



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

Town of Carrboro

Meeting Minutes Board of Aldermen

Tuesday, October 17, 2017

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

Also Present: David Andrews, Town Manager, Catherine Dorando, Town Clerk, Bob Hornik, Town Attorney

POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

Paul Richmond, the beat poet laureate of Massachusetts and guest poet for the West End Poetry Festival, read one of his poems called "I Love Cats."

INFORMATION ON WEST END POETRY FESTIVAL - OCTOBER 18-21, 2017 FROM GARY PHILLIPS

Gary Phillips, the Town of Carrboro poet laureate, provided information regarding the upcoming poetry festival.

PROCLAMATION: DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Lavelle proclaimed the month of October 2017 as "Domestic Violence Awareness Month" in the Town of Carrboro and presented the proclamation to representatives of the Compass Center.

Cordelia Heaney, the Executive Director for the Compass Center, spoke about the services offered by the Compass Center.

CHARGE ISSUED TO RECENTLY APPOINTED ADVISORY BOARD MEMBER

The Town Clerk issued a charge to Tyran Hill, a recent appointee to the Affordable Housing Advisory Commission.

REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

Bridgette Richards, an immigration attorney, thanked the Board for their recent support regarding the DACA renewal efforts in Carrboro.

Eliazar Posada, representing El Centro Hispano, also thanked the Board for their support. He stated that El Centro's LGBTQ programming is turning 16 this year and invited all to attend a celebration on November 4th.

APPROVAL OF PREVIOUS MEETING MINUTES OF OCTOBER 3, 2017 AND OCTOBER 10, 2017

Alderman Slade requested that the approval of the meeting minutes of October 10, 2017 be postponed so that further information could be included regarding the Board's conversation on the parking deck study.

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN CHANEY, TO APPROVE THE MINUTES OF OCTOBER 3, 2017. VOTE: AFFIRMATIVE ALL

REQUEST TO MAKE AN APPOINTMENT TO THE CARRBORO NORTHERN TRANSITION AREA ADVISORY COMMITTEE

The Mayor and Board of Aldermen were requested to consider recommending that the Orange County Board of Commissioners confirm an appointment to the NTAAC.

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

A RESOLUTION MAKING RECOMMENDING THAT THE ORANGE COUNTY BOARD OF COMMISSIONERS MAKE AN APPOINTMENT TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE

Section 1. The Board of Aldermen hereby recommends to the Orange County Board of Commissioners that Deborah Eaker-Rich be appointed as an Orange County Representative to the Northern Transition Area Advisory Committee for a term to expire in February 2020.

Section 2. If the Orange County Board of Commissioners fails to make this appointment within 90 days, the appointment will be automatically made by effect of this resolution.

Section 3. This resolution shall become effective upon adoption.

This the 17th day of October 2017

The motion carried by the following vote:

Aye: Alderman Seils, Alderman Slade, Alderman Chaney, Mayor Lavelle, Alderman Gist, Alderman
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ADOPTION OF A GRANT PROJECT ORDINANCE FOR POLICE BODY WORN CAMERAS

The Board was asked to consider approving receipt of a grant from the U.S. Department of Justice in the amount of \$46,371 for implementation of Body Worn Cameras.

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

GRANT PROJECT ORDINANCE FOR CARRBORO POLICE BODY-WORN CAMERA POLICY
AND IMPLEMENTATION PROGRAM
Ordinance No. 6/2017-18

WHEREAS, the Town of Carrboro (Town) has been awarded a grant in the amount of \$46,731.00 by the U.S. Department of Justice, Bureau of Justice Assistance; and,

WHEREAS, the grant funds are to be used to cover up to 50% of the Town's total cost to acquire 32 body worn cameras; and,

WHEREAS, the total estimated cost to acquire 32 body worn cameras is \$65,600; and,

WHEREAS, the grant requires non-federal matching funds on a 50-50 basis or \$32,800; and,

WHEREAS, the Board of Aldermen have appropriated \$91,000 for the acquisition of body worn cameras and the required data storage; and,

WHEREAS, the required data storage has been acquired at a cost of \$55,208 leaving an uncommitted budget balance of \$35,767; and,

WHEREAS the Board of Aldermen for the Town deems this activity to be a worthy and desirable undertaking; and,

WHEREAS, the Board of Aldermen for the Town accepts this grant award and authorizes the Town Manager to execute a Grant Agreement and any other required documents for the award;

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

1. Grant Award #2017-BC-BX-0075, for the Carrboro Police Department Body Worn Camera Program is hereby accepted by the Town and the Town Manager is authorized to execute a Grant Agreement and any other required documents for the award.
2. This Program is authorized to be undertaken until all project activity is completed.

3. The following revenues are anticipated to be available to the Town of Carrboro to complete this Project:

Federal Grant Funds DOG Award	46,731.00
Town Funds	35,767.00
Total Revenues	82,498.00

4. The following amount is appropriated for this project to be expended in the following manner:

SAN Storage	16,898.00
32 Body Worn Cameras	65,600.00
Total Expenditures	82,498.00

5. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

This the 17th day of October 2017

The motion carried by the following vote:

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

Nay: Alderman Slade

REQUEST-TO-SET A PUBLIC HEARING ON LAND USE ORDINANCE AMENDMENTS RELATING TO TREE PROTECTION, SHADE TREES, CANOPY COVERAGE AND REPLACEMENT STANDARDS

Potential text amendments to the Land Use Ordinance relating to the provisions in Article XIX, Screening and Trees, and the associated appendices A and E, were presented to the Board for discussion in May. This agenda item provided the Board with an opportunity to review changes made to the draft ordinance during the summer, and to consider setting a public hearing in January 2018.

Alderman Haven-O'Donnell asked if this item should be postponed until the tree coalition (referenced in the Community Climate Action Plan) is established because this would be a great first task. The Board discussed and decided that since the Coalition is a community effort, that this item should go ahead and be scheduled. Staff was directed to put out the word in the community for people that have an expertise in trees to attend the upcoming advisory board reviews if they are interested.

Alderman Slade expressed concern with the language regarding the use of shrubs as replacement for canopy trees due to their size.

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

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE
CARRBORO LAND USE ORDINANCE PROVISIONS RELATING TO
TREE PROTECTION, SHADING AND CANOPY 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 January 23, 2018, to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance Provisions Relating to Tree Protection, Shading and Canopy 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 Appearance Commission and Environmental Advisory Board.

This the 17th day of October 2017

The motion carried by the following vote:

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

COMMUNICATIONS PLAN STATUS UPDATE

The purpose of this item to was provide an update to the Board of Aldermen on implementation initiatives started by the Communications Team since adoption of the Communications Plan in June 2017.

Alderman Slade asked if the agenda packet could go up in a public location such as at the corner near the Century Center and asked for staff to research.

Alderman Haven-O'Donnell asked if the agenda packet could be sent through Nextdoor and asked staff to research.

**MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN HAVEN-O'DONNELL, TO ACCEPT THE COMMUNICATIONS PLAN STATUS UPDATE.
VOTE: AFFIRMATIVE ALL**

DRAFT SOLID WASTE STUDY FINAL REPORT

The purpose of this item was to have Mitch Kessler of Kessler Consulting, Inc. present a summary of the final solid waste study report to the Board of Aldermen.

Mitch Kessler, with Kessler Consulting, provided the report to the Board.

Alderman Seils thanked Mitch Kessler and the Public Works staff for their hard work. He stated that the recommendations make a lot of sense and that it looked like a great way to move forward. He asked about the large percentage of Carrboro's population that lives in a multi-family and how this would work with that aspect of the population. Mitch Kessler asked if staff and the consultant should work to expand their program into multi-family. Alderman Seils stated that made sense to him. Alderman Seils also stated that working with renters and multi-family to educate on the various rules will also be important.

Alderman Chaney stated that she wants to continue to engage staff from Public Works and work with their ideas. She stated that large multi-family properties have an established protocol for garbage and recycling but that smaller properties may not, and those will need to be included in the multifamily portion of the project. She stated that almost 70% of Carrboro residents are renters and that makes a difference regarding education and outreach. She stated that this is a good time to create a fulltime communications position that could be used to help all departments communicate better. She stated that she would like to see technological solutions optimized, wherever possible. She stated that late winter/early spring is when there is the most yard waste, due to storms, and stated that she would like to be able to accommodate folks during those times with additional pickup availability.

Alderman Gist stated that she thinks that pay-as-you-throw has equity issues related to it and asked when it would be discussed. Mitch Kessler stated that it is not possible due to the way that Carrboro funds the system through the general fund and is not recommended for further discussion.

Alderman Slade asked if it would make sense to implement pay-as-you-throw in Carrboro based on the recycling rates that were measured. Mitch Kessler stated that it is not recommended as a crucial item for Carrboro.

Mayor Lavelle stated that Orange County now has chips on their recycling bins to gather data. She asked what percentage of Carrboro homes rollout more than one trash cart per week. She stated that if homes use more than one cart, that she agrees with the recommendation that there should be an additional cost. She asked for the report to be reviewed by the Public Works staff. She stated that the multi-family challenge is a huge one and that there is a lot of opportunity there to reduce the waste. She asked for staff to think about the way to address the costs for renters as well as owners.

David Andrews, the Town Manager, thanked Mitch Kessler for the report. He also thanked Chris Cates and Chris Clark in Public Works for the job that they do. He stated that there are inefficiencies in terms of costs, but that is because of the high rate of community service that is provided to the community.

Alderman Haven-O'Donnell thanked Mitch Kessler for the report. She stated that she appreciates the information related to bulky item pickups. She asked for information on the school system study of food waste.

Alderman Slade stated that there may be a way to implement the every-other week garbage pickup prior to the organic pickup rollout. Mitch Kessler stated that the data showed that 88% of the garbage pickups only need every other week. Alderman Slade asked if any places that have the every other week collection are located in hot areas. Mitch Kessler stated that they are located in hot areas but that the food waste collection program is part of that. Alderman Slade asked that when the next report comes back, that the both greenhouse gas and monetary savings, be shown.

A MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN GIST FOR THE BOARD OF ALDERMAN TO ACCEPT THE SOLID WASTE STUDY REPORT. STAFF WAS DIRECTED TO IDENTIFY THE LOW HANGING FRUIT IN THE REPORT AND FOR PUBLIC WORKS STAFF TO GET A COPY OF THE REPORT AND TO HAVE THE ABILITY TO PROVIDE FEEDBACK. STAFF SHOULD REPORT BACK ON IF IMPLEMENTATION FOR GARBAGE PICKUP STARTING EVERY OTHER WEEK AND TO EXPLORE IF IT COULD BEGIN BEFORE THE ORGANICS PROGRAM. VOTE: AFFIRMATIVE ALL

UPDATE ON TRAFFIC CALMING PLAN FOR TALLYHO TRAIL

The purpose of this agenda item was to report on staff's meeting with Fox Meadow residents regarding the specific placement of traffic calming devices along the western half of Tallyho Trail and to discuss options for installations along the eastern half, including the entrance to the road near Stafffield Lane.

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

Alderman Slade asked how the impact of the speed bumps would affect fire/police response rates. Tina Moon stated that staff will report back.

Tina Moon stated that she wants to be clear on if trimming is done, some onsite meetings will be necessary so that it is not done in a manner that folks deem is too much.

Mayor Lavelle stated that there has been trimming in the past in a bad curve and if this was going to be done again, that would be a conversation that should be had with the owner. She stated that when entering Tallyho Trail, that is when cars are going their slowest, so she has mixed feelings about doing something large right at the entrance.

Alexandra Hollet, a resident of 1408 Tallyho Trail, stated that she agrees with Mayor Lavelle about the entrance and that people that live on Stafffield Lane may not be happy with an entrance solution because they have not been involved in the conversation. She stated that she is concerned about the distance between the speed tables and suggested that they be placed closer together.

Jeb Saunders, a resident of 1515 Tallyho Trail, stated that he agrees with Mayor Lavelle that people pulling onto Tallyho Trail are going the slowest and suggested that something be placed further in rather than at the entrance. He has a concern that people will speed more in between the tables after the first three are put in and suggested a study/flashing light to slow people until the 4th is installed.

Emily West, a resident of Tallyho Trail, stated that she is most concerned with the area between tables 3 and 4 because it is on a hill and people already speed through there. She stated that speed table 4 may not be close enough to table 3 to slow the acceleration. She suggested something that would help people slow down as they are leaving Tallyho Trail.

Peter Hichada, a resident of Tallyho Trail, suggested moving table 4 closer to table 3. He stated that vegetation trimming may help but that that all should be cognizant of the historic cemetery location. He stated that there needs to be something in the entrance, or as part of the intersection, to encourage slowing down as people get further into Tallyho Trail and as they are leaving. He asked that the entrance design also consider the folks that stand at the bus stop. He asked if there could be a temporary

speed bump for table 4 until a final one could go in.

Erin Henry, a resident of Bugle Court, stated that she is in favor of the speed tables. She stated that something at the entrance to slow traffic would also be helpful. She suggested maybe some rumble strips as a reminder to slow down at the entrance would also work.

Mayor Lavelle summarized the concerns and requests from the neighbors:

- Move table 4 closer to table 3
- No strong opinion against trimming, but talk to neighbors
- Recognize a way to slow traffic at entrance/exit way
- Consider temporary calming device for location of table 4 during sewer construction

Alderman Seils noted that the summarized comments match staff's recommendation.

Alderman Haven-O'Donnell asked that the crosswalk at Stafffield Lane be further explored.

Alderman Chaney asked that further implementation details of this item remain at the staff level. She stated that while the Board must approve the budget, traffic calming design and engineering at this level should not be micromanaged by the Board.

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

A RESOLUTION RECEIVING THE UPDATE ON THE TRAFFIC CALMING PLAN FOR
TALLYHO TRAIL AND DIRECTING STAFF TO BEGIN THE INSTALLATION OF STAGE 2
TRAFFIC CALMING MEASURES

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 Tallyho Trail; and,

WHEREAS, two evaluations of Tallyho Trail, following the criteria outlined in the RTMP, were completed and the findings support implementation of Stage 1 and 2 measures; and

WHEREAS, the Board of Aldermen received a design for Stage 2 Traffic Calming measures on March 21, 2017;

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

1. The Board receives the update on traffic calming on Tallyho Trail.
2. The Board directs staff to install three speed tables along the western half of Tallyho Trail.
3. Work directly with the neighbors to finalize the location for a fourth speed table and a design for the entrance way to Tallyho Trail
4. Research moving table 4 closer to table 3
5. Consider a temporary traffic calming device at the location for table 4 during sewer construction.

This the 17th day of October 2017

The motion carried by the following vote:

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

LAKE HOGAN FARMS ROAD EXTENSION - DISCUSSION

The purpose of this item was to provide the Board of Aldermen with an opportunity to review and discuss the history and alignment of Lake Hogan Farm Road, including its planned extension and connection to Eubanks Road.

Trish McGuire, the Town's Planning Director, provided the staff report.

Alderman Chaney asked if it was the County's responsibility to build the road at Twin Creeks Park.

Trish McGuire stated that when it was previously discussed, there was a proposed cost sharing mentioned by the County, but there has been no resolution. She stated that this is because the park project has not been through the Town's permitting process. She explained that the expectation is that it would be built during development but that it has not been memorialized in writing.

In response to a question from Alderman Slade, Trish McGuire stated that Twin Creeks Park is in transition area two. He asked if the County has to come to the Town for approval and Trish McGuire stated that they do. She explained that the proposed park use does not require a rezoning.

Alderman Slade asked who is going to build the road. Trish McGuire stated that the connector roads plan did not settle that question. She stated that there is land east of the park that will need to be served by a road in the future. Alderman Slade asked for the timeframe for Twin Creeks Park and she stated that she did not have a time plan.

Alderman Gist stated that this is a concept plan and just ideas. She stated that she is struggling with the road placement on the right hand side and stated that it needs to be aligned with the middle school location. She stated that there should not be a decision based on the concept plan, the road location should not be made in haste, and the Board should be flexible.

Alderman Seils stated that the Ballentine subdivision issue is one of the hurdles on what's happening at this location. Trish McGuire stated that Ballentine doesn't want to build the bridge due to the cost and there's tension between the County and Ballentine with the project moving forward.

Alderman Seils stated that the only way to fix that problem would be talking to the County to determine their plans.

Alderman Chaney asked about the conditions approved for the Ballentine project and Trish McGuire stated that it allows Ballentine to put up their share of the cost of the crossing.

Alderman Seils stated that the County Master Plan shows a crossing but there is no sense on when they intend to build the park.

Mayor Lavelle asked if that question should be asked to Orange County.

Alderman Chaney stated that it would be mutually beneficial to know the County's plans. She stated that

the NTAAC has concerns related to traffic on Old 86 that are related to current and future development concepts and projects.

She stated that the conversation needs to advance in a way that clarifies what is going to happen, which will help other landowners make decisions about the future of their properties.

Alderman Seils stated that it would be helpful to know what specifics are holding up progress on the park or if there are just simply other priorities.

Alderman Haven-O'Donnell stated that she would like to know where the planned school is in the plan.

David Andrews stated that it could be an area for a roadway improvement district for cost sharing.

Alderman Seils stated that there is also uncertainty related to who will run the park.

Anahi's Verana, a member of the NTAAC, stated that they have been discussing this road for years and that now there is a discussion about doing something across the street and that will add even more traffic.

APPROVAL OF A DEVELOPMENT AGREEMENT REGARDING SOUTH GREENSBORO STREET PROPERTY BETWEEN THE TOWN OF CARRBORO AND ORANGE COUNTY NORTH CAROLINA

The purpose of this item was to provide the Board of Aldermen with an opportunity to approve a Development Agreement between the Town and Orange County that details terms related to design, permitting, and construction of a building and associated parking at 203 S. Greensboro Street that would provide for new Town office space, the Orange County Southern Branch Library and other possible uses.

Bob Hornik, the Town's attorney, summarized the points.

Mayor Lavelle stated that the Town of Carrboro is excited to enter into the development agreement with Orange County and begin the process of design and construction of the Southern Branch of the Orange County Library. The Town is moving in the right direction and is happy to partner with the County on this momentous endeavor.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SIGN AN AGREEMENT WITH ORANGE COUNTY REGARDING DEVELOPMENT OF THE TOWN'S 203 S. GREENSBORO STREET PROPERTY FOR TOWN OFFICES, THE CONTEMPLATED ORANGE COUNTY SOUTHERN BRANCH LIBRARY AND OTHER POSSIBLE USES

WHEREAS, the Town of Carrboro has had a longstanding interest in the siting a new Orange County Southern Branch Library in Town; and

WHEREAS, the Town and County signed a Letter of Intent in December 2016 to work cooperatively on exploration of potential joint development of Town property at 203 S. Greensboro Street for uses

including the contemplated Orange County Southern Branch Library, town office uses and other possible uses; and

WHEREAS, staff of the Town and Orange County have been working together to explore possible development options and to identify terms that would allow both parties to cooperatively proceed with planning, financing, and developing the property for joint use; and

WHEREAS, THE Board of Aldermen has reviewed and approved a draft of the Development Agreement on June 20th; and

WHEREAS, the Board of Aldermen has reviewed a revised draft of the Development Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the Town of Carrboro hereby authorizes the Town Manager, David L. Andrews, to execute the Development Agreement on the Board's behalf.

This the 17th day of October 2017

The motion carried by the following vote:

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

EXCUSAL OF ALDERMAN SLADE

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO EXCUSE ALDERMAN SLADE FROM THE REMAINDER OF THE MEETING. VOTE: AFFIRMATIVE ALL

CLOSED SESSION - ECONOMIC DEVELOPMENT MATTER - NCGS 143-318.11(A) (4)

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO ENTER INTO CLOSED SESSION FOR AN ECONOMIC DEVELOPMENT MATTER. VOTE: AFFIRMATIVE FIVE, EXCUSED ONE (SLADE)

OPEN SESSION

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN GIST TO ENTER INTO OPEN SESSION. VOTE: AFFIRMATIVE FIVE, EXCUSED ONE (SLADE)

ADJOURNMENT

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN GIST TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE FIVE, EXCUSED ONE (SLADE)