



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

# Town of Carrboro

## Meeting Minutes

### Town Council

**Tuesday, February 25, 2020**

**7:00 PM**

**OWASA Community Room**

**Present:** Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Damon Seils, Council Member Sammy Slade

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

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#### **POETRY READING**

Kendall Lytle, member of the Youth Advisory Board, read a poem by Maya Angelou titled "Still I Rise."

Quentin Harper, Chair of the Affordable Housing Commission, read a poem by Langston Hughes titled "I, Too."

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#### **SPEAKERS FROM THE FLOOR**

Shelley Welch, founder of the Wildflower School located at 3100 Damascus Church Road, spoke with the Council. She asked about the Town's protocol regarding homes and businesses that do not have a Certificate of Occupancy but are still occupied. Her question is related to ongoing issues with the Merritt Gravel Pit which is adjacent to her business's property. She noted that, at a previous meeting, the Council had passed a motion for staff to provide the Council with an explanation of the Town's standard procedures for a case such as this.

David Andrews, Town Manager, noted that the Certificate of Occupancy should have been issued 15-20 years ago. He said there was a Board of Adjustment hearing on this issue.

Nick Herman, Town Attorney, said the Town has an obligation to enforce its regulations. In this case, his understanding is that the issue is whether there is a proper septic system for a modular home. He stated that jurisdiction for this rests with Orange County. He said the engineer for the land owner is in touch with the Orange County authority in order to ensure compliance for the septic system; and once this is resolved, a Certificate of Compliance will be issued.

Council Member Slade asked to be provided with a written response to the Council's motion which Shelley Welch had referenced. He also stated that, in his understanding, there was an electrical issue in addition to the septic issue.

Nick Herman said he has been advised by staff that there is no electrical issue.

Maura High, resident of 307 Blueridge Road, spoke with the Council as a representative of the Webbwood subdivision. She said there is inadequate access from her community to Martin Luther King, Jr. Park and some residents have been using a path through the woods by a vacant house. She said residents of a property near this path have become frustrated by trespassers and have been handling this situation with verbal threats and aggressive dogs. She asked that the Town provide a public path from her neighborhood to the park.

**MOTION WAS MADE BY COUNCIL MEMBER HAVEN-O'DONNELL, SECONDED BY COUNCIL MEMBER GIST, THAT STAFF BRING BACK AN AGENDA ITEM WITH A PLAN TO PROVIDE PUBLIC ACCESS FROM THE WEBBWOOD SUBDIVISION TO MARTIN LUTHER KING, JR PARK. THIS PLAN WILL INCLUDE BUDGETARY IMPLICATIONS AND ANY OTHER RELATED ITEMS. VOTE: AFFIRMATIVE ALL.**

Council Member Slade asked that staff also look into a potential pathway to the north of the park as part of the effort to improve bicycle access.

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**APPROVAL OF MINUTES FROM FEBRUARY 4, 2020**

**MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY COUNCIL MEMBER SEILS, TO APPROVE THE MINUTES FROM FEBRUARY 4, 2020 AS AMENDED.**

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**A REQUEST TO ADOPT A RESOLUTION TO AWARD RETIRED POLICE K9 TITUS TO HANDLER SERGEANT JOSEPH GLENN**

Sergeant Joseph Glenn's K9 partner Titus, will retire after more than 6 years of service to the Carrboro Police Department, and the Town of Carrboro due to age and other health issues.

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

**K-9 RETIREMENT RESOLUTION**

WHEREAS, K-9 Titus is owned by the Town of Carrboro; and

WHEREAS, K-9 Titus has faithfully served the Town and its citizens for 6 years; and

WHEREAS, K-9 Titus will retire from his position as Police Canine effective February 25, 2020; and

WHEREAS, the Mayor and Town Council, by this resolution, wish to express its great appreciation to K-9 Titus for service, loyalty, and dedication to the Town of Carrboro;

NOW THEREFORE, BE IT RESOLVED that the Town of Carrboro in accord with North Carolina General Statute 160A-266 declares K-9 Titus to be surplus property upon retirement from service and authorizes his assigned handler, Sgt. Joseph Glenn, to take ownership of K-9 Titus upon his execution of a hold harmless agreement to provide proper care for the dog for the remainder of the life of the animal. By executing that agreement Sgt. Joseph Glenn will assume all liability and responsibility for the dog.

This the 25th day of February 2020.

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

**Ayes:** Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Damon Seils, Council Member Sammy Slade

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**CONDITIONAL USE PERMIT EXTENSION REQUEST FOR MERRITT MILL AFFORDABLE HOUSING AT 802 & 806 MERRITT MILL ROAD**

The Town Council was asked to review a request for an extension of date when Conditional Use Permit would otherwise expire for Merritt Mill Affordable Housing at 802 & 806 Merritt Mill Road. This CUP permit expires on March 27th, 2020. The town staff recommended approval of the request.

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

A RESOLUTION APPROVING THE EXTENSION OF THE DATE ON WHICH THE CUP  
FOR MERRITT MILL AFFORDABLE HOUSING COMPLEX AT 802 & 806 MERRITT  
MILL ROAD WOULD OTHERWISE EXPIRE

WHEREAS, the Town Council approved a Conditional Use Permit for Merritt Mill Affordable Housing Complex at 802 & 806 Merritt Mill Road on March 27th, 2018; and

WHEREAS, Section 15-62(a) of the Town of Carrboro Land Use Ordinance allows for extension; and

WHEREAS, the Town Council finds, per Section 15-62(c) of the LUO, that: 1.) the CUP has not expired, and 2.) the permit recipient has proceeded with due diligence and good faith, and 3.) conditions have not changed so substantially as to warrant a new application.

NOW, THEREFORE BE IT RESOLVED by the Town Council that the expiration date for Merritt Mill Affordable Housing Complex Conditional Use Permit is hereby extended to February 25th, 2022.

This the 25th day of February 2020.

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

**Ayes:** Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Damon Seils, Council Member Sammy Slade

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**CONSIDERATION OF ENDORSING THE CHAPEL HILL TRANSIT SHORT RANGE  
TRANSIT PLAN**

The purpose of this agenda item was for the Town Council to consider endorsing Chapel Hill Transit's Short Range Transit Plan (SRTP).

Council Member Gist was opposed to this item because she felt that it does not adequately address capacity issues on the J bus route.

Council Member Slade suggested that park and ride lots could be a practical parking solution for people who work in Downtown Carrboro.

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

A RESOLUTION RECOMMENDING ENDORSEMENT OF THE SHORT  
RANGE TRANSIT PLAN

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

WHEREAS, representatives of the Town of Carrboro collaborated with Chapel Hill Transit and its partners on the Technical and Policy Committees in the development of the Short Range Transit Plan; and

WHEREAS, the Short Range Transit Plan is informed by six guiding principles: improve transit mode shift, increase ridership, create high frequency transit corridors, emphasize equity, improve weekend service, and enhance the convenience of living without a private vehicle; and

WHEREAS, public input on the Short Range Transit Plan was received in the years 2017-2020;  
and

WHEREAS, the Short Range Transit Plan is cost neutral and no additional funding is expected of Chapel Hill Transit partners;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the Council endorses the Short Range Transit Plan and directs staff or the Town's Transit Partners committee representatives to convey this endorsement to the Chapel Hill Town Council.

This the 25th day of February in 2020.

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

**Ayes:** Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Damon Seils, Council Member Sammy Slade

**No:** Council Member Jacquelyn Gist

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**TRANSPORTATION PROJECTS UPDATE**

The purpose of this agenda item was to provide the Town Council with an update on the status of ongoing transportation projects around town.

Zach Hallock, Transportation Planner, provided the staff report on this agenda item.

Council Member Slade asked staff to provide a written explanation about why counter-flow is not an option on E. Poplar Street.

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## **UPDATE ON PARKING STUDY 2020**

The purpose of this item was to update the Council on the status of the Parking Study 2020 and check-in on next steps for moving forward.

Annette Stone, Community and Economic Development Director, provided the staff report on this agenda item.

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## **DISCUSSION AND DIRECTION - 100TH ANNIVERSARY OF THE RIGHT TO VOTE FOR WOMEN**

This year is the 100th anniversary of the right to vote for women. Mayor Lavelle would like for the Town Council to discuss how the Town might recognize this in some way.

Marcie Waters spoke with the Council about renaming a street for a suffragist.

Council Member Gist suggested naming the street that circles Town Hall, or possibly the lawn in front of Town Hall after a suffragist.

Geraldine Richards, President of the Chapel Hill Chapter of the National Organization of Women, spoke with the Council about a travelling exhibit featuring posters of women who are community leaders. She asked for this to be displayed in Carrboro.

Mayor Lavelle asked the Town Manager to look into where the poster exhibit could be displayed. She also asked the Town Manager to look into procuring banners to commemorate the anniversary.

Council Member Romaine noted that other municipalities are commemorating the anniversary by illuminating their Town Halls in purple and yellow lights.

David Andrews said he would look into this.

**MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL MEMBER SLADE, TO REFER THIS ISSUE TO THE ARTS COMMITTEE FOR THEIR INPUTS ON HOW TO COMMEMORATE THE 100<sup>TH</sup> ANNIVERSARY OF WOMEN'S RIGHT TO VOTE. THE ARTS COMMITTEE WILL PRESENT THEIR IDEAS TO THE COUNCIL PRIOR TO THE SUMMER BREAK. VOTE: AFFIRMATIVE ALL.**

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## **APPOINTMENT TO THE SPECIAL EXPERTISE SEAT ON THE AFFORDABLE HOUSING ADVISORY COMMISSION**

The purpose of this item was to allow the Town Council to select an appointee to the Special Expertise seat on the Affordable Housing Advisory Commission.

A vote by paper ballot was conducted with the following results:

Pamela Atwood – 3 votes (Gist, Lavelle, Romaine)

Sherrill Hampton – 2 votes (Foushee, Slade)

Atticus Jaramillo – 1 vote (Seils)

Allan Rosen – 1 vote (Haven-O'Donnell)

**A motion was made by Council Member Gist, seconded by Council Member Romaine, that the following resolution be approved:**

APPOINTMENT TO THE SPECIAL EXPERTISE SEAT ON THE  
AFFORDABLE HOUSING ADVISORY COMMISSION

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

1. Pamela Atwood is hereby appointed to the special expertise seat on the Affordable Housing Advisory Commission for a term to expire in February 2024.
2. This resolution is effective immediately upon adoption.

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

**Ayes:** Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Damon Seils, Council Member Sammy Slade

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**APPOINTMENTS TO THE AFFORDABLE HOUSING ADVISORY COMMISSION -  
REGULAR MEMBERSHIP**

The purpose of this agenda item is for the Town Council to make appointments to the Northern Transition Area Advisory Committee.

Two seats were open. A vote by paper ballot was conducted with the following results:

Quinton Harper – 7 votes (Foushee, Gist, Haven-O'Donnell, Lavelle, Romaine, Seils, Slade)

Cain Twyman – 6 votes (Foushee, Gist, Haven-O'Donnell, Lavelle, Seils, Slade)

Valerie Sauer – 1 vote (Romaine)

James Colleran, Kelly Gregory, Suzy Khachatryan, Kristen Leloudis, Karen Ritter, James Scott, Anna Spears and Kendra Van Pelt received no votes.

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

A RESOLUTION MAKING APPOINTMENT(S) TO THE AFFORDABLE HOUSING ADVISORY COMMISSION

THE TOWN COUNCIL HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE AFFORDABLE HOUSING ADVISORY COMMISSION:

<b>Seat Designation</b>	<b>Appointee</b>	<b>Term Expiration</b>
Member	Quinton Harper	2/2023
Member	Cain Twyman	2/2023

This resolution shall become effective upon adoption.

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

**Ayes:** Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O’Donnell, Council Member Susan Romaine, Council Member Damon Seils, Council Member Sammy Slade

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**APPOINTMENTS TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE**

The purpose of this agenda item was for the Town Council to make appointments to the Northern Transition Area Advisory Committee.

A vote by paper ballot was conducted to select the Town of Carrboro appointee with the following results:

- Meg McGurk – 5 votes (Gist, Haven-O’Donnell, Lavelle, Romaine, Seils)
- Susan Poulton – 1 vote (Slade)
- Deb Rich – 1 vote (Foushee)
- Edward Witkin – no votes

A vote by paper ballot was conducted to select two Orange County appointees with the following results:

- Edward Witkin – 6 votes (Foushee, Gist, Haven-O’Donnell, Lavelle, Seils, Slade)
- Deb Rich – 5 votes (Gist, Lavelle, Romaine, Seils, Slade)
- Susan Poulton – 2 votes (Haven-O’Donnell, Romaine)
- Meg McGurk – 1 vote (Foushee)



**A motion was made by Council Member Seils, seconded by Council Member Foushee, that that following resolution be approved:**

A RESOLUTION MAKING APPOINTMENTS TO THE NORTHERN  
TRANSITION AREA ADVISORY COMMITTEE – TOWN OF  
CARRBORO APPOINTMENT

THE TOWN COUNCIL HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE:

<b>Appointee</b>	<b>Seat Designation</b>	<b>Term Expiration</b>
Meg McGurk	Town of Carrboro	2/2023

This resolution shall become effective upon adoption.

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

**Ayes: Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Damon Seils, Council Member Sammy Slade**

**A motion was made by Council Member Haven-O'Donnell, seconded by Council Member Romaine, that that following resolution be approved:**

A RESOLUTION MAKING APPOINTMENTS TO THE NORTHERN  
TRANSITION AREA ADVISORY COMMITTEE –  
RECOMMENDATION FOR ORANGE COUNTY APPOINTEES

THE TOWN COUNCIL REQUESTS THAT THE ORANGE COUNTY BOARD OF COMMISSIONERS APPOINT THE FOLLOWING APPLICANTS TO THE NTAAC:

<b>Appointee</b>	<b>Seat Designation</b>	<b>Term Expiration</b>
Edward Witkin	Orange County Appointee	2/2023
Deb Rich	Orange County Appointee	2/2023

This resolution shall become effective upon adoption.

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

**Ayes: Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Damon Seils, Council Member Sammy Slade**

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**APPOINTMENTS TO THE RECREATION AND PARKS COMMISSION**

The purpose of this agenda item is for the Town Council to make appointments to the Recreation and Parks Commission.

At the request of Council Member Foushee, and with concurrence of the Council, one seat was left open for the purpose of diversity. This was captured in a formal motion at the conclusion of the voting process.

Two seats were open. A vote by paper ballot was conducted with the following results:

- Fiona Matthews – 5 votes (Foushee, Gist, Romaine, Seils, Slade)
- Ryan Oakes – 4 votes (Foushee, Haven-O’Donnell, Lavelle, Slade)
- Jeff Laufenberg – 4 votes (Haven-O’Donnell, Lavelle, Romaine, Seils)
- Tamara Sanders – 1 vote (Gist)

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

A RESOLUTION MAKING APPOINTMENTS TO THE RECREATION AND PARKS COMMISSION

THE TOWN COUNCIL HEREBY APPOINTS THE FOLLOWING APPLICANT TO THE RECREATION AND PARKS COMMISSION:

<b>Appointee</b>	<b>Term Expiration</b>
Fiona Matthews	2/2023

Section 2. This resolution shall become effective upon adoption.

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

**Ayes: Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O’Donnell, Council Member Susan Romaine, Council Member Damon Seils and Council Member Sammy Slade**

A second vote was conducted to resolve the tie between Ryan Oakes and Jeff Laufenberg with the following results:

- Jeff Laufenberg – 4 votes (Gist, Lavelle, Romaine, Seils)
- Ryan Oakes – 3 votes (Foushee, Haven-O’Donnell, Slade)

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

A RESOLUTION MAKING APPOINTMENTS TO THE RECREATION AND  
PARKS COMMISSION

THE TOWN COUNCIL HEREBY APPOINTS THE FOLLOWING APPLICANT TO THE RECREATION AND PARKS COMMISSION:

<b>Appointee</b>	<b>Term Expiration</b>
Jeff Laufenberg	2/2023

Section 2. This resolution shall become effective upon adoption.

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

**Ayes: Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Damon Seils and Council Member Sammy Slade**

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**APPOINTMENTS TO THE TRANSPORTATION ADVISORY BOARD**

The purpose of this agenda item was for the Town Council to make appointments to the Transportation Advisory Board.

At the request of Council Member Foushee, and with concurrence of the Council, one seat was left open for the purpose of diversity. This was captured in a formal motion at the conclusion of the voting process.

Two seats were open. A vote by paper ballot was conducted with the following results:

Sarah Brown – 7 votes (Foushee, Gist, Haven-O'Donnell, Lavelle, Romaine, Seils, Slade)  
Elyse Keefe – 7 votes (Foushee, Gist, Haven-O'Donnell, Lavelle, Romaine, Seils, Slade)  
Kurt Stolka – determined to be ineligible due to term limits after the Council decided to withhold a seat

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

A RESOLUTION MAKING APPOINTMENTS TO THE  
TRANSPORTATION ADVISORY BOARD

THE TOWN COUNCIL HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE TRANSPORTATION ADVISORY BOARD:

<b>Appointee</b>	<b>Term Expiration</b>
Sarah Brown	2/2023

Section 2. This resolution shall become effective upon adoption

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

**Ayes: Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Damon Seils and Council Member Sammy Slade**

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**MATTERS BY THE BOARD**

Council Member Slade asked for an update on the truck-based book store that had been presented to the Council at a previous meeting. He wanted to know if there was a Land Use Ordinance issue with this concept.

Trish McGuire, Planning Director, said there are several issues that staff is investigating.

**MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL MEMBER FOUSHEE, THAT ONE SEAT IN THE RECREATION AND PARKS COMMISSION AND ONE SEAT IN THE TRANSPORTATION ADVISORY BOARD BE LEFT OPEN FOR DIVERSITY. STAFF WILL CONDUCT FURTHER OUTREACH FOR APPLICANTS AND WILL BRING THE ITEMS BACK FOR A VOTE AT THE END OF APRIL. VOTE: AFFIRMATIVE ALL.**

**ADJOURNMENT**

**MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY COUNCIL MEMBER FOUSHEE, TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL.**

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**Town Clerk**

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**Mayor**