



Town of Carrboro

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

Meeting Minutes

Board of Aldermen

Tuesday, June 19, 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, Alderman Damon Seils

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

PROCLAMATION –RECREATION AND PARKS MONTH

Mayor Lavelle proclaimed July as “Recreation and Parks Month” in the Town of Carrboro.

**RESOLUTION IN OPPOSITION TO THE SEPARATION FROM PARENTS AND FAMILY
AND THE DETENTION OF CHILDREN; URGING ACTION BY REPRESENTATIVE DAVID
PRICE TO VISIT THE CHILD HOLDING FACILITIES THANKING GOVERNOR ROY
COOPER FOR JOINING STATE GOVERNORS TO REFUSE TO SEND NATIONAL GUARD
TROOPS TO THE U.S. BORDER WITH MEXICO**

Alderman Haven-O'Donnell read the resolution aloud. Eliazar Posada from El Centro Hispano thanked the Board of Aldermen.

A motion was made by Alderman Haven-O'Donnell, seconded by Alderman Gist to approve the resolution.

**RESOLUTION IN OPPOSITION TO THE SEPARATION FROM PARENTS AND FAMILY
AND THE DETENTION OF CHILDREN; URGING ACTION BY REPRESENTATIVE DAVID
PRICE TO VISIT THE CHILD HOLDING FACILITIES THANKING GOVERNOR ROY
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TROOPS TO THE U.S. BORDER WITH MEXICO**

WHEREAS, the United States has a principled history of humanitarian tradition welcoming refugees of all nationalities and religions - a tradition which is deeply grounded in fundamental national values; and

WHEREAS, the new “zero tolerance” policy of separating children, including infants and toddlers, from their parents at our nation’s southern border counters the principles and values of America; and

WHEREAS, on May 7, 2018 the Trump Administration announced that the Departments of Justice and Homeland Security would partner to prosecute anyone illegally crossing the southwest border, which has resulted in the separation and detention of children from their parents; and

WHEREAS, since the May 7, 2018 Trump Administration policy change announcement nearly two-thousand (2,000) children have been separated from their parents by immigration officers; and

WHEREAS, approximately one in five Carrboro residents was born in a foreign country; and

WHEREAS, the Town of Carrboro has long been committed to integrate the immigrant and refugee communities as essential to the life of our Town and to protect the vulnerable persons who seek safety in our community; and

WHEREAS, on November 18, 2014, the Board of Aldermen approved a resolution declaring Carrboro to be a welcoming community for minors seeking refuge from violence in their home countries and urging the federal government to ensure that those seeking safety in the United States receive due process and legal representation; and

WHEREAS, on September 12, 2017 the Carrboro Board of Aldermen unanimously passed a resolution to assist town residents, who are beneficiaries of the Deferred Action for Childhood Arrivals (DACA); and

WHEREAS, on November 4, 2017, Mayor Lydia Lavelle joined a coalition of 32 mayors from across the United States calling on the Secretary of Homeland Security and the Secretary of State to extend the temporary protected status program, noting that deportation of beneficiaries would separate families and bring instability to our communities; and

WHEREAS, on November 14, 2017 the Carrboro Board of Aldermen unanimously approved the extension of the temporary protected status program; and

WHEREAS, during the week of June 15, 2018, the Trump Administration ordered Homeland Security and the Pentagon to develop a plan tightening the border with Mexico including the use of National Guard troops.

WHEREAS, the Governor of Texas requested 4,000 National Guard troops to the border with Mexico; and

WHEREAS, the Governor of Colorado issued an executive order that barred state resources from being used to help immigration authorities separate children from their parents; and

WHEREAS, the Governors of North Carolina, Maryland, Massachusetts, New York and Rhode Island, Connecticut and Virginia are withholding or have recalled their National Guard Troops from the United States border with Mexico; and

NOW, THEREFORE BE IT RESOLVED, that the Carrboro Board of Aldermen unequivocally condemns the policy of the Trump Administration of separating, caging and detaining children from their parents at the border; and

BE IT FURTHER RESOLVED, that the Carrboro Board of Aldermen demands the Trump Administration comply with international asylum laws for those presenting themselves at a border checkpoint; and

BE IT FURTHER RESOLVED, that the Carrboro Board of Aldermen demands the Trump Administration immediately end the policy of separating and detaining children from their parents, and swiftly reunite the nearly two-thousand (2,000) children with their parents; and

BE IT FURTHER RESOLVED, that the Carrboro Board of Aldermen urges action by Representative David Price to visit the child holding facilities at the border with Mexico and thanks Governor Roy Cooper for his swift action in joining state governors who recall and refuse to send National Guard troops to the U.S. border with Mexico; and

BE IT FURTHER RESOLVED, that the Carrboro Board of Aldermen request that Senator Burr and Senator Tillis join the more than 48 cosponsors of the “Keep Families Together Act” and urge Representative Price to lead in the House by sponsoring or cosponsoring the equivalent legislation in the House; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to United States Representative David Price, North Carolina Governor Roy Cooper, Jeff Sessions, Attorney General of the United States, Kirstjen Nielson, Secretary of Homeland Security, Elaine Duke, Deputy Director of Homeland Security, and Thomas D. Homan, Director of Immigration and Customs Enforcement, the Chapel Hill Town Council, the Hillsborough Town Council, the Orange County Board of Commissioners, and the Durham City Council.

This 19th 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

REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

Matt Neal, owner of Neal's Deli, stated that the library project needs to be better communicated with the business community. He was not pleased with the current state of the project and stated that there was no information being shared with the business owners. He stated that if the parking is taken away, the businesses will suffer.

Peggy Misch thanked the Board for the two EV charging stations at Town Hall and asked for more charging stations around town to avoid pollution.

APPROVAL OF MAY 15, 2018 MEETING MINUTES

MOTION MADE BY ALDERMAN FOUSHEE, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF MAY 15, 2018, AS AMENDED. VOTE: AFFIRMATIVE ALL

REQUEST TO APPROVE A RESOLUTION AUTHORIZING THE TOWN MANAGER TO AWARD A CONTRACT FOR ENGINEERING SERVICES RELATING TO A POTENTIAL REDESIGN OF THE EAST MAIN STREET CROSS SECTION

The purpose of this item was for the Board of Aldermen to authorize the Town Manager to award a contract with Stantec to conduct an operational analysis regarding the feasibility of modifying the East Main Street cross section design to accommodate bicycle lanes.

Alderman Gist suggested that a public hearing be held after the engineering report is returned.
Alderman Seils agreed.

A motion was made by Alderman Seils, seconded by Alderman Haven-O'Donnell to approve the resolution.

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO AWARD A CONTRACT WITH STANTEC FOR AN OPERATIONAL ANALYSIS AND RESTRIPIING PLAN FOR MODIFYING THE CROSS SECTION OF EAST MAIN STREET

WHEREAS, on February 21, 2017, the Town of Carrboro Board of Aldermen adopted a resolution in support of the DCHC MPO's Comprehensive Transportation Plan including the recommendation from the Transportation Advisory Board to support a continuation of the bicycle lanes on Rosemary Street onto East Main Street; and

WHEREAS, on January 9, 2018, the Carrboro Board of Aldermen directed staff to use the DCHC MPO's on call services to conduct an operational analysis to determine the feasibility of modifying the cross section of East Main Street to provide enhanced bicycle facilities; and,

WHEREAS, Town staff are in the process of refining a scope of work for the analysis based on criteria defined by NCDOT; and

WHEREAS, federal and state law requires that negotiations be conducted with the selected firm to establish a fair and reasonable price for the contract.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board authorizes the Town Manager to award a contract with Stantec to conduct an operational analysis for modifying the cross section of East Main Street and, contingent upon the results of the analysis, to prepare updated payment markings.

This 19th 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 Haven-O'Donnell, Alderman Damon Seils

No: Alderman Jacquelyn Gist

**REQUEST TO APPROVE A RESOLUTION AUTHORIZING THE TOWN MANAGER TO
AWARD A CONTRACT FOR PRELIMINARY ENGINEERING SERVICES FOR THE SOUTH
GREENSBORO STREET SIDEWALK PROJECT**

The purpose of this item was for the Board of Aldermen to authorize the Town Manager to select an engineering firm and to award a contract with such firm for preliminary engineering services for the South Greensboro Street sidewalk project.

A motion was made by Alderman Foushee, seconded by Alderman Haven-O'Donnell to approve the resolution.

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO AWARD A
CONTRACT FOR PRELIMINARY ENGINEERING SERVICES FOR THE SOUTH
GREENSBORO STREET SIDEWALK PROJECT**

WHEREAS, The Carrboro Board of Aldermen has adopted Capital Improvement Project Ordinance for the construction of the South Greensboro Street Sidewalk along one side of the street from Old Pittsboro Road to Public Works Drive, and has appropriated \$1,706,966 for this project; and,

Whereas the Town of Carrboro has initiated a municipal agreement with the North Carolina Department of Transportation for design and construction of the South Greensboro Street Sidewalk; and,

WHEREAS, Town staff are in the process of preparing a Request for Letters of Interest to select the most qualified firm to deliver the project; and

WHEREAS, federal and state law requires that negotiations be conducted with the selected firm to establish a fair and reasonable price for the contract; and

WHEREAS, NCDOT policy requires an audit of the firm's contract proposal prior to the beginning of negotiations.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board authorizes the Town Manager to execute a contract for preliminary engineering services for the South Greensboro Street Sidewalk (C-5650).

This 19th 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 FOR APPROVAL TO DRAFT A TOWN CODE AMENDMENT TO
RESTRUCTURE THE SAFE ROUTES TO SCHOOL IMPLEMENTATION COMMITTEE**

The purpose of this agenda item was for the Board to authorize staff to prepare an amendment to the Town Code to change the membership and organizational structure of the Safe Routes to School Implementation Committee.

Alderman Haven-O'Donnell asked for staff to contact the school system to get a better idea what neighborhoods feed into the schools.

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

**A RESOLUTION DIRECTING STAFF TO PREPARE AN AMENDMENT TO THE TOWN
CODE TO RESTRUCTURE THE SAFE ROUTES TO SCHOOL IMPLEMENTATION
COMMITTEE**

WHEREAS, The Carrboro Board of Aldermen adopted the Safe Routes to School Strategic Action Plan in 2012; and,

WHEREAS, The Safe Routes to School Strategic Action Plan, Section 1.3, Vision and Goals recommends that the Town "Create and maintain evaluation and monitoring subgroups such as a Safe Routes to School advocacy group that would champion this plan and evaluate its progress;" and,

WHEREAS, The Safe Routes to School Implementation Committee was established in the Town Code in 2014, and its members appointed in April 2016; and,

WHEREAS, Challenges associated with the membership structure have made it difficult for the Implementation Committee to fulfill its mission.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board directs Town Staff to coordinate with the Town Attorney to draft an amendment to the Town Code to restructure the Safe Routes to School Implementation Committee.

This 19th 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

UPDATES TO THE GUIDELINES FOR THE AFFORDABLE HOUSING SPECIAL REVENUE FUND

The purpose of this item was to make updates to the Guidelines for the Affordable Housing Special Revenue Fund.

A motion was made by Alderman Foushee, seconded by Alderman Haven-O'Donnell to approve the resolution.

RESOLUTION AMENDING GUIDELINES FOR THE AFFORDABLE HOUSING SPECIAL REVENUE FUND

BE IT RESOLVED, the Carrboro Board of Aldermen, approve the updates to the Guidelines for the Affordable Housing Special Revenue Fund as shown below:

Town of Carrboro Guidelines for the Affordable Housing Special Revenue Fund

1. Fund Goal. The goal of the Affordable Housing Special Revenue Fund is to advance the Town's goal of increasing and improving the stock of affordable housing within Carrboro and its planning jurisdiction as outlined in the Affordable Housing Goals and Strategies document.
2. Source of Funds. The Affordable Housing Special Revenue Fund may be funded by payments made by developers in lieu of providing affordable housing units under the applicable provisions of the Land Use Ordinance. Other revenue sources for the fund may include grants, donations, loans, interest payments, or other contributions or assignments.

The principal and interest earned on funds received from developers, grants, donations, loans, interest payments, or other revenues that may become available shall accrue to this fund.

3. Who May Apply for Grant or Loan Funds. Nonprofits or individuals may apply for funds to be used to address projects that meet the Town's affordable housing goals.
4. Eligible Uses. The Board of Aldermen shall be authorized and empowered to provide grants or loans for projects and programs that match the goal of the fund, including:
 - a. To guarantee the payment of loans or subsidize the interest rate on loans made by financial institutions to individuals for the purpose of acquiring or rehabilitating affordable housing (such guarantees shall not extend beyond funds available in the Affordable Housing Special Revenue Fund).

- b. To provide direct deferred payment loans to individuals to supplement loans made by financial institutions for the purpose of acquiring or rehabilitating affordable housing.
 - c. To assist in the purchase of land for conveyance to nonprofit affordable housing agencies. (Land Banking)
 - d. To pay some or all of the expenses associated with the construction of affordable housing.
 - e. To acquire developed properties suitable for resale to individuals or families.
Applicants qualifying under the percentage of AMI shall be approved in advance by the Board of Aldermen.
 - f. To pay some or all of the pre-development costs (such as feasibility studies, appraisals, land options and preparation of an application) for projects to be developed for the purpose of providing rental or owner-occupied affordable housing.
 - g. To provide grants to organizations for land trust projects that guarantee long-term affordability of a property through a 99-year renewable ground leases or for maintenance of land trust housing stock.
 - h. To provide permanent subsidies to reduce the sale price of new or existing housing units so as to make them more affordable. Restrictive covenants, affordability easement, and/or other mechanisms would be required from affordable housing agencies.
 - i. To provide for emergency home repairs and the maintenance of properties in the affordable housing stock that are falling into disrepair.
 - j. To provide rental and/or utility deposit grants for Housing Choice Voucher, Permanent Supportive Housing (PSH), Rapid Re-housing, HUD-VASH and Housing Opportunities for Persons w/ AIDS (HOPWA) recipients relocating to rental units in Carrboro as a result of their current rental units no longer accepting a housing subsidy listed above.
 - k. To provide grants or loans to nonprofits to avoid losing homes in the permanent affordable housing stock as a result of foreclosure.
5. General Application Procedures. Unless otherwise stated in the Descriptions of an Eligible Use, an applicant will be required to submit a memorandum to the Assistant to the Town Manager for Affordable Housing containing the following information:
- a. A complete description of the project, including the proposed location;
 - b. A discussion of how the project meets the criteria of eligible uses and eligible beneficiaries;
 - c. Who the ultimate beneficiaries will be or are intended to be;
 - d. If appropriate, documented income data for the intended recipients.
6. Application Approval/Denial. The application will be evaluated by staff and a recommendation for approval or denial will be made to the Board of Aldermen, who has final approval and denial authority. The Town Manager will have the -

authority to approve or deny applications requesting no more than \$5,000 or 15 percent of the existing fund, whichever is lower.

7. Eligible Beneficiaries. In order to qualify for participation in the Affordable Housing Special Revenue Fund program, the following criteria must be met by the beneficiaries, if applicable, and substantiated by the applicant:

- a. Be a resident of Carrboro or the Carrboro planning jurisdiction, or purchasing a home in Carrboro or the Carrboro planning jurisdiction;
- b. Be unable to obtain a loan, either subsidized or unsubsidized, on comparable terms and conditions;
- c. Be the owner of the property in fee simple or leasehold estate and have paid or have appropriate arrangements with the county tax assessor to pay the tax bill, if the property is to be rehabilitated, or have clear title if the property is to be purchased or constructed;
- d. Be residing in the property to be rehabilitated, or if purchased or constructed, occupy the property when the acquisition is complete;
- e. The building or affordable unit that is subject to program funding must have an anticipated life of at least 20 years after rehabilitation, or 30 years, if constructed or acquired;
- f. Must have a gross household income of 115% of the Area Median Income or less with priority given to households at 80% of AMI and below for homeowners and 60% of AMI and below for renters, unless otherwise described;
- g. The applicant must also have an intact homeowner's insurance policy.

8. Computation of Gross Income. Gross Income shall be defined as income received annually from all sources by all adult wage earners in a household. Up to \$480 of earned income by adult, dependent students will be counted. The income from the following sources shall be considered in determining total gross annual income:

- a. Wages and salary (full and part-time employment)
- b. Business Income
- c. Child support
- d. Alimony
- e. Interest on savings
- f. Dividends from stock
- g. Social Security benefits
- h. VA Benefits
- i. Overtime pay
- j. Bonuses
- k. Unemployment insurance
- l. Any other annuities received

9. Loan Limitations.

- a. All loans guaranteed or subsidized by the Affordable Housing Special Revenue Fund shall not exceed the following maximum amounts: the actual cost of any property purchase; the appraised value of the home; the actual cost of rehabilitating the

property to the Town's property rehabilitation standards; or the actual cost of construction, as the case may be.

- b. Rehabilitation loans shall be either deferred payment loans or amortized over a period of up to 15 years.
- c. Home purchase loans shall be either deferred payment loans or amortized over a period of up to 30 years.
- d. Construction loans shall be short-term loans with all loan funds repaid in full upon the closing of the permanent financing on the property and transfer of title to qualified buyer (s).

10. Security Procedures and Loan Conditions. In the event a loan is guaranteed or subsidized or a construction loan is made by the Special Revenue Fund, the property owner must agree:

- a. To execute a note and first lien deed of trust on said property as security for said loan except that deferred payment loans, which supplement a first mortgage loan from another lender, shall also be secured by a second deed of trust;
- b. Must agree to obtain and pay for credit life insurance for the full amount of

said loan, if available, and within the means of the property owner;
- c. To allow the Town discretion to refinance said loan at such times as might be desirable, to take advantage of favorable interest rates, so long as the amount payable by the applicant is not increased;
- d. That the loan shall not be assumed except with the consent of the Town of Carrboro Town Manager, and in the event that the property is sold without such consent, the loan shall immediately become due and payable;
- e. In the event of the death of the head of the household the loan and loan subsidy may be assumed by the direct minor heirs or such head of household if such heirs own and occupy the property and loan payments are made in accordance with the terms of the original loan agreement.

If the above conditions are not met, the new owner(s) of the property must apply to the Town for the continuation of the loan subsidy or its refinance. If the new owners qualify for assistance, based on the criteria established for the Special Revenue Fund program, the loan subsidy may be refinanced. If the new owners fail to apply for refinancing through the Affordable Housing Special Revenue Fund or do not qualify for the loan subsidy, the loan shall be due and payable to the Town in full within 90 days written notice to the new owners.

Nothing contained in this subparagraph e. shall be construed to prevent the new owner(s) and the first mortgage holder from agreeing to continue the loan without further subsidy or guarantee by the Town.

11. Modification. The Carrboro Board of Aldermen hereby reserves the right to modify or amend any of the criteria or procedures set forth in connection with said Affordable Housing Special Revenue Fund provided however, that no such amendment shall affect or diminish the rights of the holder of any commitment against said fund made prior to the date thereof.

This 19th 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 APPROVE EQUIPMENT AND VEHICLE FINANCING

The Board of Aldermen was requested to approve a contract for installment financing of vehicles and equipment included in the FY 2017-18 general fund budget.

A motion was made by Alderman Foushee, seconded by Alderman Haven-O'Donnell to approve the resolution.

RESOLUTION APPROVING FINANCING TERMS

WHEREAS: The Town of Carrboro ("Town") has previously determined to undertake a project for the financing of various vehicles and equipment (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

- 1.The Town hereby determines to finance the Project through Regions Bank in accordance with the proposal dated June 8, 2018. The amount financed shall not exceed \$240,000.00 and the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.85%, and the financing term shall not exceed five (5) years from date of closing.
- 2.All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
- 3.The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent

expressed in the terms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b) (3).
5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the Regions Bank financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for the project costs may be reimbursed from the financing proceeds.
6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

This 19th 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

DESIGNATION OF FUND BALANCE FOR FY 2017-18 BUDGET ITEMS NOT YET SPENT OR ENCUMBERED

The Board of Aldermen was requested to designate fund balance in the General Fund to carry over to next year for certain budget items where funds have not been spent or encumbered.

A motion was made by Alderman Foushee, seconded by Alderman Haven-O'Donnell to approve the resolution.

**A RESOLUTION APPROVING DESIGNATION OF FUND BALANCE
FOR FY 2017-18 BUDGET FUNDS NOT YET SPENT OR ENCUMBERED**

WHEREAS, the Town Manager has described to the Board the desirability of adopting a resolution to designate fund balance for certain projects:

BE IT RESOLVED by the Board of Aldermen that fund balance in the General Fund is designated to fund the following items:

Department	Designated Fund Balance FY 2017-18	Amount
Economic & CD	Arts Committee	\$ 3,000.00
Town Clerk	OWASA Subsidy	\$ 76,502.00
Planning	Bicycle Gold Designation	\$ 71,131.00
Planning	Energy & Climate Action Plan	\$ 10,000.00
Town Clerk	Citizen Academy	\$ 500.00
Police	Seizure Funds - State	\$ 6,296.00
Police	Seizure Funds Federal	\$ 428.00
	TOTAL	\$ 167,857.00

Summary of Designated Fund Balance Budget Items

Arts Committee – The Arts Committee has unexpended budget funds remaining and \$3,000 is reserved for use in the upcoming year.

OWASA Subsidy – The unspent portion of the OWASA sewer subsidy budget is reserved annually until spent entirely.

Bicycle Gold Designation – These funds will be used to carryout activities necessary to move the Town from Silver Award to Gold Award.

Energy & Climate Action Plan – These funds support outreach, energy efficiency improvements, research and education related to climate action plan implementation.

Seizure Funds (State and Federal) – The Police Department uses these restricted revenues to supplement ongoing investigations. Unexpended funds in a given year are carried over to the next year.

Citizen Academy – These funds will be used to implement a program to help citizens understand how the Town works.

BE IT FURTHER RESOLVED, that upon confirmation of the actual amount for the above projects by the independent audit for the year ending June 30, 2018, the Town Manager may transfer fund balance up to the amount confirmed by the independent audit to the appropriate department(s) without further action by the Board.

This 19th 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 APPROVAL OF THE REVISED FY 2013 AND FY 2016 HOME FUNDS AWARD

The purpose of this item to amend prior June 5, 2018 Award of FY 2013 and FY 2016 to Community Home Trust (CHT) a Resolution approving the Revised FY 2013 HOME Funds Award to Community Home Trust (CHT) for homeownership assistance activities.

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

RESOLUTION AMENDING THE ORANGE COUNTY FY 2013 GENERAL HOME, FY 2016 COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) SET-ASIDE AWARDS AND 2018 ORANGE COUNTY HOUSING FUNDS AWARD

BE IT RESOLVED, the Carrboro Board of Aldermen, as a member of the Orange County HOME Consortium, approves the following amendments as it relates to the remaining FY 2013 General HOME Program funds, FY 2016 Community Housing Development Organizations (CHDOs) funds, and Orange County FY 2017 funds:

HOMEOWNERSHIP ASSISTANCE

FY 2013 HOME Program funds will be allocated to the Community Home Trust (CHT) to provide first-time homebuyer financial assistance for up to five (5) homebuyers earning less than 80% of the Area Median Income.

(Requested amount: \$63,200.30)

\$16,670.90

FY 2017 Orange County local funds to the Community Home Trust to acquire units and provide homebuyer assistance activities. The funds awarded are on a per project basis with 105 Greenway landing being the first project. All funds awarded are to be spent by December 31, 2018. Any unused portion of the grant award will revert to Orange County.

Not to exceed \$46,529.40

FY 2016 COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDO) SET-ASIDE

FY 2016 CHDO funds will be allocated to the Community Alternatives for Supportive Adobes (CASA) and/or Community Home Trust, collectively and/or singularly, based on submitted applications involving eligible CHDO set-aside activities. All funds must be committed by August 20, 2018.

\$46,529.40

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute the agreements with Community Home Trust (CHT) and/or Community Alternatives for Supportive Adobes (CASA) after consultation with the County Attorney.

This 19th 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

**APPROVAL OF THE REVISED ACTIVITIES FOR 2018-19 HOME INVESTMENT
PARTNERSHIP PROGRAM**

The purpose of this item was for the Board to consider approving the HOME Investment Partnership Program's proposed activities for FY 2018-19.

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

**RESOLUTION AUTHORIZING THE FY 2018 - 2019 HOME PROGRAM
REVIEW COMMITTEE FUNDING RECOMMENDATION**

6-19-2018

BE IT RESOLVED, by the Carrboro Board of Aldermen as a member of the Orange County HOME Consortium approves the following activities for the 2018 - 2019 HOME Program.

Name of Applicant	Activity/Other	Recommendations
Habitat for Humanity	Homeownership	\$60,000
EmPOWERment	Rental Acquisition	\$145,000
Community Home Trust	Homeownership Assistance	\$60,000
FY 2018-19 CHDO	Set-aside	\$60,201
Orange County-TBRA	Rapid Rehousing and other programs	\$139,613
Orange County	Administration	\$40,134
	TOTAL	\$504,948

BE IT FURTHER RESOLVED, that the County Manager is hereby designated as the authorized representative of the County to act in connection with the submission of this plan and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

This 19th 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

MAYOR'S COMMITTEE ON 2019 PRIDE MONTH CELEBRATION

The purpose of this item was to serve as information related to the Mayor's Committee on 2019 Pride Month Celebrations.

MOTION WAS MADE BY ALDERMAN FOUSHEE, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO RECEIVE THE INFORMATION. VOTE: AFFIRMATIVE ALL

ADOPTION OF FY 2018-19 ANNUAL BUDGET

The purpose of this agenda item was for the Board of Aldermen to complete budget discussions and adopt the annual budget for fiscal year 2018-19.

Arche McAdoo, the Town's Finance Director, provided the staff report

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

ANNUAL BUDGET ORDINANCE FY 2018-19 Town of Carrboro, North Carolina Ordinance No. 26/2017-18

WHEREAS, the recommended budget for FY 2018-19 was submitted to the Board of Aldermen on May 1, 2018 by the Town Manager pursuant to G.S. 159-11 and filed with the Town Clerk pursuant to G.S. 159-12;

WHEREAS, on May 22, 2018, the Board of Aldermen held a public hearing on the budget pursuant to G.S. 159-12;

WHEREAS, on June 19, 2018, the Board of Aldermen adopted a budget ordinance making appropriations and levying taxes in such sums as the Board of Aldermen considers sufficient and proper in accordance with G.S. 159-13;

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO, NORTH CAROLINA:

ARTICLE I – GENERAL FUND

Section 1. General Fund Appropriations

The General Fund is the Town of Carrboro's operating account. The following amounts are hereby appropriated by function for the operation of the Town and its activities for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

GENERAL GOVERNMENT		\$ 5,237,626
Mayor & Board of Aldermen	\$ 356,941	
Advisory Boards	\$ 17,350	
Governance Support	\$ 643,067	
Town Manager	\$ 511,658	
Economic & Community Development	\$ 248,619	
Town Clerk	\$ 162,981	
Finance	\$ 1,147,641	
Human Resources	\$ 560,982	
Information Technology	\$ 1,588,387	
PUBLIC SAFETY		\$ 6,936,113
Police	\$ 3,865,788	
Fire	\$ 3,070,325	
PLANNING		\$ 1,477,419
TRANSPORTATION		\$ 1,811,000
PUBLIC WORKS		\$ 3,705,212
RECREATION & PARKS		\$ 1,604,901
NONDEPARTMENTAL		\$ 996,166
DEBT SERVICE		\$ 1,094,285
TOTAL GENERAL FUND		\$ 22,862,722

Section 2. General Fund Revenues

It is estimated that revenues from the following major sources will be available during the fiscal year beginning July 1, 2018 and ending June 30, 2019 to meet the general fund expenditures:

Ad Valorem Tax	\$ 11,945,655
Local Sales Tax	\$ 4,475,980
Other Taxes & Licenses	\$ 1,604,757
Intergovernmental	\$ 2,056,081
Permits & Fees	\$ 1,193,085
Sales & Service Fees	\$ 285,521
Investment Earnings	\$ 51,812
Other Revenue	\$ 161,441
Other Financing	\$ 1,088,391
TOTAL GENERAL FUND	\$ 22,862,722

ARTICLE II – AFFORDABLE HOUSING FUND

Section 1. Affordable Housing Fund Appropriation

The Affordable Housing Fund is a special revenue fund created by the Town to increase the stock of affordable, safe and decent housing within the Town and its' planning jurisdiction. The following amounts are hereby appropriated for Affordable Housing Fund activities:

Community Home Trust	\$	74,036
Center for Community Self Help	\$	20,000
Home Consortium Match	\$	10,970
Human Services Grants	\$	28,950
Partnership to End Homelessness	\$	23,378
Northside Neighborhood Initiative	\$	30,000
Deferred Loan Expense	\$	20,000
Unexpended Reserves	\$	130,166
TOTAL APPROPRIATION	\$	337,500

Section 2. Affordable Housing Fund Revenues

There is hereby levied a tax rate of \$.0050 (1/2 cents) on each one hundred dollars (\$100) valuation of taxable property as listed for taxes on January 1, 2018 that shall be devoted solely to the affordable housing activities noted above.

ARTICLE III – BUSINESS LOAN PROGRAM

The Business Loan Program in the Special Revenue Fund is hereby terminated as of June 30, 2018 and any remaining revenues shall be transferred to the General Fund.

ARTICLE IV – STORMWATER UTILITY ENTERPRISE FUND

Section 1. Stormwater Utility Enterprise Fund

The Stormwater Utility Enterprise Fund was created for the purpose of comprehensively addressing stormwater management and flooding issues throughout the Town, including making sure the Town stays in compliance with state and federal rules and regulations. A total of \$900,000 is appropriated for stormwater activities.

Section 2. Revenues for Stormwater Utility Enterprise Fund

Revenues to support stormwater activities are generated through the rate structure established in the Town Code, Chapter 18, Article II, Section 18-6. Unexpended budget amounts from fiscal year 2017-18 may be carried forward to fiscal year 2018-19.

ARTICLE V – CAPITAL PROJECTS

Pursuant to GS 159-13.2, the Board of Aldermen may authorize and budget for capital projects and multi-year special revenue funds in its annual budget or project ordinance. The project ordinance shall

clearly identify the project and authorize its undertaking, identify the revenues that will finance the project, and make the appropriations necessary to complete the project.

ARTICLE VI – MISCELLANEOUS FEES AND CHARGES

Charges for services and fees by Town Departments are levied in the amounts set forth in the Miscellaneous Fees and Charges Schedule as adopted by the Board of Aldermen.

ARTICLE VII – GENERAL AUTHORITIES

Section 1. The following authorities shall apply:

- a. The Town Manager may transfer funds between departments and functions within the General Fund for pay adjustments; service level benefits; law enforcement separation allowance; unemployment insurance; retiree, dependent, permanent part-time health benefits; and, for other purposes deemed necessary by the Town Manager without further action by the Board.
- b. The Town Manager may transfer funds within departments and functions.
- c. When unassigned fund balance exceeds 35% in the General Fund, the Town Manager, in accordance with the Town's Fund Balance Policy, may set aside an amount in assigned fund balance for transfer to the Capital Projects Fund for future projects.
- d. All operating funds encumbered or designated within fund balance for project expenditures as confirmed in the annual audit for the year ending June 30, 2017 shall be re-appropriated to the Fiscal Year 2017-18 Adopted Budget without further action by the Board.
- e. The Finance Officer may approve intradepartmental transfer requests between appropriation units and between programs or organizational units within the departmental budget.
- f. Transfers between Funds may be authorized only by the Board of Aldermen.
- g. The Orange County Tax Collector, is authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Orange County Tax Assessor, and in the tax receipts herewith delivered to the Tax Collector, in the amounts and from the taxpayers likewise set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Orange. This section of the ordinance shall be a full and sufficient authority to direct, require, and enable the Orange County Tax Collector to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.
- h. Pursuant to NCGS 160A-314.1 and 160A-317 the Town of Carrboro authorizes Orange County to provide recycling collection services within the Town and to impose and administer a basic annual services fee of \$132 per household for recycling services and a solid waste convenience center fee for residents within the Town.
- i. Under GS143-64.32, architectural, engineering, and surveying services with fees less than thirty thousand dollars (\$30,000) may be exempt from the RFQ (Request for Qualification) process.

Section 2. There is hereby levied the following rates of tax on each one hundred dollars (\$100) valuation of taxable property as listed for taxes as of January 1, 2018 for the purpose of raising the revenue constituting the general property taxes as set forth in the foregoing estimates of revenue (Article I, Section 2), to finance the foregoing General Fund appropriations (Article I, Section 1). One half cents of the total tax rate shall be devoted exclusively to the Affordable Housing Fund.

General Fund \$.5894

Affordable Housing Fund.....\$.0050
Total Tax Rate \$.5944

Section 3. The Finance Officer shall distribute property tax collections to the appropriate fund(s) at least monthly as levied in Section 2 above.

Section 4. In accordance with G.S. 159-13, a copy of this ordinance shall be filed with the Town Manager, the Finance Officer, and the Town Clerk.

This 19th 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 Foushee, that this resolution be approved.

**RESOLUTION ADOPTING CHANGES TO TOWN OF CARRBORO POSITION CLASSIFICATION
AND PAY PLAN**

WHEREAS, the Board of Aldermen has adopted a comprehensive Position Classification and Pay Plan for the Town of Carrboro;

WHEREAS, the Town Manager has submitted a budget for FY 2018-19 with proposed changes to the Position Classification and Pay Plan;

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

Section 1. The Position Classification and Pay Plan is hereby modified as follows:

- a.Reclassify one Assistant to the Town Manager position, Salary Grade 14, to
Communications Manager, Salary Grade 17
- b.Create new position of Project Manager, Salary Grade 14; and,
- c.Reclassify Accounting Technician, Salary Grade 5 to Finance Administrative Assistant,
Salary Grade 8.

Section 2. There will be no Merit or Performance Pay provided to Town employees in FY 2018-19.

Section 3. All other provisions of the Position Classification and Pay Plan remain unchanged.

Section 4. The Human Resources Director shall revise the Position Classification and Pay Plan to reflect the changes in Section 1 through Section 2.

Section 5. This resolution shall become effective July 1, 2018.

This 19th 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 Foushee, seconded by Alderman Chaney, that this resolution be approved.

**RESOLUTION APPROVING ACROSS THE BOARD SALARY AND WAGE ADJUSTMENT
FOR EMPLOYEES**

BE IT RESOLVED that the Town of Carrboro Board of Aldermen hereby approves the following as a part of the Annual Budget for FY 2018-19:

Section 1. All Town permanent full-time, permanent part-time, appointed employees and elected officials shall receive an across the board salary increase of 3.0% effective July 1, 2018.

Section 2. Permanent full-time Town employees shall be paid a minimum annual salary that is at least equal to the Minimum Housing Wage of \$31,158.

Section 3: The Town Manager shall increase the salary of any permanent full-time Town employee earning less than \$31,158 to the annual Minimum Housing Wage.

Section 4. The Town of Carrboro will pay all part-time employees an hourly wage that is equal to the Orange County Living Wage, which is currently \$13.70 per hour.

Section 5. This resolution shall become effective July 1, 2018.

This 19th 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 Slade, that this resolution be approved.

RESOLUTION APPROVING CONTRACT FOR TOWN ATTORNEY

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

Section 1: The Board hereby approves a contract for legal services with the Brough Law Firm for FY 2018-19 beginning July 1, 2018 and ending June 30, 2019.

Section 2: This resolution shall become effective upon adoption.

This 19th 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 Haven-O'Donnell, seconded by Alderman Gist, that this resolution be approved.

**RESOLUTION AUTHORIZING THE USE OF UNASSIGNED FUND BALANCE FOR
PURCHASE OF VEHICLES AND EQUIPMENT**

WHEREAS, the Board of Aldermen for the Town of Carrboro has adopted a Fund Balance Policy; and,

WHEREAS, the adopted Fund Balance Policy provides that when the unassigned fund balance exceeds 35%, the Town Manager may assign some of all of the amount above 35% for transfer to the Capital Projects Fund for future capital expenditures; and,

WHEREAS, the Town's annual independent audit at June 30, 2017 confirmed that the fund balance exceeds 35%; and,

WHEREAS, the Town Manager has assigned \$2.0 million of fund balance for future capital expenditure; and,

WHEREAS, the adopted Fund Balance Policy requires formal action by the Board of Aldermen to commit the use of fund balance in the current year or future year's budget;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1: An appropriation of \$438,820 is hereby made for the acquisition of six police vehicles (\$332,382); and a skid steer with additional implements (\$107,000).

Section 2: Up to \$438,820 may be transferred from unassigned fund balance in the General Fund to the Capital Projects Fund for this appropriation.

Section 3: Any funds not used for the purchase of vehicles or equipment noted in Section 1 above, shall revert back to the unassigned fund balance in the General Fund.

Section 5: The Town Clerk shall file a copy of this resolution within five days with the Finance Officer.

Section 6: This resolution shall be effective July 1, 2018 and expire June 30, 2019.

This 19th 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 Gist, seconded by Alderman Haven-O'Donnell, that this resolution be approved.

A RESOLUTION APPROVING MISCELLANEOUS FEES AND CHARGES SCHEDULE

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

Section 1: The Board hereby approves the Miscellaneous Fees and Charges Schedule for FY 2018-19 effective July 1, 2018.

Section 2: This resolution shall become effective upon adoption.

This 19th 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

EXPLORATION OF AFFORDABLE HOUSING ON TOWN-OWNED LAND

The purpose of this item was for the Board to receive an update on work staff and the Affordable Housing Task Force conducted on the exploration of possible affordable housing development strategies on town-owned land.

Julie Eckenrode and Trish McGuire provided the staff report. Staff started with 47 parcels of land owned by the Town of Carrboro. By applying the below criteria, conducting site visits, and with guidance from the Affordable Housing Task Force, the list has been narrowed down to 5 parcels, or 3 sites with the highest potential for affordable housing development. Parcels from the original 47 were immediately excluded if they fell into any of the following categories:

- 1) Within a conservation easement
- 2) Inside a Long-Term Interest Areas (WASMPBA)
- 3) No water or sewer nearby
- 4) Within 100 year floodplain
- 5) Within dedicated right-of-way
- 6) Parcel completely developed
- 7) Inside Rural Buffer zoning

There might be other restrictions on these parcels that might exclude them from being potential affordable housing locations.

Town staff was then able to identify town-owned land that were potentially feasible sites for affordable housing development. Staff worked with the Affordable Housing Task Force to further analyze sites and explore possibilities for facilitating development. This work culminated in the identification of three sites in town that appear to be feasible for affordable housing development. Those three sites are

located on Crest Street, Hill Street, and Pathway Drive.

Alderman Seils stated that Hill Street or Crest Street may be difficult but possibly best for the Town to sell or donate it so that it could be better used. He suggested that the Pathway Drive location provided more options for the town.

Alderman Haven-O'Donnell stated that she preferred exploration of the Pathway Drive and Crest Street locations. She asked that the neighbors of these properties be notified that these conversations are being had by the Board of Aldermen.

Alderman Slade suggested that a possible land swap could be made at the Baldwin location. He asked if there was a better way of guaranteeing the property than a 99 year lease. The attorney will look into this.

Alderman Chaney stated that she liked Alderman Slade's idea of trading property. She stated that she would like to see the affordable housing options on the Baldwin lot or if trading is not an option, the Town could donate the land to be used for affordable housing purposes. She also suggested that the town host a design competition to engage the community in the process and possible options. She asked that the Affordable Housing Commission discuss this.

There was no vote taken on this item.

CARR MILL - MINOR MODIFICATION TO CUP - WEAVER STREET MARKET YARD RENOVATION, CAFE ENCLOSURE & WEAVER ST. SIDEWALK WIDENING.

N. R. Milian Associates, on behalf of Carr Mill Limited Partnership, submitted an application for a minor modification to the existing Carr Mill Conditional Use Permit (CUP) to allow Improvements to the Weaver Street Market yard, an expansion of the Café into existing covered walkway, and the widening of the Weaver St. sidewalk.

Marty Roupe, the Town's Zoning Administrator, presented the report.

Ruffin Slater, the General Manager of Weaver Street presented his report and the results of their public outreach campaign.

Alderman Gist stated that she appreciated the public input and that she is in agreement of the project.

Alderman Slade asked if the removed tree could be replanted in another location. The landscape architect stated that Maples are very hard to move without damage so that it is really not possible.

Alderman Chaney asked where the parking will be coming from. She asked if employees could be asked to not park in the town-owned lots. She stated that she would like to see the number of bike spaced

increased and improved because they are full most of the time. She expressed a need for further community input as hosted by the Board of Aldermen.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SEILS TO APPROVE THE MINOR MODIFICATION TO THE CUP. THE MOTION FAILED. VOTE: NEGATIVE FOUR (FOUSHEE, SLADE, HAVEN-O'DONNELL, CHANEY), AFFIRMATIVE THREE (LAVELLE, GIST, SEILS)

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SLADE TO SCHEDULE A PUBLIC HEARING ON THE MINOR MODIFICATION TO THE CUP FOR THE WEAVER STREET MARKET LAWN IN SEPTEMBER. THIS ITEM IS NOT TO BE FORWARDED TO ADVISORY BOARDS FOR REVIEW NOR MAILED AS A DIRECT MAILED NOTICE. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

CONTINUATION OF PUBLIC HEARING 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.

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

Trish McGuire, the Town's Planning Director, explained staff's reasoning behind not creating the same connection as on Colfax Road.

Omar Zinn, the developer, spoke on behalf of his project and answered questions from the Board. He asked for flexibility to have the t-turnaround. He stated that they are not interested in providing 40% size-limited housing. He stated that if the connection to Wyndham is not made, he thinks that it should be very clear that is for perpetuity.

Sue Lebrato spoke to the Board about the reason for the rezoning and stated that it would benefit the developer. She asked that it remain zoned as it currently is.

Rebecca Baker, a resident of Wyndham, stated that she would not be in favor of sacrifices trees for a sidewalk.

Mark Alexander stated that he is fine with the proposed design.

Mayor Lavelle closed the public hearing.

Alderman Chaney suggested changing the condition regarding the t-turnaround to read: "A t turnaround or similar feature may be required during construction plan approval".

Alderman Foushee stated that she supports the 40% affordability suggestion by the Planning Board.

Alderman Haven-O'Donnell stated that she wants to see that the bollards are a permanent installation to

take out the possibility of discussion in the future.

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

**AN ORDINANCE ANNEXING
The Parker Louis LLC Properties
Ordinance No. 24/2017-2018**

WHEREAS, petitions were received requesting the annexation of the Parker Louis LLC Properties (Orange County PINs 9779 27 6322 and 9779 27 8209) which are contiguous to each other and contiguous to the existing primary corporate limits of the Town of Carrboro and for purposes of this annexation ordinance are being considered together as a single annexation area; and

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

WHEREAS, a public hearing on the question of annexation was held on May 22, 2018, and continued to June 19, 2018, following notice of such hearing published in the Herald Sun on May 11, 2018.

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

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

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

**905 HOMESTEAD ROAD ORANGE COUNTY PARCEL IDENTIFICATION
NUMBER 9779 27 6322**

BEING all of that 3.054ACRES AS SHOWN ON THAT PLAT AND SURVEY ENTITLED ‘Property Survey for Parker Louis, LLC’ prepared by Stephen M. Hallstrom, Professional Land Surveyor, dated June 26, 2013, revised July 3, 2017 and further described in Exhibit A; and

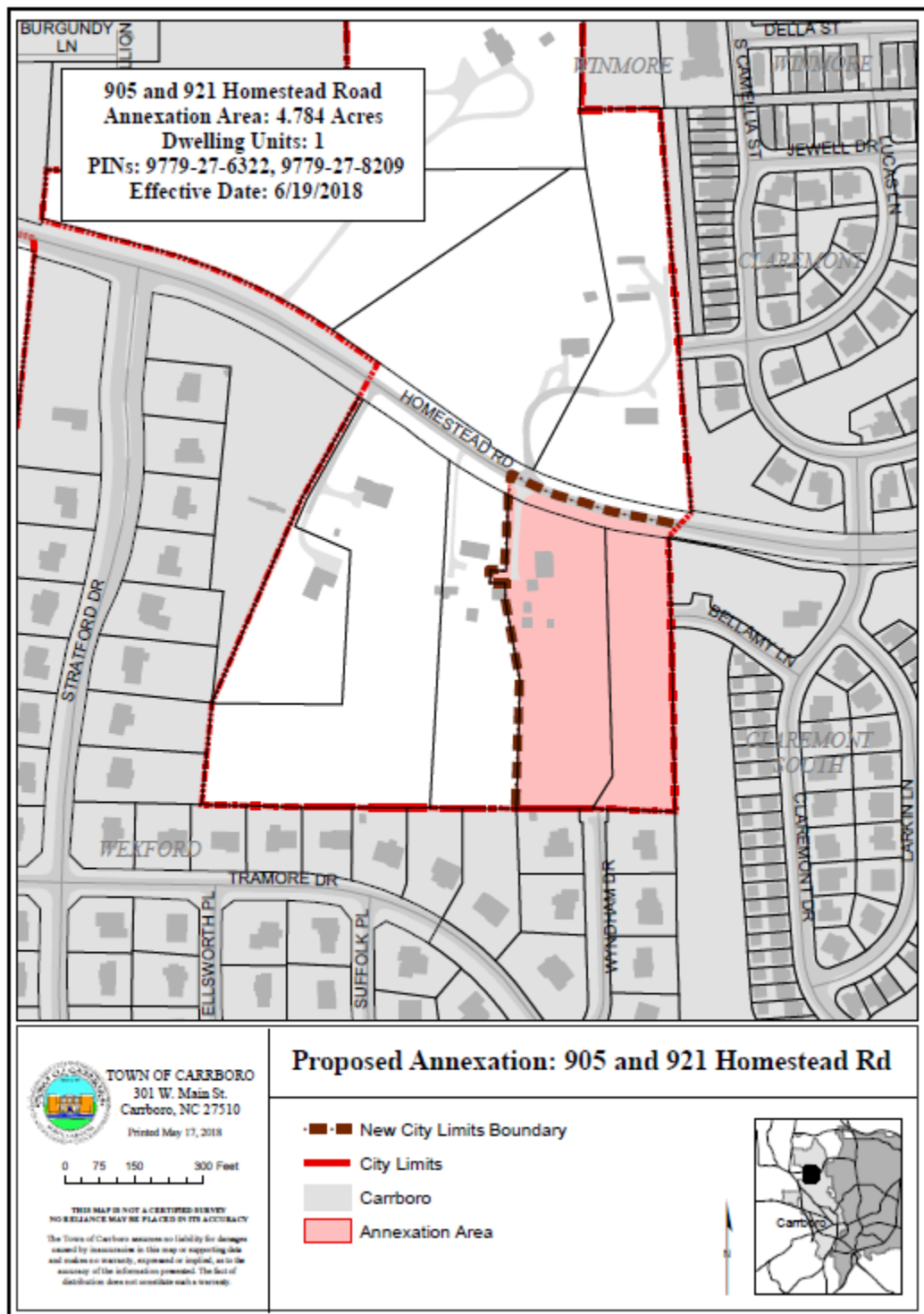
**921 HOMESTEAD ROAD, ORANGE COUNTY PARCEL IDENTIFICATION
NUMBER 9779 27 8209**

BEING ALL OF that certain 1.730 AS SHOWN ON THAT PLAT AND SURVEY ENTITLED “Property Survey for Parker Louis, LLC” prepared by Stephen M. Hallstrom, Professional Land Surveyor, dated June 26, 2013, revised July 3, 2017 and further described in Exhibit A.

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

Section 4. This ordinance shall become effective upon adoption.

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



This 19th 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

CONTINUATION OF PUBLIC HEARING FOR CONDITIONAL REZONING AT 905 & 921 HOMESTEAD ROAD

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

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

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE MAP OF THE CARRBORO LAND USE ORDINANCE (N.C. Gen. Stat. 160A-383)

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 4.8 ACRES OF THE PROPERTY KNOWN AS 905 AND 921 HOMESTEAD ROAD FROM R-15 (RESIDENTIAL, 15,000 SQUARE FEET PER DWELLING UNIT) TO R-10-CZ (RESIDENTIAL, 10,000 SQUARE FEET PER DWELLING UNIT, CONDITIONAL)

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

Section 1. The Board has reviewed the draft amendment to the map of the Land Use Ordinance and concludes that the proposed amendment is:

Consistent with current adopted plans, Carrboro Vision2020 (provisions 2.51, 2.52, 4.12, 4.51, 4.52, and 6.11) and the Facilitated Small Area Plan for Carrboro's Northern Study Area (goals 2, 4, 5, and 8), for the following reason(s):

Carrboro Vision2020

2.51 The town should support the implementation of our Small Area Plan.

2.52 The town should continue to require the construction of a diverse housing stock.

4.12 The town should continue to implement its connector roads policy.

4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.

4.52 New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.

6.11 Town policy should accommodate a variety of housing styles, sizes and pricing. It should also address issues of density, funding and rezoning to allow for more non-detached housing, mixed-use development, and communal living options.

housing, mixed-use development, and communal living options.

Facilitated Small Area Plan

Goal 2 - Patterns of growth which allow for the efficient provision of Town Services

Goal 4 - A variety of housing types and price levels

Goal 5 - A variety of transportation routes, which allow for public, private, bicycle, and pedestrian modes of transportation

Goal 8 - A pedestrian-scale community

Section 2. The Board of Aldermen's action is reasonable and in the public interest for the following reason(s):

The above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

Section 3. Therefore, the Carrboro Board of Aldermen has: approve the proposed amendment to the map of the Carrboro Land Use Ordinance.

Section 4. This resolution becomes effective upon adoption.

This 19th 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 Gist, that this ordinance be approved.

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE
APPROXIMATELY 4.8 ACRES OF THE PROPERTY KNOWN AS 905 AND 921
HOMESTEAD ROAD FROM R-15 (RESIDENTIAL, 15,000 SQUARE FEET PER DWELLING
UNIT) TO R-10-CZ (RESIDENTIAL, 10,000 SQUARE FEET PER DWELLING
UNIT, CONDITIONAL)
Ordinance No. 25/2017-18

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

SECTION 1. The Official Zoning Map of the Town of Carrboro is hereby amended as follows: That property being described on Orange County Tax Maps as:

Chapel Hill Township, two parcels at 905 and 921 Homestead Road (PIN #9779-27-6322 and 9779-27-8209) encompassing approximately 4.8 acres (209,088 square feet) is hereby rezoned from R-15 (Residential 15,000 square feet per dwelling unit) to R-10-CZ) (Residential 10,000 square feet per dwelling unit, Conditional) subject to the following conditions provided by the applicant:

1. The Concept Plan labeled “Rezoning Exhibit Illustrative Site Plan – 905 & 921 Homestead Road Conditional Rezoning,” dated March 21, 2018 is approved and incorporated herein to indicate all potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle-pedestrian access points, general circulation patterns, setbacks, and other landscaped areas. Other features and issues remain to be decided at the time a conditional use permit is requested for the development. Those features and issues include, but are not necessarily limited to, the location of stormwater management features, traffic improvements at Homestead Road, and the cross section of the proposed internal streets.
2. The project shall be designed as an Architectural Integrated Subdivision (AIS). As referenced in condition #1 above, the conceptual plan shall include illustrative lot layouts showing the location of setbacks, building footprints, trees, parking area, etc. to ensure the buildability of the proposed lots, as well as the location of proposed open space and recreation facilities.
3. The maximum residential density of the project shall be limited to 20 dwelling units.
4. The applicant has expressed interest in pursuing size-limited dwelling units, and will include up to 25% size limited units. If the project does not include 15% affordable units, the applicant shall participate in an affordable housing meeting with the Board of Aldermen.
5. Per the Town’s connectivity requirements, the proposed north-south internal road shall be constructed to provide a full connection to Wyndham Drive. The decision to install bollards at the connection to Wyndham Drive shall be addressed during the CUP process with consideration for public safety. The proposed east-west internal road may require a T-turnaround or similar feature as determined during the CUP and construction plan approval to allow solid waste/recycling service. (This was amended by the Board of Aldermen on 9-11-19)
6. The project shall include the construction of a sidewalk or sidepath along Homestead Road, unless determined to be impracticable during the conditional use permit process.

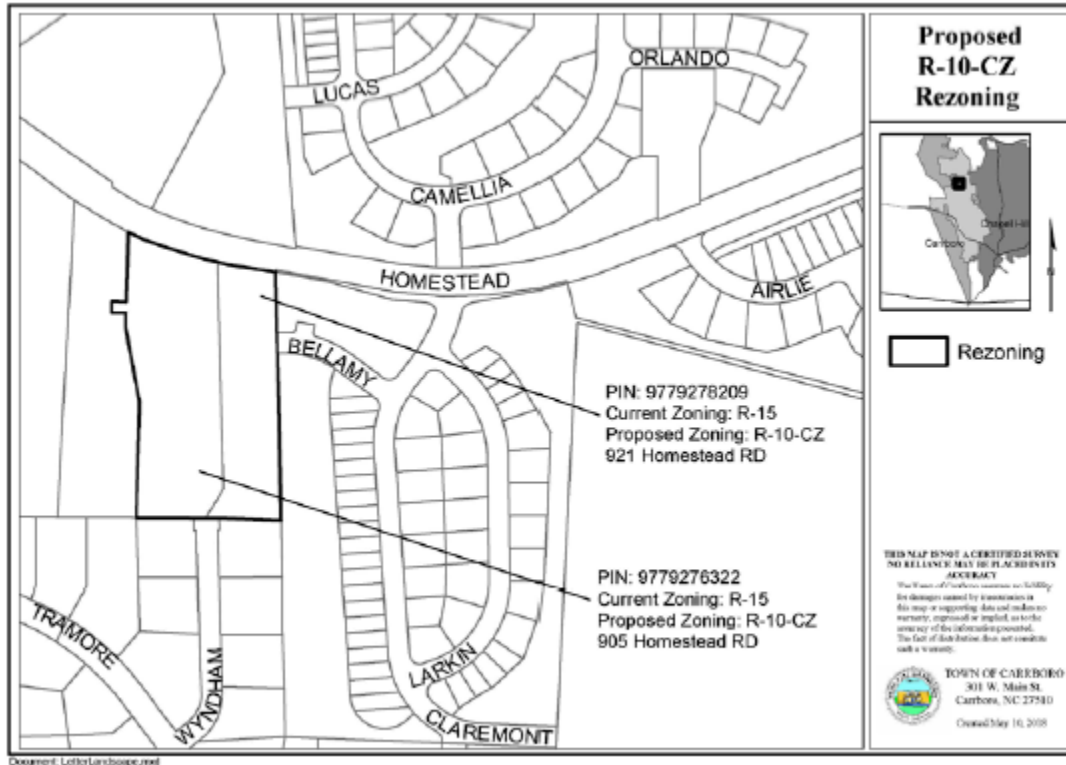
SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are repealed.

SECTION 3. This ordinance shall become effective upon adoption.

This 19th 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



CLOSED SESSION - ECONOMIC DEVELOPMENT MATTER AND POSSIBLE LAND ACQUISITION - NCGS 143-318.11(A)(4)(5)

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN FOUSHEE TO ENTER INTO CLOSED SESSION TO DISCUSS AN ECONOMIC DEVELOPMENT MATTER AND POSSIBLE LAND ACQUISITION. VOTE: AFFIRMATIVE ALL

OPEN SESSION

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

ADJOURNMENT

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL