



## **Town of Carrboro**

### **Meeting Minutes**

#### **Town Council**

**September 21, 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:** Richard White, Town Manager; Cathy Dorando, Town Clerk; Nick Herman, Town Attorney

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#### **POETRY READING**

Fred Joiner read a poem by Michael S. Harper called, "Here Where Coltrane Is."

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#### **PROCLAMATION – MINORITY ENTERPRISE DEVELOPMENT WEEK**

Mayor Lavelle proclaimed the dates of September 19-October 25 as "Minority Enterprise Development Week" in the Town of Carrboro. Delores Bailey, Executive Director of EmPowerment Inc., accepted the proclamation.

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#### **PROCLAMATION – DIAPER NEEDS AWARENESS WEEK**

Mayor Lavelle proclaimed the month of September 27 – October 3 as "Diaper Needs Awareness Week" in the Town of Carrboro. Michelle Old, with the Diaper Bank of NC, accepted the proclamation.

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### **PUBLIC COMMENT**

1. Khadijah Amina expressed concern with the management and upkeep of grounds, common areas, and dwelling units at The Landings. She asked for Town staff to review the agreement with Community Home Trust and the resident advisory board. She expressed concern with the setup of the group and conflict of interest between management.

The Town Council asked for the Town Manager to look into this and report back. The report should specifically outline the Town's jurisdiction in the matter. Council Member Foushee is the Community Home Trust Board liaison and will be briefed on updates as they arise.

2. Shelley Welch raised concerns over the Merritt Gravel Pit excavation and how the Town is handling her complaints.

Town Council asked for the manager to investigate this and report back as soon as possible.

3. Kevin Poimboeuf expressed concern over political signage on property more than three days after an election.

Town Council asked for the manager to investigate this and report back as soon as possible.

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### **APPROVAL OF MINUTES FROM THE JUNE 22 MEETINGS**

The minutes for June 22, 2021 were tabled for approval at the next meeting.

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### **APPOINTMENTS TO THE ARTS COMMISSION**

The purpose of this item was for the Town Council to make appointments to the Arts Commission.

A RESOLUTION MAKING AN APPOINTMENT TO THE ARTS COMMITTEE THE TOWN COUNCIL HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE ARTS COMMITTEE:

#### **Appointee**

#### **Term Expiration**

Lindsey Womack	2/2025
Tierney Sneeringer	2/2024

This resolution shall become effective upon adoption.

This is the 14th day of September 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

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### **ECONOMIC DEVELOPMENT MONTHLY REPORT**

The purpose of this item is for the Town Council to receive an update on the regular monthly activities of the Economic Development Department.

Staff was asked to provide additional information about numbers related to employee parking downtown.

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

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### **POLICE DEPARTMENT MONTHLY REPORTS**

The purpose of this item was to provide a brief overview of the calls for service during the months of June, July, and August.

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

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### **FIRE DEPARTMENT MONTHLY REPORT**

The purpose of this item was to provide the Town Council with a monthly overview of calls for service in the Fire Department.

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

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### **STORMWATER UTILITY MONTHLY REPORT**

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

Staff will investigate the use of the general fund for stormwater mediation at 116 Carol Street and report back to the Town Council at a later date.

**MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY COUNCIL MEMBER ROMAINE, TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE ALL**

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**CONDITIONAL USE PERMIT MINOR MODIFICATION REQUEST FOR HARRIS DISTRUBUTION FACILITY AT 308 HIGHWAY 54**

The Town Council was asked to review the Minor Modification to the Conditional Use Permit for the Harris Distribution to allow use Wholesale Sales (use #2.130) to the original Conditional Use Permit.

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

A RESOLUTION ALLOWING A MINOR MODIFICATION TO THE CONDITIONAL USE PERMIT FOR THE EXISTING HARRIS, INC DISTRIBUTION FACILITY LOCATED AT 308 HIGHWAY 54.

WHEREAS, the Town Council approved a Conditional Use Permit for wholesales sales at 308 Highway 54 on October 26, 1982; and,

WHEREAS, the use of the site was modified subsequently to allow for a copy / printing center, then an elementary / secondary school; and,

WHEREAS, the property owner is now requesting that the use of the building be returned to the original permitted use, Wholesale Sales, 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 Town Council that the request for a Minor Modification to the CUP is hereby approved allowing for the Harris Distribution Facility CUP to be returned to the original use, Wholesale Sales (use #2.130).

This is the 21st day of September 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

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**REQUEST TO CANCEL A PREVIOUSLY SET PUBLIC HEARING DATE FOR A  
CONDITIONAL USE PERMIT TO ALLOW AN OFFICE BUILDING AT 1716 SMITH  
LEVEL ROAD**

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

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

A RESOLUTION CANCELLING A PREVIOUSLY SET PUBLIC HEARING DATE OF  
SEPTEMBER 28, 2021 FOR CONSIDERATION OF A 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; and,

WHEREAS, it has become necessary to cancel the public hearing and reschedule it for a later date as review of the design is continuing at this time.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the previously scheduled public hearing date of September 28, 2021 is cancelled. A new public hearing date to discuss the CUP application for a proposed office building at 1716 Smith Level Road will be brought forward at a later time.

This is the 21st day of September 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

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**A REQUEST TO ISSUE STREET CLOSING PERMITS FOR THE ANNUAL  
CARRBORO 10K ROAD RACE AND THE GALLOP AND GORGE 8K ROAD RACE**

The purpose of this item was to consider Street Closing Permit Applications submitted by Cardinal Track Club for the following annual road races: Carrboro 10 K Road Race and Gallop and Gorge 8 K Road Race.

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

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF THE FOLLOWING  
STREETS TO ACCOMMODATE THE CARRBORO 10K ROAD RACE AND GALLOP AND  
GORGE 8K ROAD RACE

Section 1. The following streets shall be temporarily closed on Saturday, October 2, 2021 from 7:50 AM to 8:10 AM to accommodate the Carrboro 10 K Road Race. This event is to be held in accordance with the permit issued by the Town Council pursuant to Article III of Chapter 7 of the Town Code.

- 1) Old Fayetteville Rd. to Carol St.
- 2) Carol St. to James St.
- 3) James St. to Lorraine St.
- 4) Lorraine St to Hillsborough Rd.
- 5) Hillsborough Rd. to Simpson St.
- 6) Simpson St. to West Main St.
- 7) West Main St. to Hillsborough Rd.
- 8) Hillsborough Rd. to Oak St.
- 9) Oak St. to North Greensboro St.
- 10) North Greensboro St. to Morningside Dr.
- 11) Morningside Dr. to Bluebridge Rd.
- 12) Bluebridge Rd. to Spring Valley Rd.
- 13) Spring Valley Rd to Pathway Dr.
- 14) Pathway Dr. to Parkview Ave.
- 15) Parkview Ave. to Hillsborough Rd.
- 16) Hillsborough Rd. to James St.
- 17) James St. to Rainbow Dr.
- 18) Rainbow Dr. to Lisa Dr.
- 19) Lisa Dr. to Carol St.
- 20) Carol St. to Old Fayetteville Rd.
- 21) Finish at McDougale Middle School

Section 2. The following streets shall be temporarily closed on Thursday, November 25, 2021 from 6:30 AM to 10:00 AM to accommodate the Gallop and Gorge 8K Road Race. This event is to be held in accordance with the permit issued by the Town Council pursuant to Article III of Chapter 7 of the Town Code.

- 1) West Weaver St. to Elm St.
- 2) Elm St to East Poplar St.
- 3) East Poplar St. to West Main St.
- 4) West Main St. to Hillsborough Rd.
- 5) Hillsborough Rd to High St.
- 6) High St. to West Main St.
- 7) West Main St. to Simpson St.
- 8) Simpson St. to Mary St.
- 9) Mary St. to Lorraine St.

- 10) Lorraine St. to James St.
- 11) James St. to Carol St.
- 12) Carol St. to Lisa St.
- 13) Lisa St. to Quail Roost Dr.
- 14) Quail Roost Dr. to Hillsborough Rd.
- 15) Hillsborough Rd. to Cheek St.
- 16) Cheek St. to Milton Dr.
- 17) Milton Dr. to North Greensboro St.
- 18) North Greensboro St. to Shelton St.
- 19) Shelton St. to Oak Ave.
- 20) Oak Ave to West Weaver St.
- 21) Finish at West Weaver St.

Section 3. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

Section 4. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

Section 5. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 6. Applicant shall post signs at roadway intersections along race course, 5-7 days before the event, to notify the public about the running race.

Section 7. Applicant will be responsible for all costs incurred by Police, Fire and Public Works to facilitate this event. Applicant will be sent an itemized bill for the final costs incurred by Police, Fire and Public Works.

Section 8. This resolution shall become effective upon adoption

This is the 21st day of September 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

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### **POLICE DEPARTMENT QUARTERLY EQUITY REPORT**

The purpose of this agenda item is to provide the Town Council a brief overview of the quarterly equity report for the second quarter of 2021.

**MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY COUNCIL MEMBER GIST, TO ACCEPT THE REPORT AND TO DIRECT STAFF TO COME BACK WITH INFORMATION ABOUT THE COST OF EQUIPMENT AND**

**REGULATORY STOPS AND ALSO A REPORT ON HOW TO NO LONGER INITIATE TRAFFIC STOPS FOR EQUIPMENT AND REGULATORY ISSUES AND TO INCLUDE INFORMATION IN THAT REPORT ON HOW SUCCESS MIGHT BE MEASURED. VOTE:AFFIRMATIVE ALL**

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**UPDATE ON A CARRBORO CONNECTS COMPREHENSIVE PLAN PROCESS AND REQUEST TO SET A PUBLIC HEARING**

The purpose of this agenda item is to provide the Town Council with an update on the comprehensive planning process and an opportunity to set a public hearing for review of the draft plan on Tuesday, November 16, 2021.

Scot Goldstein, with TESKA Consultants, provided the update to the Town Council

Staff was asked to:

- investigate when the GARE training occurred with the Task Force and report back to why it was not held sooner.
- reach out to high school aged and retired community members for input
- be intentional about referencing the history of the land and who first lived here.

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

A RESOLUTION SETTING A PUBLIC HEARING FOR CARRBORO CONNECTS – CREATING COMMUNITY TOGETHER – DRAFT COMPREHENSIVE PLAN 2022-2042

WHEREAS, the Carrboro Town Council has established a 29-member Comprehensive Plan Task Force to assist with development of a plan to guide growth and development for the next 20 years; and,

WHEREAS, despite COVID-19 pandemic conditions, the Task Force has met on at least six occasions, two community input sessions have been held, consultants interviewed over 60 residents, staff task force members, affordable housing and elected leaders, drop-in sessions, a project website has been developed and maintained to house project materials and manage communication; and,

WHEREAS, the Task Force and advisory boards will be reviewing a preliminary draft of the plan in October and offering input into development of the public hearing draft.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the Council sets a public hearing for Tuesday, November 16, 2021 to receive public comment.

This is the 21st day of September 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

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

A RESOLUTION APPROVING THE NEXT STEPS OF THE COMPREHENSIVE PLAN  
TASK FORCE

WHEREAS, the Carrboro Town Council established a Comprehensive Plan Task Force on June 23, 2020 to allow residents, business owners and staff to participate in guiding and informing the process of comprehensive plan development; and,

WHEREAS, Task Force members have participated fully in informing and guiding the comprehensive planning process through regular meetings, “homework” tasks, and three community meetings; and,

WHEREAS, Task Force members have fully embraced the role of community ambassadors and have engaged with their smaller networks and the broader community; and WHEREAS, the remaining duty is for Task Force members to provide a consensus recommendation of plan prior to public hearing and plan adoption; and,

WHEREAS, up to two additional Task Force meetings are anticipated to complete the requested assistance and participation from the members.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Carrboro Town Council:

Section 1. Recognizes and appreciates the work of the twenty-nine Task Force members who have given of their time, talent, creative energy, and passion to the process of developing a comprehensive plan for the Town since June 2020.

Section 2. Requests that Task Force members make every effort to participate in up to two additional meetings and any related public hearings and community events, as they are able to do so.

Section 3. Determines that upon adoption of the Comprehensive Plan, the work of the Task Force would have reached its conclusion and be completed.

Section 4. This resolution shall be effective upon the date of adoption.

This is the 21st day of September 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

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**ADJOURNMENT**

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