



Town of Carrboro

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

Meeting Minutes Board of Aldermen

Tuesday, April 18, 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

POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

Gary Phillips stated that he and Celisa Steele will be reading at the Carrboro Poetry on Your Plate event. He read a poem by Ross Gay called, "To the Fig Tree on Ninth and Christian."

PROCLAMATION: EARTH DAY

Mayor Lavelle proclaimed April 22, 2017 as "Earth Day" in the Town of Carrboro.

PROCLAMATION: YOUR BOTTLES MEAN JOBS

Mayor Lavelle proclaimed April 22, 2017 as "Your Bottles Mean Jobs Day" in the Town of Carrboro and presented the proclamation to Blair Pollock.

ANTI-CORRUPTION RESOLUTION

Caitlin Gallagher, a Carrboro resident and member of Represent Triangle, a local chapter of Represent.Us, explained the mission of the group and requested the adoption of the anti-corruption resolution.

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

ANTI-CORRUPTION RESOLUTION FOR THE TOWN OF CARRBORO, STATE OF NORTH CAROLINA

WHEREAS, limits on contributions to political candidates are justified by the need to reduce corruption and the appearance of corruption, as outlined in *Buckley v. Valeo* (1976);

WHEREAS, contributions to candidates, and political spending on their behalf, from lobbyists and SuperPACs present a special risk of corruption; and,

WHEREAS, the United States Supreme Court held that restrictions on official actions taken by legislators in situations in which there may be conflicts of interest do not constitute restrictions on the First Amendment free speech rights of legislators; *Nevada Commission on Ethics v. Carrigan* (2011); and,

WHEREAS, closing the “revolving door”, where elected representatives and senior staff sell off their legislative power for high-paying jobs, is important to ensure that government employees are not “influenced in the performance of public duties by the thought of later reaping a benefit from a private individual.” *Brown v. District of Columbia Board of Zoning*, 413 A.2d 1276, 1282 (D.C. App. 1980); and,

WHEREAS, full transparency of all political money is necessary for the growth of an educated and informed electorate; and,

WHEREAS, with nearly \$6.8 billion spent in the 2016 federal elections alone, including a record \$1.1 billion raised by Super PACs with nearly 20 percent of that figure contributed by 10 individual donors and couples; and with a record-breaking \$28 million of outside spending on 2016 state-level races in North Carolina; politicians are dependent on a tiny percentage of the population to fundraise their campaigns while ordinary voters have less and less influence; and,

WHEREAS, federal agencies such as the Federal Election Commission routinely fail to enforce the anti-- corruption rules that already exist;

NOW, THEREFORE, BE IT RESOLVED that it is the position of THE TOWN OF CARRBORO, County of Orange, State of North Carolina, that tough, new anti-- corruption laws must be passed by the North Carolina General Assembly and Congress as well as including legislation to prohibit politicians from taking campaign money from industries they regulate; increase transparency for campaign funding; stop elected representatives and senior staff from negotiating jobs while in office and bar them from all lobbying activity for five years once they leave; empower all voters through a \$100 tax rebate to contribute to the candidates they support; and strengthen federal agencies, House and Senate ethics committees, and the North Carolina State Ethics Commission to enforce the rules against politicians and special interests that break campaign finance law.

BE IT FURTHER RESOLVED that THE TOWN OF CARRBORO hereby supports efforts to pass its own anti--corruption legislation, and respectfully urges the North Carolina Congressional delegation to support and introduce anti-corruption legislation to the House and Senate addressing the issues herein described.

This the 18th 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

CHARGES ISSUED TO RECENTLY APPOINTED ADVISORY BOARD VOLUNTEERS

Catherine Dorando, the Town Clerk, issued a charge to Kate Hash, a recent appointee to the Arts Committee.

ANNOUNCEMENT OF UPCOMING MEETINGS

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

APPROVAL OF PREVIOUS MEETING MINUTES OF APRIL 4, 2017

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN JOHNSON TO APPROVE THE MINUTES OF APRIL 4, 2017, AS AMENDED. VOTE: AFFIRMATIVE ALL

ADOPTION OF AN ORDINANCE LIMITING THE AMOUNT OF CONTRIBUTIONS TO CANDIDATES

The purpose of this item was for the Board to adopt an ordinance limited campaign contributions to any candidate for town office.

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

AN ORDINANCE TO REENACT THE EXPIRING PROVISIONS OF SECTION 15-15 OF THE CARRBORO TOWN CODE, WHICH LIMIT THE AMOUNT OF CONTRIBUTIONS THAT CAN BE MADE TO CANDIDATES FOR TOWN OFFICES

ORDINANCE NO. 17/2016-17

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 5-15 of the Carrboro Town Code, which by its own terms expires automatically 60 days prior to the opening of filing for the 2017 regular town election, is reenacted and amended to read as follows:

Section 5-15 Limitation on Campaign Contributions for Town Offices

(a) No person, political committee, or other entity may contribute to any candidate for the office of mayor or any candidate for the office of alderman any money or in-kind contribution in any election (regular or special) in excess of \$250.00.

(b) The definitions in Article 22A of Chapter 163 of the General Statutes apply to the provisions of this section. In addition, as used herein, the word "candidate" also means a political committee authorized by the candidate for that candidate's election.

(c) The provisions of this section do not apply to contributions made by a candidate or a candidate's spouse, domestic partner registered with a government agency, parents, brothers, or sisters.

(d) The provisions of this section are authorized and shall be interpreted in accordance with Sections 2-8 and 2-9 of the Town Charter, as established by Chapter 97 of the 2008 Session Laws.

(e) The provisions of this section shall expire 60 days prior to the opening of filing for the 2019 regular town election, except that such expiration will not make lawful any contribution made before that date that is in violation of this section.

Section 2. This ordinance shall become effective upon adoption. The section it replaces is not immediately repealed but shall expire 60 days prior to the opening of filing for the 2017 regular town election. The Town Clerk shall replace the expiring version of Section 5-15 in the Town Code with the version set forth above.

This the 18th 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

REQUEST TO MAKE AN APPOINTMENT TO THE TRANSPORTATION ADVISORY BOARD

The purpose of this agenda item was for the Board of Aldermen to make an appointment to the Transportation Advisory Board.

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

**A RESOLUTION MAKING APPOINTMENT(S) TO THE
TRANSPORTATION ADVISORY BOARD**

Section 1: THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE TRANSPORTATION ADVISORY BOARD:

Seat Designation	Appointee	Term Expiration
In-Town	Patrick Castonguay	2/2021

Section 2. This resolution shall become effective upon adoption.

This the 18th 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

REQUEST TO MAKE AN APPOINTMENT TO THE HUMAN SERVICES ADVISORY COMMISSION

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

A motion was made by Alderman Chaney, 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
Caitlin Gallagher	2/2021

Section 2. This resolution shall become effective upon adoption.

This the 18th 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

REQUEST-TO-SET A PUBLIC HEARING ON LAND USE ORDINANCE AMENDMENTS RELATING TO ROAD AND SIDEWALK REQUIREMENTS

The purpose of this agenda item was for the Board of Aldermen to consider setting a public hearing on a text amendment to the Land Use Ordinance relating to road and sidewalk requirements in unsubdivided developments.

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

**A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE
CARRBORO LAND USE ORDINANCE PROVISIONS RELATING TO ROAD AND
SIDEWALK REQUIREMENTS**

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 May 23, 2017, to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance Provisions Relating to Road and Sidewalk Requirements.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County and the Town of Carrboro Planning Board for consideration and recommendation prior to the specified public hearing date.

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following Town of Carrboro advisory boards and commissions: Transportation Advisory Board.

This the 18th 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

REPORT ON THE PLANNING BOARD’S WALKING CONVERSATIONS

The purpose of this agenda item was to provide the Board of Aldermen with a report on the Planning Board’s “Walking Conversations” program held in October 2016.

Tina Moon, the Town's Planning Administrator, introduced Andrew Whittemore, a member of the Planning Board.

Andrew Whittemore discussed the walking conversations that were held during October 2016.

Alderman Seils stated that he likes the idea of formalizing the walks in the future especially when the Planning Board is asked to review proposed developments.

Alderman Slade stated that he thinks that there are spaces downtown that could benefit from tactical urbanism approaches.

Alderman Johnson stated that she was struck by the lessons learned from the African-American community and the impacts of gentrification. She asked the Board to hold this information and consider ways to learn from those stories in the future.

Alderman Chaney stated that it would be interesting have a future walk that puts people inside of indoor public spaces where community building takes place but is not seen from the outside perspective. Alderman Gist stated that she thinks it would be interesting to have a walk called "What I See" that is open to residents of the community and not filled with advisory board members. She stated that it

would be nice to have the Youth Advisory Board members included.

Mayor Lavelle stated that she would like to see the walks continue.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY FOR THE BOARD OF ALDERMEN TO REVISIT PREVIOUS CONVERSATIONS ABOUT CONSIDERING THE USE OF EQUITY TOOLS IN DECISION MAKING AND THE PLANNING BOARD TO CONTINUE THE WALKS IN THE FUTURE WITH THE RECOMMENDATION THAT FUTURE CONVERSATIONS BE DESIGNED TO EXPLORE INDOOR PUBLIC SPACES. VOTE: AFFIRMATIVE ALL

FOLLOW-UP REPORT ON HUMAN SERVICES FUNDING

The purpose of this item was for the Board to have a follow-up discussion regarding Human Services funding priorities.

Annette Stone, the Town's Economic and Community Development Director, made the staff presentation.

Alderman Gist stated that the Human Services Advisory Commission would prefer that the Board of Aldermen use their Governmental Support funds to fund the Orange County Food Council's current request.

Mayor Lavelle stated that close to \$300,000 is budgeted for human services.

Alderman Slade stated that the Human Services Commission has chosen to prioritize direct service providers, yet the charge does not reflect this. He stated that the Board of Alderman should weigh in on whether it intends for the Human Services Commission to prioritize direct service providers. Alderman Slade expressed a preference for the language found in option B because it is explicit in including the two approaches; it recognizes that agencies that do systemic change work can be as valuable as direct services agencies in addressing human needs.

Alderman Johnson stated that the money that is allocated from the Human Services Advisory Commission is not enough to fully fund direct services. She suggested adding language that addresses funding priorities to agencies that provide direct services to residents that are disadvantaged due to systemic or cultural oppression.

Alderman Chaney stated that the Human Services Advisory Commission funding is between \$1,000 and \$5,000 per agency. She stated that the Town could consider providing bigger chunks of money for larger projects. She suggested adding language that reads "or other priorities as the Board may from time-to-time direct."

Alderman Johnson stated that she wants the Board to think about what "good work" means to them and to understand how racism and oppression has left some out while lifting others up.

Alderman Haven-O'Donnell stated that she thinks it is important to craft the language between the two options and that she agrees with Aldermen Johnson and Chaney.

Alderman Seils stated that the Board should also address priorities on where they can allocate more money on larger projects. He stated that it would be good to see how outcomes are measured against goals.

Alderman Gist stated that advisory boards advise the Board of Aldermen and are the experts. She stated that having advisory boards review the applications take the political aspect away from the application process. She suggested that the Board of Aldermen find a permanent way of funding the Orange County Food Council that is outside of the Human Services Advisory Commission.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SLADE FOR THE ATTORNEY TO PREPARE AN ORDINANCE REGARDING THE CHARGE OF THE HUMAN SERVICES ADVISORY COMMISSION, WITH CONSIDERATION OF TONIGHT'S DISCUSSION, AND TO BRING IT BACK TO A FUTURE MEETING AND FOR STAFF TO PROVIDE THEM WITH THE APPLICATION FROM ORANGE COUNTY FOOD COUNCIL FOR HUMAN SERVICES FUNDING AND TO INCLUDE FUNDING IN THE DRAFT 17-18 BUDGET. VOTE: AFFIRMATIVE ALL

REQUEST-TO-SET A PUBLIC HEARING ON THE FOODFIRST CONDITIONAL REZONING AT 110 WEST MAIN STREET

The Town received an application to rezone property at 110 West Main Street to B-1(G)-conditional (B-1(G)-CZ) for the redevelopment of the existing IFC Food Pantry into the FoodFirst community kitchen and food pantry with administrative offices.

Tina Moon, the Town's Planning Administrator, made the staff presentation.

Alderman Gist asked if the director was in the audience. John Dorward stood from the audience and stated that he is going to continue to be the lead on this project. Alderman Gist stated that the outreach information is two years old and that there were some communication issues with how they interacted with the community. She asked that the conversations be revisited and that the questions and the concerns are addressed.

Alderman Johnson stated that some outreach sessions have been completed since 2015.

Alderman Slade stated that he thinks that the IFC did a really good job of trying to set the tone and that he thinks it is unfortunate that the community on both sides be more thoughtful.

Alderman Haven-O'Donnell thanked staff for reaching out to Chapel Hill Transit regarding adding Sunday bus service for the J Bus.

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

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CONDITIONAL DISTRICT REZONING AT 110 WEST MAIN STREET

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed projects; and

WHEREAS, an application has been received for a Conditional District Rezoning for the property located at 110 West Main Street.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on May 23, 2017 to discuss the proposed project at 110 West Main Street.

BE IT FURTHER RESOLVED that the rezoning petition is referred to the following Town of Carrboro advisory boards and commissions for consideration and recommendation prior to the specified public hearing date: Planning Board, Appearance Commission, Transportation Advisory Board, Environmental Advisory Board, and the Economic Sustainability Commission.

This the 18th 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

CLOSED SESSION - NCGS 143-318.11(a) (4)

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN CHANEY TO ENTER INTO CLOSED SESSION PURSUANT TO NCGS 143.318.11(A)(4). VOTE: AFFIRMATIVE ALL

OPEN SESSION

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN CHANEY TO ENTER INTO OPEN SESSION. VOTE: AFFIRMATIVE ALL

ADJOURNMENT

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