



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

## Town of Carrboro

### Meeting Minutes

### Town Council

Tuesday, May 5, 2020

7:00 PM

Remote Meeting

**This meeting was held via Zoom teleconference and broadcasted live on cable television and the internet.**

**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; Cathy Dorando, Town Clerk; Nick Herman, Town Attorney

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### POETRY READING

Fred Joiner, the Town's Poet Laureate, read a poem by Jericho Brown called, "Duplex"

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### PROCLAMATION

Mayor Lavelle proclaimed May 9, 2020 as "PORCH Day" in Carrboro.

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### PUBLIC COMMENT

Keven Poinboeuf spoke to the Town Council about his complaint that he has registered with Town Planning Staff regarding possible illegal mining at 810 Smith Level Road.

Marty Roupe, the Town's Zoning Administrator, stated that the Board of Zoning Appeals will review an order related to that property on 5/6/20 and that the Town is expected to receive a new survey from the property owner out of that order. The receipt of the survey will further inform the Town regarding this complaint. The timeline of this response is dependent upon the cooperation of the property owner.

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**APPROVAL OF PREVIOUS MEETING MINUTES**

**MOTION WAS MADE BY COUNCIL MEMBER GIST, SECONDED BY COUNCIL MEMBER HAVEN-O'DONNELL, TO APPROVE THE MINUTES FROM APRIL 21, 2020. VOTE: AFFIRMATIVE ALL.**

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**CONSTRUCTION CONTRACT AUTHORIZATION FOR THE STREAM RESTORATION PROJECT AT PUBLIC WORKS**

The purpose of this agenda item was for the Town Council to authorize the Town Manager to execute a construction contract for the Public Works Stream Restoration Project.

**A motion was made by Council Member Gist, seconded by Council Member Haven-O'Donnell, to approve the following resolution:**

**A RESOLUTION FOR CONTRACT AWARD FOR STREAM RESTORATION AT PUBLIC WORKS SITE**

WHEREAS, the Town Council of Carrboro has adopted a Capital Project Ordinance appropriating \$345,000 for design and construction of stream restoration at the Public Works Facility; and

WHEREAS, the Town has procured bids for construction using a formal bid process; and

WHEREAS, sealed bids were undertaken in compliance with state and federal procurement requirements, including outreach to Historically Underutilized Businesses (HUB), and;

WHEREAS, North State Environmental has been identified as the lowest responsive and responsible bidder, with a construction bid of \$139,759.98.

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

1. The construction contract for stream restoration at the public works site is awarded to North State Environmental for an amount not to exceed \$139,759.98;

2. The Town Manager is authorized to enter into a construction contract with North State Environmental for the amount specified in 1 above; and,

3. The term of the construction contract shall not exceed 13 months including warranty period.

4. This resolution is effective immediately.

This the 5<sup>th</sup> day of May, 2020

**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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### **UPDATE OF COVID-19 SITUATION REPORT**

Chief Dave Schmidt provided a summary of the current emergency. He was asked to look into breaking down the data of cases by municipality rather than by zip code since Carrboro has multiple zip codes, including a Chapel Hill zip code and to find out if NCDHHS Director is using the UNC and Duke data.

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### **FACIAL COVERING RESOLUTION**

Town Council deliberated on the resolution that was first discussed during the April 28, 2020 meeting. It was presented by Council Member Haven-O'Donnell for consideration.

Council Member Slade stated that he would vote against this resolution because he wanted it to require the use of masks rather than suggest the use.

**A motion was made by Council Member Haven-O'Donnell, seconded by Council Member Gist, to approve the resolution below:**

RESOLUTION RECOMMENDING THE USE OF CLOTH FACE-COVERING WHEN INDOORS IN A PUBLIC PLACE AND OUTDOORS WHEN UNABLE TO MAINTAIN A DISTANCE OF AT LEAST SIX (6) FEET FROM PERSONS OTHER THAN FAMILY OR HOUSEHOLD MEMBERS AND WHEN UTILIZING PUBLIC OR PRIVATE TRANSPORTATION FOR HIRE

WHEREAS, on March 10, 2020, North Carolina Governor Cooper issued EXECUTIVE ORDER 116, declaring a STATE OF EMERGENCY for the entire State of North Carolina to coordinate Response and Protective Actions to Prevent the Spread of COVID-19; and

WHEREAS, on March 13, 2020, Mayor Lavelle proclaimed the existence of a state of emergency in the Town of Carrboro to reduce the risk of exposure to our town employees, community members and visitors and limit the spread of the COVID-19 pandemic; and

WHEREAS, on March 20, 2020, to mitigate the impacts of COVID-19 and continue to “SHELTER-IN-PLACE,” Mayor Lavelle issued a COVID-19 proclamation declaring the INITIAL GUIDANCE FOR CARRBORO RESIDENTS REGARDING COVID-19; and

WHEREAS, on March 20, 2020, the Orange County North Carolina Board of Commissioners and the Town of Chapel Hill, both, issued a STAY-AT-HOME ORDERS; and

WHEREAS, on March 27, 2020, to slow the spread of COVID-19, Governor Cooper of the State of North Carolina issued EXECUTIVE ORDER 121, declaring a STAY-AT-HOME order beginning on March 30, 2020 and in effect until April 29, 2020; and

WHEREAS, on April 23, 2020, Governor Cooper of the State of North Carolina issued EXECUTIVE ORDER 135 to extend until May 8, 2020, North Carolina’s STAY-AT-HOME order (Executive Order 121); and

WHEREAS, many individuals who contract COVID-19 display no symptoms or have mild symptoms and may not be aware they carry and can spread the virus, and persons without symptoms can transmit the virus, and because evidence shows the disease can easily spread, without appropriate precautions public places can facilitate transmissions of the virus; and

WHEREAS, on March 17, 2020, the New England Journal of Medicine reported that the novel coronavirus SARS-CoV-2 can survive in the air of confined spaces for several hours in fine aerosol particles; and

WHEREAS, the New England Journal of Medicine report authors found that the coronavirus that causes COVID-19 can be detected up to three hours after it is airborne and can lead to human infection throughout that time period; and

WHEREAS, it remains unknown, and at best uncertain, if COVID-19 is generally transmitted by airborne particles and how long the COVID-19 remains infectious in air droplets; and

WHEREAS, airborne, aerosol respiratory droplets may easily be emitted by uncovered face, nose and mouth talking, spitting, coughing and sneezing.

THEREFORE, the Carrboro Town Council resolves that it is recommended that, without profiling or bias, any individual over the age of five (5) and able to medically tolerate a face-covering shall cover their nose and mouth with cloth face-covering when indoors in a public place and outdoors when unable to maintain a distance of at least six (6) feet from persons other than family or household members.

THEREFORE, the Carrboro Town Council resolves that it is recommended that any person utilizing public or private transportation carriers or for-hire vehicles, who is over the age of five (5) and able to medically tolerate a face-covering, shall wear a face-covering or a mask over their nose and mouth during any such trip. Any person who is operating such a public or private transport, shall likewise

wear a face-covering or mask which covers the nose and mouth while there are any passengers in such vehicle.

BE IT RESOLVED that the Town shall promote and make publicly available COVID face-covering educational outreach, including through its website, on how face-covering or masks may be fashioned from materials commonly found in most homes, information on keeping coverings clean and ways to donate face-coverings and masks and materials that may be used to make these items.

BE IT RESOLVED that through the establishment of a clear policy of recommending and requesting the use of a face-covering or mask over the nose and mouth when indoors in a public place and outdoors when unable to maintain a distance of at least six (6) feet from persons other than family or household members, we hope to limit the spread and mitigate the impacts of the COVID-19 disease, save lives, promote and ensure the health and safety of our town and county residents, public service employees, transit operators, and businesses.

BE IT FURTHER RESOLVED that the Carrboro Town Council requests the Orange County Board of Commissioners, Chapel Hill Town Council, and Hillsborough Board of Commissioners consider passing resolutions recommending the use of face-covering when indoors in a public place and outdoors when unable to maintain a distance of at least six (6) feet from persons other than family or household members.

This the 5<sup>th</sup> day of May, 2020

**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

**Noes:** Council Member Sammy Slade

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### **STORMWATER READY ITEM**

The purpose of this item was for the Council to receive a report from the Center for Neighborhood Technology regarding their RainReady study.

Randy Dodd provided the staff update on this item.

Drew Williams, with the Center for Neighborhood Technology, provided a detailed report on the program.

**A motion was made by Council Member Foushee, seconded by Council Member Haven-O'Donnell, to approve the resolution below:**

**A RESOLUTION ACCEPTING THE CENTER FOR NEIGHBORHOOD TECHNOLOGY RAINREADY STUDY AND DIRECTING STAFF TO WORK WITH THE STORMWATER**

ADVISORY COMMISSION AND PROVIDE A REPORT ON IMPLEMENTING THE  
RECOMMENDATIONS IN THE STUDY

WHEREAS, the Council approved support from the Center for Neighborhood Technology (CNT) to prepare a study based on their RainReady program in September of 2019, using the upper Toms Creek neighborhood as a pilot study area; and,

WHEREAS, CNT has completed the study which included a neighborhood survey, community presentation, participation and review by the Stormwater Advisory Commission, and has prepared a report and presentation.

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Town Council that the Council accepts the pilot study, and directs staff to continue to work with the Stormwater Advisory Commission to pursue the recommendations provided in the study.

This the 5<sup>th</sup> day of May, 2020

**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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**RECONSIDERATION OF HUMAN SERVICES FUNDING FOR DIAPER BANK OF NC, EXCHANGE CLUB'S FAMILY CENTER OF ALAMANCE COUNTY, AND CLUB NOVA FOR FISCAL YEAR 2020-2021**

The purpose of this agenda item was for the Carrboro Town Council to reconsider human services funding allocations for the Diaper Bank of NC, Exchange Club's Family Center of Alamance County, and Club Nova.

**A motion was made by Council Member Gist, seconded by Council Member Seils, to approve the resolution below:**

**A RESOLUTION AMENDING FUNDING OF HUMAN SERVICES GRANTS FOR FISCAL YEAR 2020-2021**

WHEREAS, the Town Council for the Town of Carrboro on April 28, 2020 approved funding 47 Human Services Grants to be awarded in FY 2020-21; and

WHEREAS, the Council requested more information before considering funding allocations for the Diaper Bank of NC and the Exchange Club's Family Center of Alamance County; and

WHEREAS, the Diaper Bank of NC had been recommended for funding in the amount of \$3,500 and the Exchange Club's Family Center of Alamance County had been recommended for funding in the amount of \$500 by the Human Services Advisory Commission; and

WHEREAS, Club Nova had been recommended for funding in the amount of \$16,000 by the Human Services Advisory Commission; and

WHEREAS, Club Nova has requested that this funding be increased by \$4,000 to restore funding to their FY18-19 funding level;

WHEREAS, funding for human service agencies are included in the Town Manager's recommended budget;

NOW THEREFORE, THE CARRBORO TOWN COUNCIL hereby authorizes the following changes to Human Services Grants for FY 2020-21 approved by the Town Council on April 28, 2020:

Section 1. Funding in the amount of \$3,500 is authorized for the Diaper Bank of NC;

Section 2: Funding in the amount of \$500 is authorized for the Exchange Club's Family Center of Alamance County.

Section 3. Funding for Club Nova shall be increased from \$16,000 to \$20,000.

Section 4: The Town Manager is directed to include the above actions in the Manager's Recommended Budget for FY 2020-21.

Section 5: This resolution is effective July 1, 2020.

This the 5<sup>th</sup> day of May, 2020

**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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## **ADJOURNMENT**

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

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**Town Clerk**

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**Mayor**