



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

Town of Carrboro

Meeting Minutes Board of Aldermen

Tuesday, June 18, 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; Cathy Dorando, Town Clerk; Nick Herman, Town Attorney

POETRY READING, RESOLUTIONS, PROCLAMATIONS & ACKNOWLEDGEMENTS

Quinton Harper read a poem entitled "Prophecy" by Pauli Murray.

RESOLUTION – SARA ROMWEBER DAY

Alderman Seils read the resolution in honor of Sara Romweber and provided a copy to her mother and sister.

A motion was made by Alderman Seils, seconded by Alderman Chaney, that the following resolution be approved:

A RESOLUTION PROCLAIMING "SARA ROMWEBER DAY"

WHEREAS, Sara Romweber moved with her family to Carrboro in Orange County, North Carolina, in 1977, the year she turned 13 years old; and

WHEREAS, Sara was "Little Sara," daughter of "Big Sara" Romweber and one of seven children; and

WHEREAS, the Romweber family home on Pine Street in Carrboro was a unique artistic ecosystem in which all the kids were involved in various quirky artistic pursuits; and

WHEREAS, many of those artistic pursuits involved bands, including The Remainz, UV Prom, Crash Landon and the Kamikazes, and Flat Duo Jets, led by Sara's younger brother Dexter Romweber; and

WHEREAS, Flat Duo Jets would go on to receive international acclaim, and Sara achieved even more as a key member of historically significant and artistically important alternative-rock bands, including Let's Active, Snatches of Pink, and (with her brother) Dex Romweber Duo; and

WHEREAS, Sara pioneered a unique style of drumming and a playing style that displayed amazing power and versatility across a wide range of musical styles; and

WHEREAS, Sara also became a much-beloved icon, as renowned for her thoughtful kindness and on-point rock-star style as for her drumming; and

WHEREAS, Sara's inspiration also extended far and wide as an important and enduring influence on friends, peers, fellow musicians, and younger generations; and

WHEREAS, Sara's death at age 55 from glioblastoma on March 4, 2019, triggered an amazing and massive outpouring of love and remembrances across media platforms all across the globe; and

WHEREAS, Sara will never be forgotten as one of the North Carolina musicians who made the state great.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the Town of Carrboro, North Carolina, does hereby proclaim **Sunday, June 23, 2019, as "Sara Romweber Day" in Carrboro** and urges all residents to continue to celebrate the life and legacy of Sara Romweber and her important contributions to the artistic life of North Carolina, the nation, and the world.

This the 18th day of June, 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

INTRODUCTION OF WINNERS – WHAT BASEBALL/SOFTBALL MEANS TO ME WRITING CONTEST

Mayor Lavelle introduced the following winners of the "What Baseball/Softball Means to Me" writing contest:

- 87 1) Will Weaver, Elementary Division
88 2) Caitlin Buzzard, Middle School Division
89 3) Druv Patel, High School Division (unable to attend)

90 Each winner will receive Durham Bulls Tickets and a “Play Ball Kid” t-shirt.

91 *****

92 **ANNOUNCEMENTS FROM THE BOARD OF ALDERMEN**

93
94 Alderman Gist asked that the Tom’s Creek Watershed meeting information be distributed on the
95 Plantation Acres list serve.

96
97 Alderman Foushee noted that Jackie Thompson, a longtime Carrboro resident and employee of the
98 Town of Chapel Hill as the Human Services Coordinator, received the Town of Chapel Hill W.
99 Calvin Horton Service Award for 2019.

100 *****

101
102 **APPROVAL OF THE MAY 28TH AND JUNE 4, 2019 MEETING MINUTES**

103
104 **MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN**
105 **FOUSHEE, TO APPROVE THE MINUTES OF MAY 28, 2019 AND JUNE 4, 2019, AS**
106 **AMENDED. VOTE: AFFIRMATIVE ALL.**

107 *****

108 **REQUEST TO CONSIDER AUTHORIZING THE TOWN MANAGER TO AWARD A**
109 **CONTRACT FOR PRELIMINARY ENGINEERING FOR A CULVERT**
110 **REPLACEMENT**

111
112 The purpose of this agenda item was for the Board of Aldermen to consider authorizing the Town
113 Manager to select a contractor and award a contract, with funds from the Stormwater Enterprise
114 Fund, for preliminary engineering for a culvert replacement on Broad Street.

115
116 **A motion was made by Alderman Chaney, seconded by Alderman Foushee, that the following**
117 **resolution be approved:**

118
119 **STORMWATER UTILITY ENTERPRISE FUND**
120 **CAPITAL PROJECT ORDINANCE**
121 **FOR THE REPLACEMENT OF A CULVERT AT BROAD STREET**
122 **Ordinance No. 24/2018-19**

123
124 WHEREAS, the Town of Carrboro has signed a Disaster Assistance Agreement in order to apply
125 for FEMA Public Assistance funding; and,
126

WHEREAS, the Town acknowledges its awareness of the FEMA cost-sharing agreements and agree to comply with it; and,

WHEREAS, the Town has determined that replacement of the Culvert at Broad Street is a high priority stormwater capital project; and,

WHEREAS, Town staff has worked with NC Department of Public Safety and FEMA staff for guidance on moving forward to apply for federal public assistance; and,

WHEREAS, the NC Department of Public Safety and FEMA staff have advised the Town to move forward with engineering studies and analysis; and,

WHEREAS, it is necessary to obtain certain engineering services to determine the amount necessary to undertake construction of the project; and,

WHEREAS, the Town understands that no FEMA Disaster Grant funds have been approved or promised for the Town, and the Town undertakes any engineering work for the project at its own cost and risk; and,

WHEREAS, the Town understands that should FEMA Disaster funding be provided to the Town at a later date, Town funds expended for engineering may qualify for reimbursement if procurement has been done in conformance with Federal Uniform Guidance Procurement Standards.

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

Section 1: The Broad Street Culvert Replacement Capital Project is authorized to be undertaken with funding made available from the Stormwater Utility Enterprise Fund for engineering services only.

Section 2. The amount appropriated for preliminary engineering shall not exceed \$20,000 with the understanding that the Town will seek reimbursement for any and all expenditures for engineering services for the project in Section 1 above if FEMA Public Assistance funding is made to the Town.

Section 3: The funds identified in Section 2 above shall be transferred from the Stormwater Utility Enterprise Fund Operating Budget to the Stormwater Utility Enterprise Capital Project Fund.

Section 4: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

Section 5: This Stormwater Utility Enterprise Fund Capital Project ordinance shall be effective immediately.

This the 18th day of June, 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**

**REQUEST TO CONSIDER AUTHORIZING THE TOWN MANAGER TO AWARD A
CONTRACT FOR PRELIMINARY ENGINEERING FOR A STREAM RESTORATION
PROJECT**

The purpose of this item was for the Board of Aldermen to consider authorizing the Town Manager to select a contractor and award a contract, with funds from the Stormwater Enterprise Fund, for preliminary engineering for a stream restoration at Public Works.

A motion was made by Alderman Chaney, seconded by Alderman Foushee, that the following resolution be approved:

**STORMWATER UTILITY ENTERPRISE FUND
CAPITAL PROJECT ORDINANCE
FOR STREAM RESTORATION AT PUBLIC WORKS FACILITY SITE
Ordinance No. 25/2018-19**

WHEREAS, the Town of Carrboro has signed a Disaster Assistance Agreement in order to apply for FEMA Public Assistance funding; and,

WHEREAS, the Town acknowledges its awareness of the FEMA cost-sharing agreements and agree to comply with it; and,

WHEREAS, the Town has determined that stream restoration at the Public Works facility site is a high priority stormwater capital project; and,

WHEREAS, Town staff has worked with NC Department of Public Safety and FEMA staff for guidance on moving forward to apply for federal public assistance; and,

WHEREAS, the NC Department of Public Safety and FEMA staff have advised the Town to move forward with engineering studies and analysis; and,

WHEREAS, it is necessary to obtain certain engineering services to determine the amount necessary to undertake construction of the project; and,

WHEREAS, the Town understands that no FEMA Disaster Grant funds have been approved or promised for the Town, and the Town undertakes any engineering work for the project at its own cost and risk; and,

WHEREAS, the Town understands that should FEMA Disaster funding be provided to the Town at a later date, Town funds expended for engineering may qualify for reimbursement if procurement has been done in conformance with Federal Uniform Guidance Procurement Standards.

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

Section 1: The Stream Restoration at the Public Works Facility Site Capital Project is authorized to be undertaken with funding made available from the Stormwater Utility Enterprise Fund for engineering services only.

Section 2. The amount appropriated for preliminary engineering shall not exceed \$80,000 with the understanding that the Town will seek reimbursement for any and all expenditures for engineering services for the project in Section 1 above if FEMA Public Assistance funding is made available to the Town.

Section 3: The funds identified in Section 2 above shall be transferred from the Storm Water Utility Enterprise Fund Operating Budget to the Storm Water Utility Enterprise Capital Project Fund.

Section 4: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

Section 5: This Stormwater Utility Enterprise Fund Capital Project ordinance shall be effective immediately.

This the 18th day of June, 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**

**DESIGNATION OF FUND BALANCE FOR FY 2018-19 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 Chaney, seconded by Alderman Foushee, that the following resolution be approved:

**A RESOLUTION APPROVING DESIGNATION OF FUND BALANCE
FOR FY 2018-19 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 2018-19	Amount
Public Works	OWASA Subsidy	\$ 76,502.00
Planning	Bicycle Gold Designation	\$ 52,602.00
Planning	Energy & Climate Action Plan	\$ 14,500.00
Planning	Grassroots Partnerships	\$ 13,700.00
Advisory Boards	Truth Plaque	\$ 3,023.00
Police	Seizure Funds - State	\$ 9,601.00
Police	Seizure Funds Federal	\$ 428.00
	TOTAL	\$ 170,356.00

Summary of Designated Fund Balance Budget Items

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.

Grassroots Partnerships – These funds are used for grassroots outreach efforts related to various Town initiatives.

Truth Plaque – These funds are used to create historical markers throughout the Town.

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.

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, 2019, 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 the 18th day of June, 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 REQUEST TO AMEND THE ROGERS ROAD SIDEWALK CAPITAL IMPROVEMENT PROJECT ORDINANCE

The purpose of this agenda item was to request that the Board of Aldermen authorize the use of additional Sidewalk Bond Funds and amend the Capital Project Ordinance for the Rogers Road Sidewalk Project.

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

**BUDGET AMENDMENT FOR ROGERS ROAD SIDEWALK CAPITAL
IMPROVEMENT PROJECT ORDINANCE
Ordinance No. 26/2018-19**

WHEREAS, the Town of Carrboro, has appropriated \$1,371,658 by the adoption of capital project ordinance 13/2010-11 and subsequent amendments for the design and construction of a sidewalk on the west side of Rogers Road from Homestead Road to Meadow Run Court; and,

WHEREAS, it is now necessary to amend the project budget due to increased costs related to right of way acquisitions, material quantity overruns and the Town having to pay the cost to reconfigure the sidewalk and drainage infrastructure in order to avoid a Duke Energy utility pole which could not be moved as intended in the original design; and,

WHEREAS, it is now necessary to amend the project budget due to cost overruns on the engineer's construction estimate;

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: An additional \$100,000 is appropriated from the Sidewalk Bond Fund for the Rogers Road Sidewalk Capital Improvement Project, which increases the total Sidewalk Bond Funds from \$685,235 to \$785,235.

Section 2: The total project costs, including right of way, design, and construction is increased from \$1,371,658 to \$1,471,658.

Section 3: All provisions of Project Ordinance #13/2010-11 and any subsequent amendments remain in effect.

Section 4: 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 5: This capital project ordinance shall be effective immediately upon adoption.

This the 18th day of June, 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**

ADOPTION OF AN ORDINANCE LIMITING THE AMOUNT OF CONTRIBUTIONS TO

349 **CANDIDATES**

350
351 The purpose of his item was for the Board of Aldermen to adopt an ordinance limiting campaign
352 contributions to any candidate for town office.

353
354 **A motion was made by Alderman Chaney, seconded by Alderman Foushee, that the following**
355 **ordinance be approved:**

356
357 **AN ORDINANCE TO REENACT THE EXPIRING PROVISIONS OF SECTION 15-15 OF**
358 **THE CARRBORO TOWN CODE, WHICH LIMIT THE AMOUNT OF CONTRIBUTIONS**
359 **THAT CAN BE MADE TO CANDIDATES FOR TOWN OFFICES**
360 **Ordinance No. 27/2018-19**

361
362 THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

363
364 Section 1. Section 5-15 of the Carrboro Town Code, which by its own terms expires
365 automatically 60 days prior to the opening of filing for the 2019 regular town election, is reenacted
366 and amended to read as follows:

367
368 Section 5-15 Limitation on Campaign Contributions for Town Offices

369 (a) No person, political committee, or other entity may contribute to any candidate for the office of
370 mayor or any candidate for the office of alderman any money or in-kind contribution in any
371 election (regular or special) in excess of \$250.00.

372
373 (b) The definitions in Article 22A of Chapter 163 of the General Statutes apply to the
374 provisions of this section. In addition, as used herein, the word "candidate" also means a political
375 committee authorized by the candidate for that candidate's election.

376
377 (c) The provisions of this section do not apply to contributions made by a candidate or a
378 candidate's spouse, domestic partner registered with a government agency, parents, brothers, or
379 sisters.

380
381 (d) The provisions of this section are authorized and shall be interpreted in accordance with
382 Sections 2-8 and 2-9 of the Town Charter, as established by Chapter 97 of the 2008 Session Laws.

383
384 (e) The provisions of this section shall expire 60 days prior to the opening of filing for the 2021
385 regular town election, except that such expiration will not make lawful any contribution made
386 before that date that is in violation of this section.

387
388 Section 2. This ordinance shall become effective upon adoption. The section it replaces is not
389 immediately repealed but shall expire 60 days prior to the opening of filing for the 2019 regular
390 town election. The Town Clerk shall replace the expiring version of Section 5-15 in the Town Code
391 with the version set forth above.

392
393 **This the 18th day of June, 2019.**

394
395 **The motion carried by the following vote:**

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

400 *****

401 **A RESOLUTION MAKING AN APPOINTMENT TO THE CARRBORO TOURISM**
402 **DEVELOPMENT AUTHORITY**

403
404 The purpose of this item was for the Board of Aldermen to appoint a member of the Carrboro
405 Tourism Development Authority (CTDA).

406
407 **A motion was made by Alderman Chaney, seconded by Alderman Foushee, that the following**
408 **ordinance be approved:**

409
410 **A Resolution Making Appointments to the Carrboro Tourism Development Authority**

411
412 Section 1. The Board of Aldermen hereby appoints Wendy Smith to the CTDA for a term to expire
413 in January 2020:

414
415 Section 2. This resolution is effective immediately upon adoption.

416
417 **This the 18th day of June, 2019.**

418
419 **The motion carried by the following vote:**

420
421 **Aye: Mayor Lydia Lavelle, Alderman Bethany Chaney, Alderman Barbara Foushee,**
422 **Alderman Jacquelyn Gist, Alderman Randee Haven-O'Donnell, Alderman Damon Seils,**
423 **Alderman Sammy Slade**

424
425 *****

426
427 **APPOINTMENTS TO THE GREENWAYS COMMISSION**

428
429 The purpose of this agenda item was for the Board of Aldermen to make appointments to the
430 Greenways Commission.

431
432 **A motion was made by Alderman Chaney, seconded by Alderman Foushee, that the following**
433 **resolution be approved:**

434
435 **A RESOLUTION MAKING APPOINTMENT(S) TO THE**
436 **GREENWAYS COMMISSION**

437
438 Section 1. THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING
439 APPLICANT(S) TO THE GREENWAYS COMMISSION:

440
441

Seat Designation	Appointee	Term Expiration
Member	Alyson West	2/2021

442

Section 2. This resolution shall become effective upon adoption

This the 18th day of June, 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**

APPOINTMENTS TO THE BOARD OF ADJUSTMENT

The purpose of this agenda item was for the Board of Aldermen to make appointments to the Board of Adjustment.

Alderman Chaney noted that an applicant had responded with the question, "Does it matter?" in place of a response for their race and requested that the Town Clerk contact the applicant and explain why it is important and why it matters to the Board of Aldermen before they consider appointing this applicant.

A motion was made by Alderman Chaney, seconded by Alderman Seils, that the following resolution be approved:

**RESOLUTION REQUESTING APPOINTMENT(S) TO THE
BOARD OF ADJUSTMENT**

WHEREAS, the seat reserved for the Joint Planning Transition Area was vacant from 2013 until 2017 when Wil Heflin was appointed; and,

WHEREAS, the seat reserved for the town's extraterritorial planning area has also been vacant since 2013; and,

WHEREAS, the Town Clerk has advertised for the vacancies with no success in recruiting for both residents that meet the requirements; and,

WHEREAS, the Carrboro Town Code allows for the Board of Commissioners to appoint other residents of the county (including residents of the Town of Carrboro).

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

SECTION 1: The Orange County Board of Commissioners is hereby requested to appoint the following applicants to the seats identified below:

Seat Designation	Appointee	Term Expiration
Joint Planning Transition Seat	Will Heflin	02/2022

ETJ Seat	John Baker	2/2021
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SECTION 3. This resolution shall become effective upon adoption.

This the 18th day of June, 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

**REQUEST TO AUTHORIZE THE TOWN MANAGER TO APPROVE A PLAT
RECORDING A WATER SERVICE EASEMENT ON A TOWN PROPERTY THEREBY
PROVIDING ACCESS TO OWASA WATER SERVICES**

The purpose of this item was to authorize the Town Manager to approve a plat recording a water service easement on Town-owned property that will open up the possibility of public water service to 1242, 1244, and 1246 Hillsborough Road.

A motion was made by Alderman Chaney, seconded by Alderman Foushee, that the following resolution be approved:

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO APPROVE A
PLAT RECORDING A WATER SERVICE EASEMENT ON THE TOWN
PROPERTY LOCATED BETWEEN 301 CATES FARM ROAD AND 501
ROCKGARDEN ROAD AND FURTHER IDENTIFIED BY ORANGE COUNTY
PIN 9779240168. THE EASEMENT WILL BE IN A LOCATION NORTH OF
THE PERENNIAL STREAM THAT BISECTS THE TOWN PROPERTY FOR
PURPOSE OF PROVIDING ACCESS TO OWASA WATER SERVICES TO THE
SHARED BOUNDARY OF THE ADJACENT PARCEL IDENTIFIED AS 1246
HILLSBOROUGH ROAD (PIN 9779148579)**

WHEREAS, the Town of Carrboro is the owner of the real property known on Cates Farm Road identified by Orange County PIN 9779240168. This is the parcel located between 301 Cates Farm Road and 501 Rockgarden Road on the west side of Cates Farm Rd.

WHEREAS, the Town has become aware that residences located on nearby and adjoining parcels, do not have direct access to OWASA water services located on Cates Farm Road; and

WHEREAS, the owners and neighbors of the adjoining parcel have requested that the Town grant them an easement to access the existing OWASA water service located on Cates Farm Road; and

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

The Town Manager is authorized to approve a plat recording a water service easement on the town property located between 301 Cates Farm Road and 501 Rockgarden Road and further identified by Orange County PIN 9779240168. The easement will be in a location north of the perennial stream that bisects the Town property for purpose of providing access to OWASA water services to the shared boundary of the adjacent parcel identified as 1246 Hillsborough Road (PIN 9779148579)

This the 18th day of June, 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

HUMAN SERVICES FUNDING FOR FISCAL YEAR 2019-20

The purpose of this item was for the Board of Aldermen to consider human services funding allocation recommendations for FY 2019-20.

Mayor Lavelle expressed concern regarding cuts to various organizations but said that she did not want to delay the vote.

A motion was made by Alderman Gist, seconded by Alderman Foushee, that the following resolution be approved:

**A RESOLUTION ACCEPTING THE RECOMMENDATIONS
FROM THE HUMAN SERVICES ADVISORY COMMISSION
FOR FISCAL YEAR 2019-2020 HUMAN SERVICES FUNDING
June 18, 2019**

WHEREAS, the Town of Carrboro established as a policy to support human services agencies that provide invaluable services to Carrboro citizens; and

WHEREAS, Fifty-seven (57) agencies applied for funding through the established Human Services funding process; and

WHEREAS, the Human Services Advisory Commission has reviewed all the applications that applied for funding in the 2018-19 funding cycle; and

WHEREAS, town staff indicated that the human services funding level for fiscal year 2019-2020 is \$249,000 and;

NOW THEREFORE, THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVE THAT:

Section 1. Subject to approval of the FY 2019-2020 Budget, \$249,000 will be allocated to Human Services.

Section 2. That the Human Services Advisory Commission have reviewed the requests from the applicants and are making a final recommendation for allocation of the available funds to agencies.

Section 3. The Carrboro Board of Aldermen do approve and allocate the funding recommendations of the Human Services Advisory Board in the amount of \$249,000.

This the 18th day of June, 2019.

The motion carried by the following vote:

Aye: Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Randee Haven-O'Donnell, Alderman Damon Seils

Noes: Mayor Lydia Lavelle, Alderman Sammy Slade

PROPOSED TECHNICAL AMENDMENTS TO CHAPTER 11 (SOLID WASTE, SCRAP METALS, ABANDONED VEHICLES, WEEDS) OF THE TOWN CODE RELATED TO YARD WASTE COLLECTION SERVICES, ITEMS NOT ALLOWED WITHIN THE MOBILE CONTAINERS, AND RECYCLING

The purpose of this item was to amend the Town Code, Chapter 11, as it relates to yard waste collection services, loose leaf collection services, items that may not be placed within the mobile household trash containers and recycling.

A motion was made by Alderman Chaney, seconded by Alderman Foushee, that the following resolution be approved:

AN ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 11 OF THE TOWN OF CARRBORO TOWN CODE

WHEREAS, the Carrboro Board of Aldermen ordains:

Section 1. Section 11-19(g) of the Town Code shall be amended to read as follows:

(g) The Public Works Department provides yard waste collection services to residential properties, as described in the town's residential solid waste brochure available at the Public Works Department or on the town's website. Yard waste may be placed in the mobile containers specifically designated for yard waste only or placed adjacent to the street (on the street side of any drainage ditch or swale) so they may be easily handled by the collector. Yard waste (as defined in subsection 11-1(12)) may not be placed in bags or household trash mobile containers described in Subsection 11-17(d) for collection by the town. Household

trash and other refuse may not be placed in mobile containers specifically designated for yard waste only.

Section 2. Section 11-19 (i)(12) of the Town Code shall be amended to read as follows:

(12) Lead acid batteries:

Section 3. Section 11-24(a) of the Town Code shall be amended to read as follows:

(a) The town strongly encourages recycling efforts. Recycling services and roll-out containers are provided by Orange County.

Section 4. Section 11-24(b) of the Town Code shall be amended to read as follows:

(b) Recycling containers, provided by Orange County, shall be stored and placed for collection in accordance with the same requirements applicable to mobile containers (see subsection 11-19(b))

Section 5. Section 11-24 (c) of the Town Code shall be amended to read as follows:

(c) Only those materials that are acceptable for recycling, as determined by Orange County, shall be placed within the recycling containers.

Section 6. Section 11-19 (h) of the Town Code shall be deleted and the Town Code shall be renumbered to reflect such deletion.

Section 7. All provisions of any Town ordinance in conflict with this Ordinance are repealed.

Section 8. This ordinance shall become effective upon adoption.

This the 18th day of June, 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

UPDATE ON THE DESIGN FOR THE JONES CREEK GREENWAY (C5181)

The purpose of this agenda item was to provide the Board with an update on the Jones Creek Greenway.

A motion was made by Alderman Chaney, seconded by Alderman Foushee, that the following resolution be approved:

A RESOLUTION RECEIVING AN UPDATE ON THE JONES CREEK GREENWAY

WHEREAS, the Board of Aldermen has made it a policy to hold public hearings on Town projects;
and

WHEREAS, the Board of Aldermen has received presentations on the 15 percent and 30 percent
design for the Jones Creek Greenway; and

WHEREAS, the Board has held two public hearings to receive citizen comment on the Jones Creek
Greenway at this milestone.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board
receives this update on the Jones Creek Greenway.

This the 18th day of June, 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 TO CONSIDER REZONING PROPERTIES IN THE HISTORIC
ROGERS ROAD NEIGHBORHOOD AND TO CONTINUE DELIBERATIONS OF
ASSOCIATED TEXT AMENDMENTS**

The purpose of this agenda item was for the Board of Aldermen to receive public comment on a
proposal to amend the official zoning map of the Carrboro Land Use Ordinance to rezone thirty
(30) properties in the Historic Rogers Road neighborhood from RR to either HR-R or HR-MU, and
to continue its deliberation on associated text amendments establishing these new districts and
related development requirements.

Since the Board's most recent discussion on May 21, 2019, staff has continued to work closely
with Renaissance Planning and the Town of Chapel Hill to revise the draft ordinance (amending
the text of the Land Use Ordinance) to respond to Board and citizen concerns while maintaining
the key elements of the amendment designed to help realize the vision of the 2016 Mapping Our
Community's Future report for the Historic Rogers Road neighborhood.

Lynn Carrino, 1310 Tallyho Trail, expressed concern with the commercial development proposed
on the Bellin properties. She stated that the development would harm drinking water, cause an
increase in traffic, decrease the livability of the area, and that the businesses would interfere with
the surrounding homeowners. She stated that Tallyho Trail neighbors were not included in the
public process. She expressed support for maintaining a rural residential zoning that allows for
small business types of opportunities and against the mixed-use rezoning application.

Cathy Calvert, 1215 Tallyho Trail, stated that the HR-R zoning is the most compatible for the

existing neighborhood and that she did not want the commercial spot zoning. She expressed concern with the proposed 30 foot buffer in Fox Meadow. She stated that the Bellin Buddha, LLC property will most likely be sold and left to a developer to develop. She stated that she does not want a coffee shop, bar, or restaurant permitted.

Kathryn Thomas, a resident of Fox Meadow, stated that she is concerned with the health of the wells and how development may impact the water. She explained that Fox Meadow was not included in the waterline extension and that they rely on well water. She stated that she was not contacted or made part of the Mapping Our Community's Future workshops.

Cammie Brantley, 1315 Tallyho Trail, expressed concern with the high density proposed development due to the stormwater impacts. She stated that it has been presented that the Mapping Our Community's Future workshops developed overall consensus among the Rogers Road residents but that is not her experience. She stated that it is most important to everyone in the neighborhood and at those meetings to protect the neighborhood. She expressed support for a conditional zoning district so that any major development has to come before the Board for input and approval.

Deborah Winstead, 1322 Tallyho Trail, stated that she agrees with all of the previous comments. She explained that much of her property was clear cut because of a utility easement. She stated that she fears that stormwater issues will increase with development. She stated that she feels very vulnerable on her property and that the utility easement situation has caused her to question the motives for those that live along Fox Meadow. She asked the Board to consider if the rezoning was really needed.

Kate Gotelli, 1414 Tallyho Trail, stated that she bought her home in 2011 and qualified for a USDA Loan that can only be approved for rural areas. She stated that the proposed rezonings are going to change the neighborhood from a rural area. She stated that she would love to keep what the neighbors love and be very clear about what is needed to serve the community. She stated that she was not involved during the community planning portion of this project.

Emily West stated that the Tallyho Trail neighbors were not part of the Mapping Our Community's Future workshops. She stated that she understands the need to diversify the socio-economics of the Historic Rogers Road neighborhoods and the want to have homebased businesses but she does not believe that creating a commercial district is appropriate. She stated that parking, stormwater, and traffic will all worsen with commercial changes.

Aleksandra Holod, 1408 Tallyho Trail, expressed concern on how to ensure that Rogers Road residents are responsible for serving the residents and desires of Rogers Road. She spoke against a restaurant being allowed. She stated that rezoning will change the values and could have impacts that are unplanned. She stated that the Rogers Road residents have been disenfranchised and that she has thoroughly examined if she is being a NIMBY but she does not feel that she is. She stated that she is uncomfortable with a blanket rezoning and would prefer to see an actual development plan presented to the Board so they can make sure that it will benefit the residents and not just make money for the developer.

David Bellin, the manager of the investment group of the Buddha LLC properties, stated that the residents of the Historic Rogers Road neighborhood have been involved in the design and that their interests are what are being recommended. He stated that the comments provided earlier in the

meeting reflect a misunderstanding of the requests of the Historic Rogers Road residents. He stated that those residents have spent six years developing these requests. He asked the Board to hear the petition and requests from the historic community but that if the Board can't make a decision of those properties after hearing from the surrounding community, then not rezoning them would be the smartest thing to do. He asked the Board to adopt what Chapel Hill did with the HR-X or to not rezone and leave it as RR.

Mayor Lavelle asked David Bellin if he had an idea of what would occur if the property was rezoned. David Bellin responded that he did not at this point. He stated that he has made a verbal promise that nothing will occur before the Board makes a decision.

Alderman Gist stated that her sticking point remains imagining what the extreme case would be. She stated that her main issue is the size of the buildings that it would allow. When she thinks of a homebased business she imagines an outbuilding of maybe 1,000 sq. ft. and asked that the 2,000 sq. ft. maximum outbuilding size limit apply equally to both proposed rezoning.

Alderman Seils clarified that in both of the proposed new zoning districts there is the idea for creating homebased businesses and in the mixed-use district, there is an additional commercial opportunity that is being encouraged that are not located in homes. He stated that it could include business such as a daycare. He stated that the 6,000 sq. ft. size is for commercial businesses that are not homebased. He stated that the residential requirement further restricts the allowable size of the commercial portion. He asked if Chapel Hill has completed their rezoning process. The consultant with Renaissance Planning indicated that Chapel Hill has finished their rezoning process. The consultant clarified the distinction between a buffer and a setback and explained the setbacks along Rogers Road.

Marty Roupe, the Town's Zoning Administrator, clarified that during a community meeting at RENA, a resident from Tallyho Trail commented that they would like to walk to a coffee shop and that is how that use got reinserted into the discussion. He also explained that the current Land Use Ordinance has restaurant/bar/nightclub/coffee shop all together and that if the Board would like to develop a specific coffee shop use, that staff could do that over the summer. He explained that the recommended time restrictions are there to encourage more of a coffee shop use rather than a bar that would want to be open after 2:00PM.

Alderman Chaney stated that she wanted to be clear that this is not spot zoning as it had been mentioned by someone earlier. The consultant stated that this is not spot zoning and that she is under an ethical obligation to avoid such. The zone is proposed to fit into the neighborhood that lies in both Chapel Hill and Carrboro. Alderman Chaney stated that she would be uncomfortable with the size issues if she believed that all eight lots would be developed separately. She stated that she does not think that will happen but that she very clearly does not want that. She wants to encourage the development of those lots as one site. She stated that in this case, a conditional use permit may be appropriate.

Trish McGuire, the Planning Director, clarified the conditional use permit process. She stated that an option could be creating a larger minimum lot size to require multi-lot development and help prevent the individual lot development. She explained that staff could tweak the ordinance to provide for those requirements.

Alderman Chaney stated that it is important for her to imagine a process where the actual

development proposed is being considered. She stated that this would create certainty that is not created by just rezoning those eight parcels. She stated that for issues related to access, stormwater, and traffic that staff has outlined well that the requirements are much more restrictive than any other in that area. She asked the residents to participate in the bike planning that is ongoing.

Alderman Foushee asked if the setbacks and buffer requirements could be expanded and discussed the differences in triggers from a zoning permit to a conditional use permit. In response, Marty Roupe stated that there is an acreage standard that can change the scope of a permit from a zoning to a conditional use. He stated that the way it is written now would allow up to an acre and up to 3,000 sq. ft. to be developed by a zoning permit.

Marty Roupe also stated that a possible change would be making anything in the HR-MU zone require a conditional use permit to meet Alderman Chaney's suggestion from earlier.

Alderman Slade stated that he would like to see the conditional use requirement added to the HR-MU district and a requirement for lot consolidation. He stated that by combining the lots, it would add a stormwater requirement that would be different from if the lots were individually developed. He stated it he would like to know to what degree they could regulate the soil turnover (due to previous landfill issues) so that fewer toxins could be released into the water stream. He stated that he would like to see a map of where the dump is located and understand what restrictions can be put in place to stop any toxic soil disturbance. He stated that there should be more specific tailoring of the ordinance to allow a coffee shop use only. He would like to see a map that would show how many lots are 1 acre on Carrboro's side compared to Chapel Hill.

Alderman Gist stated that she is leaning toward being comfortable with a CUP requirement but that the 6,000 sq. ft. is still too large for her. She stated that it needs to be more in line with the neighborhood scale and suggested 2,000 sq. ft.

Alderman Haven-O'Donnell stated that she would like to scale back the size of allowable buildings and that the buffer of 50' should be a minimum for any use (she elaborated that it should be a minimum of 50' between Tallyho Trail homes and any development in the Rogers Road neighborhood). She stated that she would be comfortable with the conditional zoning district. She stated that she agrees with Alderman Gist on the allowable building size and that it be scaled back.

Alderman Foushee asked if there is a way to require that commercial should be built closer to the road so that it was removed as far from the Tallyho Trail neighbors as possible.

Alderman Seils stated that he likes Alderman Chaney's idea of amending the permissible uses table by requiring a conditional use permit. He also stated that he likes Alderman Foushee's suggestion of requiring commercial closer to the street. He noted that the permissible uses that are currently available include more than what would be allowed in the proposed zoning.

Staff presented the following opportunities for the eight parcels in the HR-MU district to be developed as a single project:

- 1) Owner initiated application for a single project on the whole site—available as ordinance currently drafted.
- 2) Revise the draft amendment to rezone the all of the HR properties to HR-R. Applicant would have to request a rezoning to change the zoning from HR-R to HR-MU district.

- 3) Revise draft amendment to change the proposed HR-MU district from a general district to a conditional district, which would require an applicant to bring in a site-specific development proposal for consideration and adoption.

Nick Herman, the Town's Attorney, stated that it seems to him that the Board wants maximum control over how the properties are developed in the HR-MU proposed zone and suggested that the best way to accomplish such is with a conditional district. He noted that a conditional use permit triggers the quasi-judicial decision making authority of the Board.

MOTION WAS MADE BY ALDERMAN GIST TO MOVE FORWARD WITH STAFF'S SUGGESTED OPTION OF #3 TO "REVISE THE DRAFT AMENDMENT TO CHANGE THE PROPOSED HR-MU DISTRICT FROM A GENERAL DISTRICT TO A CONDITIONAL DISTRICT, WHICH WOULD REQUIRE AN APPLICATION TO BRING IN A SITE-SPECIFIC DEVELOPMENT PROPOSAL FOR CONSIDERATION AND ADOPTION."

Alderman Foushee asked for clarification regarding if the Rogers Road neighborhood is aware of option #3. Marty Roupe stated that David Bellin, representing the ownership of the eight properties in question, sent an email that he would be okay with that option.

David Bellin (inaudible) spoke from his seat in the audience. Mayor Lavelle asked for Marty Roupe to describe the differences in options #2 and #3.

Trish McGuire stated that the options provide the Board different ways to achieve having the eight properties presented as a single project and explained how a conditional use classification could apply to the HR-MU. She suggested that the Board's direction could be achieved by options #2 and #3.

Alderman Seils stated that he wants the Board to work toward realizing the vision and goals of the Mapping Our Community's Future report while reducing negative impacts. He stated that the motion on the floor would add barriers that he feels would make achievement of the report's goals more difficult. He stated that a way to achieve Alderman Chaney's original point would be to make sure that the more intensive uses in the HR-MU zone require a conditional use permit.

Trish McGuire suggested that staff work to examine the size of the parcels and develop larger minimum lot sizes that would achieve the combination of lots in the HR-MU district. She stated that would allow people to get a better depiction of scale.

Alderman Seils asked staff if they would have enough time to incorporate all of the Board's discussion into a recommendation for next week's meeting. Trish McGuire stated that one week is not a realistic timeframe for that task. In response, Alderman Seils suggested that all parcels be rezoned as HR-R now and then for staff to come back at a later time with the changes to the HR-MU district as discussed by the Board.

Alderman Gist withdrew her motion.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE FOR THE BOARD TO ADOPT THE RESOLUTION BELOW AND TO PROCEED WITH APPROVING THE REZONING OF ALL PARCELS TO HR-R AND FOR STAFF TO

**COME BACK WITH SUGGESTED CHANGES TO THE HR-MU DISTRICT AS
DISCUSSED BY THE BOARD OF ALDERMEN:**

**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 THE HISTORIC ROGERS ROAD COMMUNITY.

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 the provisions in Carrboro Vision2020, to promote
diverse housing options with regard to type and size, the Facilitated Small Area Plan for Carrboro's
Northern Study Area to allow for opportunities for commercial uses at a community-scale, and the
four principals of the "Rogers Road: Mapping our Community's Future" report.

Section 2. The Board of Aldermen's action is reasonable and in the public interest for the
following reason(s): The proposed text amendment responds to a community initiative after
consider public input from the neighborhood it is intended to serve and adjacent residents 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 with the removal of the 1 acre requirement to match
Chapel Hill's adopted version.

Section 4. This resolution becomes effective upon adoption.

This the 18th day of June, 2019.

The motion carried by the following vote:

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

**A motion was made by Alderman Seils, seconded by Alderman Haven-O'Donnell to approve
the ordinance below:**

**AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO
ESTABLISH HISTORIC ROGERS ROAD RESIDENTIAL AND ASSOCIATED
DEVELOPMENT STANDARDS**

Ordinance No. 33/2018-19

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. The Carrboro Land Use Ordinance is amended by adding a new Section, 15-136.1 Historic Rogers Road District Established, as follows:

Section 15-136.1 Historic Rogers Road District Established

- (a) The Historic Rogers Road district, HR-R (residential), is established to implement the goals and recommendations of the *Mapping Our Community's Future* community planning effort, completed in May 2016. The intent of *Mapping Our Community's Future* and the HR-R District is to:
- 1) Create opportunities for long-term residents to continue living in the community and to age in place;
 - 2) Preserve the socioeconomic and cultural diversity of the neighborhood;
 - 3) Increase physical connections within the neighborhood, including for pedestrians and bicyclists;
 - 4) Respect and protect the natural character of the neighborhood;
 - 5) Ensure that new development is consistent with neighborhood character and the vision that residents have developed for its future;
 - 6) Provide greater residential housing choice, affordability, and diversity;
 - 7) Increase economic opportunities within the neighborhood;
 - 8) Increase recreational resources within the neighborhood; and
 - 9) Ensure that new development is adequately served by infrastructure, including streets, sidewalks, and utilities.
- (b) The HR-R zoning district is designed to protect and preserve the character of existing lower-density areas (minimum lot size 14,520 square feet, or no more than three lots per acre) within the neighborhood while providing for compatible new development, including new housing choice options, and increased home occupation opportunities for residents.

Section 2. Article II Section 15-15 Definitions of Basic Terms is amended by the addition of the following in appropriate alphabetical (and associated numerical assignment) order:

Flex Space. A building providing use flexibility for office and light industrial uses, such as printing, design, light assembly of products, artist space, or storage/warehousing. A flex space could also host a coworking center, where many individual small business owners or freelancers work alongside one another in common space, or a business incubator, where individuals working to launch new businesses can rent affordable space in which to perform office work and access shared resources such as printers, scanners, and other tools and services such as financial counseling and management training.

Home Occupation, Major. A Major Home Occupation is an accessory business use of a residentially-zoned property, that meets one or more of the following criteria: (i) employs up to four non-resident employees, who may work on site; (ii) utilizes outdoor storage of materials, supplies, products, or machinery; or (iii) generates noise, vibration, dust, odor, light, or glare that is visible from neighboring properties or the public right-of-way at any

hour of the day. Examples of Major Home Occupations include: lawncare or landscaping services, woodworking shops, small engine repair, appliance repair, metalworking, and any home business with more than one non-resident employee. Major home occupation uses are only permissible with a zoning permit in the HR-R district, and are subject to the performance standards specified in Section 15-176.8.

Residence, Triplex. A three-family residential use in which the dwelling units share common vertical walls or horizontal floors/ceilings (including without limitation the wall of an attached garage or porch) and in which each dwelling unit has a living space on the ground floor and a separate, ground floor entrance.

Section 3. Section 15-146 (Table of Permissible Uses) is amended by adding one new column labelled HR-R with permissible use classifications as shown in the attached Exhibit 'A.' The letters "Z," "S," "C," "SC," and "ZS," and the symbol "*" have the meanings described for all uses as provided in applicable subsections of Section 15-147.

Section 4. Article XI, Supplementary Use Standards is amended by the addition of a new Section 15-176.8 Special Standards for Historic Rogers Road District, which reads as follows:

Section 15-176.8 Special Standards for Historic Rogers Road District.

- (a) **All applicable provisions of the Carrboro Land Use Ordinance not specifically exempted or modified by this section shall apply to the HR-R district.**
- (b) In the HR-R district, the maximum size of any single-family dwelling constructed after the effective date of this section shall be 2,000 square feet of heated floor area; the maximum size of any duplex or triplex dwelling unit constructed after the effective date of this section shall be 1,200 square feet of heated floor area. Any dwelling unit in existence on the effective date of this subsection containing 2,000 square feet or greater of heated floor area may be increased by a maximum of 25% of the existing heated floor area or 500 square feet whichever is greater, but with a maximum size of 2,500 square feet at any time. Any dwelling unit in existence on the effective date of this subsection containing less than 2,000 square feet of heated floor area may be expanded up to a maximum size of 2,000 square feet of heated floor area or 25% whichever is greater.
- (c) As set forth in the Table of Permissible Uses, Major Home Occupations are permissible only in the HR-R district, subject to the following standards:
 - 1. Must be conducted by a person who resides on the same lot.
 - 2. Major Home Occupations shall only be located on lots a minimum of one acre in size.
 - 3. No more than 50% of the heated square footage of the home shall be used for business purposes. This calculation does not include accessory structures in the total square footage calculation for the home; such structures shall be limited to a maximum size of 150% of the home, but in no case shall exceed 2,000 gross square feet.
 - 4. The maximum number of trips per day to or from the business shall not exceed 50.
 - 5. The on-premises sale and delivery of goods which are not produced on the premises is prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service.
 - 6. No more than three business-associated vehicles shall be parked on-site.

7. Business-associated vehicles shall be limited to vehicles allowed under a Class C license.
8. Parking for vehicles associated with the business, including employee and visitor vehicles shall be provided on-site, pursuant to the requirements in Section 15-291.
9. If more than three parking spaces are provided for business-associated vehicles and / or employees and visitors, then the additional spaces above three must be screened by a Type A buffer.
10. All business activities shall be a minimum of 60 feet from all lot lines or within a fully enclosed building.
11. All noise, dust, vibration, odor, light, and glare-producing activities shall be located a minimum of 60 feet from all lot lines, and any activity that results in noise, vibration, dust, odor, light, or glare shall only occur between the hours of 8 AM and 6 PM.
12. Any outdoor storage of materials, supplies, products, or machinery (excluding functional vehicles associated with the business) shall be screened with a Type A screen as described in LUO Section 15-307.

Section 5. Section 15-181 Minimum Lot Size Requirements, subsection (a) is revised with the addition of minimum lot size requirements for the HR-R zoning district as follows:

<u>ZONE</u>	<u>MINIMUM SQUARE FEET</u>
HR-R	14,520

Section 6. Section 15-182 Residential Density, subsection (a) is revised with the addition of residential density requirements for the HR-R zoning district, as follows:

<u>ZONE</u>	<u>Minimum Square Feet Per Dwelling Unit, Multi-Family, Triplex and Duplex</u>
HR-R	14,520

Section 7. Section 15-182.3 Residential Density of Major Developments in Certain Districts, subsection (a) is amended to read as follows:

- (a) Notwithstanding the provisions of Section 15-182, when any tract of land within the R-10, R-15, R-20, RR, and HR-R districts is developed under circumstances requiring the issuance of a special or conditional use permit, the maximum number of dwelling units that may be placed on that tract shall be determined in accordance with the provisions of this section.

Section 8. Section 15-183 Minimum Lot Widths, subsection (b) is revised with the addition of minimum lot width requirements for the HR-R zoning district, as follows:

<u>ZONE</u>	<u>Lot Width</u>
HR-R	100

Section 9. Subsection 15-184 Building Setback Requirements, subsection (a) is revised with the addition of setback requirements for the HR-R zoning district, as follows:

<u>ZONE</u>	<u>Minimum Distance from Street Right of Way Line</u>		<u>Minimum Distance from Street Centerline</u>		<u>Minimum Distance from Lot Boundary Line</u>
	Building	Freestanding Sign	Building	Freestanding Sign	Building and Freestanding Sign
HR-R	50	20	70	50	20

Section 10. Subsection 15-185 (a) (1) is amended to read as follows:

- (1) No building in any of the following zoning districts may exceed a height of thirty-five feet: R-3, R-7.5, R-10, R-15, R-20, RR, C, B-5, M-2, WM-3, O, O/A, and HR-R.

Section 11. Article XVII Signs, Section 15-271 is amended by adding a new subsection (e) to read as follows:

- (e) Signs for home occupations and major home occupations shall be permitted subject to the following provisions:

1. A lot that houses a legally-established home-based occupation as an accessory use may have up to one wall-mounted sign with a maximum area of 4 square feet. In the HR-R district, legally-established major home occupations may have up to one wall-mounted sign with a maximum area of 8 square feet.
2. Signs must be non-illuminated.
3. Signs shall comply with the standards of Sections 15-271, Permit Required for Signs, 15-275, Computation of Sign Area, and 15-282, Miscellaneous Requirements.

Section 12. Subsection 15-291 Number of Parking Spaces Required, 185, subsection (g) is revised with the addition of parking standards for Use 1.350, Triplex, and 1.910, Major Home Occupations, as follows:

<u>USE</u>	<u>PART I. PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE</u>
1.350	2 spaces for each dwelling unit, except that one bedroom units require only one space

1.910	4 spaces for offices of physicians or dentists; 2 spaces for attorneys; 1 space for all others, plus one space for each non-resident employee
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Section 13. Section 15-308, is amended by adding a new row to the Table of Screening Requirements for Use Category 1.350, Triplex, to match the requirements for Use Category 1.200 for Duplex.

Section 14. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 15. This ordinance shall become effective upon adoption

This the 18th day of June, 2019.

The motion carried by the following vote:

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

A motion was made by Alderman Seils, seconded by Alderman Foushee to adopt the resolution below:

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 map 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 30 PARCELS OF LAND KNOWN AS THE HISTORIC ROGERS ROAD NEIGHBORHOOD FROM R-R TO HR-R.

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 including provisions in Carrboro Vision2020 to promote diverse housing options with regard to type and size, the Facilitated Small Area Plan for Carrboro's Northern Study Area to allow for opportunities for commercial uses at a community-scale, and the four principles of the "Rogers Road: Mapping our Community's Future" report.

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

The proposed map amendment prepared in response to a community initiative with public comment from the affected residents, and allows development in accordance with the Town's zoning requirements 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 18th day of June, 2019.

The motion carried by the following vote:

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

A motion was made by Alderman Seils, seconded by Alderman Haven-O'Donnell to approve the ordinance below:

**AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE
APPROXIMATELY 30 PARCELS OF LAND KNOWN AS THE HISTORIC ROGERS
ROAD NEIGHBORHOOD FROM R-R TO HR-R
Ordinance No. 34/2018-19**

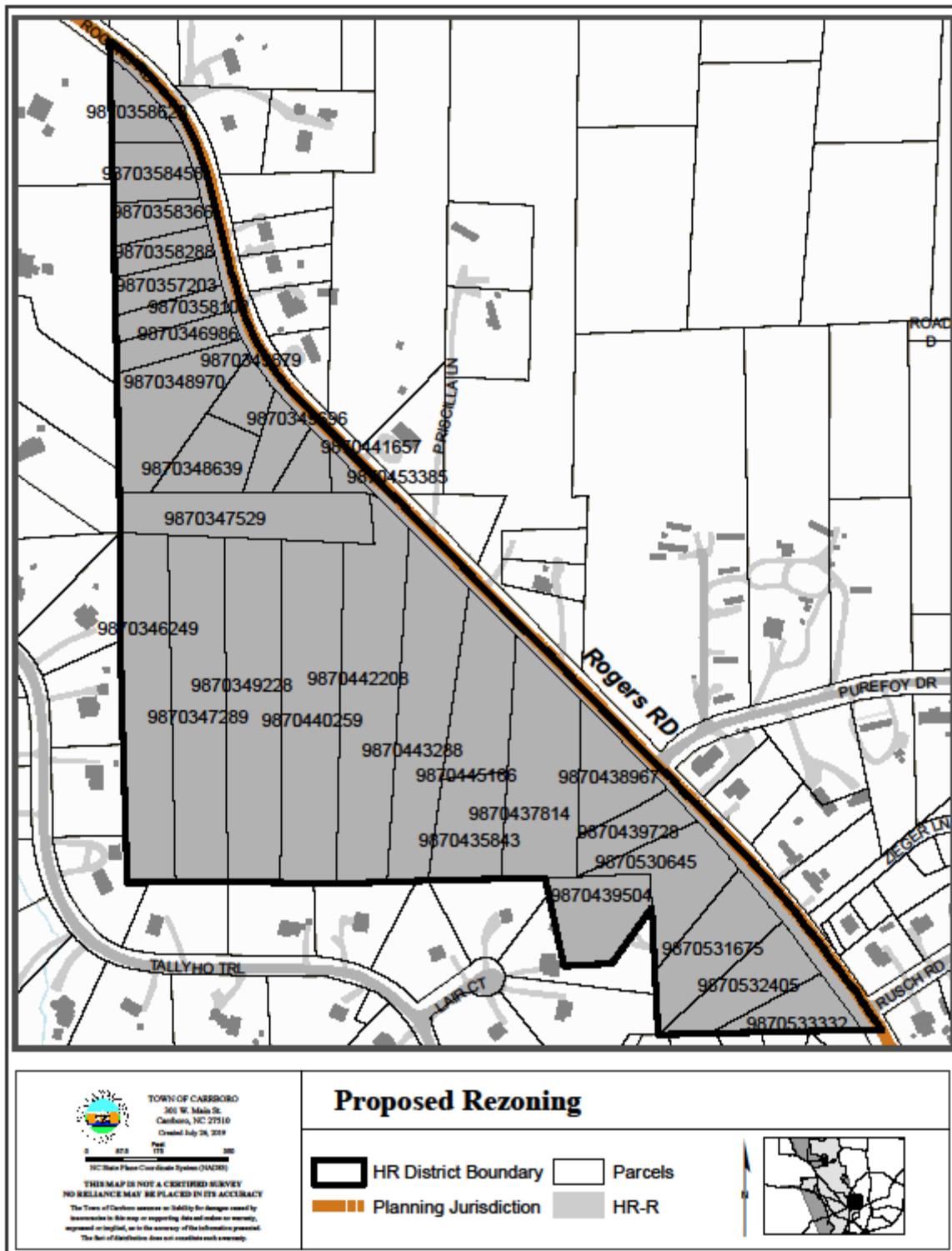
The Board of Aldermen of the Town of Carrboro Ordains:

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 by parcel identification numbers shown below shall be rezoned as noted in the following table (as shown on the attached map), and the Official Zoning Map shall be modified accordingly:

PIN	Site Address	OwnerName	OwnerName2	Proposed District
9870349696	7803 ROGERS RD	ALLEN JAMES M		HR-R
9870441657	7805 ROGERS RD	ALLEN JAMES M		HR-R
9870435843	7915 ROGERS RD	ANDERSON GWENDOLYN		HR-R
9870358458	7619 ROGERS RD	BROWN LILLIE M		HR-R
9870348970	7721 ROGERS RD	CANTO HERMELINDA J	CANTO ALICIA J	HR-R
9870357203	7709 ROGERS RD	CHUSINO LUIS A		HR-R
9870532405	8015 ROGERS RD	DONG KUN C	THEIN MIKYIN	HR-R
9870438967	8003 ROGERS RD	FAITH TABERNACLE OASIS OF LOVE CHURCH		HR-R
9870439504	8011 ROGERS RD	FAITH TABERNACLE OASIS OF LOVE CHURCH		HR-R
9870439728	8005 ROGERS RD	FAITH TABERNACLE OASIS OF LOVE CHURCH		HR-R
9870530645	8009 ROGERS RD	FAITH TABERNACLE OASIS OF LOVE CHURCH		HR-R
9870358366	7705 ROGERS RD	MAXWELL LAUREN		HR-R
9870443288	7821 ROGERS RD	NICKENS ALLONIOUS		HR-R
9870531675	8013 ROGERS RD	PURDIE SHIRLEY W TRUSTEE		HR-R
9870346986	7719 ROGERS RD	RIVAS ZOILA I		HR-R
9870445166	7907 ROGERS RD	ROGERS BETTIE D		HR-R
9870437814	7917 ROGERS RD	ROGERS LEAH HRS		HR-R
9870453385	7750 ROGERS RD	ROGERS LEAH HRS		HR-R
9870358102	7715 ROGERS RD	STEWART JACQUELINE	STEWART JAMES E	HR-R
9870358623	7619 ROGERS RD	STREET CHARLES	BROWN LILLIE M	HR-R
9870358288	7707 ROGERS RD	THOMPSON SHARON R ETAL	THOMPSON GEORGETTE L	HR-R
9870533332	8017 ROGERS RD	WORKMAN BENAVIDES PARTNERS LLC		HR-R
9870346249	7723 ROGERS RD	BUDDHA LLC		HR-R
9870347289	7727 ROGERS RD	BUDDHA LLC		HR-R
9870347529	7729 ROGERS RD	BUDDHA LLC		HR-R
9870348639	7733 ROGERS RD	BUDDHA LLC		HR-R
9870349228	7811 ROGERS RD	BUDDHA LLC		HR-R
9870349879	7731 ROGERS RD	BUDDHA LLC		HR-R
9870440259	7815 ROGERS RD	BUDDHA LLC		HR-R
9870442208	7817 ROGERS RD	BUDDHA LLC		HR-R

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This the 18th day of June, 2019.

The motion carried by the following vote:

Ayes: Mayor Lydia Lavelle, Alderman Bethany Chaney, Alderman Barbara Foushee,

Alderman Jacquelyn Gist, Alderman Randee Haven-O'Donnell, Alderman Damon Seils

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY FOR STAFF TO BRING BACK REVISIONS TO THE HR-MU AS DISCUSSED BY THE BOARD INCORPORATING OPTIONS #2 AND #3 AND TO BUILD IN AN AUTHENTIC, INCLUSIVE COMMUNITY ENGAGEMENT AROUND WHAT THE BOARD IS TRYING TO ACHIEVE WITH THE NEIGHBORS. VOTE: AFFIRMATIVE ALL

ADOPTION OF THE FY 2019-20 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 2019-20.

Alderman Slade explained that he would be protest voting because he felt the budget impact represented by the cost of implementing the climate action plans has not yet been assessed alongside other demands for the town's resources that are reflected in regular budgets. He underscored that his protest should in no way be interpreted as disparaging of the work that staff has done in developing this budget. He expressed that he hoped his protest vote would help in setting the tone so that, come next budget cycle, we can weigh climate emergency action demands alongside all other demands on the budget.

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that the following ordinance be approved:

**ANNUAL BUDGET ORDINANCE FY 2019-20
Town of Carrboro, North Carolina
Ordinance No. 20/2019-20**

WHEREAS, the recommended budget for FY 2019-20 was submitted to the Board of Aldermen on May 7, 2019 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 28, 2019, the Board of Aldermen held a public hearing on the budget pursuant to G.S. 159-12;

WHEREAS, on June 18, 2019, 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, 2019 and ending June 30, 2020:

GENERAL GOVERNMENT	\$	5,636,906
Mayor & Board of Aldermen	\$ 371,261	
Advisory Boards	\$ 29,950	
Governance Support	\$ 657,052	
Town Manager	\$ 562,914	
Economic & Community Development	\$ 251,371	
Town Clerk	\$ 150,975	
Finance	\$ 1,248,854	
Human Resources	\$ 625,752	
Information Technology	\$ 1,738,777	
PUBLIC SAFETY	\$	7,019,545
Police	\$ 3,931,908	
Fire	\$ 3,087,637	
PLANNING	\$	1,649,897
TRANSPORTATION	\$	2,002,600
PUBLIC WORKS	\$	3,971,369
RECREATION & PARKS	\$	1,735,881
NONDEPARTMENTAL	\$	1,315,566
DEBT SERVICE	\$	1,245,244
TOTAL GENERAL FUND	\$	24,577,008

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, 2019 and ending June 30, 2020 to meet the general fund expenditures:

Ad Valorem Tax	\$ 12,978,367
Local Sales Tax	4,649,090
Other Taxes/Licenses	1,610,441
Intergovernmental	2,045,898
Fees and Permits	1,227,219
Sales and Services	273,050
Investment Earnings	150,000
Other Revenues	142,190
Other Financing Sources	<u>1,500,753</u>
Total General Fund	<u>\$ 24,577,008</u>

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	\$ 73,783
Center for Community Self Help	\$ 20,000
Home Consortium Match	\$ 13,545
Human Services Grants	\$ 21,000
Partnership to End Homelessness	\$ 35,232
Deferred Loan Expense	\$ 20,000
Affordable Housing Advisory Board	\$ 500
Critical Home Repair	\$ 90,000
Rental Deposits Program	\$ 6,000
Acquisition and Development	\$ 68,000
Unexpended Reserves	<u>\$ 10,440</u>
TOTAL APPROPRIATION	<u>\$ 358,500</u>

Section 2. Affordable Housing Fund Revenues

There is hereby levied a tax rate of \$.0100 (1 cent) on each one hundred dollars (\$100) valuation of taxable property as listed for taxes on January 1, 2019 that shall be devoted solely to the affordable housing activities noted above.

ARTICLE III – 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 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 \$798,775 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 2018-19 may be carried forward to fiscal year 2019-20.

ARTICLE V – 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 VI – 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, health insurance benefits; and, for any other purpose 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 funds encumbered or designated within fund balance for expenditures as confirmed in the annual audit for the year ending June 30, 2019 shall be re-appropriated to the Fiscal Year 2019-20 Adopted Budget without further action by the Board.
- e. The Finance Officer may approve transfer requests between programs or organizational

units within the adopted general fund 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 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, 2019 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 cent of the total tax rate shall be devoted exclusively to the Affordable Housing Fund.

General Fund	\$.5894
Affordable Housing Fund.....	<u>\$.0100</u>
Total Tax Rate	\$.5994

Section 3. The Finance Officer shall distribute property tax collections to the appropriate fund(s) at least monthly as levied in Article I, 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 the 18th day of June, 2019.

The motion carried by the following vote:

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

Noes: Alderman Sammy Slade

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that the following 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 2019-20 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. Add one full time Groundskeeper I position, Salary Grade 2
- b. Add one full time Associate Planner position, Salary Grade 15
- c. Add one full time Engineering Technician, Salary Grade 14
- d. Reclassify part time Program Support Assistant I position in Recreation and Parks to a full time Program Support Assistant II, Salary Grade 4
- e. Reclassify the Payroll & Benefits Specialist to Payroll & Benefits Coordinator, Salary Grade 12.
- f. Re-title Construction Inspector to Engineering Inspector, at Salary Grade 12.

Section 2. Effective July 1, 2019, the salary ranges for all positions established in the Position Classification and Pay Plan are to be increased by 2.8% to remain competitive with the local labor market.

Section 3. There will be no Merit or Performance Pay provided to Town employees in FY 2019-20.

Section 4. All other provisions of the Position Classification and Pay Plan remain unchanged.

Section 5. The Human Resources Director shall revise the Position Classification and Pay Plan to reflect the changes in Section 1 through Section 2.

Section 6. This resolution shall become effective July 1, 2019.

This the 18th day of June, 2019.

The motion carried by the following vote:

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

Noes: Alderman Sammy Slade

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that the following resolution be approved:

**A 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 2019-20:

Section 1: All Town permanent full-time, permanent part-time, appointed employees and elected officials shall receive an across the board salary increase of 4.0% effective July 1, 2019.

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 employees 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 \$14.25 per hour.

Section 5: This resolution shall become effective July 1, 2019.

This the 18th day of June, 2019.

The motion carried by the following vote:

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

Noes: Alderman Sammy Slade

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that the following resolution be approved:

A 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 2019-20 beginning July 1, 2019 and ending June 30, 2020.

Section 2: This resolution shall become effective upon adoption.

This the 18th day of June, 2019.

The motion carried by the following vote:

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

Noes: Alderman Sammy Slade

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that the following ordinance be approved:

**CAPITAL PROJECT ORDINANCE AUTHORIZING THE USE OF FUND
BALANCE FOR DESIGNATED CAPITAL PROJECTS**

Ordinance No. 23/2018-18

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 set aside an amount in assigned fund balance for transfer to the Capital Projects Fund for future projects; and,

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

WHEREAS, the Town's annual audit at June 30, 2018 confirmed that the fund balance exceeds 35% and the amount above 35% may be committed for capital projects;

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

Section 1: The following projects are authorized to be undertaken until all project activity is completed:

A. Self-Contained Breathing Apparatus Replacement	\$ 314,924
B. South Greensboro St Conduit	\$ 95,000
C. Town Hall Roof Replacement	\$ 100,000
D. Bus Shelter Replacement	\$ 288,000
E. Town Hall Basement Waterproofing	\$ 100,000
F. Comprehensive Plan	\$ 200,000
G. Unpaved Road Upgrades	\$ 230,000

TOTAL APPROPRIATION \$1,327,924

Section 2: Funds are appropriated from fund balance in the General Fund for transfer to the Capital Projects Fund for design, engineering, and/or construction expenses to carry out the project(s) identified in Section 1.

Section 3: Additionally, an amount not to exceed \$115,000 is appropriated from the GO Bond Fund for needed repairs of various sidewalks throughout the Town.

Section 4: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

Section 5: This capital project ordinance shall be effective July 1, 2019.

This the 18th day of June, 2019.

The motion carried by the following vote:

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

Noes: Alderman Sammy Slade

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that the following 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 2019-20 as presented in the agenda packet effective July 1, 2019.

Section 2: This resolution shall become effective upon adoption.

This the 18th day of June, 2019.

The motion carried by the following vote:

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

Noes: Alderman Sammy Slade

ENERGY AND CLIMATE PROTECTION PLAN AND COMMUNITY

CLIMATE ACTION PLAN

This item was postponed until the June 25, 2019 meeting.

APPOINTMENTS TO THE ENVIRONMENTAL ADVISORY BOARD

The purpose of this item is for the Board of Aldermen to make an appointment to the Environmental Advisory Board.

The Town Clerk distributed ballots to the Board. The following votes were cast by ballot:

Robert Keith Barnhouse: Mayor Lavelle, Alderman Foushee, Alderman Slade, Alderman Haven-O’Donnell, Alderman Seils, Alderman Gist, Alderman Chaney

Jackson Bradford: Zero

Kristen Vitro: Zero

The Town Clerk read the ballot votes aloud.

A motion was made by Alderman Slade, seconded by Alderman Seils, that the following resolution be approved:

A RESOLUTION MAKING APPOINTMENT(S) TO THE ENVIRONMENTAL ADVISORY BOARD

THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE ENVIRONMENTAL ADVISORY BOARD:

Seat Designation	Appointee	Term Expiration
Member	Robert Barnhouse	02/2024

This resolution shall become effective upon adoption.

This the 18th day of June, 2019.

The motion carried by the following vote:

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

APPOINTMENT TO THE ORANGE WATER AND SEWER AUTHORITY BOARD OF DIRECTORS

The Town Clerk distributed ballots to the Board. The following votes were cast by ballot:

David Alban: Zero

Yinka Ayankoya: Mayor Lavelle, Alderman Foushee, Alderman Slade, Alderman Haven-O’Donnell, Alderman Seils, Alderman Gist, Alderman Chaney

David Cottingham: Zero

Robert Glosson: Zero

Kristen Vitro: Zero

The Town Clerk read the ballot votes aloud.

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

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

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

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

Section 1: Yinka Ayankoya is hereby appointed as the Town's representative on the OWASA Board of Directors for a term to expire on June 30, 2022.

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

Section 3. This resolution shall become effective upon adoption.

This the 18th day of June, 2019.

The motion carried by the following vote:

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

APPOINTMENTS TO THE PLANNING BOARD

The Town Clerk distributed ballots to the Board. The following votes were cast by ballot:

Ben Berolzheimer: Mayor Lavelle, Alderman Slade, Alderman Seils

Luther Gates: Alderman Slade, Alderman Haven-O'Donnell, Alderman Gist

Jeff Laufenberg: Mayor Lavelle, Alderman Foushee, Alderman Slade, Alderman Haven-O'Donnell, Alderman Seils, Alderman Gist, Alderman Chaney

Christopher Rogers: Mayor Lavelle, Alderman Foushee, Alderman Haven-O'Donnell, Alderman Seils, Alderman Gist

Rasam Tooloee: Mayor Lavelle, Alderman Foushee, Alderman Slade, Alderman Haven-O'Donnell, Alderman Seils, Alderman Gist, Alderman Chaney

David Clinton (ETJ): Mayor Lavelle, Alderman Foushee, Alderman Slade, Alderman Haven-O'Donnell, Alderman Seils, Alderman Gist, Alderman Chaney

The Town Clerk read the ballot votes aloud. There was a request to leave one seat vacant so that more applications could be received in an attempt to diversity the Planning Board.

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that the following resolution be approved:

A RESOLUTION MAKING APPOINTMENT(S) TO THE PLANNING BOARD

SECTION 1: THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE PLANNING BOARD:

Seat Designation	Appointee	Term Expiration
ETJ	David Clinton	2/2022
In-Town	Jeff Laufenberg	2/2022
In-Town	Christopher Rogers	2/2022
In-Town	Rasam Tooloee	2/2021
In-Town	NO APPOINTMENT	

This the 18th day of June, 2019.

The motion carried by the following vote:

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

BOARD OF ALDERMEN REVIEW OF THE 7:00 PM START TIME

The purpose of this item was to allow the Board of Aldermen the time to discuss how the 7:00 P.M. meeting start time is working and if not, to provide direction to staff.

There were no changes to the start time.

ADJOURNMENT

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

Town Clerk

Mayor