



# **Town of Carrboro**

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

## **Meeting Minutes Board of Aldermen**

**Tuesday, September 4, 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:** David Andrews, Town Manager; Catherine Dorando, Town Clerk; Nick Herman, Town Attorney

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

Gary Phillips, the Town's Poet Laureate, read a poem called "On the Mountain."

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### **RECOGNITION OF FIRE CHIEF SUSANNA WILLIAMS' COMPLETION OF THE US FIRE ADMINISTRATION'S NATIONAL FIRE ACADEMY EXECUTIVE FIRE OFFICER PROGRAM**

Mayor Lavelle and David Andrews recognized Fire Chief Susanna Williams' completion of the US Fire Administration's National Fire Academy Executive Officer Program and presented her with a framed diploma.

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### **RECOGNITION OF LIFE SAVING AWARD RECIPIENT**

Mayor Lavelle read a proclamation proclaiming September 5, 2018 as "Joseph Ray Day" in Carrboro for

his life save on a 15 month old near drowning at his apartment complex pool on July 4th. Joseph Ray is a ten year-old.

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

Catherine Dorando, the Town Clerk, issued a charge to Patricia Morfield, a recent appointee to the Arts Committee.

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### **APPROVAL OF JUNE 16, JUNE 26, AND AUGUST 13, 2018 MEETING MINUTES**

**MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN GIST TO APPROVE THE MINUTES OF JUNE 16, 2018 AND AUGUST 13, 2018 AND TO TABLE THE APPROVAL OF THE JUNE 26, 2018 MEETING MINUTES UNTIL THE NEXT BOARD OF ALDERMEN MEETING. VOTE: AFFIRMATIVE ALL**

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### **AMENDMENT TO FY 2018-19 ADOPTED BUDGET AND POSITION CLASSIFICATION PLAN**

The purpose of this item was to appropriate additional funding received by the Town for certain program activities modify the Town's Position Classification Plan.

**Motion was made by Alderman Seils, seconded by Alderman Gist, that this ordinance be approved.**

### **AMENDMENT TO FY 2018-19 ANNUAL BUDGET ORDINANCE** **Ordinance No. 1/2018-19**

WHEREAS, the Board of Aldermen for the Town of Carrboro on June 19, 2018 adopted annual budget ordinance number 26/2017-18 for the fiscal year beginning July 1, 2018 and ending June 30, 2019; and

WHEREAS, it is appropriate to amend certain budget accounts in the general fund for the reason(s) stated below;

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following general fund accounts are amended as shown and herewith appropriated for the reason shown:

ACCOUNT CODE			ACCOUNT NAME	CURRENT	INCREASE	NEW TOTAL
ORG	OBJECT	PROJECT		BUDGET	(DECREASE)	
5110	436608	51008	ABC BOARD GRANT FY 2018-19	\$ 17,000.00	\$ 2,000.00	\$ 19,000.00
511	503300	51008	DEPARTMENTAL SUPPLIES	\$ 17,000.00	\$ 2,000.00	\$ 19,000.00
623	TBD	N/A	FUNDS APPROPRIATED BY CTDA FOR TOWN EVENTS	\$ -	\$ 32,200.00	\$ 32,200.00
623	504701	54200	MUSIC FESTIVAL	\$ 38,500.00	\$ 12,000.00	\$ 50,500.00
623	504701	54300	POETRY FESTIVAL	\$ 4,250.00	\$ 4,000.00	\$ 8,250.00
623	504701	54600	FILM FESTIVAL	\$ 3,950.00	\$ 7,200.00	\$ 11,150.00
623	504701	54220	FREIGHT TRAIN BLUES	\$ 3,000.00	\$ 9,000.00	\$ 12,000.00
530	435300	N/A	FIRE DISTRICT FEES FUND BALANCE	\$ 540,877.00	\$ 48,000.00	\$ 588,877.00
530	507400	N/A	EQUIPMENT - COMMAND STAFF VEHICLE	\$ -	\$ 48,000.00	\$ 48,000.00

**REASON:** Additional revenues totaling \$82,200 have been received for the following:

- 1.ABC Grant Awarded increased by \$2,000;
- 2.Carrboro Tourism Development Authority appropriated \$32,200 to support various Town events; and
- 3.Orange County Approved \$48,000 from Fire District Fund Balance to purchase command vehicle for Fire Department.

Further, the Board of Aldermen designates \$5,000 of FY 2017-18 fund balance for carryover for recreational adult program activities.

This budget amendment is effective immediately.

A copy of this amendment shall be forwarded to the Town's Finance Officer within five (5) days.

**This 4<sup>th</sup> day of September 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 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 Position Classification and Pay Plan provides a complete inventory of all authorized and permanent positions in the Town, accurate description of duties and responsibilities, and specifies the Salary Grade; and,

WHEREAS, the Town Manager has evaluated this Plan and recommends certain changes be made 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 Assistant to the Town Manager position, Salary Grade 14, to Management Assistant, Salary Grade 13;
- b.Reclassify Purchasing Officer/Budget Analyst, Salary Grade 14, to Budget Analyst, Salary Grade 14;
- c.Create new position of Management Specialist, Salary Grade 14;
- d.Reclassify one Maintenance/Construction Worker, Salary Grade 4, to Street Supervisor, Salary Grade 14; and,
- e.Create new position of Stormwater Specialist, Stormwater Utility Enterprise Fund, Salary Grade 14.

Section 2. All other provisions of the Position Classification and Pay Plan remain unchanged.

Section 3. The Human Resources Director shall revise the Position Classification and Pay Plan to reflect the changes in Section 1.

Section 4. This resolution shall become effective September 4, 2018.

**This 4<sup>th</sup> day of September 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

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**REQUEST TO ADOPT A RESOLUTION SUPPORTING NCDOT INVESTMENT IN BICYCLE/PEDESTRIAN IMPROVEMENTS AT THE FRANKLIN STREET/MERRITT MILL ROAD/BREWER LANE INTERSECTION**

The purpose of this agenda item was for the Board of Aldermen to consider adopting a resolution in support of the proposed design for the East Main Street/Brewer Lane/Merritt Mill Road/East Franklin Street intersection.

**The motion was made by Alderman Slade, seconded by Alderman Seils, that this resolution be approved.**

**RESOLUTION SUPPORTING CONSTRUCTION OF BIKE/PED IMPROVEMENTS AT THE MERRITT MILL-FRANKLIN –MAIN-BREWER INTERSECTION**

WHEREAS, a project to improve the intersection of Brewer Lane-West Franklin Street-East

Main Street-Merritt Mill Road Lane received State funding and is scheduled to be let for construction in October 2018; and

WHEREAS, staff of the Town of Carrboro, Town of Chapel Hill, and NCDOT have met on multiple occasions to develop conceptual design details which meet the needs of all parties; and,

WHEREAS, a conceptual design has since been completed and presented to staff of both towns, whom are both in agreement that said design represents a substantial improvement to the safety and comfort of cyclists and pedestrians traveling through this intersection; and

WHEREAS, the estimated project cost is \$350,000 and is to be funded and managed in its entirety by NCDOT and they have requested a resolution supporting the project be passed; and WHEREAS, the Board of Aldermen has received information on the proposed design for this project.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen supports construction of these improvements at the Merritt Mill-Franklin-Main-Brewer intersection and requests that the North Carolina Department of Transportation (NCDOT) proceed with the project in a timely fashion,

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen provides the following additional comments on the project.

**This 4<sup>th</sup> day of September 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

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**REQUEST-TO-SET A PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT  
RELATING TO THE STANDARDS FOR OUTDOOR LIGHTING**

The purpose of this agenda item was for the Board of Aldermen to consider setting a public hearing on a text amendment to the Land Use Ordinance regarding the provisions for outdoor lighting.

Alderman Slade suggested that the ordinance require LED lighting in developments.

Mayor Lavelle asked that the item also be referred to the Northern Transition Area Advisory Commission.

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

RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE  
CARRBORO LAND USE ORDINANCE RELATING TO THE STANDARDS FOR OUTDOOR  
LIGHTING

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on October 23, 2018, to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance Relating to the Standards for Outdoor Lighting.”

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

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the Northern Transition Area Advisory Committee.

**This 4<sup>th</sup> day of September 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

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**MONTHLY ECONOMIC DEVELOPMENT ACTIVITY**

The purpose of this item was to provide a monthly update to the Board of Aldermen on current Economic Development activities within Carrboro.

Alderman Slade asked that staff research the cost of the CVS lot on Weaver Street.

**MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN CHANEY TO RECEIVE THIS INFORMATION. VOTE: AFFIRMATIVE ALL**

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**REQUEST TO MAKE AN APPOINTMENT TO THE RECREATION AND PARKS COMMISSION**

The purpose of this agenda item was for the Board of Aldermen to make an appointment to the Recreation and Parks Commission.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE  
RECREATION AND PARKS COMMISSION

THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S)  
TO THE RECREATION AND PARKS COMMISSION:

<b>Seat Designation</b>	<b>Appointee</b>	<b>Term Expiration</b>
In-Town	Paul Clark	2/2021

Section 2. This resolution shall become effective upon adoption.

**This 4<sup>th</sup> day of September 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

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**CONSIDERATION OF AFFORDABLE HOUSING REQUEST**

The purpose of this item was for the Board to consider approving a request from Self-Help from the Affordable Housing Fund.

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

A RESOLUTION APPROVING A REQUEST FOR GRANT FUNDS FROM THE  
AFFORDABLE HOUSING SPECIAL REVENUE FUND FOR LAND BANKING  
ACTIVITIES AND CRITICAL HOME REPAIRS IN CARRBORO'S NORTHSIDE  
NEIGHBORHOOD

WHEREAS, the Board of Aldermen on, June 27, 2007, by the adoption of resolution no. 244/2006-07 created the Affordable Housing Special Revenue Fund; and

WHEREAS, the creation of the fund is another way in which the Board can advance its goal of increasing and maintaining the stock of affordable housing within the Town and its planning

jurisdiction; and

WHEREAS, the Affordable Housing Special Revenue Fund was also designed to provide funding for land banking and critical home repairs for Carrboro residents without the means to do it on their own; and

WHEREAS, Self-Help has requested funding from the Affordable Housing Special Revenue Fund for land banking activities, and critical home repairs through their Promise of Home program; and

WHEREAS, total cost of these activities will be \$30,000; and

WHEREAS, Town Staff has reviewed the request and determined that it meets the criteria set forth in the Affordable Housing Special Revenue Fund and the Affordable Housing Goals and Strategies; and

WHEREAS, on August 15, 2018 the Affordable Housing Advisory Commission voted unanimously to recommend the request be funded;

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

Section 1. The Board of Aldermen approves the grant to Self-Help in the amount of \$30,000.

Section 2. The Board of Aldermen authorizes the Town Manager to develop and execute an agreement as necessary to carry out the Board's action.

Section 3. This resolution shall become effective upon adoption.

**This 4<sup>th</sup> day of September 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

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**REFERRAL OF PROJECT TO AFFORDABLE HOUSING ADVISORY COMMITTEE  
AHEAD OF AFFORDABLE HOUSING REVIEW MEETING FOR HUTCHINS PROPERTY  
AT 905 AND 921 HOMESTEAD ROAD**

The purpose of this item was for the Board of Aldermen to approve a conditional rezoning for the subject properties on May 22, 2018. The developer is now moving forward with preparing a Conditional Use Permit application and is requesting an Affordable Housing Review Meeting to discuss the affordable housing component of the project. The Board is asked to refer the project to the Affordable



Housing Advisory Committee for discussion.

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

**A RESOLUTION REFERRING THE HUTCHINS PROPERTY UPCOMING CUP  
APPLICATION TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE  
AHEAD OF PARTICIPATING IN AN AFFORDABLE HOUSING REVIEW  
MEETING**

**WHEREAS**, the Carrboro Board of Aldermen desires to see affordably priced housing constructed within the Town of Carrboro; and

**WHEREAS**, an applicant for a Conditional Use Permit that does not contain 15% affordable housing in accordance with the LUO Section 15-182.4 or a payment in lieu thereof must participate in an affordable housing review meeting with the Board of Aldermen per LUO Section 15-54.1; and

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Board of Aldermen that the Board hereby refers the upcoming CUP application for the Hutchins Property at 905 and 921 Homestead Road to the Affordable Housing Advisory Committee for consideration ahead of the Board of Aldermen participating in the affordable housing review meeting.

**This 4<sup>th</sup> day of September 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

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**PUBLIC HEARING- SCHEMATIC DESIGN FOR THE 203 PROJECT - FUTURE HOME OF  
THE ORANGE COUNTY SOUTHERN BRANCH LIBRARY, CARRBORO RECREATION  
AND PARKS SPACES, THE ARTS CENTER, AND WCOM RADIO**

The purpose of this item was to provide the Board with an opportunity to receive a presentation on schematic designs and public input and to endorse "The Commons," the recommended scheme.

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

Alderman Gist asked about the advisory board review in the schedule and stated that the Board looks forward to their advice.

Derek Jones and Chris Garriss with Perkins + Will, discussed the three design schematics with the Board and noted that "The Commons" design is the preferred design.

Alex Brown, president of the Friends of the Carrboro Libraries, asked the Board to make a decision

tonight to maintain the timeline. She stated that she sees the building as a community center but shares some concern that so much space is being used as Recreation and Parks offices for a premium. She asked that the space be used as programming space.

Melva Okun, a resident of Carrboro, stated that she is thrilled to see things moving forward. She stated that she was taken back by seeing the library on the second floor because she had not seen a second floor library before and she prefers a first floor library.

Kathy Kaughman, a resident of the northern transition area, asked that solar be included in the building design. She stated that energy efficiency is the cheapest way to lower the energy bills.

Sally Robertson, with NCWARN, agreed with the request that solar be included on the building. She stated that the library should be designed with energy efficiency as a goal.

Nicholas Johnson, a resident of Roberson Place, stated that "The Commons" theme is his preferred design. He stated that it is unusual to use the first floor as meeting space since that would be vacant. He stated that maybe there is a more vibrant use that could be used on the first floor. He stated that there is nowhere for toddlers and infants in the area but that empty meeting space could be used as toddler space when the meetings are not going on. He asked if there could be a way to open the green roof up to the public. He stated that the plaza is pointed in the wrong direction and in his opinion, it should face north towards downtown. He asked if the deadline is firm because he would not want a project to be rushed due to a false deadline.

Joal Broun thanked the Board for the inclusive process. She stated that she would like to have the library on the first floor. She asked that teens and preteens be included in the comment process.

Neil Mokel asked if the land could be used for a additional space and the ramps could be placed to allow cars to enter the garage. He suggested a round staircase to save space. He asked how the Arts Center is going to pay for their share.

Katie Loovis, with the Carrboro Business Alliance, stated that the designs have a timeless and classic look. She stated that the CBA agrees that 250 spots seems about right and that this will help the business community.

Buddy Kelly, owner of 102 East Carr Street, stated that he prefers "The Commons" design. He stated that he was concerned with the ingress and egress on Carr Street.

Sandra Cynthia asked where she could find information on traffic analysis for this project.

David Swan, a resident, asked that the Board consider the connectivity of the building to the surrounding area. He asked that the roads be changed if needed, to accommodate additional traffic.

From the audience, there was a question if there are any plans to widen the smaller streets around the project.

Chris Garris, Derek Jones, and Trish McGuire answered questions from the Board. Perkins and Will

suggested that bike-ped improvements in the area, including Roberson Street, should be design considerations for the Town but are not included in the building budget.

Alderman Foushee asked if the first floor could be used for the library design.

Lucinda Munger, the County's Library Director, explained that designing the building in cooperation with the partners, placing the library on the second floor, meets those needs the best. She also stated that placing the library on the first floor increases the cost.

David Andrews, the Town Manager, stated that the costs will be shared proportionately to space allocation.

**A MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN FOUSHEE, THAT THE BOARD PREFERS "THE COMMONS" DESIGN SCHEMATIC FOR DEVELOPMENT OF THE 203 S. GREENSBORO PROPERTY. VOTE: AFFIRMATIVE ALL**

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

The purpose of this item was to continue the review of a proposed modification to the Carr Mill CUP that will allow changes to the Weaver Street yard. These modifications include, resurfacing of the lawn area, the expansion of the Café into the existing covered walkway, and the widening of the Weaver St. sidewalk.

Jeff Kleaveland, the Town's Zoning Development Specialist, provided the staff report.

Ruffin Slater, the General Manager for Weaver Street Market, asked the Board for approval of the project.

David Swan stated that the fence should be tall and strong enough to stop a toddler but should not stop visibility. He suggested that additional bike parking be added.

Hank Becker, a member of the Weaver Street Board, stated that he is very pleased at the extent to which this has been taken to the public for opinions.

Jack Haggerty, stated that the design accounts for tables at Tandem, as well.

Alderman Seils encouraged the applicant to reconsider the location of the proposed bicycle parking and to increase the number of bicycle parking spaces.

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

**A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CARR MILL MALL CUP ALLOWING RENOVATION OF THE WEAVER STREET MARKET LAWN, THE WEAVER STREET SIDEWALK WIDENING, AND THE WEAVER STREET MARKET CAFÉ/WALK ENCLOSURE SUBJECT TO FINAL REVIEW AND APPROVAL OF CONSTRUCTION PLANS BY THE TOWN.**

**WHEREAS**, the Carrboro Board of Aldermen approved the original Carr Mill Conditional Use Permit in 1976;

**WHEREAS**, the Town of Carrboro Land Use Ordinance requires that any modification of an existing Conditional Use Permit that does not substantially impact neighboring properties, the general public, or the intended occupants of the project, constitutes a minor modification to the original Conditional Use Permit; and

**WHEREAS**, the Board of Aldermen finds that the applicant has satisfied the requirements related to minor modifications contained in the Land Use Ordinance; and

**WHEREAS**, the Board of Aldermen chose to and has now held a public hearing regarding the request.

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Board of Aldermen that the Board hereby approves the minor modification to the Carr Mill Mall Conditional Use Permit for the improvements stated herein.

This the 4th day of September, 2018.

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

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

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**CLOSED SESSION - ECONOMIC DEVELOPMENT MATTER - NCGS 143-318.11(A) (4)**

**MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ENTER INTO CLOSED SESSION TO DISCUSS AN ECONOMIC DEVELOPMENT MATTER PURSUANT TO NCGS 143-318.11(A)(4). VOTE: AFFIRMATIVE ALL**

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**OPEN SESSION**

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

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**ADJOURNMENT**

**MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SEILS TO**

**ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL**