



Town of Carrboro

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

Meeting Minutes Board of Aldermen

Tuesday, December 4, 2018

7:30 PM

Board Chambers - Room 110

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

Also Present: David Andrews, Town Manager; Catherine Dorando, Town Clerk; Nick Herman, Town Attorney

POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

Jay Bryan, a member of the Poet's Council, read a letter written to him after his wife passed away by Sid Herje, a former Police Chief in Carrboro.

A RESOLUTION IN SUPPORT OF CAMPAIGN TO MAKE NORTH CAROLINA A NO-TORTURE STATE

Motion was made by Alderman Seils, seconded by Alderman Slade, that this resolution be approved.

RESOLUTION IN SUPPORT OF CAMPAIGN TO MAKE NORTH CAROLINA A NO-TORTURE STATE

WHEREAS, the non-governmental North Carolina Commission of Inquiry on Torture (NCCIT, www.nccit.org) was established to examine the role of North Carolina in the United States' secret, global torture program launched soon after 9/11/2001; and,

WHEREAS, the volunteer led NCCIT has conducted an inquiry into the use of public airports by the CIA to facilitate torture, and learned that Aero Contractors, a CIA affiliated company, transported at least 49 people for torture, many of them innocent of any terrorist ties; and,

WHEREAS, Aero Contractors is headquartered at the Johnston County Airport in Smithfield, and also used the state-run Global TransPark in Kinston for “torture taxi” flights; and,

WHEREAS, North Carolina citizens have been calling since 2005 for an investigation of Aero Contractors, and support has come from people of faith, veterans, elected officials, civic groups, labor, various political parties, and members of different racial and ethnic groups; and

WHEREAS, 10 NCCIT Commissioners – a diverse, blue-ribbon panel of distinguished citizens – heard testimony from 20 witnesses (survivors, journalists, human rights experts) on November 30 and December 1, 2017, in Raleigh; and

WHEREAS, Governor Roy Cooper and Attorney General Josh Stein are expected to respond to the 84-page NCCIT Report (NCTortureReport.org) that was released on September 27, 2018; and

WHEREAS, the Carrboro Board of Aldermen passed a RESOLUTION IN SUPPORT OF THE NORTH CAROLINA COMMISSION OF INQUIRY ON TORTURE on December 6, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Carrboro Board of Aldermen hereby urges Governor Cooper and Attorney General Stein to identify and pursue relevant state, federal, and international law when responding to this report; hold private contractors such as Aero Contractors accountable for their involvement in the torture program; and require the removal of Aero Contractors from Johnson County Airport.

This 4th day of December 2018.

The motion carried by the following vote:

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

RESOLUTION IN SUPPORT OF BOLD ‘GREEN NEW DEAL’; ENDORSING ‘PEOPLE’S DEMAND FOR CLIMATE JUSTICE’; AND ACCEPTING THAT CARRBORO IS FACING A LIFE THREATENING EMERGENCY THAT CALLS FOR A REORIENTATION OF PRIORITIES AND RESOURCES

Motion was made by Alderman Slade, seconded by Alderman Haven-O’Donnell, that this resolution be approved.

Resolution Supporting a “Green New Deal,” Endorsing the “People’s Demands for Climate Justice,” and Accepting That Carrboro Is Facing a Life-Threatening Emergency That Calls for a Reorientation of Priorities and Resources

WHEREAS, the Intergovernmental Panel on Climate Change (IPCC) conservatively reports that we have only 12 years (by 2030) to cut 45% from 2010 levels of global anthropogenic carbon dioxide emissions, reaching net zero by 2050 plus the removal of some carbon from the atmosphere, if we are to keep global warming under 1.5 degrees Celsius above pre-industrial levels (<https://ipcc.ch/sr15/chapter/summary-for-policy-makers/>); and

WHEREAS, there is a 1% chance of remaining below 1.5 degrees Celsius above pre-industrial levels and a 5% chance of remaining below 2 degrees Celsius of pre-industrial levels within the lifetime of children born today (<https://nature.com/articles/nclimate3352>); and

WHEREAS, there is a 1 in 20 chance that the 2.2 trillion tons of carbon dioxide that are already in Earth's atmosphere could cause an existential warming threat (<http://pnas.org/content/early/2017/09/13/1618481114>); and

WHEREAS, the Board of Aldermen recognizes that the window of time for taking action to address the existential threat to humanity that climate change represents is closing fast and requires an emergency mode of response equivalent to a massive, WWII-scale mobilization; and

WHEREAS, Rep.-elect Alexandria Ocasio-Cortez of New York has announced plans for a resolution to create a Select Committee for a Green New Deal empowered to draft a comprehensive Green New Deal Plan by 2020 to map out a detailed national, industrial, economic mobilization plan capable of making the U.S. economy carbon-neutral while promoting economic and environmental justice and equality; the Committee would also draft legislation designed to turn the plan into reality by 2020 (<https://ocasio2018.com/green-new-deal>); and

WHEREAS, no member appointed to that committee would receive money from fossil fuel interests; and

WHEREAS, government representatives to the 24th Session of the Conference of Parties (COP24) of the United Nations Framework Convention on Climate Change will meet in December to lay out the rules to implement the Paris Agreement; and

WHEREAS, the "People's Demands for Climate Justice" (<https://peoplesdemands.org>) urges government representatives at the COP24 to stand with people across the world—not big polluters—and immediately take steps to address the climate crisis with a just response centered on human rights, equity, and justice by:

- **keeping fossil fuels in the ground;**
- **rejecting false solutions that are displacing real, people-first solutions to the climate crisis;**
- **advancing real solutions that are just, feasible, and essential;**
- **honoring climate finance obligations to developing countries;**
- **ending corporate interference in and capture of the climate talks;**
- **ensuring developed countries honor their "fair shares" for largely fueling this crisis;**

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen calls upon Rep. David Price to cosponsor and champion Rep.-elect Ocasio-Cortez's "New Green Deal" resolution.

BE IT FURTHER RESOLVED that the Board of Aldermen endorses the "People's Demands for Climate Justice."

BE IT FURTHER RESOLVED that the Board of Aldermen accepts that we are facing a life-threatening emergency and we need to reorient by adjusting our hierarchy of priorities so that the emergency is the clear top priority and deploying a huge amount of resources towards solving the crisis.

This 4th day of December 2018.

The motion carried by the following vote:

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

TOWN OF CARRBORO RESOLUTION CONDEMNING THE MASSACRE OF JEWS AT THE TREE OF LIFE SYNAGOGUE AND THE ESCALATION OF ACTS OF ANTI-SEMITISM AND OTHER HATE CRIMES IN OUR NATION

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

TOWN OF CARRBORO RESOLUTION CONDEMNING THE MASSACRE OF JEWS AT THE TREE OF LIFE SYNAGOGUE AND THE ESCALATION OF ACTS OF ANTI-SEMITISM AND OTHER HATE CRIMES IN OUR NATION

WHEREAS, the Board of Aldermen and the Citizens of Carrboro stand with the Congregation of the Tree of Life and the people of Pittsburgh, Pa. and condemn all acts of hatred, and

WHEREAS, on October 29th 2018, the Tree of Life massacre resulted in the single largest murder of Jewish people on U.S. soil in decades, and

WHEREAS, in February 2018, the Anti-Defamation League's annual Audit of Anti-Semitic Incidences cited 1,986 reported cases, including both criminal and non-criminal acts. It found that anti-Semitic incidents rose 57% in 2017, the largest single year increase on record and the second highest number of incidences reported since ADL started to keep track in 1979, and

WHEREAS, the 2017 FBI annual Hate Crime Statistics Act (HCSA) report data shows a 17% increase in hate crimes in America targeting groups and individuals because of their race, religion, ethnicity, sexual orientation and immigration status, and of those 60% were against Jews and Jewish Institutions the highest of any targeted group in 2017, 938 crimes against Jews were committed, an increase of 684 crimes from 2016, and

WHEREAS the growing presence of anti-Semitism in public discourse and in social media plays a direct role in perpetrating hate crimes, and

WHEREAS, the Tree of Life Synagogue murderer was fixated on the Hebrew Immigrant Aid Society (HIAS), which has been vilified by extremists for its work on the behalf of immigrants, and

WHEREAS, on August 12, 2017 after the violence stemming from the extremist white supremacist and anti-Semitic demonstration Charlottesville the Town of Carrboro passed a resolution condemning hate crimes, and

WHEREAS, we acknowledge that the Triangle area is not immune to acts of hate and intimidation as evidenced by; the October 25th 2018 distribution of anti-Semitic flyers in Cary, the appearance of anti-Semitic flyers and graffiti on the campus of Duke University, and the posting of anti-Semitic flyers in Carrboro in May of 2018, and

NOW, THEREFORE BE IT RESOLVED THAT the Board of Aldermen of the Town of Carrboro condemns all acts of hate speech and hate crimes and encourages the citizens of Carrboro to stand in solidarity with all targeted groups remembering that a hate crime against one is a hate crime against all.

BE IT FURTHER RESOLVED THAT this resolution be forwarded to the Chapel Hill Town Council, Hillsborough Board of Commissioners, Orange County Board of Commissioners, The Boards of Education for the Orange County Schools and the Chapel-Hill Carrboro Schools, the University of North Carolina Board of Governors, and US N.C. Representative David Price, N.C. Senator Valerie Foushee, N.C. Representative Verla Insko, U.S. Senator Richard Burr, U.S. Senator Thom Tillis, and President Donald Trump.

This 4th day of December 2018.

The motion carried by the following vote:

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

Alderman Slade stated that he will prepare two resolutions opposing fascism for the Board's consideration during their next meeting after the break.

ADOPTION OF 2019 MEETING CALENDAR

The purpose of this item was for the Board of Aldermen to adopt their 2019 meeting calendar.

A MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO ADOPT THE MEETING CALENDAR AS SHOWN IN THE AGENDA PACKET. VOTE: AFFIRMATIVE ALL

REQUEST TO AUTHORIZE THE TOWN MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH NCDOT FOR THE MORGAN CREEK GREENWAY AND TO ADOPT A NEW CAPITAL IMPROVEMENT PROJECT ORDINANCE

The purpose of this item was for the Board of Aldermen to consider authorizing the Town Manager to execute a Supplemental Agreement with NCDOT and to adopt a new capital project ordinance to reflect the revised project phasing and the addition of Orange County Transit Funds.

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

MORGAN CREEK GREENWAY PHASE I CAPITAL PROJECT ORDINANCE

Ordinance No.8/2018-19

WHEREAS, the Board of Aldermen on June 21, 2011 adopted the Morgan Creek Greenway Capital Improvement Project Ordinance No. 22/2010-11 and subsequently amended it on June 16, 2015 (Ordinance No. 19/204-15), and February 6, 2018 (Ordinance No. 13/2017-18); and,

WHEREAS, the Town has executed a Municipal Agreement with NC Department of Transportation (NCDOT) to administer federal funding to design and construct the Morgan Creek Greenway; and,

WHEREAS, the Town and NCDOT have agreed to break this project into two parts – Phase I and Phase II; and,

WHEREAS, NCDOT has authorized the construction of the Morgan Creek Greenway Phase I;

WHEREAS, NCDOT has modified the funding to provide sufficient funds for completion of this project; and,

WHEREAS, the Municipal Agreement with NCDOT will need to be modified to reflect funding for Phase I of the Morgan Creek Greenway;

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1: Revenues for the Morgan Creek Greenway Phase I Capital Improvement Project are as follows:

FEDERAL STP-DA FUNDS	\$	524,000.00
FEDERAL TAP-DA FUNDS	\$	730,000.00
ORANGE COUNTY TRANSIT BOND	\$	199,837.00
	\$	113,663.00
TOTAL	\$	1,567,500.00

Section 2: The following amount is appropriated for Morgan Creek Greenway Phase I Capital Improvement Project and to be expended for the following:

CONSTRUCTION-MORGAN	\$	958,394.00
DESIGN-MORGAN CRK	\$	379,231.00
CONTINGENCY	\$	229,875.00
TOTAL	\$	1,567,500.00

Section 3: Funds appropriated shall be available until all project activity is completed.

Section 4: The Town Manager is authorized to execute an amended Municipal Agreement with NCDOT consistent with the above funding.

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

Section 6: The Project Ordinance replaces and supersedes any and all prior project ordinances or amended project ordinances for Morgan Creek Greenway.

This 4th day of December 2018.

The motion carried by the following vote:

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

ECONOMIC DEVELOPMENT REPORT FOR THE MONTH OF DECEMBER

The purpose of this agenda item was to update the Board on economic development activity within the Town.

Alderman Gist asked what the units will be rented for at Shelton Station. Annette Stone, the Economic and Community Development Director, will provide the information.

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

INITIATION OF PROCESS TO PURSUE FEMA PUBLIC ASSISTANCE FUNDS

The purpose of this item was for the Board to direct the Manager and staff to participate in the process for FEMA Public Assistance funding resulting from impacts from Hurricane Florence.

Motion was made by Alderman Seils, seconded by Alderman Chaney, that this resolution be approved.

A RESOLUTION DIRECTING STAFF TO PARTICIPATE IN THE FEMA PUBLIC ASSISTANCE APPLICATION PROCESS

WHEREAS, the Town experienced significant damage during Hurricane Florence, and has a history of public impacts from major storms and flood events; and

WHEREAS, Orange County was declared as eligible for FEMA Public Assistance funds related to Hurricane Florence; and

WHEREAS, Town staff have recently been briefed on potential opportunities available to the Town through participation in a Public Assistance application;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen hereby direct staff to participate in the application process, and report back to the Board with a recommendation for finalizing an application.

This 4th day of December 2018.

The motion carried by the following vote:

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

CONSIDER MEMORANDUM OF UNDERSTANDING AND WORK PLAN FOR ORANGE COUNTY FOOD POLICY COUNCIL PROPOSAL

The purpose of this agenda item was for the Board to consider entering into an inter-local agreement with Orange County, Chapel Hill and Hillsborough for mutual support of the Orange County Food Policy.

Motion was made by Alderman Seils, seconded by Alderman Chaney, that this resolution be approved.

A Resolution to Enter Into a Memorandum of Understanding (MOU) with Orange County, Chapel Hill and Hillsborough for Shared Support of the Orange County Food Council.
December 4, 2018

WHEREAS, Orange County has drafted a MOU for shared support of the Orange County Food Council (Attachment 1 agenda packet) and;

NOW THEREFORE BE IT RESOLVED, the Carrboro Board of Aldermen approve the MOU (Attachment 1 agenda packet) as presented contingent on all four jurisdictions participation in the program.

This 4th day of December 2018.

The motion carried by the following vote:

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

REQUEST TO AUTHORIZE MANAGER TO EXTEND CONTRACT WITH SUMMIT DESIGN FOR ENGINEERING SERVICES FOR HAZARD MITIGATION GRANT PROGRAM ADMINISTRATION AND PURSUE CONSTRUCTION BIDDING, AWARD, AND EXECUTION

The purpose of this item was for the Board of Aldermen to consider authorizing the Manager to: extend a contract with Summit Engineering for HMGP support, bid and award a construction contract in collaboration with the NC Division of Emergency Management, and work with Summit Design to coordinate the construction.

Motion was made by Alderman Seils, seconded by Alderman Chaney that this resolution be approved.

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXTEND A CONTRACT WITH SUMMIT DESIGN AND ENGINEERING SERVICES AND PURSUE CONSTRUCTION BIDDING, AWARD, AND EXECUTION

WHEREAS, the Town of Carrboro received an HMGP Grant in 2016 to elevate two homes at 400 Lorraine Street and 403 Lorraine Street; and

WHEREAS, Town staff have been overseeing Summit engineering work related to the contract; and

WHEREAS, it is necessary to extend the contract to complete the project; and

WHEREAS, successful completion will involve bidding, award and execution of a construction contract, and compliance with grant requirements; and

WHEREAS, the Board of Aldermen believes that continued work with Summit Design and Engineering Services and completion of the project may be beneficial to the Town.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen hereby authorize the Town Manager to extend the contract with Summit Design and Engineering Services under HMGP Grant Agreement 4167-0013-R and to pursue construction bidding, award, and execution.

This 4th day of December 2018.

The motion carried by the following vote:

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

**CONTINUATION OF PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT,
AND ASSOCIATED TOWN CODE AMENDMENT ESTABLISHING ADVISORY BOARD
TERM LIMITS**

The purpose of this agenda item was for the Board of Aldermen to continue the public hearing to consider a text amendment to the Land Use Ordinance that would establish membership limitations for boards, committees and commissions.

Alderman Foushee expressed some concern with provisions of two and three and stated that they could be in direct conflict with number one.

Alderman Gist agreed and suggested that “experts” can be community members without a particular training or professional expertise.

Mayor Lavelle suggested the removal of items two and three and the removal of the word “qualified” from number four.

Mayor Lavelle closed the public hearing.

With the Board’s discussion as direction, motion was made by Alderman Gist, seconded by Alderman Foushee, that this resolution be approved with changes shown in the minutes below.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF
ALDERMEN’S REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT 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 TO AMEND THE TOWN OF CARRBORO LAND USE ORDINANCE TO ESTABLISH MEMBERSHIP LIMITATIONS ON BOARDS, COMMITTEES, AND COMMISSIONS.

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

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

Consistent with current adopted plans, such as Carrboro Vision 2020 which speaks to the importance of continuing to encourage citizens active participation in community planning (Provision 1.45).

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

The proposed text amendment is reasonable in the public interest because it clarifies the policies around membership.

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

Section 4. This resolution becomes effective upon adoption.

This 4th day of December 2018.

The motion carried by the following vote:

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

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

AN ORDINANCE TO AMEND THE CARRBORO LAND USE ORDINANCE TO ESTABLISH MEMBERSHIP LIMITATIONS ON BOARDS, COMMITTEES, AND COMMISSIONS

Ordinance No. 9/2018-19

BE IT ORDAINED BY THE CARRBORO BOARD OF ALDERMEN THE FOLLOWING:

Section 1. Article III of the Land Use Ordinance is amended to add a new PART VII as follows:

PART VII. MEMBERSHIP LIMITATIONS ON BOARDS, COMMITTEES, ADVISORY GROUPS, AND COMMISSIONS

A member may be appointed to the same board, committee, advisory group, or commission for a maximum of two successive full terms. A member who has served for two successive full terms on the same board, committee, advisory group, or commission may be eligible for re-appointment after an absence from that board, committee, advisory group, or commission of at least one year. The Board of Aldermen may make exceptions to these conditions under the following circumstances:

1. To retain diversity on an advisory board;
2. ~~To provide continuity in oversight of a major, on-going project;~~
3. ~~To keep a member who provides expertise otherwise unavailable on an advisory board (e.g. an engineer on the Planning Board of Board of Adjustment); or~~
4. To appoint a member in the absence of ~~qualified~~ applicants.

Section 2. Article III of the Land Use Ordinance is amended to delete subsections 15-29(c), 15-42(c), and 15-45(c).

Section 3. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed, and this ordinance is effective upon adoption.

This 4th day of December 2018.

The motion carried by the following vote:

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

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

**AN ORDINANCE TO AMEND THE CARRBORO TOWN CODE TO ESTABLISH
MEMBERSHIP LIMITATIONS ON BOARDS, COMMITTEES, AND COMMISSIONS
Ordinance No. 10/2018-19**

BE IT ORDAINED BY THE CARRBORO BOARD OF ALDERMEN THE FOLLOWING:

Section 1. Chapter 3 of Article VIII of the Town Code is amended to add a new section 3-45 as follows:
Section 3-45. Membership Limitations on Boards, Committees, and Commissions

A member may be appointed to the same board, committee, advisory group, or commission for a maximum of two successive full terms. A member who has served for two successive full terms on the same board, committee, advisory group, or commission may be eligible for re-appointment after an absence from that board, committee, advisory group, or commission of at least one year. The Board of Aldermen may make exceptions to these conditions under the following circumstances:

1. To retain diversity on an advisory board;
2. ~~To provide continuity in oversight of a major, on-going project;~~
3. ~~To keep a member who provides expertise otherwise unavailable on an advisory board (e.g. an engineer on the Planning Board of Board of Adjustment); or~~
4. To appoint a member in the absence of ~~qualified~~ applicants.

Section 2. Chapter 3 of Article VIII of the Town Code is amended to delete subsections 3-7(d), 3-9.1(d), and 3-24(d).

Section 3. The Town of Carrboro Advisory Board Recruitment and Appointment Policy is hereby amended to be consistent with the Town Code and Land Use Ordinance term limit requirements.

Section 4. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed, and this ordinance is effective upon adoption.

This 4th day of December 2018.

The motion carried by the following vote:

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

UNC SCHOOL OF SOCIAL WORK STUDENT REPORT - RECOMMENDATIONS FOR THE COMMUNITY INPUT STAGE OF THE CARRBORO COMPREHENSIVE PLAN USING THE RACIAL EQUITY TOOLKIT

Susanna LaRochelle, Aklesia Maereg, Klaus Mayr, and Sean Nguyen, students from the UNC School of Social Work class SoWo 490, presented their report on recommendations for the community input stage of the Carrboro Comprehensive Plan using the Racial Equity Toolkit.

Alderman Chaney suggested thinking about a way to offer expand the Citizen's Academy in different languages.

PRESENTATION FROM NCDOT ON THE DESIGN AND SCHEDULE FOR INTERSECTION IMPROVEMENTS AT EAST MAIN STREET/BREWER LANE/MERRITT MILL ROAD/FRANKLIN STREET

The purpose of this item was to provide an opportunity for the Board to receive information from NCDOT on the final design and anticipated construction schedule for the intersection improvements at East Main Street/Brewer Lane/Merritt Mill/Franklin Street.

Chris Smitherman, with NCDOT, provided the history on the proposed improvements with the project.

Tom Tucker, owner of Chapel Hill Car Wash, asked when business owners would be involved in the discussion. Chris Smitherman stated that it would be next on the NCDOT's to-do-list to meet with the impacted property owners. Tom Tucker stated that he has stormwater that goes into the business from Brewer Lane and would be interested in speaking with them about improving those situations.

Motion was made by Alderman Chaney, seconded by Alderman Seils, that this resolution be approved.

A RESOLUTION RECEIVING A PRESENTATION ON INTERSECTION IMPROVEMENTS AT EAST MAIN STREET/BREWER LANE/MERRITT MILL ROAD/FRANKLIN STREET

WHEREAS, a highway project to improve the intersection of East Main Street/Brewer Lane/Merritt Mill Road/West Franklin Street received state funding as TIP #U-5847; and

WHEREAS, conceptual design has been underway with an alternatives analysis yielding descriptions of benefits associated with the different types of improvements; and

WHEREAS, the Town of Carrboro and the Town of Chapel Hill and NCDOT have agreed to redesign the improvements as a bike-ped project; and

WHEREAS, NCDOT has agreed to manage and fund the project.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen receives the presentation on the final bike-ped design and anticipated schedule for construction.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen provides the following additional comments on the project: That NCDOT is requested to work directly with property owners to keep them informed and engaged in the project.

This 4th day of December 2018.

The motion carried by the following vote:

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

ENERGY AND CLIMATE PROTECTION PLAN AND COMMUNITY CLIMATE ACTION PLAN IMPLEMENTATION UPDATE

The purpose of this item was to update the Board on Energy and Climate Protection Plan and Community Climate Action Plan Implementation Efforts.

Laura Janway, the Town's Environmental Planner, provided the staff report.

Alderman Haven-O'Donnell asked if EV charging stations could be added to Lloyd Farm. Staff will look into including this location.

Alderman Slade requested that items which are identified in the climate Action plans be estimated in cost in time for the next budget cycle; and also that items be assessed for their potential to address our greenhouse gas reduction goals by the next quarterly report. He expressed awareness that there is a lot to do in the workplan; he suggested that if staff capacity is limited for keeping up with implementing projects and keeping tabs on their impact for reaching our ghg reduction goals that we explore sharing a staff person with the county or other jurisdictions as the city of Durham and Durham county do. He stressed the importance of having advisory board involvement in updating and executing the climate change plans so that they be 'living documents. He expressed hope that, after the winter break, we may have language for the EAB charge to reflect climate change plans implementation and updating tasks.

He asked for the Town Clerk to share information on the current makeup of the Environmental Advisory Board so that they Board can think of the makeup for the future work on implementing the Climate Action Plan. He requested information on the status of the neighborhood climate change initiative before the next quarterly report. He expressed interest for Chapel Hill Transit and the school boards to take advantage of the VW settlement monies for electrifying their fleets. He pointed out that emissions look good if for electricity generation what is measured is only at the point of combustion, studies are showing that natural gas is the same or worse as burning coal if you take into account natural gas's lifecycle emissions; He requested that our emissions reports reflect this reality next time, it will show that we haven't accomplished much ghg reductions. He requested that electric charging stations also reflect the reality that much of the electricity is generated from natural gas. He asked that we look into doubling our town commons solar panels so that instead of 50% power provided to charging stations from this source we reach 100%. He expressed frustration with Duke Energy's 'racket' LED rates, what they are offering represents a 12-14 return on investment, the City of Asheville with Duke Progress LED rates made back their money in under 4 years. He expressed very little hope for them to offer anything more just and that there is no time to wait given the emergency that Climate Change represents. In regard to the solid waste initiatives, he thanked staff for the valuable analysis in the report and requested that we consider purchasing brown bins for all households as these will be used no matter who we go with for composting, especially if we do as the City of Durham is planning to do combine yard west and compost. He asked if the purchase of the garbage truck would still be postponed and Town Manager, David Andrews, stated that it would. Lastly he shared that there is a small group of representatives from Orange county governments who have been informally meeting about climate Change action and that there is an effort to formalize these efforts and that we may hear more about it at the next Assembly of Governments meeting.

Motion was made by Alderman Chaney, seconded by Alderman Foushee, that this resolution be approved.

A RESOLUTION RECEIVING AN UPDATE ON THE CLIMATE AND ENERGY PROTECTION PLAN AND COMMUNITY CLIMATE ACTION PLAN

WHEREAS, the Board of Aldermen has received a presentation regarding the Energy and Climate Protection Plan and the Community Climate Action Plan; and

WHEREAS, the Town of Carrboro has a number of emissions-reduction projects in process; and

WHEREAS, Town staff have requested Board input and approvals at key milestones; and

WHEREAS, staff have provided the Board with updates on particularly projects at regular intervals.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board receives this update on the implementation of the Energy and Climate Protection Plan and the Community Climate Action Plan.

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that the Board authorizes staff to pursue the conversion of Town streetlights from mercury vapor (MV) and high-pressure sodium (HPS) to light-emitting diode (LED) lighting to further advance the Town's efforts toward greenhouse gas reduction.

This 4th day of December 2018.

The motion carried by the following vote:

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

Motion was made by Alderman Chaney, seconded by Alderman Foushee, that this resolution be approved.

A RESOLUTION PROVIDING AUTHORIZATION TO SUBMIT A GRANT FOR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

WHEREAS, the Board of Aldermen has committed to pursuing greenhouse gas emissions reductions in Carrboro's Community Climate Action Plan; and

WHEREAS, The North Carolina Department of Environmental Quality (DEQ) will be administering grants from the Volkswagen Mitigation Trust Fund; and

WHEREAS, The DEQ North Carolina Volkswagen Mitigation Plan details that one-third (\$30.68 million) of the state's funding will be allocated during Phase 1 (2018-2020); and

WHEREAS, the Phase 1 request for proposals will be released in fall 2018; and

WHEREAS, the proposals can request up to 100% of the cost to purchase, install, and maintain eligible light-duty electric vehicle supply equipment that will be available to the public at a government-owned property.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board authorizes Town staff to submit a proposal to fund electric vehicle charging stations in the Town of Carrboro.

This 4th day of December 2018.

The motion carried by the following vote:

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

RETREAT DISCUSSION

The purpose of this item was to allow the Board of Aldermen to further discuss the retreat scheduled for January 26, 2019.

The Board discussed current direction and requested that staff continue to seek a facilitator for the retreat and to think about Plan B if the facilitator is not selected by the holidays.

MATTERS BY THE BOARD

Alderman Gist expressed concern with the Chapel Hill-Carrboro Chamber of Commerce and their possible name change that would remove "Carrboro" from their name.

Mayor Lavelle asked that the Board take the survey if they would like to provide input to the Chamber.

CLOSED SESSION

A MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS TO ENTER INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11(A)(3). VOTE: AFFIRMATIVE ALL

OPEN SESSION

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

ADJOURNMENT

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