



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

Town of Carrboro

Meeting Minutes

Board of Aldermen

Tuesday, October 1, 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

Fred Joiner, Carrboro Poet Laureate, read a poem by Terrance Hayes called "When Neighbors Fight."

PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Lavelle noted that this proclamation will be issued this week and that Cordelia Heaney, Director of the Compass Center, will be in attendance on October 15th to receive the proclamation.

PROCLAMATION – COMMUNITY PLANNING MONTH

Mayor Lavelle read a proclamation recognizing October as "Community Planning Month" in the Town of Carrboro and presented it to Trish McGuire, the Town's Planning Director with the proclamation.

COMMENTS ON THE PASSING OF JEAN THORPE

Alderman Haven-O'Donnell made remarks about the passing of her longtime colleague Jean Thorpe. She noted that she was absent from the meeting where her passing was acknowledged and wanted to take the time to speak about her legacy and work in the community.

REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

Shelly Welch thanked the Planning Department for their issuance of a violation letter to the Merritt's. She stated that attorney Bob Hornik had stated that she "moved into a situation that she does not like" and asked that the record show that she is happy where she is. She stated that Tony Merritt disturbed the property greater than the mining permit allowed and that she believes the Town has not moved in a manner that is responsible because the LUO is not being enforced equitably.

David Andrews briefed the Board on the letter of violation issued to Tony Merritt and stated that the Board would be updated as information becomes available.

APPROVAL OF MINUTES FROM SEPTEMBER 10 AND 17, 2019

The minutes for September 17, 2019 were postponed for approval.

MOTION WAS MADE BY ALDERMAN FOUSHEE, SECONDED BY ALDERMAN HAVEN-O'DONNELL, TO APPROVE THE SEPTEMBER 10, 2019 MEETING MINUTES, AS AMENDED. VOTE: AFFIRMATIVE ALL.

STORMWATER UTILITY MONTHLY REPORT

The purpose of this item was to provide the monthly update regarding Stormwater Utility projects and initiatives.

Alderman Gist stated that items #11 – Bolin Creek Watershed Restoration Plan Implementation and #14 – Stormwater Project Planning and Prioritization are connected but that #11 is unfunded. She noted that #14 is funded and asked if that meant that #11 did have work ongoing.

Randy Dodd, the Town's Stormwater Manager, stated that item #14 are projects identified for the Town's Capital Projects fund and that staff are actively working on building that list.

Alderman Gist stated that she wants to make sure that work is being done to restore the Bolin Creek Watershed. She noted that portions in Chapel Hill are even more distressed than in Carrboro and asked that staff make sure that this stays on their radar for funding. She stated that Bolin Creek is a treasure and there should be a way to move this project forward.

Mayor Lavelle stated that previous work for the Bolin Creek Watershed Restoration Project was funded by grants.

Randy Dodd stated that staff will very seriously take into account the Board's comments when identifying projects and also include comments from the report provided during the September 10, 2019

meeting. He stated that the Board will receive another report in the future.

Alderman Haven-O'Donnell asked the Board of Aldermen to consider a work session to discuss the environmental condition of Bolin Creek and to review the environmental and ecological studies of the area.

Alderman Slade asked about the status of Tim Carless' appraisal with the County. Randy Dodd stated that the County had lowered the appraised value of the Carless home.

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

ECONOMIC DEVELOPMENT REPORT FOR THE MONTH OF OCTOBER

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

Alderman Haven-O'Donnell stated that she would like to reinvigorate the "local first" or the "local living economy" concept in Carrboro.

Alderman Chaney stated that she is interested in the gap between the assessed value of Shelton Station of \$12 million (pre-build) and actual assessed value of \$7.2 million (as-built). She stated that she is interested in seeing where the shortcomings are coming from. She stated that she does not believe that \$7.2 million accurately reflects the as-built, fully leased building.

Annette Stone, the Town's Community and Economic Development Director, stated that she has plans to meet with the Orange County Tax Assessor and Economic Development Director.

David Andrews, the Town Manager, stated that he has also seen the gap in estimated appraised value and then the lower gap after it has been built.

Staff will report back to the Board after the meeting has taken place and any insight has been garnered.

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN FOUSHEE, TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE ALL

CONSIDERATION AND POSSIBLE APPROVAL OF A SETTLEMENT AGREEMENT AND MUTUAL RELEASE BETWEEN THE TOWN OF CARRBORO AND THE ARTS CENTER, INC.

The purpose of this item was for the Board of Aldermen to consider approval of a Settlement Agreement and Mutual Release between the Town of Carrboro and the Arts Center, Inc.

MOTION WAS MADE BY ALDERMAN FOUSHEE, SECONDED BY ALDERMAN HAVEN-O'DONNELL, TO APPROVE THE SETTLEMENT AGREEMENT AS PRESENTED. VOTE: AFFIRMATIVE ALL

SCHEDULING A FUTURE DISCUSSION TO CONSIDER MAKING THE NAME OF THE GOVERNING BOARD GENDER NEUTRAL

The purpose of this agenda item was to set a future discussion regarding making the name of the governing board of the Town of Carrboro gender neutral.

MOTION WAS MADE BY ALDERMAN FOUSHEE, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO SCHEDULE THIS ITEM AND PUBLIC HEARING FOR NOVEMBER 19, 2019. VOTE: AFFIRMATIVE ALL

Later in the meeting, Mayor Lavelle asked the Board to change the scheduled date to November 12, 2019 to allow Alderman Seils to be present.

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SLADE, TO CHANGE THE DATE TO NOVEMBER 12, 2019. VOTE: AFFIRMATIVE ALL

AFFORDABLE HOUSING UPDATE

The purpose of this agenda item was for the Board to receive an update on the Town's Affordable Housing Goals and Strategies.

Rebecca Buzzard, the Town's Assistant to the Manager/Project Manager, and Anne Marie-Vanaman, Management Assistant, presented the staff report and update to the Board of Aldermen.

Alderman Gist noted the difficulty in extrapolating student income levels in the demographic breakdown of incomes and affordability. Rebecca Buzzard noted that they are aware of these complications and take them into consideration whenever possible.

Alderman Slade thanked Rebecca Buzzard and Anne-Marie Vanaman for their quick work in helping a citizen with affordable housing needs. He encouraged staff to contact Orange County about their climate funds for weatherizing low income homes and an organization formally known as JOCCA, who manage the Weatherization Assistance Program (WAP), to augment the resources expended by the town for weatherizing low income homes in Carrboro through the affordable housing critical repair funds. HE pointed out that in the same way that promoting increased participation and demand on the utility assistance program there is an opportunity for active promotion of energy efficiency through weatherization to all low-income houses in Carrboro. He said that it could be an active program to achieve both emergency climate action goals and affordable housing goals. He requested that this be included as one more priority to the ones that are already identified by staff and the affordable housing committee. He also pointed that un-bundling of parking is a strategy identified in the housing affordability plan that should be pursued as it will help towards our climate goals too. He asked for the Affordable Housing Committee and staff to identify and pursue from the affordable housing plan projects that are synergistic towards accomplishing both climate action goals and affordable housing goals.

Alderman Chaney thanked Rebecca Buzzard for staffing the local Home Consortium. She stated that all local affordable housing groups and staff met back in August and that the outcome was “what if every piece of public property had some component of affordable housing built on it.” She encouraged the further exploration of public parcels for these opportunities. She stated that the Town’s obligation for funding for Community Home Trust fluctuates based on where the affordable units are located. She stated that the current business model as it relates to the Town’s commitment would not be sustainable if rental units are included.

Alderman Seils noted that the systems gaps analysis that the Partnership to End Homelessness did several years ago has been updated and it now includes dollar amounts to bridge each gap. He stated that homelessness in Orange County could be ended but that the price tag is extremely high. He stated that there is a space now to move forward in achieving the goals but due to the cost, and the cost shares, he is not sure exactly what the next step is.

Alderman Gist thanked Rebecca Buzzard, Anne Marie-Vanaman, and the Affordable Housing Advisory Commission for their work. She stated that she does not see the rent figures matching what she sees in the market. She encouraged everyone to remember that home ownership is not for everyone and encouraged additional efforts on rentals, long-term rentals, specifically. She expressed concern with the rising costs of rentals. She stated that she looks forward to incorporating these materials into the work of the Comprehensive Plan.

Alderman Foushee thanked Rebecca Buzzard and Anne-Marie Vanaman, and the Affordable Housing Advisory Commission for their work. She asked about the naturally occurring affordable housing map.

Rebecca Buzzard stated that the map is a work in progress and will be available in the future.

Alderman Foushee noted NIMBY’ism as a barrier to affordable housing but that affordable housing benefits everyone. She asked the Board to work on strengthening the Affordable Housing program wherever possible and for Carrboro to lead the way on these efforts. She stated that there needs to be more affordable housing in Carrboro.

Alderman Haven-O’Donnell thanked Rebecca Buzzard and Anne-Marie Vanaman for their work. She stated that the Affordable Housing Advisory Commission has a great understanding of the work that needs to be done and is doing a good job moving forward. She stated that she would love to see more stock available for rapidly available housing. She stated that small homes could be used as transitional or small homes. She encouraged working with real estate professionals and using the Town’s property to consider growing the housing stock. She encouraged more community input so that the Town can have a better grasp on what affordable housing needs actually are.

Mayor Lavelle stated that one reason that the numbers could be different as presented than what is advertised is that the good deals (as shown by the presentation) may not have much turnover because people are staying there. She stated that the Comprehensive Planning process should include information on this so that it could show areas to develop affordable housing. She asked for staff to continue to keep an eye on Rocky Brook mobile homes and how the development of South Green may affect the affordability of those homes. She suggested a way to track businesses along with the review of Air-BNB legislation and a possible landlord registry. She suggested working with the school system and consider building apartments above the parking lots.

ANALYSIS OF THE BUSINESS ENVIRONMENT FOR THE CARRBORO BUSINESS COMMUNITY

The purpose of this item was to update the Board on the economic vitality of businesses in Carrboro.

Annette Stone, the Community and Economic Development Director, provided the staff report.

Mayor Lavelle asked if there has been a Carrboro job fair and recommended that there be one. Annette Stone responded that it is a recommendation of the Economic Development Plan.

Alderman Gist stated that she is interested in the response related to the labor shortage/problem. She asked if the problem is because employees would not make enough money to take the restaurant staff or if it was related to the immigrant population dropping. Annette Stone stated that in the case of restaurant jobs it seems to be related to competition and payment, and with the higher end jobs the issue is more related to distance from I-40 and location in the Triangle.

Alderman Haven-O'Donnell asked if the changes over the long-term businesses were explored and if not, she stated that she would be interested in how they adapted to be a long-term business. She stated that parking was mentioned a lot and asked if they mentioned pay-for-parking. Annette Stone stated that the questions were not specifically related to parking and that parking naturally arose as a concern. She explained that the CBA is in support of a pay-for-parking plan. Alderman Haven-O'Donnell asked if there is a way to reach out to the workers in Town and determine their needs because working 2-3 jobs is not sustainable.

Alderman Foushee asked what contact list staff utilized to send out the survey. Annette Stone explained that she used the Carrboro Business Alliance (CBA), the email list of business owners that she personally maintains, and that interns went door-to-door. Alderman Foushee confirmed that barber shops/beauty salons were included in the "other service" category in the survey.

Alderman Seils stated that "growth" is one measure of success for certain types of businesses but might not be a best fit for all. He asked if there could also be an option to report minority and women owned rather than having to choose just one. He stated that the Town has a responsibility to expand business opportunities to those that do not have the opportunity today. He stated that he would like to see the Economic Sustainability Plan tied to the monthly reports.

Alderman Chaney stated that the survey shows that the Town is being successful at reaching Women/Minority Owned businesses. She asked what information the Town has regarding cause of empty commercial space. Is it due to ownership issues, such as inheritance-related issues, or because owners do not rely on the rental income of a space, or possibly it is capital improvement issues that keep the space empty. She stated that there might be an opportunity to reach out to property owners and determine why the space may be empty and to assist in the process. She stated that she recently spoke to a business owner and that certain types of businesses are difficult to sell. She stated that she would like to learn resiliency strategies from the businesses that have been here for 15 or more years and to also understand how the business climate is much different now. She stated that she thinks that capital is not the impediment for startups. She stated that the Town is not really a local-only economy because of the connections of the region and suggested that the assumptions regarding the local living economy should be tested. She stated that housing costs and insurance are barriers to starting a businesses.

Alderman Slade asked Annette whether the county grant monies are being used sufficiently and whether they are covering demand, he asked that before loosening restrictions on the revolving loan funds that

we look into that question. He cautioned against pursuing economic development of the kind that is not rooted locally and is measured mainly by how much revenue it could generate. He pointed out that while it is easy to see and understand a locally owned food economy, all sectors of the economy also hold potential for being locally owned and celebrated and we can do a better job towards getting there. He said that achieving a local living economy for all sectors could itself be cause for people seeing Carrboro as a destination. He said that if we explore ways in which to promote tourism to Carrboro that we should not lose sight of the life giving livelihood, alternative world that we need to be living in, reality that a locally living economy speaks to, vs. the other economy that is all about extraction and is very transient and bankrupt. He said that this is a hard thing to achieve because it is swimming upstream, however the timing and conditions are getting better and better – what is rotting is creating a soil for better things to grow. He expressed being wary of a flashy marketing campaign to promote and attract people to Carrboro without more substance and the promotion of a real economy that is promoting of life.

UPDATE ON REQUEST FOR PAID PARKING ENFORCEMENT STUDY

The purpose of this item was to update the Board on the results of an RFP process and to allow the Board to discuss how to move forward.

Annette Stone, the Community and Economic Development Director, provided the staff report.

Alderman Foushee asked what the cost of the parking study was. Annette Stone stated that it was about \$78,000.

Alderman Seils restated his previous perspective on the Board's direction to staff. He stated that the Board is interested in learning more information about one: enforcement, and two: pay-for-parking. He stated that in his mind, these are two separate things. He stated that the current parking regulations could be enforced as called for in the parking plan without charging for parking. Alternatively, the regulations could be enforced and the Town could charge for parking as well. He stated that he is interested in learning what both scenarios look like. He stated that he wants to make sure that that focus does not get lost.

Alderman Gist stated that she is disturbed that there is an underlying assumption that the Town is going to start charging for parking. She asked that the consultants be very clear that the Board has not provided that as a definite. She stated that she wants to have data from people that have to drive downtown (people that live outside the downtown area). She stated that she wants to know how many downtown business employees need parking downtown, excluding Town employees.

Mayor Lavelle stated that the RFPs were adequately worded to allow staff flexibility in determining the outcome. She stated that there are some mixed messages tonight because she recalls a few previous meetings where the Board stated that in order to enforce parking, there would have to be a payment of some sort associated with it. She stated that there are a lot of residents that drive into downtown and there needs to be a way to hear from them. She stated this is something the experts can inform the Board on.

Alderman Slade stated that one of the interests he has is stakeholder participation to gather genuine input and buy-in. He requested that the review of other city examples not be limited to North Carolina. He stated that he agrees with the Mayor and that the Board talked about the importance of enforcement and

the relationship of enforcement with paid for parking as a program and he said that he sees those two things as the same thing and he expressed gratitude for that having been captured in the board's original motion. He proceeded to read the original motion, expressed he felt it was very clear and asked if the motion was ambiguous to others?

Alderman Seils stated that if there is paid parking, then it has to be enforced. So while he has stated they are separate issues, they are related. He explained that there are multiple scenarios to consider and he wanted to make sure that the consultant is not limited in the approach.

Alderman Haven-O'Donnell stated that she agrees with Alderman Seils but also with Mayor Lavelle regarding the misinformation. She stated that when she chose to support moving forward with a study on paid parking because she wants to see what the consultant will bring back to the Board. She stated that residents that live outside of the one-mile limit have expressed concerns over a pay-to-park scenario. She stated that she talked to people at the Music Festival and they were happy to find parking and not have a time limit. She stated that she agrees with Alderman Slade and the need for stakeholder input.

Alderman Chaney stated that she would like to see what the "pay-as-you-leave" option looks like from the consultant. She also stated that surrounding cities have the payment by app and that she dislikes having to have multiple apps to pay for parking in different cities. She stated that she does not want to lose sight of the regional impact of parking.

Mayor Lavelle stated that she does not see a solution where there can be structured parking with no pay for parking plan and that is a huge decision. She stated that she would like to hear from the consultant on whether there is a way to have paid parking for a deck but not for other locations.

Alderman Foushee and Alderman Seils clarified that the purpose of this item was to provide a check-in to the Board of Aldermen and not a redirect of objectives for the already received RFPs.

Alderman Chaney noted that the scope of work is already completed and that the items that have been discussed by the Board are already included.

Annette Stone stated that this is a check-in to see if staff is still in the right direction based on original feedback from the June 11th meeting. She stated that it is in the parking plan to update the data regarding downtown parking. Alderman Gist asked again for the amount of downtown business employee parking that is needed. Annette Stone stated that businesses can be asked that question and last count that she had was around 80 employees are utilizing public parking downtown.

Alderman Haven-O'Donnell stated that she would like to know about an employee parking tag program from the consultant.

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

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

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

Alderman Haven-O'Donnell stated that the new LED lights are possibly too far spread out and casting a very high intensity of brightness and color of the light. She asked staff to continue to address the concerns as they arise.

Alderman Slade asked whether staff could ask Duke and Piedmont if they could look into for the remainder of lights, if that is possible to do without throwing the whole process off, if there are options that are not as obtrusive but still can achieve the energy efficiency. He noted that the town is working on the facilities assessment plan and in that process looking at net neutral improvement options, he asked that that information be included in the report. He also asked that that process and net neutral for town facilitates be included within the municipal climate action plan. He asked for the library design to be considered for LEED net neutral instead of the LEED gold standard, especially since the consultant has experience for that kind of building. He stated that the County is pursuing third party solar or bulk purchasing of solar and he requested that we find out to what extent we can piggy back with them on that effort for our own buildings and eventually to power an electrified fleet. He stated that we are in the middle of a climate emergency and that while in normal times much of this may have sounded far-fetched now it is easy to imagine doing and doing very soon. He stated that because of the workload represented by environmental reviews the Environmental Advisory Board continues to be stretched thin and are having trouble keeping up with tasks related to the climate action plans. For this reason and because there are community members at large who are not seeking to be on the EAB to work on the climate action plans because they are not interested in development reviews, the EAB, as now expressed over many years, wants the BOA to take seriously creating a separate advisory board that is dedicated to implementing our climate action plans.; they have even made a resolution expressing this to the BOA.. He stated that the County is doing composting in the restaurants and asked that Laura make sure restaurants know. He stated that the cost analysis of implementing the Climate Plan over the next ten years is being worked on by the Town Manager. He also updated the BOA with some of the outcomes from the county climate council meeting.

Alderman Seils asked what success for composting program will look like. He asked if success will be measured on participation or diversion from waste stream.

Laura Janway stated that diversion from the waste stream is what success will be measured upon as that is how greenhouse gas is diverted from the landfill.

Alderman Foushee asked how will we communicate and have outreach especially for those that do not understand what is happening or how they can help. She stated that it needs to become a bigger conversation, larger than to just those that compost. Laura Janway stated that it is her goal to begin to identify community champions and that the composting program is the start that will hopefully lead to those larger conversations.

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

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

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

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

WHEREAS, Town staff have requested Board input at key milestones; and WHEREAS, staff have provided the Board with updates on particular projects at regular intervals.

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

This, the 1st day of October, 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

ADJOURNMENT

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