



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

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Town of Carrboro

Meeting Minutes

Town Council

January 26, 2021

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

POETRY READING

Fred Joiner, the Town's Poet Laureate, read a poem by Kevin Young called "Brown."

PROCLAMATION – WALTER HORTON DAY

Mayor Lavelle proclaimed February 1, 2021 as "Police Chief Walter Horton Day" in the Town of Carrboro to honor his retirement and 27 year career.

PUBLIC COMMENTS

There were no comments provided from the public.

35 **APPROVAL OF PREVIOUS MEETING MINUTES**

36
37 **MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY COUNCIL**
38 **MEMBER GIST, TO APPROVE THE MINUTES FROM NOVEMBER 10, 2020,**
39 **DECEMBER 1, 2020, AND JANUARY 12, 2021. VOTE: AFFIRMATIVE ALL.**

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41 *****

42
43 **A REQUEST TO ADOPT A RESOLUTION TO AWARD A SERVICE SIDEARM TO A**
44 **RETIRING POLICE CHIEF**

45
46 The purpose of this item was to recognize retiring Police Chief Walter Horton and to award him
47 with his service sidearm.

48
49 **A motion was made by Council Member Foushee, seconded by Council Member Gist, to**
50 **approve the following resolution:**

51
52 **A RESOLUTION AWARDDING A SERVICE SIDEARM TO RETIRING POLICE**
53 **OFFICER**

54
55 **WHEREAS,** Police Chief Walter Horton is retiring from the Town of Carrboro Police Department
56 on February 1, 2021 after approximately twenty-seven years of service; and

57
58 **WHEREAS,** Chief Horton has demonstrated his dedication to duty and to the citizens of the Town
59 of Carrboro; and

60
61 **WHEREAS,** North Carolina General Statute 20-187.2 allows the governing body of a law
62 enforcement agency to award to a retiring member, upon request, the service sidearm of the retiring
63 member.

64
65 **NOW, THEREFORE, BE IT RESOLVED** by the Carrboro Town Council that this resolution
66 awarding the service sidearm to Chief Walter Horton is adopted.

67
68 This is the 26th day of January 2021.

69
70 **Ayes:** Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist,
71 Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member
72 Damon Seils, Council Member Sammy Slade

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75 *****

76
77 **A REQUEST TO AMEND THE UNPAVED ROADS UPGRADES CAPITAL**
78 **IMPROVEMENT PROJECT ORDINANCE**

79
80 The purpose of this item was to request that the Town Council authorize the use of additional
81 funds and amend the Unpaved Roads Upgrades Capital Project Ordinance for the Roberts Street
82 Improvement Project.

83
84 **A motion was made by Council Member Foushee, seconded by Council Member Gist, to**
85 **approve the following ordinance:**

AMENDMENT TO THE UNPAVED ROAD UPGRADES CAPITAL
IMPROVEMENT PROJECT ORDINANCE

Ordinance No. 12/2020-21

WHEREAS, the Town Council has adopted Capital Improvement Project Ordinance No. 23/2018-18 for the Unpaved Road Upgrades Capital Improvement Project; and,

WHEREAS, project design is underway and current engineer estimates indicate that the total project costs will be \$310,000 which includes various stormwater improvements; and,

WHEREAS, additional monies will be necessary to completely fund the project.

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO THAT:

1. The revenues anticipated to be available to the Town of Carrboro to complete the project are amended as follows:

	Current Budget	Increase	Revised Budget
General Fund Reserves	\$230,000.00	\$30,000.00	\$260,000.00
Stormwater Fees	<u>\$0.00</u>	<u>\$50,000.00</u>	<u>\$ 50,000.00</u>
Total Revenue	\$230,000.00	\$80,000.00	\$310,000.00

2. The amount appropriated for design, engineering, and construction costs are amended as follows:

	Current Budget	Increase	Revised Budget
Design and Engineering	\$ 44,000.00		\$ 44,000.00
Construction	<u>\$186,000.00</u>	<u>\$80,000.00</u>	<u>\$266,000.00</u>
Total Expenses	\$230,000.00	\$80,000.00	\$310,000.00

3. The revenues and appropriations are authorized for the Unpaved Road Upgrades Capital Improvement Project until all project activity is completed.

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

This is the 26th day of January 2021.

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

126 **REQUEST TO AUTHORIZE THE TOWN MANAGER TO ACCEPT A CDBG-CV**
127 **GRANT FROM THE NORTH CAROLINA DEPARTMENT OF COMMERCE**

128
129 The purpose of this item was for the Town Council to consider authorizing the Town Manager to
130 accept the award of a Community Development Block Grant – Coronavirus from the North
131 Carolina Department of Commerce.

132
133 **A motion was made by Council Member Foushee, seconded by Council Member Gist, to**
134 **approve the following ordinance:**

135 **North Carolina Community Development Block Grant Coronavirus Program**
136 **Grant Project**

137 Ordinance No. 11/2020-21

138 WHEREAS, the Town of Carrboro has been awarded a grant in the amount of \$900,000 by the
139 North Carolina Department of Commerce (NCDOC), Rural Economic Development Division
140 (REDD) under the Community Development Block Grant Coronavirus Program (CDBG-CV);
141 and,

142 WHEREAS, this grant is to be used to provide emergency housing assistance to Carrboro residents
143 and does not require local matching funds from the Town; and,

144 WHEREAS, the Grant Funding Approval includes certain conditions that the Town must satisfy
145 in order for all grant funds to be released to the Town; and,

146 WHEREAS, the Town Council for the Town of Carrboro deems this Grant Program to be a worthy
147 and desirable undertaking:

148 NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE TOWN
149 COUNCIL OF THE TOWN OF CARRBORO THAT:

- 150 1. The Town accepts the grant of \$900,000 from the North Carolina Department of
151 Commerce, Rural Economic Development Division (REDD) Community Development
152 Block Grant Coronavirus Program (CDBG-CV) for the purpose of providing emergency
153 housing assistance to Carrboro residents. It is understood that no more than \$90,000 of
154 the grant funds may be used for administration of the award. It is further understood that
155 all grant activities shall be completed within 30 months of grant award, unless amended
156 by NCDOC and the Town.
- 157
158 2. The Mayor as chief elected official for the Town shall sign and return to NCDOC the
159 Grant Agreement and Funding Approval.
- 160
161 3. The Town Manager shall develop and enter into a Subrecipient Agreement with Orange
162 County for administration of this CDBG-CV grant. This Subrecipient Agreement, upon
163 review and approval of Town Legal Counsel, shall be submitted to NCDOC for approval.
- 164
165 4. The Town Manager is further authorized to execute all necessary and required
documents with NCDOC necessary to secure this funding.
- 166
167 5. The Chief Financial Officer of the Town shall (a) make arrangements for the electronic
collection of grant revenues; and, (b) authorize and certify designated Town employees
168 to sign requisitions for payment submitted to NCDOC.
- 169
170 6. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of
this grant project ordinance with the Finance Director.

171 This is the 26th day of January, 2021.

172

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

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179 **AFFORDABLE HOUSING ADVISORY COMMISSION FUNDING**
180 **RECOMMENDATIONS**

181

182 The purpose of this item was for the Town Council to consider approving recommended funding
183 for two nonprofit affordable housing applications to the Affordable Housing Special Revenue
184 Fund.

185

186 **A motion was made by Council Member Foushee, seconded by Council Member Gist, to**
187 **approve the following resolution:**

188

189 **A RESOLUTION APPROVING GRANT FUNDING FROM**
190 **THE AFFORDABLE HOUSING SPECIAL REVENUE FUND**

191

192 WHEREAS, the Town Council on June 27, 2007, by the adoption of resolution no. 244/2006-
193 07, created the Affordable Housing Special Revenue Fund; and

194

195 WHEREAS, the creation of the fund is another way in which the Council can advance its goal
196 of increasing and maintaining the stock of affordable housing within the Town and its planning
197 jurisdiction; and

198

199 WHEREAS, the Affordable Housing Advisory Commission (AHAC) reviewed two funding
200 applications for the Affordable Housing Special Revenue Fund on January 20, 2021; and

201

202 WHEREAS, the AHAC determined that the requests met the criteria set forth in the Affordable
203 Housing Special Revenue Fund; and

204

205 WHEREAS, the AHAC made the following funding recommendations:

206

207 Community Home Trust	Decline to fund
208 Alliance of AIDS Services – Carolina	\$40,500

209

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

212

213 Section 1. Approves the recommended grant funding activity from the Affordable Housing
214 Special Revenue Fund in FY2020-2021.

215

216 Section 2. Authorizes the Town Manager to develop and execute agreements as necessary to

217 carry out the Council’s action.

218

219 Section 3. This resolution shall become effective upon adoption.

220

221 This is the 26th day of January 2021.

222

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

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229 **UPDATE ON THE IMPLEMENTATION OF THE EAST MAIN STREET RESTRIPIING**
230 **PROJECT AND REQUEST TO INCREASE CONTRACT WITH STANTEC TO COVER**
231 **SIGNAL PLANS**

232

233 The purpose of this item was to provide the Town Council with an update on the pavement
234 marking plans and to request an increase to the existing contract with Stantec to provide for the
235 development of plans for the necessary signal changes.

236

237 **A motion was made by Council Member Foushee, seconded by Council Member Gist, to**
238 **approve the following ordinance:**

239

EAST MAIN STREET REDESIGN PROJECT ORDINANCE

240

ORDINANCE NO. 13/20-21

241

242

243 WHEREAS, the Town Council has instructed staff to review pavement markings and bikeway
244 safety along the East Main Street corridor; and,

245

246 WHEREAS, a contract with Stantec Consulting Services was entered into on October 8, 2018 to
247 provide an operational analysis of this corridor; and,

248

249 WHEREAS, additional services for final pavement marking design and signal timing plans and
250 traffic signal design is needed at an estimated cost of \$44,000.00; and,

251

252 WHEREAS, additional monies will be necessary to completely fund this additional project design.

253

254 NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE TOWN
255 COUNCIL OF THE TOWN OF CARRBORO THAT:

256

257 1. The funding for the above mentioned design services will be the Bicycle Friendly
258 Community account within the Planning Department’s operating budget.

259

260 2. The appropriation is authorized for the East Main Street Redesign Project until all project
261 activity is completed.

262

263 3. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of
264 this ordinance with the Finance Director.
265

266 This is the 26th day of January 2021.

267 **Ayes:** Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn
268 Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council
269 Member Damon Seils, Council Member Sammy Slade
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271 *****
272

273
274 **AFFORDABLE HOUSING UPDATE**

275
276 The purpose of this item was for the Council to receive an update on the Town's housing
277 activities.
278

279 **MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY**
280 **COUNCIL MEMBER GIST, TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE ALL.**
281

282 *****
283

284 **REQUEST TO SET A PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR**
285 **A WATERSHED RESIDENTIAL SUBDIVISION AT 721 JONES FERRY ROAD**
286

287 Mr. Phil Szostak has submitted a conditional use permit application to subdivide a 6.79 acre lot
288 at 721 Jones Ferry Road to create a second lot. Prior to reaching a decision on a request for a
289 CUP, Council must hold a public hearing to receive input. The purpose of this item is to schedule
290 the public hearing.
291

292 **A motion was made by Council Member Foushee, seconded by Council Member Gist, to**
293 **approve the following resolution:**
294

295 A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED
296 CONDITIONAL USE PERMIT APPLICATION FOR 721 JONES FERRY
297 ROAD
298

299 WHEREAS, the Carrboro Town Council seeks to provide ample opportunities for the public to
300 comment on proposed projects; and
301

302 WHEREAS, an application has been received for a conditional use permit for 721
303 Jones Ferry Road.
304

305 NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the Council calls a
306 public hearing on March 2, 2021 to discuss and comment on the proposed subdivision at 721
307 Jones Ferry Road.
308

309 This is the 26th day of January 2021.

310

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

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318 **REQUEST TO SET A PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR**
319 **THE ARTSCENTER AT 315 JONES FERRY ROAD**

320

321 Coulter Jewell Thames PA has submitted a conditional use permit application to locate The
322 ArtsCenter at 315 Jones Ferry Road. Prior to reaching a decision on a request for a CUP, Council
323 must hold a public hearing to receive input. The purpose of this item was to schedule the public
324 hearing.

325

326 **A motion was made by Council Member Foushee, seconded by Council Member Gist, to**
327 **approve the following resolution:**

328

329 A RESOLUTION CALLING A PUBLIC HEARING ON THE ARTSCENTER
330 CONDITIONAL USE PERMIT REQUEST AT 315 JONES FERRY ROAD

331

332 WHEREAS, the Town Council seeks to provide ample opportunities for the public to comment
333 on proposed projects; and

334

335 WHEREAS, an application has been received for a Conditional Use Permit for a new two-story
336 building at 315 Jones Ferry Road, further identified as Orange County PIN 9778-65-6581.

337

338 NOW, THEREFORE BE RESOLVED that the Town Council call a public hearing on
339 February 23, 2021 to discuss the conditional use permit request.

340

341 This is the 26th day of January 2021.

342

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

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354 **REQUEST TO SET A PUBLIC HEARING ON A TEXT AMENDMENT TO THE LAND**

355 **USE ORDINANCE RELATING TO STORMWATER MANAGEMENT**
356 **REQUIREMENTS**

357
358 The purpose of this agenda item was for the Town Council to consider setting a public hearing
359 on a text amendment relating to the volume control provisions.

360
361 Tina Moon provided the staff report.

362
363 Dan Jewell, with Coulter Jewell Thames, PA provided the applicant report.

364
365 **A motion was made by Council Member Slade, seconded by Council Member Gist, to**
366 **approve the following resolution:**

367
368 A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE
369 CARRBORO LAND USE ORDINANCE RELATING TO THE REQUIREMENTS FOR
370 STORMWATER MANAGEMENT

371
372 “WHEREAS, the Carrboro Town Council seeks to provide ample opportunities for the public to
373 comment on proposed amendments to the Land Use Ordinance.

374
375 “NOW, THEREFORE BE IT RESOLVED that the Town Council sets a public hearing on
376 February 23, 2021, to consider adopting “An Ordinance Amending the Carrboro Land Use
377 Ordinance Relating to the Requirements for Stormwater Management,” with the following
378 directives1. Staff should send all options presented to the Town Council to the advisory boards for
379 their review.

380 2. The Stormwater Advisory Commission shall review the composite runoff curve chart and
381 consider amendments to lessen the allowable amount of deviation.

382 3. The advisory boards shall work to define “substantial portion” and “substantially encumbered”
383 in the draft ordinance.

384 4. The Stormwater Advisory Board and Environmental Advisory Board shall also review this
385 request.

386 5. The applicant provide their stormwater runoff analysis to the advisory boards so that they
387 advisory boards can understand the degree of deviation from the Town’s current stormwater runoff
388 standard (i.e. 15-362(g)) that a new standard would have to be to meet the applicant’s needs.

389
390 This is the 26th day of January 2021.

391
392 **Ayes:** Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn
393 Gist, Council Member Randee Haven-O’Donnell, Council Member Susan Romaine, Council
394 Member Damon Seils, Council Member Sammy Slade

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396 *****

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398 **PRESENTATION OF ORANGE COUNTY FOOD COUNCIL REPORT**

399
400 The Town Council received a detailed report from Ashely Heger, the director of the Orange

401 County Food Council.

402 *****

403

404 **INFORMATION ON TEXT AMENDMENTS REQUIREMENT AS PART OF G.S.**
405 **CHAPTER 160D, PART 1**

406

407 The purpose of this item was to provide the Town Council with the first installment of draft text
408 amendments to the Land Use Ordinance as required by the adoption of G.S. Chapter 160D.

409

410 Tina Moon provided the staff report. Additional reports will be forthcoming as final adoption is
411 planned for 2021.

412

413

414 **DISCUSSION OF POSSIBLE REMOTE LEGISLATIVE DELEGATION MEETING**
415 **AND ADOPTION OF LEGISLATIVE PRIORITIES FOR THE 2021 SESSION OF THE**
416 **GENERAL ASSEMBLY**

417

418 The purpose of this item was to request that the Town Council discuss their interest in scheduling
419 a virtual legislative delegation meeting and to allow the Town Council to discuss and adopt the
420 legislative priorities for the upcoming session of the NC General Assembly.

421

422 **MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL**
423 **MEMBER SLADE TO ADOPT THE LEGISLATIVE PRIORITIES BELOW:**

424

425

426 • Funding assistance to fill revenue losses associated with COVID-19 Pandemic.

427

428 • Broadband flexibility for local governments in a manner that would allow leasing
429 infrastructure to private service providers

430

431 • Flooding and stormwater assistance

432

433 • Statewide source of funds (or another source of funds for schools to address
434 utilities/stormwater mitigation)

435

436 • Police video camera footage viewing and release for governing boards

437

438 • Begin policy making and enact a program to allocate funding for reparations to
439 governments at the local level, healing some of the deepest wounds we face today and
440 reaffirming our commitment to a more inclusive future.

441

442 • Full restoration of the public transportation budget's State Maintenance Assistance
443 Program (SMAP)

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- Authority for OWASA to safely reuse certain potable waters

VOTE: AFFIRMATIVE ALL

The Town Council requested that the legislative delegation virtual meeting be scheduled for Tuesday, February 9, 2021 at 6:30PM.

CLOSED SESSION PURSUANT TO N.C.G.S 143-318.11(A)(6)

MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY COUNCIL MEMBER ROMAINE, TO ENTER INTO CLOSED SESSION PURSUANT TO N.C.G.S. 143-318.11(A)(6) – PERSONNEL. VOTE: AFFIRMATIVE ALL.

OPEN SESSION

MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL MEMBER FOUSHEE, TO ENTER INTO OPEN SESSION. VOTE: AFFIRMATIVE ALL.

ADJOURNMENT

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

Town Clerk

Mayor