



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

**Town of Carrboro
Meeting Minutes
Town Council**

June 15, 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; Kevin Hornik, Town Attorney; Cathy Dorando, Town Clerk

POETRY READING

Fred Joiner, the Town's Poet Laureate, read a poem by Malcolm Tariq called "On Sullivan's Island."

PROCLAMATION - JUNETEENTH

Mayor Lavelle proclaimed June 19, 2021 as "Juneteenth" in the Town of Carrboro. The proclamation was presented to Dr. Hamlet and Joal Hall Broun.

PROCLAMATION-POLLINATOR WEEK

Mayor Lavelle proclaimed June 21st through June 27th as "Pollinator Week" in the Town of Carrboro. The proclamation was presented to Laura Janway, Town of Carrboro Environmental Planner.

PROCLAMATION – EUGENIA FLOYD NC TEACHER OF THE YEAR 2021

Mayor Lavelle proclaimed June 16, 2021 as “Eugenia Floyd Day” in the Town of Carrboro in recognition of her being awarded the 2021 NC Teacher of the Year. The proclamation was presented to Eugenia Floyd and Dr. Hamlett.

PUBLIC COMMENTS

Diana Newton, along with many Barred Owl Creek neighbors, spoke to the Council about the passing of Tim Carless and the need for more stormwater control measures in the area. She expressed frustration with the Town’s efforts regarding flood mitigation in Carless’ home.

APPROVAL OF PREVIOUS MEETING MINUTES

MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL MEMBER HAVEN-O’DONNELL, TO APPROVE THE MINUTES FROM JUNE 1 AND JUNE 8, 2021. VOTE: AFFIRMATIVE ALL

ECONOMIC DEVELOPMENT MONTHLY REPORT

The purpose of this item was to provide the regular monthly activities and status report for the Economic Development Department.

Staff was asked to return information on maximizing parking supply.

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

FIRE DEPARTMENT MONTHLY REPORT

The purpose of this item was to provide the Town Council a brief overview of the monthly calls for service.

MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL MEMBER HAVEN-O’DONNELL, TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE ALL

POLICE DEPARTMENT MONTHLY REPORT

The purpose of this agenda item was to provide the Town Council a brief overview of the monthly calls for service.

MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL MEMBER HAVEN-O'DONNELL, TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE ALL

STORMWATER UTILITY MONTHLY REPORT

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

MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL MEMBER HAVEN-O'DONNELL, TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE ALL

CONSIDERATION OF HUMAN SERVICES FUNDING FOR FY 2021-22

The purpose of this item was for the Carrboro Town Council to consider human services funding recommendations for FY2021-22.

Staff is to consider ARPA and Affordable Housing Funds for future Oxford House needs.

A motion was made by Council Member Slade, seconded by Council Member Romaine, to approve the following resolution:

**A RESOLUTION APPROVING THE HUMAN SERVICES ADVISORY COMMISSION FUNDING RECOMMENDATIONS FOR FISCAL YEAR 2021-2022
June 15, 2021**

WHEREAS, the Town of Carrboro established as a policy to support human services agencies that provide invaluable services to Carrboro citizens; and

WHEREAS, forty-seven (47) agencies applied for funding through the established Human Services funding process; and

WHEREAS, the Human Services Advisory Commission has reviewed all the applications that applied for funding in the fiscal year 2021-2022 funding cycle; and

WHEREAS, the Town of Carrboro's budgeted human services funding level for fiscal year 2021-2022 is \$274,000; and

WHEREAS, the Human Services Advisory Commission recommended funding forty-five (45) agencies for a total of \$274,000.

NOW THEREFORE, THE CARRBORO TOWN COUNCIL RESOLVE THAT:

Section 1. The Carrboro Town Council approves and allocates the funding recommendations of the Human Services Advisory Commission as indicated in Attachment C of this agenda item for fiscal year 2021-2022 in the amount of \$274,000.

Section 2. This resolution is effective immediately and a copy of this resolution shall be forwarded to the Town's Finance Officer.

This is the 15th day of June in the year 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

UPDATE ON THE TOWN OF CARRBORO’S RACIAL EQUITY INITIATIVE AND THE ONE ORANGE COUNTY RACIAL EQUITY PLAN: A FRAMEWORK FOR MOVING FORWARD

The purpose of this agenda item was for the Town Council to receive an update on the Town’s race and equity work and an overview of the framework for moving forward with the Countywide Racial Equity Plan.

Anita Jones-McNair provided the staff report.

MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL MEMBER FOUSHEE TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE ALL

AUTHORIZATION TO EXPEND UP TO AN ADDITIONAL \$250 TO SUPPORT THE TOWN OF CARRBORO AND TOWN OF CHAPEL HILL PRIDE FOOD TRUCK RODEO

The purpose of the agenda item was for the Town Council to authorize the expenditure of an additional \$250 from the Town Council contingency fund for the purposes of supporting the Carrboro Pride Food Truck Rodeo.

A motion was made by Council Member Romaine, seconded by Council Member Gist, to approve the following resolution:

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE TOWN COUNCIL CONTINGENCY FUND

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

Section 1: Staff may expend up to a total of \$750, with the approval of \$250 today and \$500 previously, to support the costs associated with the Town of Carrboro and Town of Chapel Hill Pride Food Truck Rodeo at Town Commons on June 24.

Section 2: The Town Clerk shall file a copy of this resolution with the Finance Director.

Section 3: This resolution is effective immediately.

This is the 15th day of June in the year 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

AUTHORIZATION FOR STORMWATER INFRASTRUCTURE IMPROVEMENTS ALONG HIGH AND WEST MAIN STREETS

The purpose of this item was for the Town Council to approve public stormwater infrastructure improvements along High and West Main Streets.

A motion was made by Council Member Seils, seconded by Council Member Haven-O'Donnell, to approve the following ordinance:

**CAPITAL PROJECT ORDINANCE
FOR INFRASTRUCTURE IMPROVEMENTS TO REDUCE DRAINAGE
IMPACTS FOR WEST MAIN STREET NEIGHBORHOOD
Ordinance No. 21/2020-21**

WHEREAS, in April 2019, the Carrboro Board of Aldermen directed Town staff to study drainage in a catchment along Dillard, Goldston, High, and West Main Streets to identify potential improvements; and,

WHEREAS, Sungate Design Group has completed a study of the area and identified alternatives for the Town to consider; and,

WHEREAS, Town and Sungate staff have conferred with NCDOT since West Main Street is a State road, and have also performed a CCTV study of the underground infrastructure to determine its condition at NCDOT's request; and

WHEREAS, based on Sungate and NCDOT recommendations, Town staff recommends that the Town undertake Alternative 1 identified in the Sungate report (July, 2020) for improvements along High Street and West Main Street; and

WHEREAS, implementation of Sungate's Alternative 1 will result in less runoff and associated impacts along and downstream of Goldston Drive; and

WHEREAS, to complete the project it could be necessary to obtain temporary and permanent easements for roadside drainage improvements at 814 West Main Street and 119 High Street.

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

Section 1: The Council authorizes infrastructure improvements to reduce drainage impacts for the West Main Street Neighborhood in an amount not to exceed \$155,000 as follows:

Preliminary Engineering	\$ 35,000
Easements	\$ 20,000
Construction	\$ 100,000.

Section 2. The funding in Section 1 above is hereby appropriated from the Stormwater Utility Enterprise Fund.

Section 3: The Town Manager is authorized to solicit a firm for engineering services for the project. Any contract for construction services will be awarded after completion of the engineering services and a construction bid process.

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.

This is the 15th day of June in the year 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

REVIEW OF A MINOR MODIFICATION REQUEST TO A CONDITIONAL USE PERMIT FOR A MIXED USE BUILDING AT 1001 HOMESTEAD ROAD

The purpose of this item was for the Town Council to consider approving a resolution authorizing residential use on the first floor of a previously approved mixed use building at 1001 Homestead Road.

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

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR THE CLAREMONT SOUTH MIXED USE BUILDING LOCATED ON HOMESTEAD ROAD ALLOWING THE DEVELOPER TO USE THE FIRST FLOOR OF THE BUILDING FOR EITHER RESIDENTIAL OR OFFICE USES.

WHEREAS, the Carrboro Town Council approved a Conditional Use Permit for the Claremont South Mixed Use Building in February 2018; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that any modification of an existing Conditional Use Permit that does not substantially impact neighboring properties, the general public, or the intended occupants of the project, constitutes a minor modification to the original Conditional Use Permit; and

WHEREAS, the Town Council finds that the applicant has satisfied the requirements related to minor modifications contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the minor modification to the Claremont South Mixed Use Building CUP is hereby approved, allowing the developer to use the first floor of the building for either residential or office uses.

This is the 15th day of June in the year 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

APPOINTMENTS TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE

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

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

A RESOLUTION MAKING AN APPOINTMENT TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE

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

Appointee	Term Expiration
Linda Bowerman	2/2024

Section 1. The Town of Carrboro Town Council requests that the Orange County Board of Commissioners appoint/reappoint Anahid Vrana to a three year term on the Northern Transition Area Advisory Committee.

Section 2. This resolution shall become effective upon adoption.

This is the 15th day of June in the year 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

BUDGET AMENDMENT – GRANT AWARD TO FIRE DEPARTMENT

The purpose of this item was for the Town Council to recognize and appropriate a \$6,116.50 contribution made to the Fire Department as a result of being awarded a grant by the North Carolina League of Municipalities.

A motion was made by Council Member Seils, seconded by Council Member Haven-O’Donnell, to approve the following ordinance:

**FIRE EQUIPMENT GRANT PROJECT ORDINANCE
Ordinance No. 22/2020-21**

WHEREAS, the Fire and Rescue Department has a need to acquire certain equipment to maintain its efficiency and effectiveness; and,

WHEREAS, the North Carolina League of Municipalities (NCLM) has awarded up to \$6,116.50 to assist with the purchase of this equipment.

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

1. The grant award of \$6,116.50 from the NCLM is hereby accepted and appropriated for the purpose of purchasing equipment for the Fire and Rescue Department.
2. These grant funds shall be used in conjunction with Town funds to purchase the following equipment:

	<u>Total Cost</u>
Firefighter Protective Gear Dryer	\$ 5,889.00
Firefighter Protective Gear Extractor & Soap	\$ 7,628.00
Head Set	\$ 2,233.00
	<u>\$ 15,750.00</u>
North Carolina League of Municipals Grant	\$ 6,116.50
Town Share	\$ 9,633.50

3. Funds in the amount of \$9,653.50 are hereby appropriated from the Fire and Rescue Department's FY 2020-21 General Fund budget appropriation to assist with the purchase of equipment in Section 2 above.
4. All grant and Town funds shall remain available until all equipment has been purchased.
5. The Town Manager is authorized to execute a grant agreement and other required documents with the NCLM to secure these grant funds.
6. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

This is the 15th day of June in the year 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

REQUEST TO SET THE PUBLIC HEARING FOR A CONDITIONAL USE PERMIT TO ALLOW AN OFFICE BUILDING AT 1716 SMITH LEVEL ROAD

The Town Council was asked to set a public hearing for September 28, 2021 for consideration of a Conditional Use Permit application for an office building at 1716 Smith Level Road.

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

A RESOLUTION CALLING A PUBLIC HEARING ON CONDITIONAL USE PERMIT APPLICATION FOR A PROPOSED OFFICE BUILDING AT 1716 SMITH LEVEL ROAD

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

WHEREAS, an application has been received for a Conditional Use Permit authorizing the construction of an office building at 1716 Smith Level Road, further identified as Orange County PIN number 9776- 59-5932.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that a public hearing will be held on September 28, 2021 to discuss the CUP application for a proposed office building at 1716 Smith Level Road.

This is the 15th day of June in the year 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

AUTHORIZATION FOR THE ORANGE COUNTY BOARD OF ELECTIONS TO CONSIDER THE USE OF TOWN HALL AND BIM STREET BUILDING FOR VOTING PURPOSES

The purpose of this item was to authorize the Orange County Board of Elections the option of hosting voting at the recently donated Bim Street property or in Council Chambers.

A motion was made by Council Member Slade, seconded by Council Member Seils, to approve the following resolution:

AUTHORIZATION FOR ORANGE COUNTY BOARD OF ELECTIONS TO HOST EARLY VOTING IN THE COUNCIL CHAMBERS OR THE BIM STREET COMMUNITY BUILDING

NOW THEREFORE, BE IT RESOLVED, THAT THE TOWN OF CARRBORO TOWN COUNCIL hereby authorizes the Orange County Board of Elections to select to use either the Council Chambers or the Bim Street Community Building for voting purposes.

This is the 15th day of June in the year 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

APPOINTMENT TO THE ORANGE WATER AND SEWER AUTHORITY (OWASA) BOARD OF DIRECTORS

The purpose of this item was for the Town Council to consider making an appointment to one of the Town's seats on the OWASA Board of Directors.

Town Council delayed appointment on this item for further recruitment of Black, indigenous and other people of color as well as community members of different ethnicities. This item will be brought back in the fall of 2021.

PUBLIC HEARING FOR THE 203 SOUTH GREENSBORO PROJECT – CONSIDERATION OF SITE PLAN AND DESIGN DEVELOPMENT COST ESTIMATE

The purpose of this item was to hold a public hearing on the site plan for the 203 Project and design development costs for the project.

Trish McGuire and Marty Roupe provided the staff report.

Town Council asked staff to:

- provide possible scenarios to make up for cost overruns
- include solar for both the parking deck and building in the bid package as base items and not as 'add alternate' items.
- Look into changes of the design that would allow for the 1 or 2 feet necessary for a dedicated bike lane instead of a sharrow.
- Assure that the access to the bike parking that is on multiple parking deck floors is safe for bikers.
- Use APBP recommendations for bike rack spacing 3.5' to 4'
- Clearly include bike facility information and drawings in the plans

Mayor Lavelle opened the public hearing.

Katie Loovis spoke on behalf of the Carrboro Business Alliance. She expressed concern with the lack of adequate parking on the site.

Heidi Perov expressed concern with the lack of bike parking on the site.

Mayor Lavelle closed the public hearing.

UPDATES ON STARLITE DRIVE TRAFFIC CALMING AND BARRED OWL CREEK TRAFFIC CALMING

The purpose of this agenda item was to provide an update to Council on the progress of the Starlite Drive Traffic Calming and Barred Owl Creek Traffic Calming projects.

Zach Hallock provided the staff report.

Staff will look into if pedestrian crossing signage can be installed where appropriate and provide reports and update to Council as available.

PUBLIC HEARING ON A TEXT AMENDMENT TO THE LAND USE ORDINANCE RELATING TO SATELLITE PARKING

The purpose of this item was for the Town Council to consider a proposed text amendment to the Land Use Ordinance that would modify the regulations relating to the use of satellite parking.

Tina Moon provided the staff report.

Mayor Lavelle opened the public hearing.

Katie Loovis, with the Chamber of Commerce and Carrboro Business Alliance, spoke in support of the amendment.

Mayor Lavelle closed the public hearing.

Council Members expressed a preference for option #2 with a check-in after a few years. Option #2 was presented as follows:

Subsection 15-299(a), Special Provisions for Lots With Existing Buildings and Lots within Neighborhood Preservation Districts, is amended by adding two new subdivisions that reads as follows:

- (1) Furthermore, when a business wishes to dedicate a portion of the site that would otherwise be used for parking to create an outdoor experience such as outdoor dining or seating and stage area, up to four on-site parking spaces may be relocated to satellite parking.
- (2) The flexibility provided for in subdivision (1) above shall not apply to required ADA parking spaces.

**PUBLIC HEARING ON TEXT AMENDMENTS TO THE LAND USE ORDINANCE
FOR COMPLIANCE WITH N.C.G.S. CHAPTER 160D**

The purpose of this agenda item was for the Town Council to consider text amendments that would bring the Land Use ordinance into conformance with N.C.G.S Chapter 160D.

Tina Moon provided the staff report.

Mayor Lavelle opened the public hearing. There were no comments provided.

Mayor Lavelle closed the public hearing.

ADJOURNMENT

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

Town Clerk

Mayor