



## **Town of Carrboro**

301 W. Main St.

Town Hall

Carrboro, NC 27510

## **Meeting Minutes**

## **Board of Aldermen**

**Tuesday, May 22, 2018**

**7:30 PM**

**Board Chambers - Room 110**

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

**Absent:** Alderman Damon Seils

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

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### **POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS**

Susan Spalt read a poem entitled "Gun Violence."

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### **PROCLAMATION – GUN VIOLENCE AWARENESS DAY**

Mayor Lavelle proclaimed June 2018 "Gun Violence Awareness Day" and June 1-3, 2018 as "Gun Violence Awareness Weekend" in Carrboro.

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### **CHARGES ISSUED TO RECENTLY APPOINTED ADVISORY BOARD MEMBERS**

Cathy Dorando, the Town Clerk, issued charges to Kerri Petrin, a recent appointee to the Planning Board, and Kelli Crispin, a recent appointee to the Arts Committee.

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### **ANNOUNCEMENT OF UPCOMING MEETINGS**

Cathy Dorando announced upcoming public meetings.

## **APPROVAL OF APRIL 17, 2018 AND APRIL 24, 2018 MEETING MINUTES**

**MOTION WAS MADE BY ALDERMAN GIST, AND SECONDED BY ALDERMAN SLADE, TO APPROVE THE MEETING MINUTES OF APRIL 17, 2018 AND APRIL 24, 2018, AS AMENDED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SEILS)**

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## **REQUEST-TO-SET A PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT RELATING TO REASONABLE ACCOMMODATIONS**

The purpose of this agenda item was for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance regarding reasonable accommodations for persons with disabilities under the Americans with Disabilities Act.

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

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE PROVISIONS WITH RESPECT TO REASONABLE ACCOMMODATIONS

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 September 25, 2018, to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance with Respect to Reasonable Accommodations."

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.

**This the 22<sup>nd</sup> day of May, 2018**

**The motion carried by the following vote:**

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

**Absent:** Alderman Seils

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## **HUMAN SERVICES FUNDING FOR FISCAL YEAR 2018-19**

The purpose of this item was for the Board of Aldermen to consider human services funding allocation recommendations for FY 2018-19.

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

A RESOLUTION ACCEPTING THE RECOMMENDATIONS FROM THE HUMAN SERVICES  
ADVISORY COMMISSION FOR FISCAL YEAR 2018-19 HUMAN SERVICES FUNDING MAY  
22, 2018

WHEREAS, the Town of Carrboro established a policy to support human services agencies that provide invaluable services to the citizens of Carrboro; and

WHEREAS, there were fifty-six (56) agencies applying for funding through the established Human Services funding process; and WHEREAS, the Human Services Advisory Commission has met with all the applicants that applied for funding in the 2018-19 funding cycle; and

WHEREAS, the total amount of the funding request for 2018-19 was \$538,467 and the Human Services Advisory Board is recommending \$300,000 in funding.

NOW THEREFORE BE IT RESOLVED, the Carrboro Board of Aldermen approve the recommendations of the Human Services Advisory Board subject to the Board's approval of the FY 2018-19 Budget for \$300,000 in Human Services Funding.

**This the 22<sup>nd</sup> day of May, 2018**

**The motion carried by the following vote:**

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

**Absent:** Alderman Seils

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**USE OF SOUTH ORANGE FIRE DISTRICT FUND BALANCE**

The purpose of this agenda item was to seek Board of Alderman approval for the Town Manager to request use of the South Orange Fire District Fund Balance to purchase a Command Staff Vehicle.

Alderman Slade asked if the report was saying gasoline is more efficient than diesel. Chief Williams stated that the type of vehicle will be more efficient than current vehicle.

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

RESOLUTION TO REQUEST USE OF SOUTH ORANGE FIRE DISTRICT FUND BALANCE TO  
PURCHASE A  
COMMAND STAFF VEHICLE

WHEREAS, The Town of Carrboro provides fire, rescue and EMS services to the South Orange Fire District; and

WHEREAS, the taxes paid by property owners in the South Orange Fire District are used to pay the Town of Carrboro for services provided to the South Orange Fire District; and,

WHEREAS, the South Orange Fire District has accumulated at fund balance of \$171,888 through June 20, 2017; and,

WHEREAS, the Town of Carrboro has identified a need to purchase a vehicle for command staff at an estimated cost of \$48,000; and.

WHEREAS, a new vehicle for command staff is expected to potentially reduce vehicle maintenance and fuel costs, as well as improve efficiency in service delivery;

NOW THEREFORE, the Town of Carrboro Board of Aldermen hereby:

1. Authorizes the Town Manager to submit a letter of request to Orange County requesting to use available Fund Balance from South Orange Fire District.
2. Such letter of request shall be limited to an amount not to exceed \$48,000.
3. This Resolution if effective upon passage by the Town of Carrboro Board of Aldermen.
4. A copy of this resolution shall be forwarded to the Finance Officer within 2 days.

**This the 22<sup>nd</sup> day of May, 2018**

**The motion carried by the following vote:**

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

**Absent:** Alderman Seils

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**REQUEST-TO-SET PUBLIC HEARINGS ON THE LLOYD FARM CONDITIONAL REZONING AT 700 OLD FAYETTEVILLE ROAD AND ASSOCIATED LUO TEXT AMENDMENTS**

The Town received a revised application to rezone property at NC Hwy 54 and 700 Old Fayetteville Road to B-4-conditional (B-4-CZ) for the construction of a mixed-use development to include a grocery store, commercial outparcels and a multi-story apartment building and duplexes. Applications for text amendments to the Land Use Ordinance, relating to the project were also submitted; these include requests for three text amendments dating from the 2016 application and four new amendments. The Board of Aldermen must receive public input before reaching decisions on these requests.

Alderman Gist asked if the expanded allowed height for the B-4 district could be expanded to other B-4 districts. She expressed concern that other persons petitioning for other districts would ask for something similar. She asked the attorney to narrowly draft the language of the proposed ordinance so that it would have the most limited application and apply only to the property at 700 Old Fayetteville Road.

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

**A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CONDITIONAL DISTRICT REZONING AT 700 OLD FAYETTEVILLE ROAD**

**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 the northeast corner of NC Hwy 54 and Old Fayetteville Road, known as 700 Old Fayetteville Road; and

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Board of Aldermen that the Aldermen call a public hearing on September 25, 2018 to discuss the proposed project at 700 Old Fayetteville Road.

**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: Appearance Commission, Transportation Advisory Board, Environmental Advisory Board, Economic Sustainability Commission.

**This the 22<sup>nd</sup> day of May, 2018**

**The motion carried by the following vote:**

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

**Absent:** Alderman Seils

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

**A RESOLUTION SETTING A PUBLIC HEARING ON TWO ORDINANCES AMENDING  
THE CARRBORO LAND USE ORDINANCE RELATING TO THE LLOYD FARM  
DEVELOPMENT**

**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 September 25, 2018, to consider adopting two ordinances: "An Ordinance Amending the Carrboro Land Use Ordinance to Provide Flexibility with Respect to Street Design Standards in the B-4-CZ District, to Allow Multi-family uses in the B-4-CZ District, and to Increase the Building Height Limit for Multi-family Buildings in the B-4-CZ District," and a second ordinance being prepared to create a new use subcategory for office/medical uses larger than 10,000 square feet, to allow flexibility in the number of bicycle parking spaces required, to allow high volume retail to have goods on display outside, and to allow for the pick-up/delivery of goods outside.

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

BE IT FURTHER RESOLVED that the draft ordinances are also referred to the following Town of Carrboro advisory boards and commissions: Appearance Commission, Transportation Advisory Board, Environmental Advisory Board, and Economic Sustainability Commission.

**This the 22<sup>nd</sup> day of May, 2018**

**The motion carried by the following vote:**

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

**Absent:** Alderman Seils

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**REQUEST TO AUTHORIZE THE TOWN MANAGER TO ACCEPT A BICYCLE PLANNING GRANT FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, AND TO SELECT AND AWARD A CONTRACT TO A TRANSPORTATION PLANNING FIRM TO UPDATE THE TOWN'S COMPREHENSIVE BICYCLE TRANSPORTATION PLAN.**

The purpose of this item is for the Board of Aldermen to consider authorizing the Town Manager to both accept the award of a 2018 Bicycle and Pedestrian Planning Grant from the North Carolina Department of Transportation and to select a planning firm and to award a contract with such a firm for planning services to update the Town's Comprehensive Bicycle Transportation Plan.

Alderman Haven-O'Donnell asked if the grant had any specific restrictions and if so, for staff to report back on those.

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

**NCDOT BICYCLE PLANNING GRANT PROJECT  
ORDINANCE NO.**

WHEREAS, the Town of Carrboro, through the Planning Department, has been awarded a Bicycle Planning Grant from the North Carolina Department of Transportation to update the Town's Comprehensive Bicycle Transportation Plan; and,

WHEREAS, the grant award requires the Town to enter into a Municipal Agreement with NCDOT;and,

WHEREAS, the grant award requires a local match of \$21,000 or 30% of the total project cost; and,

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

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. The grant is hereby accepted and authorized to update the Town's Comprehensive Bicycle Transportation Plan; and is hereby authorized to be undertaken until all project activity is completed.

Federal State Planning & Research	\$ 25,667.00
Division of Bicycle Pedestrian Transportation	\$ 23,333.00
Town of Carrboro Local Match	<u>\$ 21,000.00</u>
Total Revenues	<u>\$ 70,000.00</u>

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

3. The following amount is appropriated for this project to be expended in the following manner: Update of the Town's Comprehensive Bicycle Transportation Plan  
\$70,000.00

Total Appropriation      \$70,000.00

4. The Town Manager is authorized to execute the required funding agreement, execute a Municipal Agreement with NCDOT and undertake any other administrative actions necessary to secure this funding.

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

**This the 22<sup>nd</sup> day of May, 2018**

**The motion carried by the following vote:**

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

**Absent:** Alderman Seils

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

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SELECT A PLANNING FIRM AND TO EXECUTE A CONTRACT FOR PLANNING SERVICES TO UPDATE THE TOWN'S COMPREHENSIVE BICYCLE TRANSPORTATION PLAN**

WHEREAS, the Town of Carrboro has received confirmation that it is a recipient of a State Bike/Ped Planning Grant from the North Carolina Department of Transportation's Division of Bicycle and Pedestrian Transportation to update the Town's Comprehensive Bicycle Transportation Plan; and

WHEREAS, the Town last underwent a Bicycle Transportation Planning process in 2009; and

WHEREAS, an update to the plan would reaffirm the Town's commitment to ensuring our community provides a safe, comfortable, and efficient environment for cyclists by better considering the changing conditions and development trends within the Town of Carrboro as well as provide guidance on the newest treatments and technologies in bicycle facility design which have occurred over the past ten years; and

WHEREAS, Town staff will prepare a Request for Proposals to select the most qualified firm to deliver the project.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board Authorizes the Town Manager to select a planning firm and to execute a contract for planning services with the selected firm to update the Comprehensive Bicycle Transportation Plan.

This is the 22<sup>nd</sup> day of May in the year 2018.

**This the 22<sup>nd</sup> day of May, 2018**

**The motion carried by the following vote:**

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

**Absent:** Alderman Seils

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### **PUBLIC HEARING ON TOWN MANAGER'S RECOMMENDED BUDGET FOR FY 2018-19**

The purpose of this item was to hold a public hearing on the Town Manager's Recommended Budget for the upcoming fiscal year as required by G. S. 159-12 (b).

Mayor Lavelle opened the public hearing.

Rob Dow spoke in favor of street safety and the proposed .5 cent property tax for affordable housing.

Terri Buckner spoke against the proposed tax increase for affordable housing. She asked for the Affordable Housing Committee to have time to review the proposed plans prior to implementation.

Braxton Foushee spoke in favor of the proposed budget and asked the Board to consider a 1 cent property tax increase for affordable housing.

Dolores Bailey thanked Carrboro for their past donations and for considering taxes for affordable housing that can assist with affordable rentals.

Dawna Jones, representing NAACP, spoke in favor of the proposed budget.

Stephanie Wade spoke against proposed tax increase.

Mayor Lavelle closed the public hearing.



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**PUBLIC HEARING WAS ON A REQUEST 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 a request for voluntary annexation of two properties, 905 and 921 Homestead Road. An ordinance annexing these properties into the Town limits is provided for the Board's use.

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

**MOTION WAS MADE BY ALDERMAN GIST, AND SECONDED BY ALDERMAN SLADE, CONTINUE THIS PUBLIC HEARING TO THE JUNE 19, 2018 BOARD OF ALDERMEN MEETING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SEILS)**

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**PUBLIC HEARING FOR CONDITIONAL REZONING AT 905 & 921 HOMESTEAD ROAD**

The purpose of this item was for the Board to provide an opportunity for public comment on a request to rezone property at 905 and 921 Homestead Road to R-10-CZ.

Tina Moon, the Town's Planning Administrator, provided the staff report.

David Noland, President of the Wexford Home Owner's Association and a resident of 403 Tanmore Drive, stated that he was concerned about the safety of Wyndham Drive. He explained that the street is not ideal for heavy traffic because of the blind corners and many children in neighborhood.

Mark Vandegrift, a resident of 202 Wyndham Drive, stated that he was concerned about blind corners, only one stop sign, and people that ignore the stop sign. He suggested speed bumps to prevent drivers from driving fast.

Frank Strohlein, a resident of 126 Colfax Drive, expressed that the connections are unsafe for the roads that they have.

Jon Hansen sent a survey to 26 households and those all oppose the Wyndham Drive connection.

Julia Lubrano, a resident of 216 Stratford Drive, spoke in opposition of building a connection by reading an essay that she had written.

Tara Spector, a resident of 203 Colfax Drive, urged the Board of Aldermen to not make any decision before getting evidence that it will make no harm to the community.

Chris Ambrozic voiced his opposition to the connection.

Jamie Campbell, a resident of 306 Autumn Drive, stated that people ignore the stop sign and spoke against the connection.

Mark Alexander, a resident of 306 Wyndham Drive, stated his opposition to the proposed connection.

Jill Harden, a resident of 203 Wyndham Drive, expressed her opposition to the proposed connection.

Russ Wiener stated that he is opposed to the proposed connection.

Michael Krasnov, a resident of 124 Colfax Drive, expressed opposition to the proposed connection.

Sue Lebrato, a resident of 205 Wyndham Drive, stated that she does not support the rezoning due to the traffic impact.

Joe and Mary Matos are owners of affordable housing and came to state their gratitude to the Town for affordable housing projects.

Justin Gravatt, a resident of 301 Autumn Drive, spoke in opposition to the proposed connection.

Stephanie Wade, a resident of 127 Cobblestone Drive, stated that she moved to Carrboro to give her children a life in a progressive town. She complained about speeding cars in the neighborhood and expressed opposition to the rezoning.

Alderman Gist asked staff for a report on the Coble Stone neighborhood petition form.

Ryan Oakes, a resident of 127 Cobblestone Drive and spouse of Stephanie Wade, read three letters from neighbors who could not attend the meeting stating their opposition to the rezoning.

Clara Cotrell, 107 Stratford Drive, voiced her opposition to rezoning.

Amy Fitzgerald stated that she is concerned about the school bus going down her road with no room to turn around.

Omar Zinn, the developer, stated that he and his brother Adam grew up in Carrboro since 1972. He stated that his goal is not to make money, but benefit the community. He stated that he is willing to work with the Board on their direction.

Alderman Haven-O'Donnell asked for the people who read from hard copies, to send those to the Town Clerk so that so they can be documented.

Alderman Slade said that all points are valid and that there seems to be a need to implement safety measures on that road.

Mayor Lavelle suggested speed bumps on the streets.

Alderman Haven-O'Donnell agreed with Alderman Slade. She hears that since 2009 there have been traffic issues, so whatever the decision is, the streets need to be revised.

When asked when this matter could be continued, Tina Moon suggested the June 19<sup>th</sup> Board of Alderman Meeting.

Alderman Chaney thanked everyone who came by tonight and also emailed their questions.

Alderman Gist thanked all for coming to speak and express how they don't want the connection road,

but understand that does not mean they don't want to connect; these are different points.

**MOTION WAS MADE BY ALDERMAN GIST, AND SECONDED BY ALDERMAN SLADE, CONTINUE THIS PUBLIC HEARING TO THE JUNE 19, 2018 BOARD OF ALDERMEN MEETING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SEILS)**

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**UPDATE ON 203 S. GREENSBORO PROJECT - DESIGN CONTRACT AND PUBLIC PROCESS**

The purpose of this item was to provide the Board with an update on the status of the design contract and the proposed public process for the project.

Trish McGuire stated that the project will have the kick-off meeting on June 19th.

Alderman Haven-O'Donnell asked to provide engagement details to Board prior to it being done. She also asked to have Perkins + Will meet with the Board of Aldermen prior to a joint meeting with the County. Trish McGuire will continue to relay all information to the Board of Aldermen.

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**DISCUSSION OF FUTURE CONSIDERATIONS FOR THE GREENE TRACT**

This item was rescheduled to June 12th.

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**EXPLORATION OF AFFORDABLE HOUSING ON TOWN-OWNED LAND**

This item was reschedule to June 19th.

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**ADJOURNMENT**

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

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**Town Clerk**

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**Mayor**