



Town of Carrboro

301 W. Main St.

Town Hall

Carrboro, NC 27510

Meeting Minutes Board of Aldermen

Tuesday, November 28, 2017

7:30 PM

Board Chambers - Room 110

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

Also Present: David Andrews, Town Manager, Julie Eckenrode, Acting Town Clerk, Nick Herman, Town Attorney

POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

Gideon Young read a haiku accompanied by flute music.

PROCLAMATION HONORING THE ANNIVERSARY OF THE 13TH AMENDMENT AND RECOGNIZING DECEMBER 6, 2017 AS "ABOLITION DAY"

ALDERMAN ELECT Foushee and James Williams joined Mayor Lavelle for the reading of the proclamation. James Williams commented on the significance of the proclamation after it was read.

THE ANNIVERSARY OF THE 13TH AMENDMENT AND RECOGNIZING DECEMBER 6, 2017, AS "ABOLITION DAY"

WHEREAS, on the sixth day of December, 1865, the 13th Amendment to the United States Constitution was ratified, formally abolishing slavery in the entire United States; and

WHEREAS, this historic legislation occurred almost three years after President Abraham Lincoln signed the Emancipation Proclamation, which freed only those people held in slavery in the rebelling states; and

WHEREAS, the 13th Amendment was passed at the end of the Civil War and, along with the 14th and 15th Amendments, is part of the trio of Civil War amendments intended to expand the civil rights of Americans; and

WHEREAS, the 13th Amendment reads, “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction”; and

WHEREAS, the 13th Amendment marked the beginning of attempts to secure formal protections and liberties to formerly enslaved persons, primarily the sons and daughters of Africa, as well as Indigenous Peoples; and

WHEREAS, the journey toward freedom has been and continues to be a protracted and arduous journey whereupon women, men, and children have endured violence and pain; and

WHEREAS, despite the advances made in the past 152 years toward liberation and equity, people still are fighting against policies and practices intended to disenfranchise them and divest them of their humanity, citizenship, and dignity; and

WHEREAS, historically marginalized and oppressed people nevertheless remain encouraged and emboldened by the spirit of their ancestors to continue the march for the full measure of freedom that they believe they shall achieve one day;

NOW, THEREFORE, I, Lydia E. Lavelle, Mayor of the Town of Carrboro, North Carolina, do hereby proclaim that **December 6, 2017**, shall be recognized as “**Abolition Day**” in the Town of Carrboro, and urge all residents to learn the history of the 13th Amendment and to support and engage in the ongoing struggle to ensure freedom and justice for all of humanity—locally, nationally, and globally.

This the 28th day of November, 2017

ANNOUNCEMENT OF UPCOMING MEETINGS

Julie Eckenrode, Acting Town Clerk, announced the upcoming public meetings.

A REQUEST TO AUTHORIZE THE TOWN MANAGER TO AWARD A CONTRACT FOR CONSTRUCTION ENGINEERING AND INSPECTIONS (CEI) SERVICES AND TO EXECUTE A SUPPLEMENTAL AGREEMENT FOR THE ROGERS ROAD SIDEWALK PROJECT.

The purpose of this agenda item was to grant the Town Manager authority to approve an award of a construction engineering and inspection contract and to execute a supplemental agreement with NCDOT for the Rogers Road Sidewalk Project.

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

**A RESOLUTION GRANTING THE TOWN MANAGER AUTHORITY TO ENTER INTO A
CEI CONTRACT FOR THE ROGERS ROAD SIDEWALK PROJECT AND TO EXECUTE A
SUPPLEMENTAL AGREEMENT WITH NCDOT TO EXTEND PROJECT MILESTONES**
11-28-17

BE IT HEREBY RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

1. The Town Manager is hereby authorized to execute award of a construction engineering and inspections services contract for the Rogers Road Sidewalk Project, subject to and contingent upon availability of funds within the Rogers Road Capital Project Ordinance.
2. The Town Manager is hereby authorized to execute a supplemental agreement to the Town's Municipal Agreement with NCDOT to extend milestones for the construction of the Rogers Road sidewalk.
3. The resolution shall become effective upon adoption.

The motion carried by the following vote:

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

**AN ORDINANCE AMENDING CHAPTER 4 OF THE CARRBORO TOWN CODE TO
PROVIDE PAID PARENTAL LEAVE**

The purpose of this policy change was to promote the health and well-being of employees of the Town of Carrboro through pay for limited parental leave.

David Andrews stated that the effective date needs to read December 1, 2017 and the parentheses needed to be removed in the second paragraph.

Carol Dorsey, Human Resources Director, provided the staff report. The policy includes a maximum of 240 hours of paid parental leave. She provided an overview of the plan. She noted that the Board had requested that Human Resources look at other types of family leave as well. They will look at those options at the start of the next fiscal year.

Alderman Gist asked if this policy allows for staggered leave.

Carol Dorsey clarified that the recommendation is that the leave be taken at one time, as per the policy, however, requesting intermittent leave is allowed.

Alderman Chaney stated that it is often the case that one parent stays home for the first part of leave and the other parent stays home for the second part. In this case it is not practical for the leave to be taken immediately. The partner who is not the birth partner would take leave at a different time. She requested that this be specifically allowed for, and recognized, in the policy.

Carol Dorsey replied that the requesting process is not a hurdle to accomplishing this goal. If employees want to do that, it would be best if the staff knew ahead of time.

Alderman Chaney asked if staff can combine sick leave with disability in this policy.

Carol Dorsey agreed that this is permissible.

Alderman Chaney would like to have a future conversation about the comprehensive full family leave policy and about codifying how those who fill in for staffing gaps are compensated. She would also like to discuss changes to the leave accumulation policy.

Alderman Slade noted that this policy may help retain quality employees in the town. Comprehensive benefits packages can help mitigate the loss of employees. He also pointed out that compared to European standards, our leave policies are still far behind.

Alderman Seils asked to remove the entire parenthetical statement in the 2nd paragraph because it unnecessarily calls out domestic partnerships, which were already addressed in a previous section of the policy.

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

**AN ORDINANCE AMENDING CHAPTER 4 OF THE CARRBORO TOWN CODE
TO PROVIDE PAID PARENTAL LEAVE**

Ordinance No. 10/2017-18

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1: Article VII of Chapter 4 of the Carrboro Town Code is amended by adding a new section 4-78 as follows:

Section 4.78 Paid Parental Leave

Effective December 1, 2017, employees who qualify for Family and Medical Leave Act (FMLA) coverage under Section 4-65 of this Article will be eligible to receive a maximum of 240 hours of paid parental leave during each 12 rolling monthly period for the birth, adoption, or placement of a foster child. Paid Parental Leave will run concurrently with the employee's Family and Medical Leave.

Paid parental leave will be provided to any qualifying full-time or permanent part-time employee who is a new birth parent, spouse of a birth parent, domestic partner, or foster parent of a child age 18 or younger.

If both parents are employed by the Town at the time of the child's birth, adoption, or foster care placement, the couple will be entitled to a total of six weeks of paid parental leave combined. The birth or placement of more than one child (i.e. twins or siblings) at the same time does not entitle the employee to additional paid leave above the 240 hour maximum. Adoption of a stepchild or stepchildren does not qualify for paid parental leave.

An employee requesting paid parental leave must complete a Paid Parental Leave Request

Form at least sixty days in advance of taking such leave, if practicable, along with FMLA forms that must be completed by the parent's medical provider, or legal representative in the case of adoption or foster care placement. Both forms are available from the Human Resources Department and should be submitted to that Department. Leave must be approved by the employee's department head, the Human Resources Director, and the Town Manager.

Payment will be made to the employee's bank account via direct deposit on the Town's biweekly payroll schedule, and employees who are on paid parental leave will receive pay for their regular, biweekly hours, not to exceed 240 hours in any 12 rolling month period. The employee's usual payroll deductions and contributions, and the Town's usual payroll contributions, will continue.

All benefits provided to the employee per Town policy prior to paid parental leave will continue. Any employee contributions for benefits, 401k loans, or other employee obligations normally paid by the employee through payroll deduction, shall continue.

If a holiday occurs during the paid parental leave period, the holiday will be paid and will not count against the paid parental leave hours.

Employees continue to accrue service time, as well as sick and vacation leave, according to Town policy.

A qualifying employee is entitled to paid parental leave once in each 12 rolling month period. Leave must be taken immediately after the birth, adoption, or placement of the child/children, and the 240 hours must be taken consecutively, subject to the exception provided for in the next paragraph of this Section. All unused leave will be forfeited upon the employee's return to work. If both parents are employed by the Town, the couple will be entitled to a total of 240 hours of paid parental leave combined, and only one parent will receive FMLA leave running concurrently with the paid parental leave.

An employee may request intermittent paid parental leave or a delayed start of the leave period. Such requests must be made to Human Resources at least sixty days in advance of taking leave, if practicable, and may be approved by the Department Head, Human Resources Director, and Town Manager in the Town's discretion. All paid parental leave must be taken within 12 months of the birth or placement of the child/children.

An employee is expected to return to work at the end of his/her approved paid parental leave, unless the employee has received approval to extend the time away from work with other types of leave. Employees should notify Human Resources and their Supervisor or Department Head if there is any anticipated change in their original return-to-work date. Nursing mothers who return to work will receive paid break times and private space to pump breast milk, as well as access to refrigerated storage.

Section 2. All provisions of any Town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 28th day of November 2017.

The motion carried by the following vote:

Ayes: Alderman Randee Haven-O'Donnell, Alderman Jacquelyn Gist, Alderman Sammy Slade,

**COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND INDEPENDENT AUDIT
FOR FISCAL YEAR ENDED JUNE 30, 2017**

The purpose of this presentation was for the Town's independent auditor, Dixon Hughes Goodman LLP, to present and deliver to the Board of Aldermen the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2017.

Arche McAdoo, Finance Director, introduced Chad Cook.

Mr. Cook provided the report on the annual audit. He stated that the books were in great order and the staff was very responsive with all requests. The complete report is posted on the Town's website. The Local Government Commission has reviewed and approved the audit. The audit was clean and there were no material weaknesses or significant deficiencies in financial reporting.

Alderman Chaney stated that the audit report is a good primer on how the government is run and recommended that citizens read it.

Alderman Slade asked if a .5% decrease in ad valorem is typical when the tax rate remains neutral. He asked how that compares to other years.

Arche McAdoo responded that each year, during the budget process, the finance department attempts to identify what may come up on the tax role to increase the valuation. This year the re-evaluation did not have anything to do with the property tax collections. The town always tries to keep the collection rate percentage high.

Alderman Slade asked about the significance of the required supplemental information not being audited.

Mr. Cook responded that those items are not a required part of the basic financial statements. The information has been tested by the auditor procedures, but they don't provide a statement of opinion.

Alderman Slade asked how those items (such as employee retirement schedules) are assessed internally.

Town Manager Andrews explained that this is a nationwide discussion. The North Carolina retirement system does their own reports. The Town can take the data from those external sources. The town does not manage or audit that information, but it is disclosed.

Alderman Haven-O'Donnell clarified that the Tourism Development Authority is not considered miscellaneous.

Mr. Cook replied that the payment from the Tourism Development Authority will offset the actual parking expenditures.

Alderman Chaney noted that about half of the Carrboro revenue stream rests on residential property tax, but the percentage is perceived as overly burdensome. She acknowledged that it is a challenge to diversify revenue streams so that residents feel less burdened and suggested that the Board think about how revenue is generated in the future.

Alderman Slade commented that the increase in the cost of health insurance and tax changes on the Federal level will increase the burden on counties and municipalities. He suggested citizens contact their State and Federal Representatives.

Alderman Gist reminded the public that changes in the tax code could have large consequences locally. She also urged the community to contact their Representatives.

Motion was made by Alderman Haven-O'Donnell, seconded by Alderman Gist to approve the resolution. Vote: Affirmative all.

PUBLIC HEARING: REVIEW OF THE BOER BROTHERS HEATING AND COOLING CUP LOCATED AT 626 & 630 HWY NC 54 WEST

Boer Brothers Heating and Cooling as represented by Pennoni Associates, submitted an application for the construction of a business headquarters with associated warehouse and office facilities located at 626 & 630 Hwy NC 54.

The Conditional Use Permit would allow the creation of a total of 13,773 sf of floor area within three buildings (2 warehouse, 1 office). Associated infrastructure such as parking, paving and drainage structures are also part of this application. The existing site contains the hard surface remains of the past warehouse that burned down in 2004. The conditional use permit for this project will be new and not a modification of the existing permit that regulated the prior use.

Mayor Lavelle opened the public hearing (she acknowledged later in the meeting that the swearing in served as the opening of the public hearing).

Julie Eckenrode, Acting Town Clerk, swore in Jeff Kleaveland, David Morgan, Marty Roupe, Josh Dalton, and Pete Bellantoni.

Jeff Kleaveland, Planning/Zoning Development Specialist, provided the staff report. This project went to concept plan review over a year ago. Mr. Kleaveland provided an overview of the site and proposed use. He explained how the project fits into the Town's current ordinances and provided recommendations for the Board on the non-conforming items.

Alderman Gist asked what financial impact this project will have on the tax base.

David Andrews stated that the land is not located inside the Town limits.

Peter Bellantoni, of Pennoni Associates on behalf of Boer Brothers, provided additional information on the project.

Alderman Slade said that he appreciated the passive solar components and asked if they will utilize thermal mass as well. He mentioned that at one of the joint advisory board hearings it was explained that ginkgoes will not reproduce if they are all of one sex

Peter Bellantoni confirmed that they will have solar and thermal features and that the ginkgo trees will all be male.

Alderman Haven-O'Donnell clarified that the Environmental Advisory Board recommended that ginkgoes be used. Both the planning and advisory boards had

Peter Bellantoni stated that the ginkgo were selected on their plan and are listed as approved trees on the Town's native species list.

Alderman Haven-O'Donnell said that both the Planning Board and Environmental Advisory Board had advised for solar paneling.

Peter Bellantoni explained that they considered having solar panels, but because of all the other things they were undertaking, and exceeding requirements, it was not something they decided to do.

Alderman Slade followed up regarding using smaller shrubs and small trees and asked if they were considering using those.

Peter Bellantoni said that they were open to the use of those types of plants.

David Morgan, thanked the Board of Alderman, Orange County, and others for helping make this project happen.

Mayor Lavelle stated that Boer Brothers is a true Carrboro success story and during their ten years they've grown into a mid-size company that employs forty nine local people.

Alderman Chaney thanked the Saffelles (Milton and Jean) who own the subject property, as well as Carrboro staff, the Boer Brothers, and all involved in this project.

Alderman Seils commented that he appreciated the work that was done by both Town and County staff to resolve the extraterritorial jurisdiction boundary issue.

Mayor Lavelle closed the public hearing.

A motion was made by Alderman Chaney, seconded by Alderman Seils as to the completeness of the application. Vote: Affirmative all

A motion was made by Alderman Chaney, seconded by Alderman Slade as to compliance with the ordinance requirements. Vote: Affirmative all

A motion was made by Alderman Seils, seconded by Alderman Haven-O'Donnell that subject two, conditions one through eight, be approved. Vote: Affirmative all

A motion was made by Alderman Chaney, Seconded by Alderman Seils to grant the application. Vote: Affirmative all

**PUBLIC HEARING ON REQUESTS FOR VOLUNTARY ANNEXATION OF PROPERTY
CONTIGUOUS TO THE TOWN LIMITS**

The purpose of this item was for the Board of Aldermen to receive public comment on requests for voluntary annexation of three properties, 610 and 716 Homestead Road and 8802 Lake Hogan Farm Road. An ordinance annexing these properties into the Town limits was provided for the Board's use.

Trish McGuire, Planning Director, made the staff report. They received several applications for annexation of properties contiguous to the town – three parcels, in total just over 13 acres of land.

Mayor Lavelle opened the public hearing.

Alderman Seils asked how the ordinance was different from the original one provided. He clarified that these are properties that already have approved special use permits by the Board of Adjustment.

Trish McGuire explained that the differences were simple clarifications in language to describe the lots and that ordinance now references the attached exhibit. She stated that bringing the parcels into the town is part of the development of the properties.

Mayor Lavelle closed the public hearing.

A motion was made by Alderman Chaney, seconded by Alderman Seils to approve the annexation ordinance.

**AN ORDINANCE ANNEXING THE HOMESCAPE AND BERRYHILL GROUP
PROPERTIES**

Ordinance No. 11/2017-18

WHEREAS, petitions were received requesting the annexation of the Homescape and Berryhill Group Properties (Orange County PINs 9779188760, 9779184700, and 9779182544) which are contiguous to each other and contiguous to the existing primary corporate limits of the Town of Carrboro and for purposes of this annexation ordinance are being considered together as a single annexation area; and

WHEREAS, the petitions were signed by the owners of all the real property located within such area; and

WHEREAS, a public hearing on the question of annexation was held on November 28, 2017, following notice of such hearing published in the Herald Sun on November 17, 2017.

**NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO
ORDAINS:**

Section 1. The Board of Aldermen finds that the petitions requesting the annexation of the area comprised of the Properties described in section 2 were properly signed by the owners of all real property located within such area and that such area is contiguous to the boundaries of the Town of Carrboro, as the term "contiguous" is defined in G.S. 160-31(f).

Section 2. The area comprised of the following Properties is hereby annexed to and made a part of the Town of Carrboro:

716 HOMESTEAD ROAD

ORANGE COUNTY PARCEL IDENTIFICATION NUMBER 9779188760

BEING all of that 6.67698 ACRES AS SHOWN ON THAT PLAT AND SURVEY ENTITLED 'BOUNDARY SURVEY FOR: HOMESCAPE DEVELOPMENT COMPANY INC.'" prepared by William Gregory Autry, Professional Land Surveyor, dated February 26, 2013, revised May 6, 2013 and recorded May 6, 2013 in Plat Book 111, Page 78, Orange Country Registry; and

8802 LAKE HOGAN FARM ROAD, ORANGE COUNTY PARCEL IDENTIFICATION NUMBER 9779184700

BEING ALL OF LOT B, and containing 86,498.15 square feet (1.986 acres) AS SHOWN ON THAT PLAT AND SURVEY ENTITLED 'BOUNDARY SURVEY FOR: THE BERRYHILL GROUP, LLC'", prepared by William Gregory Autry, Professional Land Surveyor, dated December 19, 2012, and updated on May 23, 2013, and recorded in Plat Book 113, Page 147, Orange County Registry; and

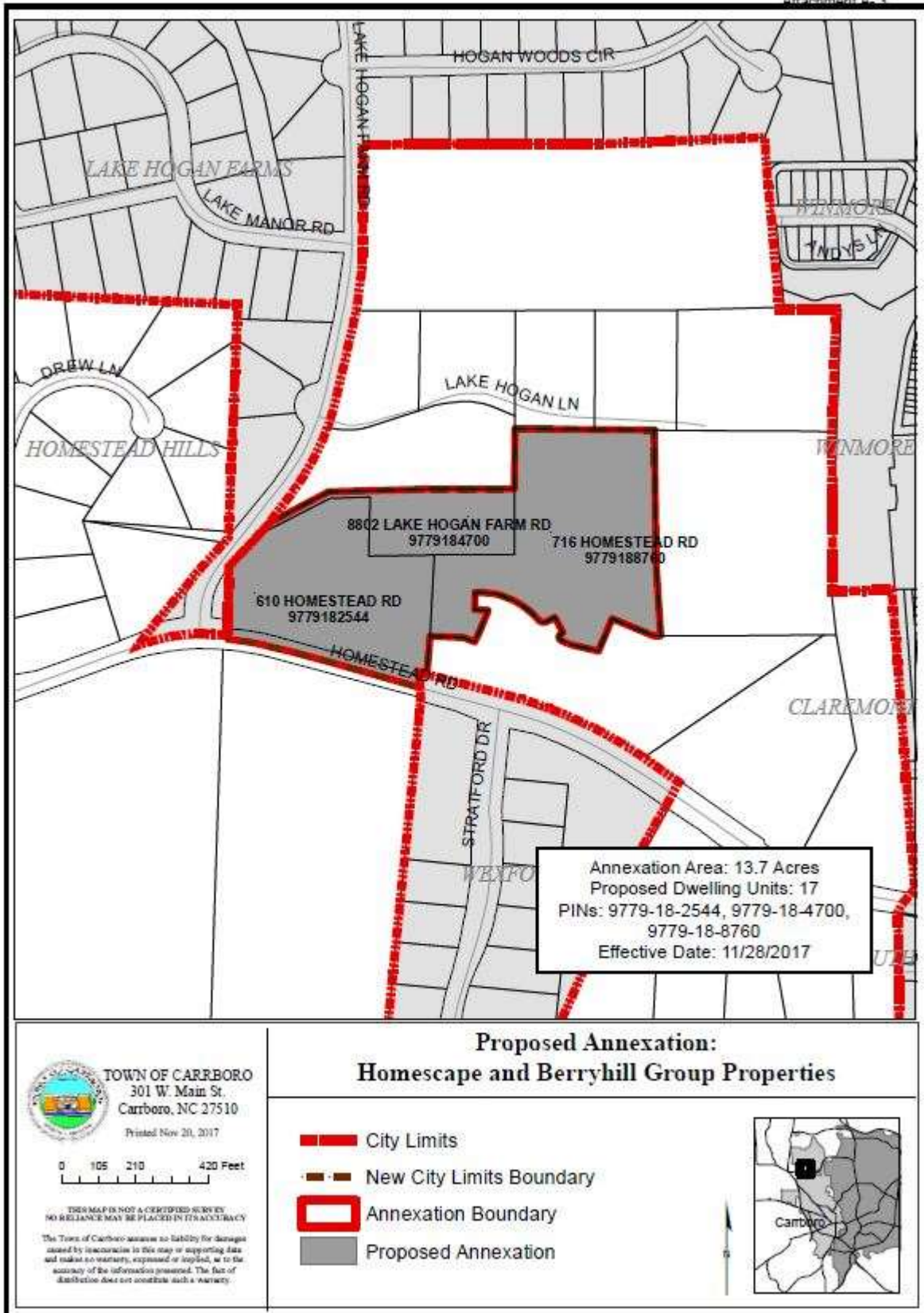
610 HOMESTEAD ROAD, ORANGE COUNTY PARCEL IDENTIFICATION NUMBER 9779182544

BEING ALL OF that certain 202594.72 square feet and being 4.65093 acres AS SHOWN ON THAT PLAT AND SURVEY ENTITLED "BOUNDARY SURVEY FOR THE BERRYHILL GROUP, LLC", prepared by William Gregory Autry, Professional Land Surveyor, dated December 19, 2012, and recorded in Plat Book 110, Page 197, Orange County Registry.

Section 3. The area within the street right-of-way of Homestead Road (to the center of the street) immediately adjacent to the boundaries of the above described area is also annexed to the Town of Carrboro.

Section 4. This ordinance shall become effective upon adoption.

Section 5. The Town Clerk shall cause to be recorded in the Office of the Register of Deeds of Orange County and in the Office of the Secretary of State an accurate map of the annexed territory described in sections 2 and 3 together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Orange County Board of Elections as required by G.S. 163-288.1.



The motion carried by the following vote:

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

HOLD A PUBLIC HEARING AND CONSIDER ADOPTING THE FINAL DRAFT OF THE ECONOMIC SUSTAINABILITY PLAN

The purpose of this agenda item was to present the final draft of the town's Economic Sustainability Plan.

Annette Lafferty, Community and Economic Development Director, provided the staff report. She reviewed the changes throughout the plan and pointed out that social justice has been added to the purpose statement. Equity has also been added as a guiding principle. She reviewed added action items based on feedback from advisory boards and commissions as well as the Board of Aldermen.

Mayor Lavelle opened the public hearing.

Jim Porto, former Town of Carrboro Mayor, said that the document is outstanding and represents the town well. He noted that implementation of the plan will be key. Mr. Porto pointed out that the co-op model works well in the community and would like to support those endeavors. He noted that plant-based diet options are important for the environment and to provide healthier choices for everyone. This is a possible economic development area for the Town, which fits with the ideals of the Carrboro community. He also asked people to apply for funding from Carrboro's business loans.

Alderman Gist requested that James Morgan's comments about geo-thermal be carefully considered. She requested that staff add "economic status" to the equity statement to address issues of class.

Alderman Haven-O'Donnell stated that she liked the plan and how it's evolved over time. She requested that under 'Sustainability,' the value be Environmental Ethic or Land Ethic, rather than Natural Resources (which is usually used in terms of use). She also asked that under 'People,' staff add 'senior housing' to accompany workforce housing. Alderman Haven-O'Donnell Noted the nice connections between this plan and the Community Action Plan in terms of plant-based lifestyles. She suggested working with the Food Policy Council to create on-going conversations about food choice.

A motion was made by Alderman Chaney, seconded by Alderman Haven'O'Donnell that the revisions be accepted, that the plan is adopted, and it is referred to staff for further actionability.

Alderman Slade requested that staff add, "and meet climate change demands," on page eight, under energy, the third bullet. He also stated that on page nine, the second bullet, should apply to owner occupied as well as rental properties, and should include affordable commercial property as well. He asked that on page ten, under business, the third bullet should say "local-owned economy," in order to specify the type of economy.

Mayor Lavelle stated that the motion made previously included the various comments made by the Board of Alderman members.

Vote: Affirmative all.

Alderman Slade commented that he appreciated the comments by Jim Porto and that there is a resurgence of plant based diet options. He stated that food sovereignty and having control over our own food is important. Alderman Slade would like the Economic Sustainability Commission to learn more about Co-ops in Jackson, Mississippi.

REQUEST FOR DIRECTION RELATING TO OCCUPANCY AND/OR SIZE AND SCALE OF RESIDENTIAL DWELLINGS

The purpose of this agenda item was to provide the Board of Aldermen with an opportunity to consider a request from staff for direction related to occupancy and /or size and scale of residential dwellings and neighborhood compatibility.

Staff report provided by Trish McGuire, Planning Director. A third of the jurisdiction is located centrally and the properties were developed before many regulations were created. They are generally older neighborhoods under the basic zoning rules which makes them appealing to development and re-development. The question in front of the board is how to prioritize staff priorities, either by the definition of a family, or the density and dimensional standard piece.

Alderman Gist reminds that “studentification” has been a priority for her for some time. Chapel Hill has set a limit of five unrelated people per dwelling and as a result builders are looking at development in Carrboro. It has been seen on Lloyd/Broad, Carr St., and other places around town. It has been devastating to our rental environment for middle class families. When a decision was made to not define family, it was related to discrimination of LGBTQ families, but times have changed and that is not the case anymore. Alderman Gist would like the Town to look closely at what Chapel Hill is doing because it is working, and do it quickly because the rental market is starting to open up again. Density should also be considered, for appearance reasons, as well as those mentioned previously.

Alderman Chaney stated that Lloyd/Broad has presented a whole host of issues, that the board needs to consider as well and those other items should not be forgotten. She asked about the fire code occupancy limits. Since the Town is invested in the Northside Initiative, it is important to take a look at this issue because it seems counter-productive to this initiative. In addition to occupancy, she is interested in what other tools can trigger Special Use Permits (perhaps more often or at different limits), and asked if there were ways to define or redefine housing in regard to single family homes and room rentals. Alderman Chaney also asked how code enforcement plays into this matter, and whether it is (and/or should be) complaint driven or based on proactive enforcement. She requested that David Andrews circle back on the list of items from an initial community meeting regarding parking, building and fire code inspections, and categorization of rental housing.

Alderman Haven-O'Donnell stated that students are choosing to live off campus more frequently and, while she agrees that we need to put pressure on developers, we should also send a message to students. She stated that the Town needs to reframe the rental situation and educate students on what is permissible. She further explained that there are middle class community members that cannot afford to live here because the rent is so high. Alderman Haven-O'Donnell reiterated that the Town should look into the Chapel Hill policy.

Alderman Seils stated that, in particular, he is interested in the development review process regarding special use, or conditional use, permits, for example, with the size of dwellings. He recommended looking at how buildings fit within existing neighborhoods. He is interested in approaching this issue from a code enforcement review perspective and to use a specific policy tool to address specific expressed concerns. Alderman Seils asked about the minimum housing code provided, which has a clear definition of family.

Trish McGuire clarified that the definition provided is from the International Residential Code and it is not enforceable. The State Department of Insurance sees the Town's definition of family as the official wording.

Alderman Seils would like to learn more about the regulatory requirements under this NC building code. He referred to Alderman Chaney's reference to the Northside neighborhood and suggested increased information on the Chapel Hill policy. He would like to look at what policy tools are available - parking enforcement issues, styles of housing and types of building, Land Use Ordinance amendments that could address sizes of homes, setbacks, density, etc.. He is not interested in a conversation framed by a concern about a demographic population (students) but thinks the Town should look more broadly about the problem. For example, Austin is facing pressures on the housing market but not because of students. He would also like to know more about boarding houses and rooming houses and how they are being treated.

Alderman Slade agreed with items identified by Alderman Chaney. He requested information about UNC housing requirements for dorms. He also wondered how the UNC policy compares to other universities. He asked for a housing survey in order to have the necessary information to make a decision on this topic. Alderman Slade also asked if the Police Department can be involved in enforcement and how they prioritize resources. He asked to what degree the Special Use Permits relate to legislative power.

Alderman Gist stated that UNC students have to live on campus their first year, that it's hard to keep a card, and that dorms have gotten almost expensive as rentals in town. She requested that the staff look at all neighborhoods, not just the ones that are currently recognized. She would like staff to examine rental agency data. Alderman Gist said that the definition of family and designating rooming houses as businesses and charging them accordingly may be the best way to go about addressing the issue.

Town Manager Andrews said he thinks this should be a high priority. It has been an issue for a long time and there is very little the Town can do to address it.

Alderman Haven-O'Donnell stated that the Northside neighborhood is a perfect example of what's being done now not being enough.

Alderman Chaney said that this is a difficult issue with many opinions about what works and what does not, and that the board needs to consider how future restrictions will infringe on property rights. She does not want homeowners to be unfairly impacted.

CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (3)(4)(5) and (6)

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS TO ENTER INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (3)(4)(5) and (6). VOTE:

AFFIRMATIVE ALL

OPEN SESSION

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

ADJOURNMENT

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