



Town of Carrboro

301 W. Main St.

Town Hall

Carrboro, NC 27510

Meeting Minutes Board of Aldermen

Tuesday, June 5, 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 Damon Seils and Alderman Sammy Slade

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

POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

Gary Phillips, the Town of Carrboro Poet Laureate, read a poem entitled "Motto" by William Davis, Jr., the Town of Hillsborough's Poet Laureate. He also read "When Fog, When Mountain" by Lauren Moseley.

CHARGES ISSUED TO RECENTLY APPOINTED ADVISORY BOARD MEMBERS

The Town Clerk issued a charge to David Swan, a recent appointee to the Transportation Advisory Board.

PROCLAMATION - POLLINATOR WEEK

Mayor Lavelle proclaimed June 17th -23rd as "Pollinator Week" in the Town of Carrboro.

PROCLAMATION - PRIDE MONTH

Damon Seils read a proclamation issued by Mayor Lavelle proclaiming June 2018 as "Pride Month" in the Town of Carrboro.

203 SOUTH GREENSBORO DESIGN PROCESS KICK-OFF

Derrick Jones and Chris Garris, representing Perkins+Will, announced the kick-off for the 203 South Greensboro process.

Alderman Gist expressed concern regarding the beginning time of the kick-off meeting for the 203 South Greensboro project. Trish McGuire, the Town's Planning Director, stated that the begin time can be pushed to later in the evening.

Alderman Haven-O'Donnell suggested putting fliers on the "free little library" boxes throughout town.

Alderman Chaney asked that staff review the input to make sure that they do not see any voices that may have been missed. She also requested that public relations regarding this project be clear about the library aspect.

APPROVAL OF MAY 1, 2018 AND MAY 22, 2018 MEETING MINUTES

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN FOUSHEE TO APPROVE THE MINUTES OF MAY 1, 2018 AND MAY 22, 2018, AS AMENDED.

VOTE: AFFIRMATIVE ALL

REQUEST TO RECOMMEND APPOINTMENT TO THE ORANGE COUNTY ANIMAL SERVICES ADVISORY BOARD

The purpose of this item was for the Board of Aldermen to recommend that the Orange County Board of Commissioners make an appointment to the Carrboro seat on the Animal Services Advisory Board.

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

A RESOLUTION RECOMMENDING AN APPOINTMENT TO THE ORANGE COUNTY ANIMAL SERVICES ADVISORY BOARD

WHEREAS, the Town of Carrboro has a vacant seat on the Orange County Animal Services Advisory Board;

WHEREAS, Evelyn Daniel has submitted an application to Orange County expressing interest in

serving and she meets the requirements for the Carrboro representative seat.

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN THAT: Section 1. The Mayor and Board of Aldermen hereby recommend that Evelyn Daniel be appointed as a Carrboro representative on the Orange County Animal Services Advisory Board.

This 5th day of June 2018.

The motion is carried by the following vote:

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

A RESOLUTION MAKING AN APPOINTMENT TO THE ORANGE WATER AND SEWER AUTHORITY (OWASA) BOARD OF DIRECTORS

The Mayor and Board of Aldermen were requested to consider making an appointment to one of the Town's seats on the OWASA Board of Directors.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE ORANGE WATER AND SEWER AUTHORITY BOARD OF DIRECTORS

WHEREAS, The Town of Carrboro has two seats on the Orange Water and Sewer Authority Board of Directors; and,

WHEREAS, there is a vacancy in one of those seats; and,

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY RESOLVES:

Section 1: Robert Morgan is hereby appointed as the Town's representative on the OWASA Board of Directors for a term to expire on June 30, 2021.

Section 2: A copy of this resolution shall be forwarded to OWASA.

Section 3. This resolution shall become effective upon adoption.

This 5th day of June 2018.

The motion is carried by the following vote:

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

TJCOG CHARTER UPDATE

The purpose of this item was to respond to a request from the TJCOG to adopt a resolution updating their Charter.

Alderman Slade requested that Alderman Chaney request, on behalf of Carrboro to the triangle J council, the inclusion in Article III, section 2 of the Triangle J Council charter the addition of: ' Q) social, economic and racial equity' and 'R) Climate change mitigation and adaptation

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

Triangle J Council of Governments Charter Resolution

WHEREAS, together with the other county and municipal governmental units adopting concurrent Resolutions identical hereto, recognize that there is a need for such governmental units to consult among themselves and to act in concert with reference to regional matters affecting health, safety, welfare, education, recreation, economic conditions, regional planning or planning development; now, therefore, be it

RESOLVED, that pursuant to the General Statutes of North Carolina, Chapter 160A, Article 20, Part 2, the following Resolution is adopted for the establishment of a regional council of governments.

ARTICLE I

Short Title - Binding Effect. This Resolution is the "Charter" of this Regional Council; and said Charter, together with all amendments thereto, is binding upon and shall ensure the benefit of all governmental units adopting it.

ARTICLE II

Name. The name of the regional council of governments hereby established is the Triangle J Council of Governments.

ARTICLE III

Purpose. The purposes of the Council are:

- 1) To serve as a forum for discussion of governmental problems of mutual interest and concern;
- 2) To develop and formalize policy recommendations concerning specific matters having an areawide significance which may include but are not limited to the following:
 - a) human resource development and human relations.
 - b) housing, public and private.
 - c) health care and hospital services. d) recreation.
 - e) sanitation and refuse disposal.
 - f) communications.
 - g) transportation.
 - h) water, sanitary sewer, electric power and other utility services. i) air, water and other environmental development.
 - j) commercial and industrial development. k) law enforcement.
 - l) welfare.
 - m) fire protection and prevention. n) regional land use planning.
 - o) workforce development and training, and
 - p) conservation and development of natural resources.
- 3) To promote inter-governmental cooperation;
- 4) To provide organizational machinery to insure effective communication and coordination among the participating governmental units and other governmental units.
- 5) To serve as a vehicle for the collection and distribution of information concerning matters of areawide interest;
- 6) To review, upon request of any governmental unit within the Triangle J Region, applications of that unit for any grant in aid, federal, state or private; and
- 7) To provide services to local governments and residents in the area known as the Triangle J Region where appropriate and authorized.

The Council shall strive to promote harmony and cooperation among its members. It shall seek to deal with regional problems in a manner that is mutually satisfactory and shall respect the autonomy of all local governments within the Triangle J Region.

ARTICLE IV

Membership

- 1) The initial membership of the Council of Governments shall consist of the general purpose governmental units of and in the counties of Chatham, Durham, Johnston, Lee, Orange, and Wake, known as the Triangle J Region, which adopted a resolution pursuant to N.C.G.S. 160A-470 on or before June 30, 1972.
- 2) Any municipality or county in the Triangle J Region that is not an initial member of the Council may join this Council by ratifying or adopting this Charter and upon a majority vote of approval by the Board of Delegates. Notice of such application for admission shall be given to existing members of the Council at least ten (10) days prior to the date of the meeting at which the vote is to be taken.
- 3) All rights and privileges of membership in the Council shall be exercised on behalf of the member governments by their delegates to the Council.
- 4) Any special purpose governmental agency in the Triangle J region involved in matters affecting the health, safety, natural resources, welfare or education of the citizens of North Carolina, such as school boards, sanitary districts, and soil and water conservation districts, is eligible to apply for an affiliate membership in the Council. The application may be approved and an affiliate membership granted to such special purpose governmental unit upon the affirmative vote of the Board of Delegates. The affiliate member shall pay no assessment, but the Council may charge each affiliate member a reasonable sum to cover its proportionate share of the direct costs of providing services to the affiliate members, provided such payments are authorized by law. The affiliate member shall have no vote in the Council, but its designated representative may serve on any technical or advisory committee and may otherwise participate in the deliberations of the Council.

ARTICLE V

Withdrawal. Any member may withdraw from the Council at the end of any fiscal year, provided written notice of intent to withdraw is given to each of the other members at least sixty (60) days prior to the end of the fiscal year.

ARTICLE VI

Governing Board.

- 1) The governing board of the Council of Governments shall be known as the Board of Delegates, which shall be constituted as described below.

- 2) The Board of Delegates shall consist of one delegate from each member governmental unit. Each governmental unit may designate any number of alternate delegates. All delegates and alternates shall be elected members of the governing bodies of the member governmental units they represent. The delegates and alternates, as well as their successors, shall be selected by the member governing bodies in any manner consistent with law and the regulations governing such body, and their names shall be certified to the Council in the manner described by the Bylaws of the Council.
- 3) The term of office of each delegate shall commence upon the date of his/her appointment and certification to the Council by the governing body of the member governmental unit he or she represents; and such terms shall expire when the appointing body has appointed his or her successor and certified such successor to the Council, unless he or she shall sooner resign, or cease to be an elected member of said governing body, in which case his or her term shall expire on the effective date of such event. Each member shall certify to the Council the name of its delegate and any alternate(s) prior to the first Board of Delegates meeting of the calendar year. Only an individual who has been duly appointed and certified to the Council as a delegate or alternate may serve as a voting member of the Board of Delegates.
- 4) The delegates shall be compensated, upon submittal of proper receipts, for direct expenses incurred in connection with discharging their duties as delegates to the Triangle J Council of Governments.
- 5) It is the intent of this Charter that all delegates to the Council shall have demonstrated an interest in the sound development of Region J.

ARTICLE VII

Meeting. Regular meetings of the Board of Delegates shall be held, as provided in the Bylaws to receive reports from its standing committees and to conduct necessary business. The Chair may cancel the regular meeting if he or she determines that there is no need for the meeting. Special meetings of the Board of Delegates may be called by the Chair, or by any three members thereof. All meetings shall be open to the public.

At least 48 hours written notice of any meeting shall be given to all delegates of the Board of Delegates. It shall state the time, place, and purpose of the meeting, and may be sent by electronic means. At least twenty-four (24) hours written notice shall be given of any committee meeting to all committee members. Any member may waive notice of this requirement for himself/herself.

**ARTICLE
VIII**

Quorum and Voting Requirements.

- 1) Except as provided in Paragraph 4 of this Article, each member governmental unit shall be entitled to one vote on all matters coming before the Board of Delegates or before any committee to which such member unit is duly appointed. All votes shall be cast by the delegate, or in his or her absence, by an alternate delegate of the member government.
- 2) The quorum shall be established in the Bylaws. The affirmative vote of a simple majority of members present at any meeting at which a quorum is present shall be required for any action or recommendation of the Board or any Committee, unless this Charter or the Bylaws of the Council require a larger affirmative vote on particular matters.
- 3) Voting shall be by voice, by show of hands, or, upon the request of any three delegates, by a poll of the delegates.
- 4) At the request of any delegate present, any questions shall be determined by weighted voting. Weighted voting shall mean that each participating member local government shall have one vote for each 5,000 units of population, as determined by the most recent decennial census, and for any remaining fraction of 5,000 units within the geographical boundaries of the participating government, except that any participating government whose jurisdiction has a population of less than 5,000 shall have one vote. In the case of any weighted voting question delegates representing local governments with at least two thirds of the aggregate votes of member local governments shall be present and participating. An affirmative vote of at least two thirds of the votes cast shall be required to decide any weighted voting question.
- 5) Proxy voting is not allowed.
- 6) The provisions in this Article VIII apply to all committees and boards of the Council except to the extent such committee or board has adopted different measures.

ARTICLE IX

Board of Delegates

- 1) At the first regular meeting of the Board of Delegates, and annually thereafter as provided by the Bylaws, the Board of Delegates shall elect a Chair, a First Vice Chair, a Second Vice Chair and a Secretary-Treasurer to serve as officers for one year or until their successors have been duly elected. The Board of Delegates may also elect such

additional officers as the Board of Delegates finds to be necessary in the proper performance of its duties.

- 2) The Chair shall preside at all meetings of the Board of Delegates and shall conduct said meeting in an orderly and impartial manner so as to permit a free and full discussion by the membership of such matters as may be brought to the Board of Delegates. The Chair shall have the same voting rights as other members.
- 3) The Chair may appoint such advisory committees as he or she finds necessary or desirable.
- 4) The First Vice Chair shall perform all of the duties of the Chair in the absence of the Chair, or in the event of the inability of the Chair to act, and shall perform such other duties as the Board of Delegates may delegate to him or her. The Second Vice Chair shall perform all of the duties of the First Vice Chair in the absence of the First Vice Chair or in the event of the inability of the First Vice Chair to act.
- 5) All other officers elected by the Board of Delegates shall perform such duties as may be prescribed by the Board of Delegates.

ARTICLE X

Finance Matters:

- 1) On or before the 15th day of April each year, the Council shall prepare and submit to each participating governmental unit its proposed general budget for the next fiscal year.
- 2) The general budget shall set out the proportionate share of the budget to be borne by each member governmental unit by a method established in the By-laws and reviewed periodically by the Board of Delegates.
- 3) A special budget providing for cooperative arrangements or coordinated action for two or more members may be adopted at the request of members participating in special functions. The share of the special budget to be borne by each participating member shall be determined by the participating members.
- 4) Upon approval of its share of each budget by a member local government, such member shall appropriate its share of the budget, and after adoption of its own budget, shall forward to the budget officer its share of the budget.

- 5) All local appropriations to the Council shall be made in accordance with the Local Government Budget and Fiscal Control Act, as may be appropriate.
- 6) The finance officer shall have authority to collect, deposit, and disburse funds made available to the Council from any source whatsoever, and also perform other duties as prescribed by G.S. 159-25. Finance officers shall be bonded as required by G.S. 159.29. All monies received for the Council shall be deposited into an official depository of the Council for the exclusive use of the Council, and shall be paid out only by check signed by the finance officer and countersigned by the Executive Director or another official designated by the Council. Funds shall be disbursed only when they are within the amount of appropriations made according to the budget of the Council.
- 7) The Board of Delegates may designate a Council employee or, with the agreement of the governing body involved, designate one of the city or county accountants as the finance officer to perform the duties as described in the Local Government Budget and Fiscal Control Act insofar as post-budget approval of expenditures is concerned.
- 8) It shall be the duty of the Board of Delegates to require that all financial records and accounts of the Council be audited annually by a certified public accountant or by an accountant certified by the Local Government Commission as qualified to audit local governmental accounts. A copy of the annual audit shall be forwarded to each member county and municipality and to the secretary of the Local Government Commission.

ARTICLE XI

Committee Structure.

- 1) The Board of Delegates may establish an Executive Committee, other committees of the Board itself, and technical and advisory committees.
- 2) Executive Committee. The Executive Committee shall consist of two delegates from each county in the Region. The officers of the Council and the immediate past Chair shall automatically be members, and will thereby occupy that number of the two seats allotted to their county. Each county government will occupy one seat on the committee. The other seat from each county will be occupied by a municipal delegate from that county. The municipal delegate will be chosen by a vote of all the municipal delegates from that county unless that seat is automatically assigned as provided above. If there are more eligible delegates than available seats for those delegates to serve on the Executive Committee due to the automatic assignments provided above,

then the number of Executive Committee members shall be temporarily increased to allow all eligible delegates to serve on the Executive Committee. .

- 3) Technical and Advisory Committees. The Chair may appoint technical or advisory committees with broadly representative membership for any of the planning studies and work elements in the Program of Work. These Committees should work directly with the Council staff and its consultants and make periodic reports to the Council. In addition to reviewing periodic progress reports, these advisory committees should directly participate in the planning process.

ARTICLE XII

Annual Report. The Council shall prepare and submit an annual written report of its activities, including a financial statement, to the participating governmental units.

ARTICLE XIII

Powers, Duties and Functions of the Council. Within the limits of funds and personnel available, the Council:

- 1) Shall have and may exercise, in accordance with its Charter and Bylaws, all of the powers which the General Assembly of North Carolina has authorized, and may hereafter from time to time authorize, this Charter to confer upon the Council, including, but not limited to, all of the specific powers enumerated in Section 160A-475 (any amendments thereto) of the General Statutes of North Carolina, which powers are incorporated herein by reference.
- 2) Shall have, and may exercise, in addition to and not in limitation of the foregoing, the following powers:
 - (a) To create such committees as it deems necessary to exercise the powers granted to the Council herein in dealing with problems or problem areas that do not involve all the members of the Council. At least one delegate from each member governmental unit affected by the problem or problem area to be dealt with by the committee is entitled to be a member of that committee. Any two or more member governmental units shall have the right to have a Council committee formed to exercise the powers of the Council with reference to any problem which affects the petitioning governmental units, unless the Council shall reasonably determine that the problem or problem area in question should be assigned to an existing committee, in which case the petitioning

member shall be entitled to be represented on said committee. The subject matter over which any committee has jurisdiction to exercise the powers of the Council shall be specifically defined, but may be enlarged or restricted by the Council from time to time. Unless the right of a member of representation on any particular committee granted herein above is asserted, the Chair of the Council shall designate the membership of all committees.

- (b) To accept, receive and disburse in furtherance of the duties, purposes, powers, and functions specified in the Charter all member assessments, funds, grants, and services made available by the State of North Carolina, any other municipality or county or other governmental or quasi-governmental unit or agency, (whether or not a member of such Council) and private and civic sources. The Council may provide matching funds, grants or services, received from any source, to or from any governmental or quasi-governmental agencies established by the Council or any two or more member governmental units in furtherance of the duties, purposes, powers, and functions herein contained. None of the powers contained in this subparagraph may be exercised by any committee except with respect to funds budgeted or appropriated for their use by the Council.
- (c) To meet with, consult with, and act in concert with any county or municipality, any agency of the State or Federal government, any civic organization, or any private organization in the furtherance of the purposes and objects within its jurisdiction.
- (d) To participate, as a unit of local government, in any undertaking with any other unit of local government, whether or not a member of the Council, for the joint exercise of governmental powers in accordance with the provisions of Chapter 160A, Article 20, Part 1 of the General Statutes of North Carolina (and any amendments thereto).
- (e) To contract with any person, firm or corporation for goods and/or services when same have been authorized by budget appropriations or by special resolution of the Council appropriating available funds.
- (f) To adopt Bylaws containing such rules and regulations for the conduct of its business as it may deem necessary for the proper discharge of its duties and the performance of its functions, not inconsistent with the Charter of the laws of North Carolina.
- (g) To create agencies of the Council to act for and on behalf of the Council in the planning and development of particular programs which affect the health,

safety, welfare, housing, education, economic conditions or regional development of two or more member governmental units. Such agencies shall have such membership, staff, powers, duties and responsibilities as may be specified in the Council Resolutions establishing such agencies, consistent with powers herein granted to the Council. Provided, however, such agency shall at all times be acting for and on behalf of, and shall be responsible to the Council. The Council may appropriate funds for the use of agency programs which it has received from any source, including member assessments, provided such appropriation is made in accordance with the Charter.

- (h) To contract with and provide services to local governmental units within Region J.
- (i) To serve as an informational clearinghouse and, as a reviewing agency with respect to Federal, State and local services or resources available to assist in the solution of problems.
- (j) To request and receive contributions of research assistance from its own agencies, private research organizations, civil foundations, institutions of higher learning, and other organizations.
- (k) To purchase, lease, rent or otherwise acquire real and personal property to the extent necessary to discharge the other powers, duties and functions set forth herein and to the extent such purchases are authorized by general or special budgets and are within the limits of funds appropriated for or provided to the Council by the participating governmental units and others for such purposes.
- (l) To act as the official reviewing agency of the participating governmental units for all programs, Federal, State, or private, requiring regional review.

It is the desire of the membership of this Council to avoid duplication of governmental functions, particularly in the planning and development of future programs in areas of governmental responsibility, and to that end this Council is created, should function, and these powers are given.

ARTICLE XIV

Amendments. Amendments to this Charter shall become effective when adopted by resolution of two-thirds (2/3rds) of the participating governmental units in the Council of Governments.

ARTICLE XV

Dissolution. The Council may be dissolved at the end of any fiscal year only (1) upon the adoption of a dissolution resolution by the governing bodies of all member governmental units, or (2) the withdrawal from the Council of all but one (1) of the member governmental units. If such dissolution is affected by resolution of all member governments, such resolutions shall specify the method of liquidating the Council's assets and liabilities. If such dissolution is occasioned by withdrawal of all but one member, the remaining governmental unit shall have the power to liquidate all assets and liabilities and it shall then distribute the net proceeds, if any, to those members who paid the latest annual assessment and in the same proportion. Any deficit shall be the responsibility of those member governments who would have received the net proceeds, and in the same proportions.

Amended: July 1, 1975
February 18, 1976
April 28, 1982
February 14, 1985
March 27, 1996
April 25, 2018

This 5th day of June 2018.

The motion is carried by the following vote:

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

REQUEST TO SET THE PUBLIC HEARING FOR CONDITIONAL USE PERMIT FOR WILDFLOWER LEARNING CENTER AT 3100 DAMASCUS CHURCH ROAD

Shelley Riselvato, the owner and director of the Wildflower Learning Center, submitted an application for a Conditional Use Permit for Wildflower Learning Center at 3100 Damascus Church Road.

Alderman Gist stated that she wants to make sure that this facility is a licensed daycare prior to issuing their permit. Marty Roupe, the Town's Zoning Administrator, stated that they are not required by the state to be licensed because they are only operating four hours per day.

Shelley Riselvato stated that they are purposefully unlicensed so that they align with their own practices of being a child directed center.

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

A RESOLUTION CALLING A PUBLIC HEARING ON WILDFLOWER LEARNING CENTER CONDITIONAL USE PERMIT REQUEST

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 Use Permit authorizing a child daycare facility with livestock use at 3100 Damascus Church Road parcel identified by Orange County PIN 9777-35-4538.

NOW, THEREFORE BE RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on June 26th, 2018 to discuss the proposed child daycare facility with livestock use CUP project.

This 5th day of June 2018.

The motion is carried by the following vote:

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

REQUEST TO SET THE PUBLIC HEARING FOR THE SANDERWAY ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT REQUEST

GH-2, LLC, as represented by Richard Gurlitz, Architect and Credle Engineering, Inc, has submitted an application for an eighteen lot Architecturally Integrated Subdivision located at 1236 Hillsborough Rd. The applicant requested that the Board set the public hearing date for the conditional use permit request on June 26th, 2018.

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

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED SANDERWAY AIS CONDITIONAL USE PERMIT REQUEST

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 Use Permit authorizing an 18 lot Sanderway Architecturally Integrated Subdivision at 1236 Hillsborough St. (PIN 9779142354);

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on June 26th, 2018 to discuss the proposed Sanderway Architecturally Integrated Subdivision CUP project.

This 5th day of June 2018.

The motion is carried by the following vote:

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

REQUEST TO SET THE PUBLIC HEARING FOR MIXED USE BUILDING AT 603 JONES FERRY ROAD

Francis Chan submitted an application for a Conditional Use Permit for a Mixed Use Building at 603 Jones Ferry Road.

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

**A RESOLUTION CALLING A PUBLIC HEARING ON MIXED USE BUILDING
CONDITIONAL USE PERMIT REQUEST**

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 Use Permit authorizing a mixed use building on the 603 Jones Ferry Road parcel identified by Orange County PIN 9778-34-6032.

NOW, THEREFORE BE RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on June 26th, 2018 to discuss the proposed Mixed Use CUP project.

This 5th day of June 2018.

The motion is carried by the following vote:

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

**RECOGNITION OF DONATION TO THE CARRBORO POLICE DEPARTMENT BY
UNIVERSITY FORD OF CHAPEL HILL**

The purpose of this item was to recognize the generous donation from University Ford of Chapel Hill of the use of a fifteen-passenger van.

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

A RESOLUTION OF APPRECIATION TO UNIVERSITY FORD FOR THEIR DONATION

WHEREAS, University Ford of Chapel Hill has graciously offered to donate the use of a 15 passenger van by waiving the rental fee of \$535.96 to the Carrboro Police Department for use during the police summer camp held June 25 – 29, 2018; and

WHEREAS, this donation will allow the police department's staff to transport participants of the camp safely to different education venues.

WHEREAS, donation of this van will help the Carrboro Police Department continue the goal of education and positive interactions with the public;

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

1. On behalf of the Town of Carrboro and its residents, the Board of Aldermen hereby expresses its sincere thanks and gratitude to University Ford of Chapel hill for its generous donation.
2. The resolution shall be entered into the official minutes of the Board of Aldermen and a copy thereof shall be delivered to University of Chapel Hill.
3. This resolution shall become effective upon adoption.

This 5th day of June 2018.

The motion is carried by the following vote:

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

CONDITIONAL USE PERMIT EXTENSION FOR PREVIOUSLY ISSUED CONDITIONAL USE PERMIT FOR THE MATTHEW'S FAMILY BUILDING AT 609 HIGHWAY 54 WEST

The Board was asked to review a request for an extension of the date when a Conditional Use Permit would otherwise expire for the Matthew's Family Building at 609 Highway 54 West.

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

A RESOLUTION APPROVING THE EXTENSION OF THE DATE ON WHICH THE CUP FOR MATTHEW'S FAMILY BUILDING AT 609 HIGHWAY 54 WEST WOULD OTHERWISE EXPIRE

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for The Matthew's Family at 609 Highway 54 West on September 25th, 2007; and

WHEREAS, the Carrboro Board of Aldermen has extended the expiration date for the CUP since that time; and

WHEREAS, Section 15-62(a) of the Town of Carrboro Land Use Ordinance allows for multiple extensions; and

WHEREAS, the Board of Aldermen finds, per Section 15-62(c) of the LUO, that: 1.) the CUP has expired, but based on circumstances and equities the extension request is considered to have been submitted on time, and 2.) the permit recipient has proceeded with due diligence and good faith, and 3.) conditions have not changed so substantially as to warrant a new application.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the expiration date for Matthew's Family Building Conditional Use Permit is hereby extended to October 20th, 2019. extended to October 20th, 2019.

This 5th day of June 2018.

The motion is carried by the following vote:

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

REQUEST TO AUTHORIZE MANAGER TO ENTER INTO A CONTRACT WITH SUMMIT DESIGN AND ENGINEERING SERVICES FOR HAZARD MITIGATION GRANT PROGRAM (HMGP) ADMINISTRATION.

The purpose of this item is for the Board of Aldermen to consider authorizing the Manager to enter into a contract for HMGP Grant Administration.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT WITH SUMMIT DESIGN AND ENGINEERING SERVICES TO ADMINISTER HMGP GRANT.

WHEREAS, the Town of Carrboro received a Hazard Mitigation Grant Program Grant in 2016 to elevate two homes, at 400 Lorraine Street and 403 Lorraine Street; and

WHEREAS, town staff and company representatives are currently finalizing details related to the contract.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen hereby authorize the Town Manager to enter into a contract with Summit Design and Services to administer HMGP Grant Agreement 4167-0013-R.

This 5th day of June 2018.

The motion is carried by the following vote:

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

AMENDMENTS TO ARTICLES II, III, & IV OF CHAPTER 6 OF THE CARRBORO TOWN CODE - TRAFFIC CONTROL DEVICES, SPEED LIMITS, AND PARKING

The purpose of this item was to update the current Town Code provisions relating to the regulation of Traffic Control Devices, Speed Limits, and Parking restrictions to include streets within the Winmore, Ballentine, and Legends neighborhoods.

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

AN ORDINANCE AMENDING THE TOWN CODE TO INCLUDE TRAFFIC CONTROL DEVICES,
SPEED LIMITS, AND PARKING RESTRICTIONS FOR WINMORE DEVELOPMENT STREETS
ORDINANCE NO. 19/2017-18

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Article II of Chapter 6, Section 6-4, Subsection (a) of the Carrboro Town Code (Stop Signs Required at Certain Intersections) is amended to include the following Stop and Through Streets:

Stop Street	Through Street
Jewel Drive	E Winmore Avenue
Sharp Street	Jewel Drive
Della Street	Sharp Street
Ruskin Drive	E Winmore Avenue
Private Alley 1*	E Winmore Avenue
Unnamed Private Alley*	Private Alley 1*
Private Alley 1*	Sharp Street
Sharp Street	E Winmore Avenue
Ruskin Drive	Atterbury Street
Private Alley 6*	Atterbury Street
Atterbury Street	E Winmore Avenue
Private Alley 3*	Jewel Drive
Private Alley 8*	Private Alley 3*
Private Alley 8*	Della Street
Private Alley 4*	Della Street
Private Alley 5*	Private Alley 4*
Private Alley 4*	Sharp Street
Kiley Street	E Winmore Avenue
Private Alley 2*	Kiley Street
Kiley Street	Della Street
Della Street	S. Camellia Street
Private Alley 3*	S. Camellia Street
Private Alley 2*	S. Camellia Street

Private Alley 2*	Private Alley 7*
Private Parking Driveway*	Kiley Street
Private Alley 9*	Private Alley 7*
Private Alley 9*	S. Camellia Street
Phillip's Square	S. Camellia Street
Private Alley 6*	N. Camellia Street
Atterbury Street	N. Camellia Street
Piano Street	W. Winmore Avenue
Private Alley 7*	W. Winmore Avenue
Private Alley 10*	W. Winmore Avenue
Private Alley 11*	W. Winmore Avenue

Section 2 Article II of Chapter 6, Section 6-7 of the Carrboro Town Code (Yield Right-of-Way Signs at Certain Intersection) is amended to include the following Yield and Through streets:

Yield Street

W. Winmore Avenue

E. Winmore Avenue

N. Camellia Street

S. Camellia Street

Through Street

Winmore/Camellia Roundabout

Winmore/Camellia Roundabout

Winmore/Camellia Roundabout

Winmore/Camellia Roundabout

Section 3 Article II of Chapter 6, Section 6-10 of the Carrboro Town Code (Crosswalks and Safety Zones) is amended to include crosswalks at the following locations:

E. Winmore Avenue approximately 30' east of the Jewel Drive and E. Winmore Avenue intersection
Jewel Drive approximately 400' south of the E. Winmore Avenue and Jewel Drive intersection

N. Camellia Street approximately 80' north of the center of the Winmore Avenue and Camellia Street roundabout

S. Camellia Street approximately 80' south of the Winmore Avenue and Camellia Street roundabout

E. Winmore Avenue approximately 80' east of the Camellia Street and Winmore Avenue roundabout

W. Winmore Avenue approximately 80' west of the Camellia Street and Winmore Avenue roundabout

Section 4 Article III, of Chapter 6, Section 6-16, Subsection (b)(2) of the Carrboro Town Code (Speed Limits of Twenty (20) Miles Per Hour) is amended to include the following streets:

Jewel Drive

E. Winmore Avenue from a point approximately 100' East of Jewel Drive centerline

Ruskin Drive

Atterbury Street

Della Street

S. Camellia Street

N. Camellia Street

Piano Street

W. Winmore Avenue

Section 5 Article III, of Chapter 6, Section 6-16, Subsection (b)(2) of the Carrboro Town Code (Speed Limits of Twenty (25) Miles Per Hour) is amended to include the following streets:

E. Winmore Avenue from Homestead Road to a point 100' East of Jewel Drive

Section 6 Article III, of Chapter 6, Section 6-16, Subsection (b) of the Carrboro Town Code (Speed Limits) is amended to include the following subsection for streets with a Fifteen (15) Miles per Hour Speed Limit:

(9) Fifteen (15) Miles per Hour

Sharp Street

Kiley Street

Section 7 Article IV, of Chapter 6, Section 6-19, Subsection (b)(1) of the Carrboro Town Code (Parking Prohibited at Certain Locations at Certain Times: No Parking at Any Time) is amended to include the following locations:

On the east side of Jewel Drive from its intersection with E. Winmore Avenue to its terminus,

On the southwest side of Sharp Street from its intersection with E. Winmore Avenue to its intersection with Jewel Drive.

On the northeast side of Atterbury Street from its intersection with Winmore Drive to its intersection with N. Camellia Street.

On the south side of Della Street from its intersection with Sharp Street to its intersection with S. Camellia Street.

On the west side of Kiley Street from its intersection with E. Winmore Avenue to its intersection with Della Street.

Section 8. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 9. This ordinance shall become effective upon adoption.

This 5th day of June 2018.

The motion is carried by the following vote:

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

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

AN ORDINANCE AMENDING THE TOWN CODE TO INCLUDE TRAFFIC CONTROL DEVICES, SPEED LIMITS, AND PARKING RESTRICTIONS FOR BALLENTINE DEVELOPMENT STREETS

ORDINANCE NO. 20/2017-18

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Article II of Chapter 6, Section 6-4, Subsection (a) of the Carrboro Town Code (Stop Signs Required at Certain Intersections) is amended to include the following Stop and Through Streets:

Stop Street

Dairy Glen Road

Tuckers Pond Drive

Avas Loop

Lexes Trail*

Dairy Glen Road

Through Street

Tuckers Pond Drive

Dairy Glen Road

Dairy Glen Road

Dairy Glen Road

Hogan Hills Road

Section 2 Article II of Chapter 6, Section 6-10 of the Carrboro Town Code (Crosswalks and Safety Zones) is amended to include crosswalks at the following locations:

Dairy Glen Road at its ninety degree bend (approximately 450' north of its intersection with Tuckers Pond Drive)

Section 3 Article III, of Chapter 6, Section 6-16, Subsection (b)(2) of the Carrboro Town Code (Speed Limits of Twenty (25) Miles Per Hour) is amended to include the following streets:

Dairy Glen Road

Section 4. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 5. This ordinance shall become effective upon adoption.

This 5th day of June 2018.

The motion is carried by the following vote:

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

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

AN ORDINANCE AMENDING THE TOWN CODE TO INCLUDE TRAFFIC CONTROL
DEVICES, SPEED LIMITS, AND PARKING RESTRICTIONS FOR LEGENDS WAY
DEVELOPMENT STREETS
ORDINANCE NO. 21/2017-18

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Article II of Chapter 6, Section 6-4, Subsection (a) of the Carrboro Town Code (Stop Signs Required at Certain Intersections) is amended to include the following Stop and Through Streets:

Stop Street

Long Meadows Road
Legends Way
Long Meadows Road/Private Parking*
Teagan Court
Reagan Mead Lane
Legends Way

Through Street

Hogan Hills Road
Long Meadows Road
Legends Way
Legends Way
Legends Way
Lake Hogan Farm Road

Section 2. Article II of Chapter 6, Section 6-4, Subsection (b) of the Carrboro Town Code (Stop Signs Required at Certain Intersections) is amended as follows:

~~Long Meadows Road~~

~~Hogan Hills Road~~

Section 3 Article II of Chapter 6, Section 6-10 of the Carrboro Town Code (Crosswalks and Safety Zones) is amended to include crosswalks at the following locations:

Long Meadows Road approximately 200' north of its intersection with Legends Way (after its ninety degree bend)

Legends Way approximately 300' west of its intersection with Reagan Mead Lane

Section 4 Article III, of Chapter 6, Section 6-16, Subsection (b)(2) of the Carrboro Town Code (Speed Limits of Twenty (25) Miles Per Hour) is amended to include the following streets:

Legends Way from Long Meadows Road to Lake Hogan Farm Road

Section 5. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 6. This ordinance shall become effective upon adoption.

This 5th day of June 2018.

The motion is carried by the following vote:

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

FINAL RETREAT AGENDA DETAILS - PROVIDED BY THE RETREAT SUBCOMMITTEE

The purpose of this item is for the Board of Aldermen to receive, as information, the final retreat agenda from the Retreat Subcommittee.

A MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN FOUSHEE TO ACCEPT THE FINAL RETREAT AGENDA DETAILS AS INCLUDED IN THE AGENDA. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING ON LAND USE ORDINANCE AMENDMENTS RELATING TO BOARDING HOUSES AND ROOMING HOUSES

The purpose of this agenda item was for the Board of Aldermen to receive public comment on text amendments to the Land Use Ordinance relating to definitions for boarding houses and rooming houses.

Trish McGuire, the Town's Planning Director, provided the staff report for all three public hearings related to Lloyd Broad.

Alderman Seils asked questions about the application of the new definition of family to a boarding house. Trish McGuire stated that it would be helpful to have specific language that defines a boarding house, and makes the definition of boarding house applicable to, a single-family home that houses four or more unrelated persons. She will work with the Town Attorney to develop such language that will be brought back to the Board.

Alderman Chaney stated that she wished there was a way to not define family but to design the ordinance around development. She asked if there could be a way to distinguish between tourist homes and cooperative housing that is managed by a non-profit, and home-sharing models so that a special accommodation is unnecessary. She also asked about how the larger multi-family dwellings are factored in and if there is a reason to distinguish between those, as well. She asked how the Town of Chapel Hill did this same thing and Trish McGuire stated that they used the definition of family and specify that a single-family home cannot have more than four unrelated persons.

Alderman Slade asked that El Centro Hispano be able to comment on the proposed ordinance.

Mayor Lavelle discussed the definition of "tourist home" and Trish McGuire stated that it is currently only defined in the "Boarding House" definition.

Alderman Haven-O'Donnell asked if there is any way around defining "family." She stated that cooperative senior housing may have more than four unrelated persons and asked how that situation could be allowed. She stated that she wants the ordinance to allow people to age-in-place.

Alderman Foushee stated that she wants the Board to be mindful about casting such a broad net with the application to all single-family houses in the Town. She stated that she is not comfortable defining "family." She stated that she would like to focus on the structure aspect as a way of problem solving rather than defining family. She stated that she does not want to exclude anyone from living where they want to live in the community.

Alderman Seils stated that he wants to fully understand the language and implications before he votes. He asked if the application has to be town-wide or it can be more targeted. He asked what happens to existing homes that have more than four unrelated persons living there. Trish McGuire stated that they will work with the owner and try to establish compliance and then, if they were not in compliance, the owner would be fined.

**A MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO CONTINUE THE PUBLIC HEARING TO JUNE 26, 2018.
VOTE: AFFIRMATIVE ALL**

PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT TO ESTABLISH A LLOYD/BROAD DISTRICT

The purpose of this agenda item was for the Board of Aldermen to receive public comment on a text amendment to the Land Use Ordinance that would create a new zoning overlay district.

Trish McGuire explained the placement and scales of house construction as well as compilation of dimensional standards.

Alderman Slade asked about permit street parking. Staff will follow-up.

Mayor Lavelle opened the public hearing.

**A MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO CONTINUE THE PUBLIC HEARING TO JUNE 27, 2018.
VOTE: AFFIRMATIVE ALL**

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 provide an opportunity for public comment on a proposed map amendment to the Land Use Ordinance that would place a new zoning overlay district on the Lloyd/Broad Neighborhood.

Mayor Lavelle opened the public hearing.

**A MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO CONTINUE THE PUBLIC HEARING TO JUNE 27, 2018.
VOTE: AFFIRMATIVE ALL**

PROPOSED AMENDMENTS TO ARTICLE IV OF CHAPTER 6 OF THE TOWN CODE - PARKING, RELATING TO THE LLOYD-BROAD NEIGHBORHOOD

The purpose of this item was for the Board of Aldermen to consider proposed amendments to the Town Code relating to regulation of on-street parking in the Lloyd-Broad neighborhood.

Alderman Chaney asked that the presentation be distributed to the neighbors.

Alderman Slade asked Trish to get prices of homes for students versus family homes.

Mayor Lavelle opened the public hearing.

Leo Gaev, co-president of the Lloyd-Broad neighborhood, read a letter of support for all of the proposed provisions.

Hudson Vaughan, representing the neighborhood, provided a presentation and asked the Board to approve the proposed revisions as quickly as possible.

Tom Wiltberger suggested that the definitions for boarding house, tourist house, and group home be defined separately. He stated that he agrees with the neighborhood comments. He expressed concern with the 12% ratio and suggested that only heated square footage be included in any equation.

Alderman Foushee thanked the community for their efforts to keep one of the most historic African-American neighborhoods in Carrboro. She stated that she is in favor of moving forward with these provisions in a way that the neighborhood agrees with.

Alderman Slade stated that he is hopeful that this can be passed, even if specifically targeted for the neighborhood, before the Board's summer break.

Alderman Gist stated that she is in favor of changing the rooming house ordinance and doing so town-wide so that it applies in all of the downtown neighborhoods.

Alderman Seils stated that he wants to wrap his head around all of the information so that he can be well informed for the vote.

Alderman Haven-O'Donnell stated that the application town-wide would be the most beneficial.

Alderman Chaney stated that the Board is trying to draft an ordinance that modifies developer's behavior. She stated that she wishes there was a way to define occupancy standards rather than redefining the term family.

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

AN ORDINANCE AMENDING THE TOWN CODE TO REVISE PARKING RESTRICTIONS
FOR THE LLOYD-BROAD-SUNSET NEIGHBORHOOD

Ordinance No.
22/2017-18

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1 Article IV, of Chapter 6, Section 6-19, Subsection 1 of the Carrboro Town Code (Parking Prohibited at Certain Locations at Certain Times: No Parking at Any Time) is amended to read as follows:

(pp) The south side of Starlite Drive from the intersection of Starlite Drive and Broad Street to the point one block east ~~where~~ after Starlite Drive takes its first ninety a forty-five degree bend to the south, stopping before its second ninety degree bend it continues to the intersection with Sunset Drive.

(sss) Both sides of Starlite Drive from the Carrboro Town Limits to its ninety degree bend to the north.

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

Section 3. This ordinance shall become effective upon adoption.

This 5th day of June 2018.

The motion is carried by the following vote:

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

STORMWATER RATE STRUCTURE AND INTERLOCAL BILLING AGREEMENT

The purpose of this item was for the Board to consider adoption of the draft stormwater utility rate structure and an interlocal agreement for billing to collect the stormwater utility fees.

Randy Dodd, the Town's Stormwater Manager, provided the staff report.

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

A RESOLUTION APPROVING A STORMWATER UTILITY RATE STRUCTURE

WHEREAS, the Town of Carrboro adopted Section 18-4 of the Town Code in 2017 to create a stormwater utility and enterprise fund, and also created a new Stormwater Advisory Commission which began meeting in February, 2018; and

WHEREAS, staff and the Stormwater Advisory Commission and other advisory boards have studied options and details for creation of a rate structure for the Stormwater Utility, and provided recommendations for the rate structure; and

WHEREAS, the Town has pursued community outreach on the rate structure, and held a Public Hearing on May 15th, 2018; and

WHEREAS, adopting the rate structure will enable the Town to establish a dedicated source of funding to address the stormwater management needs of the Town.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen do hereby approve the rate structure presented below.

Residential (1 ERU).....\$75

Nonresidential tiers:

<u>Tier</u>	<u>Minimum Impervious Surface (square feet)</u>	<u>Maximum Impervious Surface (square feet)</u>	<u>Fee</u>
1	500	5,999	\$75
2	6,000	23,999	\$375
3	24,000	41,999	\$825
4	42,000	59,999	\$1,275
5	60,000	89,999	\$1,875
6	90,000	119,999	\$2,625
7	120,000	149,999	\$3,375
8	150,000	179,999	\$4,125
9	180,000	209,999	\$4,875

10	210,000	239,999	\$5,625
11	240,000	269,999	\$6,375
12	270,000	299,999	\$7,125
13	300,000	329,999	\$7,875
14	330,000	359,999	\$8,625
15	360,000	389,999	\$9,375
16	390,000	419,999	\$10,125
17	420,000	449,999	\$10,875
18	450,000	479,999	\$11,625
19	480,000	509,999	\$12,375
20	510,000	539,999	\$13,125
21	540,000	569,999	\$13,875
22	570,000	599,999	\$14,625

This 5th day of June 2018.

The motion is carried by the following vote:

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

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

AN ORDINANCE AMENDING THE TOWN CODE TO ESTABLISH
A STORMWATER UTILITY RATE STRUCTURE
ORDINANCE NO. 23/2017-18

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Chapter 18, Article II, Section 18-6 of the Carrboro Town Code (Rate Structure) is amended to read as follows:

The service charges shown below shall apply to all non-exempt properties.

Residential (1 ERU).....\$75

Nonresidential tiers:

<u>Tier</u>	<u>Minimum Impervious Surface (square feet)</u>	<u>Maximum Impervious Surface (square feet)</u>	<u>Fee</u>
1	500	5,999	\$75
2	6,000	23,999	\$375
3	24,000	41,999	\$825

4	42,000	59,999	\$1,275
5	60,000	89,999	\$1,875
6	90,000	119,999	\$2,625
7	120,000	149,999	\$3,375
8	150,000	179,999	\$4,125
9	180,000	209,999	\$4,875
10	210,000	239,999	\$5,625
11	240,000	269,999	\$6,375
12	270,000	299,999	\$7,125
13	300,000	329,999	\$7,875
14	330,000	359,999	\$8,625
15	360,000	389,999	\$9,375
16	390,000	419,999	\$10,125
17	420,000	449,999	\$10,875
18	450,000	479,999	\$11,625
19	480,000	509,999	\$12,375
20	510,000	539,999	\$13,125
21	540,000	569,999	\$13,875
22	570,000	599,999	\$14,625

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

3. This ordinance shall become effective upon adoption.

This is the 5th day of June in the year 2018.

This 5th day of June 2018.

The motion is carried by the following vote:

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

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN
INTERLOCAL AGREEMENT FOR STORMWATER UTILITY BILLING

WHEREAS, the Town of Carrboro adopted Section 18-4 of the Town Code in 2017 to create a stormwater utility and enterprise fund, and also created a new Stormwater Advisory Commission which began meeting in February, 2018; and

WHEREAS, the Board of Aldermen have reviewed a draft stormwater utility rate structure, including a Public Hearing on May 15th, and requested that staff investigate an Interlocal Agreement with Orange County to perform the billing for the utility; and

WHEREAS, Town staff have worked with County staff to draft an Interlocal Agreement.

ATTACHMENT D

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen hereby authorize the Town Manager to execute an Interlocal Agreement with Orange County for billing for the Stormwater Utility.

BE IT FURTHER RESOLVED that final execution of the Interlocal Agreement is contingent on the Board establishing a rate structure for the Stormwater Utility.

This 5th day of June 2018.

The motion is carried by the following vote:

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

ADJOURNMENT

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