking Orange County to move forward with this item. She stated that the money is planned to come from dedicated revenue streams and that those can change in a recession. She stated that costs will be moved to individual homeowners and that is unfair and would be burdensome. She stated that there are just too many unknowns in the funding. She stated that buses are more fiscally flexible. She stated that she wishes that she could support this but that she does not think it is worth the fiscal health of her community.

Alderman Seils asked if the Carrboro specific projects will be adopted in the plan by Orange County. John Tallmadge stated that the specific projects will be listed in the plan.

Alderman Seils asked if the consultant determined that GoTriangle's financial assumptions were reasonable. John Tallmadge stated that they agreed with both the financial assumptions and the financial risks that were included in the plan. Alderman Seils stated that 70% of Orange County residents will have access to the light rail and that Orange to Durham commuting is the biggest commuter proportion in the region. He stated that if Carrboro continues to plan the way that they are, and away from transit, then gentrification will continue. He stated that the vehicle fees are dedicated funds. He stated that he is not interested in stopping planning just because it is unknown how the federal administration will handle light-rail projects.

Alderman Chaney asked questions about cash flows and balances. John Tallmadge explained the cash flow and stated that each county account has separate funds. She asked who manages the funds. He explained that while there is a Durham share and an Orange share, the revenues come directly to GoTriangle and that they manage the budget.

Alderman Chaney asked what happens to the 30% contingency if the funds are not needed. John Tallmadge stated that the local 40% would be prorated to whatever the final cost-sharing split ends up being. He stated that if they don't spend the funds, then they don't get reimbursed with the grant funding. She stated that she also hears a call for a Plan B for BRT, and asked what happens to funding and process if a Plan B is needed. He stated that it would require additional planning work and that the taxes could be reapplied but that the leveraging of state and federal funds would need to be reexamined.

Alderman Haven-O'Donnell stated that she would like for staff to take a look at how the BOCC respond to the plan and the Davenport report. She stated that the Board has to look at Carrboro's future. She stated that she would be very curious to have Arche McAdoo, the Town's finance director, weigh-in on

the report.

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN GIST FOR STAFF TO PROVIDE INFORMATION FROM THE ORANGE COUNTY BOARD OF COMMISSIONERS MEETING (HAPPENING AT THE SAME TIME AS THIS MEETING) REGARDING THEIR DISCUSSION OF THE DAVENPORT REPORT AND FOR THE TOWN MANAGER TO ASK THE FINANCE DIRECTOR IF HE HAS TIME TO REVIEW THE DAVENPORT REPORT AND WEIGH-IN ON EXACTLY HOW THE PLAN WOULD FISCALLY IMPACT CARRBORO. THE MOTION FAILED. VOTE: NOES: FIVE, AYES: TWO (GIST, HAVEN-O'DONNELL)

Mayor Lavelle requested that all of the information, including the appendices, be presented in one document. She stated that the graphic on the report should more accurately portray the fact that the light rail is more in Durham than in Orange County. She asked if the sales taxes also took into account that when the light rail is built that commercial development around the light rail would likely increase the numbers. John Tallmadge stated that the projections considered broad trends and then applied them at the county level. Mayor Lavelle stated that she is most fearful of the risk of losing federal funds. She asked if there was a point at which there can be assurance that the 50% will be granted. John Tallmadge stated that it would be the full-funded grant agreement in 2020.

Alderman Haven-O'Donnell stated that she feels that Carrboro's revenue may not be increased but that Durham's will. Patrick McDonough stated that they have received a transit oriented grant that considers stops based on the market. He stated that there are 522 acres of private land in Chapel Hill that may be developed in the future.

Mayor Lavelle stated that it would better inform the plan to include the cash balances for both Durham and Orange County in the chart. She stated that in regard to transit systems in general, if a case study of Charlotte's light rail project could be included, that would have information on best practices.

Alderman Chaney stated that Diana McDuffee is correct that there is an opportunity to plan in advance for an outcome but that if they wait too long, the plan could be gone forever. She stated that it makes it tough to balance the needs around the finances and thinking about the overall return for the project. She stated that she is willing to keep going in the planning because she does see that if they stop now, it could be a worse outcome. She stated that she would like a better sense of what the return is for the Triangle including the social returns. She stated that she would also like to know what the opportunity costs are. She stated that she believes it is unnecessary to ask staff to dig into the finances because there are a lot of cooks in the kitchen already and we are in the middle of budget planning. She would want staff to tell the Board what they would be willing to do, rather than directing that they review the plan.

Alderman Seils stated that the BOCC engaged an independent financial consultant and that he is unsure how Carrboro's analysis would assist in the decision making process. He stated that he is why he did not support Alderman Haven-O'Donnell's motion.

Alderman Slade pointed to at least two instances that exemplify how basic information necessary for making an informed decision is lacking: 1) An appendix with information about mitigating risk concerns and contingency plans (information that was requested at previous meeting by Alderman Slade) was not provided to the BOA for this meeting, and 2) clarity in the report on changes in cost for Orange county from original plan to current updated plan. He lamented that though he is a strong supporter of mass transit as a tool to facilitate human scale transportation modes for emancipating from the dependence on fossil fuels that contributes to Climate Change which is killing us, he does not have enough

information on contingency plans and costs for signaling Carrboro's position on the plan to the county.

A motion was made by Alderman Seils, seconded by Alderman Chaney to approve the resolution below.

A RESOLUTION OFFERING COMMENTS ON THE DRAFT ORANGE COUNTY TRANSIT PLAN

WHEREAS, the Orange County Transit Plan demonstrates the county's commitment to a public transit system through 2045; and

WHEREAS, the Orange County Transit Plan identifies four dedicated revenue streams to fund the projects and services in the Plan: the half-cent sales tax, the vehicle rental tax, the three-dollar vehicle registration fee, and the seven-dollar vehicle registration fee; and

WHEREAS, on September 17, 2013, and on April 22, 2014, the Board of Aldermen adopted resolutions identifying capital projects to enhance access to transit.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board makes the following comments on the draft Orange County Transit Plan (dated March 31, 2017) and directs staff to convey this information to GoTriangle representatives, to the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Board through the Town's liaisons, and to the Orange County Board of Commissioners.

1) The Board of Aldermen supports transit improvements and is cognizant of citizen concerns relating to the increasing costs for the Durham-Orange Light Rail Transit project and the North-South Corridor Bus Rapid Transit project, as well as the potential need to reallocate funding for other transportation projects such as bike and pedestrian improvements, which may provide more direct benefit to Carrboro residents. Timely dissemination of updates relating to both the cost and scheduling of these projects will be critical to their success moving forward. Enhanced feeder bus services and access improvements, including direct access, that will enable Carrboro residents to utilize these transit projects to the same extent as their neighbors will likewise be essential.

2) Itemize in the Plan the following access improvements located in Carrboro, some of which were erroneously omitted from the draft Plan:

- a) sidewalk on South Greensboro Street;
- b) Morgan Creek Greenway;
- c) corridor study of Estes Drive;
- d) sidewalks and bike lanes on Estes Drive;
- e) sidewalk on West Main Street between Fidelity Street and Poplar Street; and
- f) HAWK signal on NC Highway 54.

3) Include a chart showing the Durham County fund balances, similar to the chart showing the Orange County fund balances.

4) Attach the appendices to the main document.

5) Given changes in the projected state and federal contributions to the Plan, be clearer about the current expected cost burden for Orange County.

6) Clearly identify strategies to address potential revenue shortfalls if dedicated sources provide lower

revenues than projected.

This the 4th day of April, 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

EXCUSAL OF ALDERMAN HAVEN-O'DONNELL

Alderman Haven-O'Donnell stated that she needed to leave due to travel plans.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE TO EXCUSE ALDERMAN HAVEN-O'DONNELL FROM THE REMAINDER OF THE MEETING. VOTE: AFFIRMATIVE ALL

CONSIDERATION OF TRANSPORTATION PROJECTS FOR THE P5.0 PRIORITIZATION PROCESS AND STBGP-DA FUNDING

The purpose of this agenda item was for the Board of Aldermen to consider projects for submittal to the P5.0 Prioritization Process and for approximately \$277,386 of Surface Transportation Block Grant Program-Direct Attributable Funds (STBGP-DA)

Tina Moon, the Town's Planning Administrator, made the staff presentation. She stated that with the funding for South Greensboro Street sidewalk that they may be able to move forward with the municipal agreement.

Mayor Lavelle asked if there would be sidewalks included in the improvements along Eubanks. Tina Moon stated that she would look into that.

A motion was made by Alderman Chaney, seconded by Alderman Seils to approve the resolution below.

A RESOLUTION FOR THE CONSIDERATION OF TRANSPORTATION PROJECTS DURING THE P5.0 PRIORITIZATION PROCESS

WHEREAS, the 2020-2029 Statewide Transportation Improvement Program (STIP) process, which provides an opportunity for local governments to submit transportation project priorities to the North Carolina Department of Transportation (NCDOT) has begun; and

WHEREAS, the DCHC-MPO has requested that local governments identify new and unfunded transportation projects for P5.0 prioritization; and

WHEREAS, the Town submitted one highway intersection improvement project, at NC 54 and Old Fayetteville Road during the P4.0 process, which was placed in the “carryover” category, and therefore automatically resubmitted for P5.0; and

WHEREAS, the Town submitted three bike-ped projects for P4.0: a sidepath along NC 54 from James Street to Anderson Park, bike lanes along Seawell School Road from Estes Drive to Homestead Road and bike lanes along Old NC 86-Hillsborough Road from Homestead Road to Farm House Road, which were placed in the “holding tank” category and therefore not funded; and

WHEREAS, the Town has identified two new projects for P5.0: a highway project to upgrade NC 54 from West Main Street to Old Fayetteville to a superstreet, and a bike-ped project to install intersection improvements where James Street intersects with West Main Street.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board directs staff to allow the carryover project to be automatically resubmitted for consideration, to resubmit the three holding tank projects, and to submit the two new projects described above, under the P5.0 prioritization process.

This the 4th day of April, 2017

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

Excused: Alderman Haven-O'Donnell

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

A RESOLUTION TO IDENTIFY PROJECTS FOR SUBMITTAL FOR CARRBORO'S
ALLOCATION OF SURFACE TRANSPORTATION BLOCK GRANT PROGRAM DIRECT
ATTRIBUTABLE FUNDS TO THE DURHAM-CHAPEL HILL-CARRBORO METROPOLITAN
PLANNING ORGANIZATION

WHEREAS, the 2015 adoption of the Fixing America's Surface Transportation (FAST) Act, revamped the former Surface Transportation Program-Direct Apportionment (STP-DA) program into a block grant program; and

WHEREAS, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) receives Surface Transportation Block Grant Program Direct Attributable (STBGP-DA) funds for direct distribution; and

WHEREAS, STP-DA funding has been a significant source of funding for the Town of Carrboro's transportation priorities in the past; and,

WHEREAS, the Town of Carrboro's allocation of STBGP-DA funds is \$277,386, subject to a 20-percent local match of \$69,346.50 for a total of \$346,732.

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

1. Approves a request that the MPO allocates \$346,732 of STBGP-DA funding to the Town of Carrboro for the construction of a sidewalk on South Greensboro Street.
2. Directs Town staff to communicate this resolution to DCHC-MPO as appropriate.

This the 4th day of April, 2017

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

Excused: Alderman Haven-O'Donnell

FOLLOW-UP REPORT ON HUMAN SERVICES FUNDING

This item was postponed until April 18, 2017.

ROSEMARY SUNSET PARKING LOT OPTIONS

The purpose of this item was to follow-up on the discussion regarding parking options for the shared parking lot at Rosemary and Sunset.

Annette Stone, the Town's Community and Economic Development Director, stated that staff has explored the business interest in leasing spaces. She stated that she was able to speak with business owners to see if there was interest in leasing. She stated that only one business was interested and that is Public Impact with an interest in five of the spaces. She stated that the ability to park for free is only available on a smart phone app and stated that the ability to walk up to a machine and punch in numbers is not available. She stated that Chapel Hill has been delayed in starting the pay-to-park project.

Alderman Chaney stated that she is in favor of a lease with a business.

Alderman Slade stated that he does not feel that renting spaces for employees who will park for many hours during the busiest time of the day in one of the busiest parking lots as identified in the recently completed parking study is a good use of resources. He pointed that there are other lots of town that are underused that would be better suited for employee parking. He stated that he would rather have the option of having the spaces in the sunset parking lot numbered and made available for free.

Alderman Gist stated that she would like for the spots just to be left and made free.

Alderman Seils stated that the two options they moved forward with have been presented and the park for free option is not available as they originally thought.

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN GIST FOR

STAFF TO MOVE FORWARD WITH THE LEASE AGREEMENT WITH PUBLIC IMPACT FOR THE FIVE SPACES FOR EMPLOYEE PARKING BETWEEN 9:00AM AND 5:00PM FOR A TERM OF ONE YEAR. THE MOTION CARRIED. VOTE: AFFIRMATIVE FIVE, NOE ONE (SLADE), EXCUSED ONE (HAVEN-O'DONNELL)

ADJOURNMENT

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