



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

Town of Carrboro

Meeting Minutes

Board of Aldermen

Tuesday, June 25, 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; Chris Milner, Deputy Town Clerk; Nick Herman, Town Attorney

POETRY READING

Fred Joiner, Carrboro Poet Laureate, read a poem by Robert Hayden titled "Frederick Douglass."

PROCLAMATION – RECREATION AND PARKS MONTH

Mayor Lavelle proclaimed June as Recreation and Parks Month in the Town of Carrboro.

REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

Gary Wallach, a resident of 201 Laurel Avenue, spoke with the Board about parking issues on Laurel Avenue, particularly the part of Laurel Avenue that is south of Jones Ferry Road. When cars park on both sides of the street, he feels that fire trucks will not be able to drive down the street. He feels that this creates a hazardous condition. He said the residents who live on Laurel Avenue south of Jones Ferry Road had voted the previous night to request that the Board of Aldermen rezone Laurel Avenue for resident-only parking.

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS, TO REFER THIS MATTER TO STAFF AND BRING THE MATTER BACK TO THE BOARD AS

EARLY IN THE FALL AS POSSIBLE. VOTE: AFFIRMATIVE ALL.

Alderman Slade said parking issues are something that the Board has been seeing more often. He suggested having a comprehensive discussion on this issue. He also asked that staff include an assessment of ways to use public streets other than for public parking.

Mayor Lavelle asked the Town Manager to include this when staff returns with this issue in the fall.

APPROVAL OF JUNE 11, 2019 MEETING MINUTES

Per the request of Mayor Lavelle this item was postponed until the next meeting.

PUBLIC HEARING ON THE VOLUNTARY ANNEXATION OF EUBANKS/OLD NC 86 PROPERTIES

The Town received a petition to voluntarily annex approximately 27.5 acres known as the Parker Louis, LLC/Eubanks and Old NC 86 property. The Board must receive public comment before taking action on this petition.

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN CHANEY, TO DELAY THIS PUBLIC HEARING UNTIL THE FALL. VOTE: AFFIRMATIVE ALL.

Alderman Gist suggested that people might want to know why this item was being postponed.

Nick Herman, Town Attorney, explained that drafting the ordinance is highly technical. Recent developments called into question whether things were correct, and that is why there is a need to delay the public hearing. He apologized for any inconvenience this might cause to residents.

REQUEST TO CONSIDER AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH CHAPEL HILL TRANSIT REGARDING BUS SHELTER MAINTENANCE AND REPLACEMENT

The purpose of this item was for the Board of Aldermen to consider authorizing the Manager to negotiate and enter into an agreement with Chapel Hill Transit (CHT) regarding the maintenance, repair and eventual replacement of Carrboro’s existing wooden bus shelters.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH CHAPEL HILL TRANSIT REGARDING BUS SHELTER MAINTENANCE, REPAIR AND REPLACEMENT

WHEREAS, the Town of Carrboro is a contributing partner in the Chapel Hill Transit system; and

WHEREAS, the Town's existing twenty-one wooden bus shelters are non-standard shelters; and

WHEREAS, the Town has been responsible for the costs and labor associated with the maintenance, repair and replacement of these wooden shelters; and

WHEREAS, the wooden shelters are aging and are costly to repair and replace; and

WHEREAS, the Town and Chapel Hill Transit have had preliminary discussions about integrating and streamlining the maintenance, repair and replacement of the Town's wooden bus shelters, creating a consistent shelter environment for customers and achieving greater parity in the resources available to Carrboro in shelter maintenance.

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

Section 1. Authorize the Town Manager to negotiate and enter into an agreement with Chapel Hill Transit regarding wooden bus shelter maintenance, repair and replacement.

Section 2. This resolution shall become effective upon adoption.

This the 25th 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

ADDITIONAL FLOOD MITIGATION ASSISTANCE GRANT FUNDS

The purpose of this agenda item was for the Board of Aldermen to authorize the Town Manager to accept additional Federal Emergency Management Agency Hazard Mitigation Grant funds for the elevation of properties on Lorraine Street.

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

**HAZARD MITIGATION GRANT PROGRAM PROJECT ORDINANCE
AMENDMENT FOR ADDITIONAL FUNDING
ORDINANCE NO. 29/2018-19**

WHEREAS, the Town of Carrboro (Town) was awarded grants by the Federal Emergency Management Agency (FEMA) under its Hazard Mitigation Grant Program in 2016; and,

WHEREAS, the North Carolina Department of Public Safety, Division of Emergency Management, is

the agency/grantee responsible for the Hazard Mitigation Grant Program (HMGP); and, WHEREAS, \$239,960 of the grant funds were originally awarded for the elevation of two flood prone properties in the Town as described in the grant applications and agreement; and,

WHEREAS, the estimated costs for elevating the two houses exceed available grant funds by \$80,772; and,

WHEREAS, additional grant funds in the amount of \$80,772 and an extension of time granted for project completion to March 30, 2020 are being reviewed; and,

WHEREAS the Board of Aldermen for the Town deems these activities to be worthy and desirable undertakings; and,

WHEREAS, the Board of Aldermen for the Town conditionally accepts this additional grant award.

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:

1. These grants are authorized for elevation of two flood prone properties as described in the grant application and original grant agreement and are hereby authorized to be undertaken until all project activities are completed.
2. Grant funds in the amount of \$320,732 from the Hazard Mitigation Grant Program are anticipated to be available to the Town of Carrboro to complete this Project.
3. These funds are to be expended for the elevation of residences at 400 Lorraine Street and 403 Lorraine Street in the Town of Carrboro.
4. The Town Manager is authorized to execute any required agreements and/or document for this additional funding.
5. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.
6. All other provisions of the Hazard Mitigation Program Grant Project Ordinance adopted on September 7, 2016 shall remain in effect.

The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this 25th 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

BUDGET AMENDMENT FOR DR. MARTIN LUTHER KING JR, PARK CAPITAL PROJECT ORDINANCE

The purpose of this agenda item was for the Board of Aldermen to consider a budget amendment to provide additional funds for construction of the Dr. Martin Luther King Jr. Park.

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

**BUDGET AMENDMENT FOR MARTIN LUTHER KING JR. PARK CAPITAL PROJECT
ORDINANCE No. 30/2018-19**

WHEREAS, the Board of Aldermen, for the Town of Carrboro, have appropriated \$2,561,196 by the adoption of Capital Project Ordinance No. 18/2014-15 and subsequent amendments for the land, design, and construction of the Martin Luther King, Jr. Park; and,

WHEREAS, it is now necessary to amend the project budget due to increased costs related to undercut work for the parking lot, entry drive and building slabs, additional ground water mitigation and extensive rock boring needs.

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 amount of \$200,000 is appropriated from the Sidewalk Bond Fund for the Dr. Martin Luther King, Jr Park.

Section 2: The total project costs, including land, design and construction is increased from \$2,561,196 to \$2,761,196.

Section 3: All other provisions of Project Ordinance #18/2014-15 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.

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

This the 25th 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.

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

A RESOLUTION REQUESTING AN APPOINTMENT TO THE BOARD OF ADJUSTMENT

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

SECTION 1: That the Carrboro Board of Aldermen hereby appoint the following applicant to the Board of Adjustment:

Seat Designation	Appointee	Term Expiration
In- Town Seat	Michael Crowell	2/2022

SECTION 2. This resolution shall become effective upon adoption.

This the 25th 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

APPLICATION FOR A MONUMENT LOCATED ON TOWN PROPERTY

The purpose of this agenda item was for the Board of Alderman to consider an application for a monument located on town property.

Alderman Gist noted that the resolution provided with this item in the printed agenda included the phrase "Approve/Deny" in the title. She asked that the resolution be amended to remove "Deny" thereby clarifying that this is approval.

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

A RESOLUTION TO CONSIDER AND APPROVE AN APPLICATION FOR A MONUMENT

WHEREAS, the Carrboro Board of Aldermen received a monument application from Arthur DeBerry in honor of Ronald Mann.

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

Section 1. The Board of Alderman considered whether the application for the monument is consistent with the guidelines of Policy for Monuments Located on Town Property.

Section 2. The Board of Alderman approves the installation of this monument.

Section 3. This resolution shall become effective upon adoption.

This, the 25th day of June 2019.

Prior to the vote, deliberations continued.

Alderman Foushee asked the Town Manager whether monument applications are usually on the Consent Agenda and not on another part of the agenda for Board discussion.

David Andrews, Town Manager, said that, based on his experience, these applications are on the Consent Agenda. He said he did not remember a time when the Board had an extended discussion about a monument. He clarified that staff makes the recommendation regarding monuments and the Board makes the decision.

Alderman Gist said the Board set procedural guidelines for this years ago.

Alderman Foushee asked for clarification as to whether these requests are always on the Consent Agenda.

Both Alderman Gist and David Andrews replied that they are not always on the Consent Agenda.

Alderman Foushee then asked about what would keep it from the Consent Agenda.

Mayor Lavelle stated that these applications are on the Consent Agenda “as a matter of course,” but if anyone has a problem, it could be pulled, and she recalled that there was one instance when she requested that an application be pulled.

Alderman Chaney stated that she believes it is time to update the policy for monuments. She noted that the current application includes the following criteria:

- The general or local significance or prominence of the person, place, or event commemorated or memorialized.
- Whether the person, place, or event commemorated or memorialized is significant, important, or relevant to the public generally, as opposed to a small group of persons.
- Whether the monument’s proposed location will be compatible with its surroundings.
- The enduring quality and character of the materials used to create the monument.

Alderman Chaney noted that, by these criteria, Julian Carr could qualify for a monument. She asked that another screening criteria be added to ask whether the person, place, or event has negatively affected the liberties, livelihoods, or civil or human rights of any person either unintentionally or intentionally. She asked that staff tell the Board how this could be incorporated.

Mayor Lavelle asked Alderman Chaney whether she would like to make a motion on this issue. Alderman Chaney said she would. Other members of the Board noted that Alderman Gist had already made a motion regarding the application on the printed agenda. Mayor Lavelle proceeded with motion on the floor, which was the motion made by Alderman Gist to approve the monument application in the printed agenda. She called the vote.

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

Mayor Lavelle then moved to the issue raised by Alderman Chaney.

Alderman Chaney asked for clarification as to whether a motion is required in this instance.

David Andrews reiterated that the Board always has the discretion to approve or disapprove an application.

Alderman Chaney noted that it is important to demonstrate to the public that the Board cares about this, and also ensure this is not left to the discretion of future Boards since the configuration of the Board will change.

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SLADE, THAT STAFF DETERMINE HOW TO INCLUDE ADDITIONAL SCREENING CRITERIA IN THE MONUMENT APPLICATION TO ASK WHETHER THE PERSON, PLACE, OR EVENT HAS NEGATIVELY AFFECTED THE LIBERTIES, LIVELIHOODS, OR CIVIL OR HUMAN RIGHTS OF ANY PERSON EITHER UNINTENTIONALLY OR INTENTIONALLY, THEN REPORT BACK TO THE BOARD WITH THEIR RECOMMENDATION. VOTE: AFFIRMATIVE ALL.

DEVELOPING A SCOPE OF WORK FOR A COMPREHENSIVE PLAN FOR CARRBORO

The purpose of this item was to provide the Board of Aldermen with an opportunity to specify use of the scope of work in seeking professional services to assist with the comprehensive planning process.

Alderman Haven-O'Donnell noted outdated organization titles, phrases, events and businesses that are in the draft plan. She asked why multi-modal transportation options are not specifically addressed in the Plan Components Table. She also wanted to know why solid waste and composting were not included in the Plan Components Table.

Alderman Foushee asked whether this update to the Plan includes edits to the Plan Purpose regarding the skills that will be sought in a consultant.

Trish McGuire, Planning Director, said that it is in the Plan but is very subtle and she provided some details regarding the desired skills of a consultant.

Mayor Lavelle noted that item #11 in the Comprehensive Plan Task Force Structure calls for "1 or members" and asked whether this should be "1 or more members."

Alderman Gist asked whether the Board will have input on the hiring process for the consultant.

Trish McGuire said that is the expectation.

Alderman Gist said she does not want to have a boiler-plate plan that has been used in other towns.

A motion was made by Alderman Seils, seconded by Alderman Chaney, that the following resolution be approved with the changes that were recommended by Alderman Haven-O'Donnell, Alderman Gist, Alderman Chaney and Mayor Lavelle:

A RESOLUTION SPECIFYING USE OF SCOPE OF WORK IN SEEKING
CONSULTANT'S SERVICES FOR COMPREHENSIVE PLANNING PROCESS

WHEREAS, the Board of Aldermen has reviewed drafts of the scope of work on two occasions, provided feedback and considered revisions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the Town of Carrboro specifies use of the scope of work in seeking consultant's services for a comprehensive planning process.

This the 25th 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

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

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

Laura Janway, Environmental Planner for the Town of Carrboro, provided the staff report on this item. This report was a quarterly update on the implementation of the Municipal Energy and Climate Protection Plan and the Community Climate Action Plan.

Alderman Haven-O'Donnell asked how the pilot projects in the neighborhoods will be implemented.

Laura Janway said the logistics are still being worked out, but the survey will help to identify areas where there is already a high degree of composting activity. Also, she plans to leverage existing community organizations and efforts.

Alderman Haven-O'Donnell asked whether the process would be entirely web-based.

Laura Janway said it will start on the internet, but other means will be used for those who do not use the internet.

Alderman Haven-O'Donnell asked about the multifamily pilot project and noted that vermiculture is very tricky.

Laura Janway said vermiculture would not be pursued as a primary part of this project. It will be a side project if people are interested.

Alderman Haven-O'Donnell said the multifamily project will take a lot of front-loading on the education to make it work. She recommended keeping it simple and rolling it out slowly. She stressed the importance of volunteers in making this successful. She also asked that the graphic used to show the status of these efforts, referred to as "Thermometer of Progress," be displayed prominently, so residents are able to see it, maybe at Town Hall or the Fire Department.

Alderman Seils asked how changes to local and regional bus service over the last few years are reflected in measurements of the community's greenhouse gasses.

Laura Janway said the community inventory is from 2012, and staff does not have a good idea of how it has changed. She supported the idea of updating the measurements, particularly with respect to transportation.

Alderman Seils commented on the Volkswagen Emissions Mitigation Fund and noted that Chapel Hill Transit is also looking into these funds.

Alderman Foushee raised the issue of those in the community who are not aware of climate change issues and programs and asked what is being done to reach them.

Laura Janway agreed that the community goals cannot be achieved by only working with people who are already focused on climate change. She feels that getting out into the community and interacting with people is an effective way of educating people, but more needs to be done.

Alderman Foushee asked about the Green Neighborhoods map.

Laura Janway said the GIS staff looked at the Town and divided it into 20 sections with equal populations. She said the map provided in the agenda item was only a draft.

Alderman Chaney was interested in hearing about ways that the Environmental Advisory Board (EAB) could help in these efforts. She also noted that the Board is weighing actions and activities against a variety of criteria, one consideration is racial equity. She noted the section on Government Alliance on Race and Equity (GARE) in Laura Janway's printed report and asked when the Urban Sustainability Directors Network survey (or similar survey) will be conducted and whether it can be extended to the EAB. She wanted to ensure that the Board understands where everybody stands on this issue.

Laura Janway said the survey has been sent out to all staff members. She said she would talk to Anita Jones-McNair, Recreation and Parks Director, to see if it can be extended to EAB members. She said racial equity was raised at the latest EAB meeting. She also said the EAB could assist in community outreach.

Mayor Lavelle commented on the Green Neighborhood plan and felt it would be better to divide the Town around how people naturally coalesce in neighborhoods rather than using a population-based plan. She suggested using the existing geographic voting precincts as a way of defining the neighborhoods.

Alderman Haven-O'Donnell noted that the phrase "racial equality" was used in Laura Janway's written report, but the Board prefers "race and equity."

Alderman Slade presented a video clip of Greta Thunberg speaking at the 24th United Nations Conference of the Parties of the Climate Change Convention (COP24).

Alderman Slade addressed the RESOLUTION REGARDING CLIMATE ACTION GOALS AND BUDGET PLAN that he prepared. He thanked the members of the Board for their patience and willingness to provide input. He stated that Carrboro needs to take a hard look at what it prioritizes. He said the resolution will set the Town on course so it can have the choice of looking at what the decisions are and how they compare to other priorities. He said it speaks to taking the next year for Town staff, in collaboration with the EAB, to look at what the climate action plans represent, so that next year's budget cycle and 10 years thereafter (10 years being the short window that scientists say is the time to take action), the Town can weigh what it is choosing to priorities.

Alderman Gist noted that Orange County had recently approved a sales tax that would go toward climate mitigation and she wanted to make sure that Carrboro got a share of this. She suggested that the following line in the resolution be modified to clarify that "County" refers to Orange County and "State is the State of North Carolina: *"the Board of Alderman directs the Town Manager to charge staff to leverage resources from County, State and the Federal governments"*

Mayor Lavelle asked for clarification on Orange County's tax.

Alderman Haven-O'Donnell asked that the term "racial equity" be changed to "race and equity." She also asked that the resolution be modified to make it clear that the recently approved Orange County property tax rate is a climate crisis tax. She felt that people in Carrboro might not be aware of this.

Alderman Seils recommended including an additional "WHEREAS" clause to incorporate this.

Alderman Haven-O'Donnell also asked that carbon sequestration be added to the resolution.

The Board continued deliberations on how to incorporate the input addressed above and ensure the wording meets their intent.

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

**RESOLUTION REGARDING CLIMATE ACTION GOALS
AND BUDGET PLAN**

WHEREAS, the Town of Carrboro's standard for setting climate action goals is defined in the 2009 RESOLUTION TO TAKE RESPONSIBILITY IN A SOCIALLY JUST MANNER FOR CARRBORO'S PORTION OF CO₂ IN THE ATMOSPHERE; TOWARD GETTING THE ATMOSPHERE BACK TO A SAFE LEVEL BELOW 350 PPM OF CO₂; and

WHEREAS, the 2009 resolution resolved that "The Town of Carrboro will seek, and will facilitate the community at large, to cut CO₂ emissions by its proportion of the amount which is required to stabilize the climate back to less than 350 ppm of CO₂ in the atmosphere in time for a 90% probability for success as defined by the most up to date scientific consensus;" and

WHEREAS, the Town of Carrboro has been implementing the municipal Energy and Climate Protection Plan (ECP) since its adoption in May 28, 2014; and

WHEREAS, the Town of Carrboro has been implementing the Community Climate Action Plan (CCAP) since the plan was adopted on January 24, 2017; and

WHEREAS, carbon sequestration by trees, water and soil is a necessary component for addressing the climate emergency; and

WHEREAS, Orange County designated a portion of a recent property tax for use in climate change mitigation; and

WHEREAS, the largest share of global greenhouse gas emissions emitted since the industrial revolution come from the United States, and cumulative emissions are the critical factor behind the warming we are experiencing today; and

WHEREAS, climate change is an existential threat and an emergency; reports and predictions are always trending for the worse, the time window for action continually shrinks and the probabilities of having passed a point of no return are constantly increasing.

NOW, THEREFORE, BE IT RESOLVED that the Carrboro Board of Aldermen directs the Town Manager to charge staff to work with the Environmental Advisory Board (EAB) to review the carbon reduction goals in the ECPP and CCAP, and for both staff and the EAB to recommend changes as may be needed to achieve goals defined in the 2009 climate resolution cited above, recognizing the latest science and historical responsibilities for climate change.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen directs the Town Manager to charge staff to work with the EAB to identify substitutions to or additional activities or projects and their estimated CO2 reductions, and for both staff and the EAB to recommend such changes to include within the Town's Climate Plans, in order to more effectively reach the Town's climate reduction goals, while also recognizing principles of race and equity and climate justice.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen directs the Town Manger to charge staff to update cost estimations of current and proposed projects and activities, and develop a 10 year annual climate emergency budget proposal for implementing updated climate action plan goals and related activities and projects for consideration by the Carrboro Board of Aldermen beginning in the FY 2020-21 budget cycle, and annually thereafter.

BE IT FURTHER RESOLVED the Board of Aldermen will assess the recommended climate plan updates and budget based by cost, ability to reduce greenhouse gas emissions per the Town's carbon reduction goals, and implications for race and equity and climate justice for final inclusion in the Town's FY 2020-21 budget and annually thereafter.

BE IT FURTHER RESOLVED the Board of Alderman directs the Town Manager to charge staff to leverage resources from Orange County, the State of North Carolina and the Federal government, when these are available, for helping achieve the Town's goals and for offsetting costs when possible.

This, the 25th 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 ON AMENDMENTS TO THE TEXT OF THE LAND USE ORDINANCE AND THE TOWN CODE RELATING TO ADVISORY BOARDS

The purpose of this agenda item was for the Board of Aldermen to consider proposed amendments to the Land Use Ordinance regarding the membership and duties of various advisory boards and a proposed amendment to the Town Code to restructure the SRTS Implementation Committee as a subcommittee of the TAB.

Tina Moon, Planning Administrator, provided the staff report on this agenda item.

Alderman Haven-O'Donnell asked whether there will be school personnel on the Safe Routes to School Committee.

Tina Moon said that would be up to the Board to appoint them. She has heard that having a gym teacher or activity person on the Committee would be more effective than an administrator. Staff would work with the principal or designee to organize specific activities.

Alderman Haven-O'Donnell felt that the school district is not serious about having safe walking and biking options; she felt that having an administrator would help with this.

Alderman Seils stated that under the current structure of the Safe Routes to School Committee there are membership slots for school personnel and also a school board member. He said there have been problems achieving a quorum. He suggested that there needs to be more consideration about who will be included on the Committee.

Mayor Lavelle opened the Public Hearing.

There were no public comments.

Mayor Lavelle closed the Public Hearing.

A motion was made by Alderman Gist, 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 as an ordinance amending the Land Use Ordinance relating to the membership size, quorum requirements, and powers and duties of various advisory boards.

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 Carrboro Vision 2020 in that it encourages citizen participation in community planning.

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 finds the proposed text amendment, is reasonable in the public interest because it promotes efficient and effective government which is 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.

Adopted by the Carrboro Board of Aldermen this 25th 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 motion was made by Alderman Gist, seconded by Alderman Seils, that the following ordinance be approved:

**AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING TO THE QUORUM REQUIREMENT FOR THE APPEARANCE COMMISSION AND THE POWERS AND DUTIES OF THE AFFORDABLE HOUSING ADVISORY COMMISSION
Ordinance No. 31/2018-19**

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Subsection 15-43(e) of the Carrboro Land Use Ordinance, Organization and Meetings of the Appearance Commission, is amended to read as follows:

(e) A quorum, shall be present for the commission to take official action, and all actions shall be taken by majority vote. A quorum shall consist of four members if all seats on the Appearance Commission are filled and three members if there are one or more vacancies on the board.

Section 2. Section 15-48.1(c), of the Carrboro Land Use Ordinance, Concept Plan Review Procedures Prior to Submitting Applications, shall be amended to include the Affordable Housing Advisory Commission to the list of advisory boards that may participate in the Joint Advisory Board meeting for the review of concept plans. The amended section shall read as follows:

(c) Following compliance with the provisions of subsection (b), the applicant shall attend a Joint Advisory Board meeting comprising at least the following boards: Planning Board, Appearance Commission, Transportation Advisory Board, Environmental Advisory Board, and Economic Sustainability Commission. The planning staff may notify the Recreation and Parks Commission, Northern Transition Area Advisory Committee and Affordable Housing Advisory Commission when

issues relevant to those boards are raised by a proposed development and members of those boards may attend.

Section 3. Section 15-50(c) of the Carrboro Land Use Ordinance is amended to add the Affordable Housing Advisory Commission to the list of Boards and Commissions which are identified as having designated members participate in an on-site walkabout. The amended section shall read as follows:

(c) After the site analysis plan has been submitted, the planning staff shall schedule a mutually convenient date to walk the property with the applicant and the applicant's site designer. Designated members of the Planning Board, Northern Transition Advisory Committee, Transportation Advisory Board, Environmental Advisory Board, Appearance Commission, and Affordable Housing Advisory Commission shall be notified of the date and time of this "on-site walkabout." The purpose of this visit is to familiarize town officials with the property's special features and to provide an informal opportunity for an interchange of information as to the developer's plans and the town's requirements.

Section 4. Section 15-57, Recommendations on Conditional Use Permits of the Carrboro Land Use Ordinance is rewritten by adding the Affordable Housing Advisory Board to the list of Attachment C -1 of 3 those Boards and Commissions to which development applications are referred in Subsections (a), (b), (c), (d), and € , so that the Section now reads as follows:

(a) Before being presented to the Board of Aldermen, an application for a conditional use permit shall be referred to the planning board, appearance commission, environmental advisory board, and the transportation advisory board for joint review and action in accordance with this section. The Board of Aldermen may not hold a public hearing on a conditional use permit application until the planning board, affordable housing advisory commission, appearance commission, environmental advisory board, and the transportation advisory board have had an opportunity to consider the application (pursuant to standard agenda procedures) at one regular meeting. In addition, at the request of the planning board, appearance commission, environmental advisory board or the transportation advisory board, the Board of Aldermen may continue the public hearing to allow the respective boards more time to consider the application.

(b) When presented to the planning board, affordable housing advisory commission, appearance commission, environmental advisory board and the transportation advisory board, the application shall be accompanied by a report setting forth the planning staff's proposed findings concerning the application's compliance with Section 15-49 and other requirements of this chapter, as well as any staff recommendations for additional requirements to be imposed by the Board of Aldermen. If the planning staff report proposes a finding or conclusion that the application fails to comply with Section 15-49 or any other requirement of this chapter, it shall identify the requirement in questions and specifically state supporting reasons for the proposed findings and conclusions. (AMENDED 09/19/95)

(c) The planning board, affordable housing advisory commission, appearance commission, environmental advisory board, and the transportation advisory board shall consider the application and the attached staff report in a timely fashion, and may, in its discretion, hear from the applicant or members of the public. (AMENDED 09/19/95)

(d) After reviewing the application, the planning board, affordable housing advisory commission, appearance commission, environmental advisory board, and the transportation advisory board shall report to the Board of Aldermen whether it concurs in whole part with the staff's proposed findings and

conditions, and to the extent there are differences the respective boards shall propose their own recommendations and the reasons therefore. (AMENDED 09/19/95)

(e) In response to the planning board's, the affordable housing advisory commission's, appearance commission's, environmental advisory board's or the transportation advisory board's recommendations, the applicant may modify his application prior to submission to the Board of Aldermen, and the planning staff may likewise revise its recommendations. (AMENDED 09/19/95)

Section 5. Subsection 15-56 (c), Recommendations on Special use permits is amended by adding the term "Affordable Housing Advisory Commission" to the list of those boards to which applications may be referred so that this subsection reads as follows:

(c) The board of adjustment may, by general rule applicable to all cases or any class of cases, or on a case by case basis, refer applications to the planning board, the transportation advisory board, the environmental advisory board, the affordable housing advisory commission, or the appearance commission to obtain the recommendations of some or all of these boards. Attachment C -2 of 3

Section 6. Subsection 15-322(a), Planning Board and other Advisory Consideration of Proposed Amendments, is rewritten by adding the affordable housing advisory commission to the list of boards and commissions to which amendments may be referred so that the subsection reads as follows:

(a) If the Board sets a date for a public hearing on a proposed amendment, it shall also refer the proposed amendment to the planning board for its consideration and may refer the amendment to the appearance commission if community appearance is involved, and may refer the amendment to the transportation advisory board if the amendment involves community transportation issues, and may refer the amendment to the environmental advisory board if the amendment involves community environment issues, and may refer the amendment to the affordable housing advisory commission if the amendment involves an affordable housing issue.

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

Section 8. This ordinance shall become effective upon adoption.

This, the 25th 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 motion was made by Alderman Seils, seconded by Alderman Foushee, that the following ordinance be approved:

AN ORDINANCE TO AMEND THE CARRBORO TOWN CODE TO RESTRUCTURE THE
SAFE ROUTES TO SCHOOL IMPLEMENTATION COMMITTEE TO AN ADVISORY
COMMITTEE TO THE TRANSPORTATION ADVISORY BOARD

Ordinance No. 32/2018-19

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

Section 1. Chapter 3 of Article V of the Town Code is amended to delete sections 324.10, 3-24-11 and 3-24-12.

Section 2. Section 3-24.2, Powers and Duties of the TAB is amended by adding two new subsections (d) and (e) to read as follows:

(d) From time to time, the Board of Aldermen may appoint one or more individuals to assist the TAB to carry out its transportation responsibilities with respect to a particular subject area. By way of illustration, without limitation, the Board of Aldermen may appoint advisory committees to consider long-range transportation plans, pedestrians or bicycle plans, infrastructure safety improvements, etc. Members of such advisory committees shall sit as nonvoting members of the TAB when such issues are being considered and shall lend their talents, energies, and expertise to the planning board. However, all formal recommendations to the Board of Aldermen shall be made by the TAB.

1. The Board of Aldermen may appoint a subcommittee of the TAB for the purposes of implementing the Safe Routes to School Strategic Action Plan as described in subsection (a) below.

a. The Safe Routes to School Implementation Committee shall recommend transportation projects, policies, programs, or activities that serve to increase the safety and convenience of walking and bicycling to school. The Committee shall provide guidance and support for implementing the recommendations of the adopted Safe Routes to School Action Plan and evaluating implementation progress. The Committee may provide assistance with seeking project or program funding, including applying for grants, Safe Routes to School event planning, and data collection.

b. The TAB shall consider the recommendations of the Safe Routes to School (SRTS) Action Plan when carrying out its duties under subsection 3-24.2 of this Chapter and its review of development applications and amendments described in Article IV and Article XX of Chapter 15 of the Town Code, the Carrboro Land Use Ordinance.

2. The SRTS Implementation Committee members shall include the full membership of the TAB and four additional members, appointed by the Board of Aldermen for two year staggered terms, but members may continue to serve until successors have been appointed.

a. The appointed members of the SRTS Implementation Committee shall include two students, who attend local public schools at the elementary or middle school level, one parent of a local elementary or middle school student and one school administrator or faculty member from the local public schools at the elementary or middle school level.

b. Appointed members may serve for two successive terms (or any part thereof). A member who has served for two successive terms (or any part thereof) shall be eligible for re-appointment only after an absence from the committee of at least one year.

c. The committee may invite others, with expertise in the subject matter to participate in the meeting as none voting members.

d. A member of the Chapel Hill/Carrboro School System School Board may serve as a liaison to the committee.

3. The SRTS Implementation Committee shall meet at quarterly, at the TAB's regularly scheduled meeting for the third Thursday of the month, or at additional special meetings as may be deemed necessary to complete its work.

a. Public notice for the meeting shall clearly identify the SRTS Implementation Committee agenda.

b. Quorums will be determined on the basis of the TAB's membership. There shall be no quorum requirement for the four appointed members.

(e) The TAB may, on an annual basis, hold a joint meeting with the Greenways Commission and a joint meeting with the Recreation and Parks Commission to discuss matters of mutual interest.

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

This, the 25th 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-SET A PUBLIC HEARING ON THE DRAFT TEXT AMENDMENT AND CONCEPTUAL MASTER PLAN TO ESTABLISH THE OLD NC 86-EUBANKS ROAD SITE SPECIFIC, FLEXIBLE ZONING DISTRICT AND THE ASSOCIATED MAP AMENDMENT TO REZONE APPROXIMATELY SEVEN PROPERTIES TO THE NEW FLX DISTRICT

The purpose of this item was for the Board of Aldermen to consider setting a public hearing for the proposed Site-Specific Flexible Zoning District for the northeast corner of Old NC 86 and Eubanks Road for September 24, 2019.

Tina Moon, Planning Administrator, provided the staff report on this agenda item. She reviewed the process that has been followed with this development.

Alderman Slade noted that the process can be cyclical to whatever degree the Town wishes. He asked at which point in the graph depicting the process could it be kicked back to an earlier point in the process.

Tina Moon said it is not really "kicking it back," but in any application the Board can request more information and at certain points there will be pauses where staff and the Board will work together and have a check-in.

Alderman Slade asked whether this meeting is one of those times.

Tina Moon said this meeting is a step in the process and staff is interested in hearing the Board's thoughts and whether the Board has specific direction on this matter. If not, staff will try to keep the process moving while continuing to add information.

Alderman Seils asked about joint reviews of the plan. He asked for clarification on the degree to which advisory board comments were being considered by town staff, the applicant, or both, to help shape the next version of the ordinance.

Tina Moon noted that the applicants had been out of town and were not available to coordinate on this issue prior to the meeting, but she anticipated that the next step would be to set the advisory board comments in a table and annotate the applicant comments. Staff would then assess whether the applicants' responses fully addressed the advisory boards' concerns.

Alderman Gist asked who will be conducting the wetland study.

Tina Moon said the applicants had hired a consulting engineer for this purpose. She also said that she and Laura Janway have been in contact with the U.S. Army Corps of Engineers. The Corps of Engineers indicated that they have received the updated application and the next step will be a field verification.

Alderman Gist said there has been a great deal of information received since 2014. She asked whether this information will be included in the wetlands study.

Tina Moon said certain aspects will be included, but some elements related to particular species that will not be included.

Alderman Gist asked whether it is possible that two wetland studies of the same property can have two different conclusions.

Tina Moon said the wetlands study will speak to the wetlands, the extent of the wetlands, and whether there are permitting requirements. Other questions regarding species might not be addressed in the wetlands study unless it is a federally-protected species.

Alderman Gist asked whether an environmental impact study will be accomplished in addition to the wetland study.

Tina Moon stated that the applicants have committed to a wetlands study. She also said there is a plan to have the Board do a site visit at the property. Part of this will be to see which of the experts would be appropriate to help inform the Town on this issue.

Alderman Gist noted that members of the Board are not all scientists and felt that this issue is getting more complicated than she had anticipated and wanted to make sure the Board is getting complete information to make a decision.

Tina Moon concluded the staff report.

Mayor Lavelle asked if there were comments from the Board.

Alderman Chaney stated that she is concerned about the Board's schedule in the fall and wondered whether there would be time for a public hearing on this issue. She suggested that work be accomplished over the summer with a determination made during the first meeting in September as to whether the public hearing should proceed or be cancelled. She supported scheduling the public hearing, but also recognized that it could be cancelled.

Alderman Gist asked where annexation falls in the schedule that was presented by Tina Moon.

Tina Moon clarified that it would be on September 24th.

Alderman Seils asked Nick Herman if September 24th would be good for him.

Nick Herman said anytime in September would be good.

Alderman Slade wanted to ensure that items for which the Board requested staff follow up would be available at that time. He noted that Orange County has different standards with respect to primary constraints and wanted to be sure that the Town has a good handle on what these are. He specifically asked whether Orange County has a wetlands standard.

Tina Moon said she would look into this. She said the County's standards are usually similar to the Town's standards.

Alderman Slade asked whether the Town is dependent on the U.S. Army Corps of Engineers standard in defining a wetland and whether this is written in the Town's Land Use Ordinance or if this is something that is not defined.

Tina Moon said the Town uses an over-arching look for planning purposes, but goes by field-verified information if it is available.

Alderman Slade asked whether accurate field information is acceptable if it comes from the U.S. Army Corps of Engineers.

Tina Moon said that if the information is approved by the Corps of Engineers then the answer is yes.

Alderman Slade asked if this is the standard and how is it defined.

Trish McGuire said she does not believe there is a standard, but she would look. She said the Town uses information from the National Wetlands Inventory to map the natural constraints.

Alderman Seils asked if field surveys were used to verify the information.

Trish McGuire said that if there is a question, then it does need to be verified. She said that it is not written into the Town ordinance because it is an external requirement.

Alderman Slade stated that experts who have previously spoken to the Board on this issue said the U.S. Army Corps of Engineers standards are based on navigable waters which do not apply in this case. He asked about the extent to which the Town can use another entity that has standards that would be sensitive to a natural area like this one.

Trish McGuire said she would look into this.

Alderman Slade said he would like an answer to this. He then asked about the environmental analysis of the property. He said this is a recurring question from citizens. He said there was precedent in Chapel Hill for doing this and he is interested in the Town paying for something like this to be done with the applicant's consent. His final issue was the significant difference he sees between the Durham Area Designers (DAD) maps, which are a source from which everything emanates, and what is now being proposed for the property.

Alderman Haven-O'Donnell asked whether there would be any biotic indexing or indexing of species.

Trish McGuire said that the process allows the Board to request more information, but there is no guide that specifies how to acquire this type of information.

Alderman Haven-O'Donnell said that this property represents two very important questions that are related to resolutions that were passed earlier in the meeting. One is wetlands and forests and how carbon sinks sequester carbon. This other involves the biosphere. Given this, she believed that staff needs to look into these other qualities of the property. She did not want to consider land use only in terms of development, but also in terms of what land use takes away from the natural environment. She wanted a metric showing what the land, as it is, provides. She said this is what is missing from the environmental equations and felt that this development would provide a good test case.

Alderman Foushee asked about the Affordable Housing Advisory Commission and wanted to confirm that they would be part of the joint review.

Trish McGuire stated that the Affordable Housing Advisory Commission would receive the item if the Board passes the resolution setting a public hearing and referring the item to various advisory boards.

Alderman Seils said there was interest expressed at a previous Board meeting by community members and Board members regarding what inventories and assessments could be made. He thought there would be more information gathering and noted that community members had offered to help in this effort.

Trish McGuire said Tina Moon had followed up with agency members and received information from Duke.

Tina Moon added that there have been conversations with Duke Forest and Natural Heritage but staff has not discussed this with the applicants and this is why she was not more forthcoming with this information. She said the process would continue over the summer.

A motion was made by Alderman Gist, seconded by Alderman Foushee, to approve the following resolution:

A RESOLUTION SETTING A PUBLIC HEARING ON AMENDMENTS
TO THE LAND USE ORDINANCE TO ESTABLISH A SITE SPECIFIC,
FLEXIBLE ZONING DISTRICT

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

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on September 24, 2019, to consider adopting amendments to the text and official zoning map of the Land Use Ordinance to establish a Site Specific, Flexible Zoning District.

BE IT FURTHER RESOLVED that the amendments to the text of the Land Use Ordinance is referred to Orange County.

BE IT FURTHER RESOLVED that the draft amendments to the text and map of the Land Use Ordinance are referred to the Town of Carrboro Planning Board for consideration and recommendation

prior to the specific public hearing date and are also referred to the following Town of Carrboro advisory boards and commissions.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input checked="" type="checkbox"/> Transportation Advisory Board | <input checked="" type="checkbox"/> Northern Transition Area Advisory Committee |
| <input checked="" type="checkbox"/> Environmental Advisory Board | <input checked="" type="checkbox"/> Affordable Housing Advisory Commission |
| <input checked="" type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> _____ |

BE IT FURTHER RESOLVED that the Advisory Boards being asked to review this matter have the full scope of information that they have requested to include the environmental assessments, so they are able to make well-informed environmental impact perspective.

This the 25th day of June 2019.

Prior to voting on this matter, Mayor Lavelle allowed speakers from the floor to address the Board

John Gant, resident of 1004 Karen Woods Road, spoke about the process of incorporating Northern Transition Area Advisory Committee (NTACC) into the planning process. He stated that NTAAC would like to receive the information that has been requested so NTAAC can reply back and make their advisement. He asked that this process be recognized in the timeline and ensure it is completed in time for the Board to make their deliberations. He also spoke about NTAAC’s duties and responsibilities regarding environmental studies and suggested that the Board could direct NTAAC to work with Town staff to carry out wetland studies or biological inventories.

Peter White, resident of 300 Tripp Farm Road and an ecologist at UNC, brought up the following three points regarding this issue:

1. The Carolina Wetlands Association has worked with the North Carolina Department of Environmental Quality on the classification of North Carolina wetlands to include sites that are not associated with navigable waterways and can be a source of information.
2. This site does not stand alone, it is part of a bigger picture. He felt the Town should work with the County to get their input on plans and ideas for the site prior to annexation.
3. LEED guidelines address biodiversity, carbon storage and green space. He noted that these are part of the Town’s planning process.

Terri Buckner, resident of the Carrboro Extra-Territorial Jurisdiction, said that she recalls a document (she believes it was from the Northern Transition Design Group in 2011) that referred to the northern section of this property being put into a conservation easement or conservation district. She does not believe that the Town has this overlay, but she would like this to be part of the consideration. She wants the Town to comply with its planning documentation for environmental issues.

Mayor Lavelle asked whether Terri Buckner was referring to the Small Area Plan.

Terri Buckner said she believes it came after the Small Area Plan, possibly the DAD report.

Alderman Seils said he would look into this.

Barb Stenross, resident of 120 Carol Street, made statements to the Board regarding climate change and the loss of biodiversity and highlighted the importance of this property. She stated that she believes this

development will cause the loss of most of the hardwood trees at the site and quoted the Carrboro climate action document which says, “Trees act as a carbon sink helping remove carbon dioxide from the air and mitigate climate change.” She stated that, in order to achieve the least climate impact, developments such as this should be sited centrally, not in rural areas and near a buffer zone. She suggested that the Town should not say it is working to reduce its role in the climate crisis while at the same time destroying one of the most ecologically significant sites in the state. She said the Town should act as, and be seen as, a model for other towns, not as another bad example. She requested that the Town obtain and consider more information about this site, including a comprehensive ecological assessment in collaboration with Orange County, before conducting a rezoning hearing.

Amy Jeroloman, resident of 305 Deer Ridge Drive and chair of the Northern Transition Area Advisory Committee (NTAAC), said she is concerned about the timetable of the plan for this development since NTAAC holds monthly meetings and during the summer it might be difficult to have a quorum at the meetings because people are on vacation. She said there might not be enough time for NTAAC to review the materials that have been requested but are still outstanding. She also expressed concern about the environmental data that would be reviewed and noted that there is not an environmental expert on the Committee. She stated that a joint environmental review could be beneficial. She felt that it would be a challenge to have the information reviewed by all the advisory boards in the allotted time. She also noted a possible lack of sync between this plan and the review conducted in the DAD Report.

Mayor Lavelle asked Trish McGuire whether there were plans for a joint review in August.

Trish McGuire stated that staff have been polling boards about their availability in August for a possible joint review regarding a different development, but not this one. The joint review for this development will occur in September, with the public hearing anticipated for the end of September.

Sonia Desai, resident of 115 Circadian Way, said the soil survey is still missing. She stated that it is important to work together and make sure all the information is available at least a month in advance so the boards have time to review it before making decisions. She also presented a petition signed by 64 people (residents of Carrboro or Orange County) requesting that the Board protect Meadow Flats and pause annexation until a full ecological assessment is completed.

There were no further comments from the floor and Mayor Lavelle asked whether there were any additional comments from the Board.

Alderman Gist asked that the motion be amended to allow the Advisory Boards that are being asked to review this matter have the full scope of information that they have requested to include the environmental assessments, so they are able to make well-informed environmental impact perspective. She asked if Alderman Foushee, as the one who seconded the original motion, would accept this.

Alderman Foushee said she would.

The Board continued deliberations regarding the information that will be provided to the advisory boards.

Mayor Lavelle asked Tina Moon what information she expected will be provided to the joint review in September.

Tina Moon said the things they have specifically heard about were the Transportation Impact Analysis (TIA), and more information regarding the extent of the wetlands. She noted that the soil survey has

been published, but this is distinct from the wetlands study. She stated that two things that can be accomplished by staff are:

- Review of the discussion of the advisory board comments.
- A more clear analysis of the applicant's proposal and how it relates to the Durham Area Design (DAD) drawings.

Tina Moon said other potential studies need to be discussed with the applicant.

Alderman Haven-O'Donnell asked whether this is the appropriate time for the Town to authorize payment for a wetlands study or biodiversity study.

Mayor Lavelle felt that this is not the time for that.

Alderman Seils noted that much of the information is already available but the Town needs to make sure that, as part of the joint review, the advisory boards are aware of this material and can include them in their deliberation.

Alderman Slade noted that the Carolina Wetlands Association is a potential source of information as an alternative to the U.S. Army Corps of Engineers.

Omar Zinn, one of the applicants, was invited by Mayor Lavelle to address the Board. He said that they have provided responses to the advisory board comments. He also noted that citizens have engaged directly with the Board, and he, along with his brother, will also engage directly with the Board. He spoke about the traffic study and the wetlands study and wanted to make it clear that everyone understands the applicants are being active participants in the process and not simply waiting on information. He stated that he respects the opinions of the members of the public that have spoken on this issue. He noted that Duke Forest asked for the designation of National Heritage Site many years ago, but stated that this did not include the site of the planned development. He also noted that there was not much public push-back against the development of Morris Grove Elementary School which is across the street from the site and has a similar scale and similar soil composition. He felt it was important to recognize the history and understand that there are environmental questions, soil questions, and wetland questions, but highlighted the Town's ordinances and asked that his organization be treated fairly and in accordance with these ordinances.

There were no further comments and Mayor Lavelle called a vote on the motion.

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

MATTERS BY BOARD MEMBERS

Alderman Slade wanted to ensure that a discussion of the unmentionable sections of the Bolin Creek Greenway would occur in the fall. He stated that he has had conversations about this with other Board members but was concerned that it would be forgotten.

MOTION WAS MADE BY ALDERMAN SLADE THAT THE BOARD OF ALDERMAN WILL FOLLOW UP WITH WHERE THEY LEFT OFF THE CONVERSATION LAST IN REGARD TO BOLIN CREEK SECTIONS 3 AND 4.

Mayor Lavelle invited other Board members to second this motion. She expressed support for having the conversation in the coming year but did not know if she wanted a motion for having it in the fall.

Alderman Slade asked if she would support it if the motion called for it in the coming year. He did not want this issue to be pushed further back. He felt that saying things individually does not carry as much weight as saying it as a Board. His sense, from the conversations and what the public has been told, is that they are expecting the Board to have a conversation on this issue. He noted recent precedents indicating that when things are not made into a motion they do not get done. He felt it was important to follow through on the conversations.

Alderman Haven-O'Donnell said she has been asking for more than a year to have a work session on the ecological and environmental studies of Bolin phases 3 and 4. She stated that the place to start is with information gathering and doing homework on this issue.

Mayor Lavelle asked Alderman Slade if he wanted to make motion to have a work session in the fall to discuss this issue.

Alderman Slade stated that he would.

Alderman Haven-O'Donnell said she would second a motion to have a work session to have a conversation based on environmental information and environmental studies of Bolin Creek 3 and 4.

David Andrews, Town Manager, suggested starting with a blank piece of paper so the Board could decide which materials it wants to look at.

Alderman Haven-O'Donnell said she was very specific in wanting to discuss the environmental studies.

David Andrews reiterated the idea that the Board would determine which information they wanted to consider during the work session, not before.

Alderman Slade said that this would be his motion.

Alderman Haven-O'Donnell said she could not agree to this. She did not want the conversation to be about transportation. She stated that the public knows that the Board has not spent enough time on the environmental studies.

Alderman Slade reiterated his desire to have a work session discussion where the Board has a blank slate to determine which information it needs to move forward on having a discussion.

Alderman Foushee asked whether this would include what Alderman Haven-O'Donnell just discussed.

Alderman Slade said this would be determined at the work session, it is not being excluded.

Mayor Lavelle restated the motion as:

MOTION WAS MADE BY ALDERMAN SLADE TO HAVE A WORK SESSION THAT IS A BLANK SLATE TO TALK ABOUT HOW TO MOVE FORWARD ON BOLIN CREEK 3 AND 4.

Alderman Foushee noted that the Board has tried this before.

Alderman Gist said that this presumes the Board wants to move forward on 3 and 4.

Mayor Lavelle asked for a second to the motion.

ALDERMAN CHANEY SECONDED THE MOTION.

Alderman Slade restated his motion:

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN CHANEY, THAT THE BOARD WILL HAVE A WORK SESSION IN THE COMING YEAR THAT WILL BE OPEN FOR THE BOARD TO REQUEST INFORMATION FOR BEGINNING THE CONVERSATION WHERE THE BOARD LEFT IT OFF ON THE FATE OF 3 AND 4.

Mayor Lavelle confirmed that this was the motion and it was seconded by Alderman Chaney.

Alderman Foushee sought confirmation that this will include whatever any Board Member would like to say and that nobody is saying “no” to anything.

Alderman Haven-O’Donnell said that the Board has never recognized that problem, which is that they have never looked at the environmental studies. She felt that this always gets lost in a transportation conversation.

Mayor Lavelle called the vote.

The motion carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Damon Seils, Alderman Sammy Slade

No: Alderman Jacquelyn Gist, Alderman Randee Haven-O’Donnell

CLOSED SESSION

MOTION WAS MADE BY ALDERMAN FOUSHEE, SECONDED BY ALDERMAN CHANEY, TO ENTER CLOSED SESSION. VOTE: AFFIRMATIVE ALL.

OPEN SESSION

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

ADJOURNMENT

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