



# **Town of Carrboro**

301 W. Main St.

Town Hall

Carrboro, NC 27510

## **Meeting Minutes Board of Aldermen**

**Tuesday, January 22, 2019**

**7:00 PM**

**Board Chambers - Room 110**

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

**Also Present:** David Andrews, Town Manager; Catherine Dorando, Town Clerk; Chris Milner, Deputy Town Clerk; Nick Herman, Town Attorney

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

Susan Spalt read a poem called "The Summer Day" by Mary Oliver.

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### **APPROVAL OF JANUARY 8, 2019 MEETING MINUTES**

**A MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE, TO APPROVE THE MINUTES OF JANUARY 8, 2019, AS AMENDED. VOTE: AFFIRMATIVE ALL**

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### **HURRICANE FLORENCE PUBLIC ASSISTANCE PROGRAM**

The purpose of this item was to request permission from the Board of Aldermen for staff to proceed with the application process for federal funding through Federal Emergency Management Agency (FEMA) for damages resulting from Hurricane Florence.

**A MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE, THAT THE BOARD OF ALDERMEN AUTHORIZE TOWN STAFF TO PROCEED WITH THE APPLICATION FOR FEDERAL FUNDING THROUGH THE FEDERAL EMERGENCY**

**MANAGEMENT AGENCY FOR DAMAGES RESULTING FROM HURRICANE FLORENCE.  
VOTE: AFFIRMATIVE ALL**

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**PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT RELATING TO  
SIGNAGE**

The purpose of this agenda item was for the Board of Aldermen to consider a text amendment to the Land Use Ordinance regarding signs for places of worship.

Tina Moon, Planning Administrator for the Town of Carrboro, presented the staff report.

Alderman Chaney raised a concern about the term “places of worship” in the ordinance and stated that it is not inclusive enough. She suggested that “places of worship and spiritual contemplation” be substituted for “house of worship” or “place of worship” as recommended by the Planning Board. Mayor Lavelle opened the public hearing.

Bishop Illa McMillan, of Faith Tabernacle Oasis of Love International Church, addressed the sign for her church and sought permission from the Board to renovate the sign.

Minister Robert Campbell provided further details on the church’s request.

There were no further public comments.

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

**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 AMENDING THE LAND USE ORDINANCE RELATING TO SIGNAGE.

**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 the objectives of the Town’s regulations for signs: to attract attention or communicate information.

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

The proposed text amendment which allows for larger identification and directional signs for certain use classifications in order to ensure visibility, reasonable and in the public interest.

**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 the 22nd day of January 2019.**

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

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

**A motion was made by Alderman Seils, seconded by Alderman Slade, that the following ordinance be approved.**

**AN ORDINANCE AMENDING THE LAND USE ORDINANCE RELATING TO SIGNAGE  
Ordinance No.12/2018-19**

**THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:**

**Section 1.**

Subsection 15-272(7), Signs Excluded From Regulation, is amended to read as follows:

(7) Bulletin boards, identification signs and directional signs for places of worship and spiritual contemplation, which do not exceed one per abutting street and twenty-four square feet in area and that are not internally illuminated.

**Section 2.**

Section 15-146, The Table of Permissible Uses, is amended by adding the term “places of worship and spiritual contemplation” to the description of use category 5.200, as follows:

5.200 Churches, synagogues and temples, and other places of worship and spiritual contemplation (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings).

**Section 3.**

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

**Section 4.**

This ordinance shall become effective upon adoption.

**This the 22nd day of January 2019.**

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

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

**PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT RELATING TO  
COMMUNITY OR REGIONAL UTILITY FACILITIES**

The purpose of this agenda item was for the Board of Aldermen to consider a text amendment to the Land Use Ordinance relating to Community or Regional Utility Facilities.

Tina Moon, Planning Administrator for the Town of Carrboro, presented the staff report.

Alderman Gist asked for clarification regarding sodium permanganate and wanted to know if it could be dangerous.

OWASA representative, Alison Reinert, explained that sodium permanganate is used to control taste and odor in drinking water. She also provided an overview of construction plans at the facility.

Alderman Haven-O'Donnell asked about sodium permanganate mist and whether that could be harmful to nearby residents.

Alison Reinert said the system is totally enclosed and misting should not be a problem.

Mayor Lavelle opened the public hearing.

Bishop Illa McMillan asked for clarification about sodium permanganate.

Alison Reinert said it is a precursor chemical used to improve the taste of water.

Bishop Illa McMillan also asked how often water at the lake is tested.

Alison Reinert estimated that it is tested several times a week.

There were no further public comments.

Mayor Lavelle closed the public hearing.

**A motion was made by Alderman Chaney, seconded by Alderman Haven-O'Donnell, that the following resolution be approved.**

**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: A LAND USE ORDINANCE TEXT AMENDMENT RELATING TO COMMUNITY OR REGIONAL UTILITY FACILITIES.

**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, particularly the provisions under Section 5.20, Water, which encourage the Town of to work with OWASA to develop policies and infrastructure relating to water conservation.

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

The proposed text amendment which provides for improved water quality production is reasonable and in the public interest.

**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 the 22nd day of January 2019.**

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

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

**A motion was made by Alderman Seils, seconded by Alderman Chaney, that the following ordinance be approved.**

**AN ORDINANCE AMENDING THE LAND USE ORDINANCE RELATING TO  
COMMUNITY OR REGIONAL UTILITY FACILITIES  
Ordinance 13/2018-19**

**THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:**

**Section 1.**

Section 15-146 (The Table of Permissible Uses) is amended by adding the letters "Z, S" opposite use classification 17.200 "Community or Regional Utility Facilities" under the R-10 Zoning District to indicate that this use is permissible in this district with a zoning permit or special use permit, subject to the supplementary use regulations in Subsection 15-172.1.

**Section 2.**

Article XI (Supplementary Use Regulations) is amended by adding a new section 15-172.1 as follows:

(a) Community or regional utility facilities that: i) support the production of a finished water supply, ii) are within 200 feet of a raw water source, and iii) are no larger than 2000 square feet in building area and no taller than 25 feet in height are allowed in the R-10 zoning district with a zoning permit, provided that

such facility otherwise satisfies the requirements of the Carrboro Land Use Ordinance, including the outdoor lighting requirements in Section 15-242.5.

(b) A community or regional utility facility that supports the production of a finished water supply that is larger or taller than the maximums stated above, or that cannot meet one or more of the provisions below, may be allowed in the R-10 Zoning District with a special use permit issued by the Board of Adjustment upon satisfaction of the considerations required by section 15-54.

(c) At least one on-site parking space, shall be provided, with additional spaces as needed to accommodate the number of vehicles likely to be present at the facility on a regular basis.

(d) The facility shall be surrounded by a Type A buffer on all sides unless: i) the facility is located more than 500 feet from any property boundary line, or ii) existing trees satisfy the definition of a Type A buffer, in which case such trees shall be identified on the site plan and shall be maintained in order to comply with this requirement.

(f) A community or regional utility shall not generate any noise, smoke, odor, vibration, electrical interference, or other disturbance that is perceptible beyond the boundaries of the lot where the facility is located or that adversely affects the use of adjoining or neighboring properties.

(g) No outdoor storage shall be permissible.

(h) Any community or regional utility facility shall have signage identifying the operator of the facility and providing a telephone number or other contact information for the operator.

### **Section 3.**

Section 15-147 Use of the Designation Z, S, C, in Table of Permissible Uses is amended by adding a new subsection (s) that reads as follows:

(s) Notwithstanding the foregoing, the permit requirement for use classification 17.200 “Community or Regional Utility Facilities” in the R-10 Zoning District shall be determined by the supplementary use regulations in Section 15-172.1.

### **Section 4.**

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

### **Section 5.**

This ordinance shall become effective upon adoption.

**This the 22nd day of January 2019.**

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

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

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## **PRESENTATION OF THE 2018 TOWN OF CARRBORO BIENNIAL CITIZEN SURVEY REPORT**

The purpose of this item was for the Board to receive the Town of Carrboro's 2018 Biennial Citizen Survey report.

Cathy Dorando, Town Clerk, presented the staff report to the Board.

The Mayor and the Board expressed appreciation to the department heads for the excellent scores the Town received.

Alderman Gist recommended scheduling a session to address the areas that did not score well in the report.

The Board made the following recommendations for the next survey which is scheduled for 2020:

- Alderman Foushee asked that race and ethnicity be included in crosstabulations.
- Alderman Chaney recommended establishing focus groups to ensure that issues relating to senior citizens and disabled citizens are properly addressed in the survey.
- Alderman Haven-O'Donnell asked for more clarity regarding the citizens' willingness to provide funding for environmental sustainability.
- Alderman Seils noted the discrepancies between the survey data and census data and requested further efforts to reconcile the data from these sources and confirm the survey data is accurate, particularly in the areas of student status and the racial demographics of the population.

**A MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL AND SECONDED BY ALDERMAN SEILS TO RECEIVE THE REPORT. VOTE: AFFIRMATIVE ALL**

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## **PUBLIC HEARING FOR COMMUNITY INPUT ON TOWN BUDGET FOR UPCOMING FY 2019-20**

The purpose of this item was to hold a public hearing to receive comments from the public regarding the upcoming budget for the Town beginning July 1, 2019.

David Andrews, Town Manager, presented an overview of the 2019-2020 town budget process and priorities.

Mayor Lavelle opened the public hearing.

Robert Dowling, Director of Community Home Trust, addressed the Board regarding affordable housing funds. He expressed appreciation to the Board for its support and outlined future funding requests.

There were no further comments from the public.

Mayor Lavelle closed the public hearing.

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**A RESOLUTION SETTING THE DATE FOR THE 2019 LEGISLATIVE DINNER AND DISCUSSION OF LEGISLATIVE ISSUES FOR THE 2019 SESSION OF THE GENERAL ASSEMBLY**

The purpose of this item was to request that the Board of Aldermen set the date for the 2019 Legislative Dinner and to facilitate a discussion of legislative issues to present to our local delegation at the breakfast. The delegation may be able to pursue some of the issues presented during the upcoming session of the NC General Assembly.

The Board discussed issues faced by the Town and set the follow four items as the top priorities for the Legislative Dinner:

- Restoring the 26% budget cut from the State Maintenance Assistance Program (SMAP)
- Flooding and stormwater assistance
- Statewide school bond (or another source of funds for schools to address utilities/stormwater mitigation)
- Police video camera footage viewing and release for governing boards

**A MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN CHANEY, TO SET FEBRUARY 6, 2019 AT 6:00 P.M. AS THE DATE FOR THE LEGISLATIVE DINNER. VOTE: AFFIRMATIVE ALL**

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**MATTERS BY BOARD MEMBERS**

Alderman Gist raised the issue of those impacted by the federal government shutdown, particularly those who receive Section 8 housing vouchers. She asked the Town Attorney, Nick Herman, what can be done to provide assistance to the affected individuals.

Nick Herman said donations can be made to charitable organizations that support those who live in Carrboro.

Rebecca Buzzard, Project Manager for the Town of Carrboro, spoke about efforts proposed by Orange County to continue support for Section 8 housing vouchers during the federal government shutdown. A staff meeting will be held with Orange County representatives on Thursday, January 24, and more information will be forthcoming.

Alderman Gist also asked about whether Club Nova would be impacted by the federal government shutdown.

Mayor Lavelle said the issue is being explored and more information is expected soon.

There were no further matters by Board members.



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**ADJOURNMENT**

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