



Town of Carrboro

301 W. Main St.

Town Hall

Carrboro, NC 27510

Meeting Minutes Board of Aldermen

Tuesday, May 15, 2018

7:30 PM

Board Chambers - Room 110

Present: Mayor Lydia Lavelle, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Randee Haven-O'Donnell, Alderman Sammy Slade

Absent: Alderman Damon Seils, Alderman Bethany Chaney,

Also Present: Catherine Dorando, Town Clerk; Andressa Thorne, Deputy Clerk - Assistant to Mayor, Nick Herman, Town Attorney

PROCLAMATION - MENTAL HEALTH AWARENESS MONTH

Mayor Lavelle proclaimed the month of May as "Mental Health Awareness Month" in the Town of Carrboro and presented the proclamation to Barb and Tom Maier, representatives of NAMI Orange County.

Alderman Gist asked for staff to receive training for mental health "first aid."

PROCLAMATION - NATIONAL POLICE WEEK AND PEACE OFFICERS' MEMORIAL DAY

Mayor Lavelle proclaimed the week of May 13th as "National Police Week" and May 15th as "Peace Officers' Memorial Day." She presented a copy of the proclamation to Chief Horton and several members of the Carrboro Police Department.

CHARGE ISSUED TO RECENTLY APPOINTED ADVISORY BOARD MEMBERS

The Town Clerk issued a charge to David Darr, a recently appointed member of the Economic Sustainability Commission.

APPROVAL OF APRIL 10, 2018 AND APRIL 17, 2018 MEETING MINUTES

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN FOUSHEE TO APPROVE THE MINUTES OF APRIL 10, 2018 AND TO TABLE THE APPROVAL OF THE MINUTES OF APRIL 17, 2018 TO THE FOLLOWING MEETING. VOTE: AFFIRMATIVE FIVE, ABSENT TWO, (CHANEY, SEILS)

A REQUEST TO ADOPT A RESOLUTION TO AWARD A SERVICE SIDEARM TO A RETIRING POLICE OFFICER

Police Sergeant Kenneth Stewart is scheduled to retire from the Town of Carrboro Police Department on June 1, 2018 after approximately 15.5 years of service. The Police Department asked the Board to award Sergeant Stewart his service sidearm to recognize his dedication to duty and his service to the Town of Carrboro.

A MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN FOUSHEE, THAT POLICE SERGEANT KENNETH STEWART BE AWARDED HIS SERVICE SIDEARM PURSUANT TO NCGS 20-187.2. VOTE: AFFIRMATIVE FIVE, ABSENT TWO, (CHANEY, SEILS)

AUTHORIZATION TO RENEW AND AMEND SPRINTCOM, INC. LEASE AGREEMENT FOR COMMUNICATION ANTENNA CO-LOCATION ON TOWN HALL TOWER

SprintCom, Inc expressed an interest in renewing their antenna co-location lease agreement for the Town's telecommunications tower. The current lease will expire on June 18, 2018 and staff has been working with the applicant to negotiate a lease renewal.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A LEASE AGREEMENT WITH SPRINTCOM, INC., FOR AN ANTENNA CO-LOCATION ON THE TOWER AT TOWN HALL

WHEREAS, the Town owns the telecommunications tower located at 301 W. Main St.; and

WHEREAS, SprintCom, Inc., had a co-location lease agreement for an antenna for their communication service on the Town's tower that will expire on June 18, 2018; and

WHEREAS, SprintCom, Inc., has expressed interest in renewing a co-location lease agreement for an antenna for their communication service on the Town's tower; and

WHEREAS, the Board of Aldermen must approve all leases of tower space longer than one year; and

WHEREAS, according to N.C. G.S. 160A-272, this resolution must be adopted at a regular meeting, after 10 days public notice of the intent to enter into a lease agreement. The notice must be published, and must include a description of the property to be leased, the amount of the annual rent payments, and announce the Board's intention to authorize the lease at the next regular meeting.

WHEREAS, a notice was published in the Durham Herald-Sun on April 12, 2018.

NOW THEREFORE BE IT RESOLVED, that the Board of Aldermen authorize the Town Manager to execute a contract with SprintCom, Inc. for a five year term of agreement, automatically renewing for one additional five year term, beginning on June 19, 2018; with an annual payment of \$46,195.50 for the first year, plus an annual increase of 3% for each year of the lease.

This the 15th day of May, 2018

The motion carried by the following vote:

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

Absent: Alderman Chaney, Alderman Seils

**AUTHORIZATION TO RENEW AND AMEND T-MOBILE SOUTH LLC LEASE
AGREEMENT FOR COMMUNICATION ANTENNA CO-LOCATION ON TOWN HALL
TOWER**

T-Mobile South LLC expressed an interest in renewing their antenna co-location lease agreement for the Town's telecommunications tower. The expiration of the lease that is being amended is 2/28/19 and staff has been working with the applicant to negotiate the lease renewal.

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

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A LEASE
AGREEMENT WITH T-MOBILE SOUTH LLC, FOR AN ANTENNA CO-LOCATION ON THE
TOWER AT TOWN HALL**

WHEREAS, the Town owns the telecommunications tower located at 301 W. Main St.; and

WHEREAS, T-Mobile South LLC, had a co-location lease agreement for an antenna for their communication service on the Town's tower that will expire on February 28, 2019; and

WHEREAS, T-Mobile South LLC, has expressed interest in renewing a co-location lease agreement for an antenna for their communication service on the Town's tower; and

WHEREAS, the Board of Aldermen must approve all leases of tower space longer than one year; and

WHEREAS, according to N.C. G.S. 160A-272, this resolution must be adopted at a regular meeting, after 10 days public notice of the intent to enter into a lease agreement. The notice must be published, and must include a description of the property to be leased, the amount of the annual rent payments, and announce the Board's intention to authorize the lease at the next regular meeting.

WHEREAS, a notice was published in the Durham Herald-Sun on April 12, 2018.

NOW THEREFORE BE IT RESOLVED, that the Board of Aldermen authorize the Town Manager to execute a contract with T-Mobile South LLC for two additional and successive five year terms, at a rate of \$45,000.00 at the commencement of the first renewal term, with a 3% annual increase during the term of the lease.

This the 15th day of May, 2018

The motion carried by the following vote:

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

Absent: Alderman Chaney, Alderman Seils

REQUEST-TO-SET A PUBLIC HEARING TO AMEND THE OFFICIAL ZONING MAP TO DESIGNATE THE LLOYD/BROAD OVERLAY DISTRICT

The purpose of this agenda item was for the Board of Aldermen to consider setting a public hearing on a map amendment to the Land Use Ordinance that would place a new zoning overlay district in the Lloyd-Broad Neighborhood.

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

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PUT IN PLACE THE LLOYD/BROAD/SUNSET OVERLAY DISTRICT

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 June 5, 2018, to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance to Put in Place a Lloyd/Broad/Sunset Overlay District."

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

This the 15th day of May, 2018

The motion carried by the following vote:

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

Absent: Alderman Chaney, Alderman Seils

REQUEST TO AUTHORIZE TOWN MANAGER TO ACCEPT AN OFFER AND EXECUTE DEEDS FOR THE TRANSFER OF REAL PROPERTY AND EASEMENTS ASSOCIATED WITH THE ESTES DRIVE/N. GREENSBORO STREET ROUNDABOUT IMPROVEMENTS

The purpose of this item was for the Board of Aldermen to Consider Authorizing the Town Manager to execute deeds and easements related to improvements needed for the Estes Drive/N. Greensboro Street Roundabout project.

Alderman Gist voiced her disapproval of the project.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ACCEPT AN OFFER AND EXECUTE RIGHT-OF-ENTRY AND DEEDS FOR THE TRANSFER OF REAL PROPERTY AND EASEMENTS ASSOCIATED WITH THE ESTES DRIVE/NORTH GREENSBORO STREET ROUNDABOUT IMPROVEMENTS

WHEREAS, in 2013, in response to the call for projects for the Strategic Transportation Prioritization process (SPOT) 3.0, the Town submitted a request for intersection improvements at Estes Drive/North Greensboro; and

WHEREAS, the roundabout project was programmed as highway project U-5846 in the 2015-2025 STIP; and

WHEREAS, NCDOT has provided updates to the Town regarding the status and schedule of the project at regular intervals; and

WHEREAS, the design work is finished; NCDOT is in the process of finalizing easements and property acquisition for right-of-way certification, and is almost ready to bid the project for construction.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen of the Town of Carrboro that the Board authorizes the Town Manager to accept the offer of \$62,350 and execute the right of entry and deeds to the North Carolina Department of Transportation for the completion of improvements at the intersection of Estes Drive and North Greensboro Street (U-5846).

This the 15th day of May, 2018

The motion carried by the following vote:

Aye: Alderman Foushee, Alderman Haven-O'Donnell, Alderman Slade, and Mayor Lavelle

Nay: Alderman Gist

Absent: Alderman Chaney, Alderman Seils

COMMUNITY CLIMATE ACTION PLAN IMPLEMENTATION UPDATE

The purpose of this item was to update the Board on Community Climate Action Plan implementation efforts.

Trish McGuire, the Town's Planning Director, in response to Alderman Slade, stated that the implementation committee will be a top priority after the Environmental Planner position is filled.

Alderman Haven-O'Donnell asked that the efforts with NC Clean Path be included in the plan.

A MOTION WAS MADE BY ALDERMAN FOUSHEE, SECONDED BY ALDERMAN HAVEN-O'DONNELL, THAT THE REPORT BE RECEIVED AND AMENDED BY ADDING THE EFFORTS WITH NC CLEAN PATH. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (CHANEY, SEILS)

PUBLIC HEARING ON DRAFT STORMWATER UTILITY RATE STRUCTURE

The purpose of this item was to hold a public hearing on the draft stormwater utility rate structure, and consider adoption of the rate structure and an interlocal agreement for billing.

Randy Dodd, the Town's Stormwater Manager, provided the staff report and answered questions from the Board of Aldermen.

Mayor Lavelle asked how the property at 203 South Greensboro will be handled since it may be co-owned with other entities. Staff will look into this question.

Mayor Lavelle opened the public hearing.

Jim Porto reiterated the Economic Sustainability Commission's strong support of the stormwater project and his personal support for the project.

Alderman Slade noted that the Economic Sustainability Commission suggested implementing a revolving loan fund to assist the community in regards to payment.

Bridget Smith, a co-owner of Cameron's and Barbara Jessee Black, spoke on behalf of the Carrboro Business Alliance and made the following requests: 1) How will the funds be spent and how will funds be allocated for future capital expenses; 2) Recommended that the money has to be used for stormwater

expenses; 3) Rebates and credits available for ongoing costs of stormwater management; and 4) Consider a cap to alleviate disproportionate impact on small businesses.

Todd LoFrese, the Assistant Superintendent to the Chapel Hill-Carrboro City Schools Requested that the school system be exempted from the fee and stated that current negotiations regarding the MOU between the Town and the School could be in jeopardy if the school system is not exempted.

Jeanette O'Connor, the chair of the Stormwater Advisory Commission, stated that they are very aware of the flooding issue and one of the first things they want to address is which portion of the community to help first.

Mayor Lavelle closed the public hearing.

Alderman Slade asked to what degree the Town could work with the County to request the funding for \$40,000 to cover the cost for the school system. Staff will look into this.

The Board expressed their desire to see actual improvements from the use of this fund to combat flooding issues in Carrboro and stated that this is priority number one for this project.

The item will be brought back to the Board on June 5, 2018 for further consideration of adoption.

ADJOURNMENT

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN FOUSHEE TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (CHANEY, SEILS)