



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

Town of Carrboro

Meeting Minutes

Town Council

November 16, 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 Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Jacquelyn Gist, and Council Member Sammy Slade, and Council Member Damon Seils

Also Present: Richard White, Town Manager; Cathy Dorando, Town Clerk; Nick Herman, Town Attorney

POETRY READING

Fred Joiner, the Town's Poet Laureate, read a poem by Abigail Browning called, "Looking for One Thing Led Me to See Others."

Fred Joiner also read a letter from the Poets Council recognizing the hard work of Charles Harrington. Charles is an employee of the Recreation and Parks Department and worked many hours making sure the West End Poetry Festival was a big success. Charles Harrington was present to accept the comments and appreciation.

PROCLAMATION – TRANSGENDER REMEMBRANCE DAY

Mayor Lavelle proclaimed November 20, 2021 as "Transgender Remembrance Day" in the Town of Carrboro.

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42 **PROCLAMATION – CARE TO SHARE DAY**
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44 Mayor Lavelle proclaimed November 18, 2021 as “OWASA Care to Share Day” in the Town
45 of Carrboro. Amy Armbruster, and employee of OWASA, was present to accept the
46 proclamation.
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50 **PROCLAMATION – SMALL BUSINESS SATURDAY**
51

52 Mayor Lavelle proclaimed November 27, 2021 as “Small Business Saturday” in the Town of
53 Carrboro. Scott Conary, owner of Open Eye/Carrboro Coffee Roasters, was present to accept
54 the proclamation.
55

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57

58 **PUBLIC COMMENT**
59

60 Ian Richardson, the attorney for the Merritt Gravel Mine and the Merritts, stated that the
61 documents that he has reviewed appear to show that no vegetation is required in the “blue
62 rectangular area” because that is a shared easement. He asked Council to consider the source
63 of other comments regarding the area.
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67 **APPROVAL OF MINUTES FROM THE OCTOBER 19 AND OCTOBER 26, 2021**
68 **MEETINGS**
69

70 **MOTION WAS MADE BY COUNCIL MEMBER ROMAINE, SECONDED BY**
71 **COUNCIL MEMBER HAVEN-O'DONNELL TO APPROVE THE MNUTES OF**
72 **OCTOBER 19, 2021 AND TO TABLE THE MINUTES FROM OCTOBER 26, 2021**
73 **UNTIL JANUARY 2022. VOTE: AFFIRMATIVE ALL**
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76

77 **ECONOMIC DEVELOPMENT MONTHLY REPORT**

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

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

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

85

86 **POLICE DEPARTMENT MONTHLY REPORTS**

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

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

92

93 **FIRE DEPARTMENT MONTHLY REPORT**

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

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

99

100 **STORMWATER UTILITY MONTHLY REPORT**

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

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

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107

108 **REQUEST TO AUTHORIZE THE TOWN MANAGER TO EXTEND A CONTRACT**
109 **WITH STANTEC FOR DESIGN SERVICES RELATING TO THE EAST MAIN**
110 **STREET RESTRIPIING PLAN**

111

112 The purpose of this agenda item was for the Town Council to authorize the Town Manager to
113 extend the contract with Stantec for the East Main Street restriping project that is scheduled
114 to expire at the end of December.

115

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

118

119 A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXTEND THE
120 CONTRACT WITH STANTEC FOR THE PREPARATION OF PAVEMENT MARKING
121 PLANS AND SIGNAL PLANS FOR THE EAST MAIN STREET RESTRIPIING PROJECT

122
123
124 WHEREAS, the Town of Carrboro engaged Stantec, a transportation engineering firm out of
125 Raleigh, to develop a capacity analysis, pavement marking plan and signal plan for
126 modifying the cross section of East Main Street during the upcoming NCDOT resurfacing
127 project for improved bicycle infrastructure; and,

128
129 WHEREAS, the project has been delayed due to NCDOT rescheduling and OWASA
130 infrastructure improvement projects; and,

131
132 WHEREAS, it is necessary to extend the contract to align with the updated project schedule.

133
134 NOW, THEREFORE, BE IT RESOLVED by the Carrboro Town Council that the Council
135 authorizes the Town Manager to extend the contract with Stantec to complete the engineering
136 services.

137 This the 16th day of November 2021

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

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143 **PUBLIC HEARING ON CARRBORO CONNECTS COMPREHENSIVE PLAN**

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145 The purpose of this agenda item was for the Town Council to hold a public hearing and
146 receive public comment on a draft comprehensive plan, Carrboro Connects 2022-2042.

147
148 Mayor Lavelle opened the public hearing.

149
150 Leigh Anne King stated that the maps are a bit hard to read, asked for better explanations of
151 future land use categories, and to follow up with an implementation committee.

152
153 Bob Proctor asked the Town to continue to look at the use of the Westwood Cemetery as
154 open space that residents can use as a park.

155
156 Lisa Brown stated that as a member of the NTAAC she was able to get a very in depth
157 experience of the planning and praised the work of staff and the consultants.

158
159 Chas Gaertner stated that the Westwood Cemetery space has been used as a defact park for
160 years and asked that Council consider how the open space could be continued to be used as
161 such.

162
163 Quay Trimble asked for Town Council to preserve the open space at Westwood Cemetery.

164
165 Mayor Lavelle closed the public hearing.
166

167 **A motion was made by Council Member Seils, seconded by Council Member Haven-**
168 **O'Donnell, to approve the following resolution:**
169

170 A RESOLUTION REFERRING CARRBORO CONNECTS 2022-2042 DRAFT
171 COMPREHENSIVE PLAN FOR ADVISORY BOARD REVIEW

172 WHEREAS, the Carrboro Town Council seeks to provide ample opportunities for the public
173 to participate in and comment on the Town's planning framework, and;
174

175 WHEREAS, the Carrboro Town Council has initiated and undertaken a comprehensive
176 planning process, which has led to the development of a draft plan.

177 NOW, THEREFORE BE IT RESOLVED that the Town Council refers the draft plan to the
178 Town of Carrboro Planning Board for consideration and recommendation.

179 BE IT FURTHER RESOLVED that the Town Council asks staff to schedule a work session,
180 look into cemetery space in other areas of town, consider a park that is still respectful to the
181 existing cemetery, and include grave pricing with a sliding scale and that the public hearing
182 draft plan is also referred to the following Town of Carrboro advisory boards and
183 commissions: Appearance Commission, Recreation and Parks Commission, Transportation
184 Advisory Board, Northern Transition Area Advisory Committee, Environmental Advisory
185 Board, Environmental Advisory Board, Racial Equity Commission, Economic Sustainability
186 Commission, Climate Action Team, Affordable Housing Advisory Commission, Greenways
187 Commission, Youth Advisory Board, Arts Commission, Stormwater Advisory Commission,
188 Human Services Advisory Commission, and the Comprehensive Plan Task Force.

189 This the 16th day of November 2021

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

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194

195 **REQUEST TO APPLY FOR ADDITIONAL FUNDS FOR THE SOUTH**
196 **GREENSBORO STREET SIDEWALK PROJECT**
197

198 The purpose of this agenda item was to receive authorization for staff to request
199 transportation funds by December 10th to cover additional estimated expenses relating to the
200 replacement of an OWASA water line, work that is necessary to allow the South Greensboro
201 Street sidewalk project to move forward.
202

203 Tina Moon, the Town's Planning Administrator, provided the staff report.

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

RESOLUTION TO AUTHORIZE STAFF TO SUBMIT A REQUEST FOR A STIP AMENDMENT AND APPLICATION FOR RFF FUNDS FOR THE SOUTH GREENSBORO STREET SIDEWALK PROJECT (TIP#C-5650)

WHEREAS, the Town Council on June 27, 2017, adopted a Capital Improvement Project Ordinance for the South Greensboro Street Sidewalk design and construction; and,

WHEREAS, the Town has entered into a Municipal Agreement with NCDOT to administer the federal funding appropriated to design and building the South Greensboro Street Sidewalk, and,

WHEREAS, the Town has been awarded federal STBGP-DA, STP-DA, and CMAQ funds to the project; and,

WHEREAS, the Town has been awarded \$377,340 of Orange County Transit funds to the project; and,

WHEREAS the Town received \$206,343 of STBGDA Corona Virus Relief Funds through the DCHC MPO, which have been allocated to the South Greensboro Street project; and

WHEREAS, additional funds are needed to increase the project budget to match the current construction estimate; and,

WHEREAS, it is necessary to seek additional project funds to replace an OWASA 6-inch water line within the project corridor.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO, THAT the Council authorizes staff to submit an application for funds through the MPO's new Regional Flexible Funding (RFF) program to pay for these additional costs.

BE IT FURTHER ORDAINED that the Town Council authorizes staff to submit a request to the DCHC MPO for a NCDOT STIP amendment to increase its allocation of STBG-DA funds to the project to provide for additional funding up to \$476,000.

This the 16th day of November 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

**GREENE TRACT RESOLUTION APPROVING THE DRAFT RECOMBINATION
PLAT AND CONCEPTUAL PLAN**

The purpose of this agenda item was to consider approval of the Greene Tract *Resolution Approving the Draft Recombination Plat and Conceptual Plan for the 60-acre Portion of the Greene Tract in County Ownership and the 104-acre Portion of the Greene Tract in Joint Ownership* between Orange County, the Town of Chapel Hill, and the Town of Carrboro.

Trish McGuire, the Town's Planning Director, provided the staff report.

Abel Hastings, a speaker providing public comment, asked for the Council to use the space as green space and affordable housing.

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

**A RESOLUTION APPROVING THE DRAFT RECOMBINATION PLAT AND
CONCEPTUAL PLAN FOR THE 60-ACRE PORTION OF THE GREENE TRACT
IN COUNTY OWNERSHIP AND THE 107-ACRE PORTION OF THE GREENE
TRACT IN JOINT OWNERSHIP**

WHEREAS, in 1984, Orange County and the Towns of Carrboro and Chapel Hill jointly purchased the property known as the Greene Tract (167 acres more or less); and,

WHEREAS, in 2000, title to 60 acres of this property was deeded exclusively to the Orange County Solid Waste Enterprise Fund for non-landfill solid waste purposes under provisions of the 1999 Interlocal Agreement for Solid Waste Management; and,

WHEREAS, at that time, the remaining 107 acres were retained in joint ownership by the three governments (with the intent that the future uses of the property would be determined at a future time); and,

WHEREAS, in 2002 Orange County and the Towns of Carrboro and Chapel Hill adopted the 2002 Resolution which called for approximately 86 acres for open space and 18 acres for affordable housing on the jointly-owned land; and,

WHEREAS, the Greene Tract is part of the Historic Rogers Road Neighborhood where the Towns of Chapel Hill and Carrboro have researched market development potential and zoning to implement a planning program in the overall area; and,

WHEREAS, over the last 20 years, various joint planning studies, including the Historic Rogers Road Neighborhood Task Force Report and Mapping Our Community's Future, and collaborations with the community and school district have suggested land use and acreage needs; and,

293
294 **WHEREAS**, the 60-acre parcel (designated as the Headwaters Preserve by the Orange
295 County Board of Commissioners on October 18, 2016) was purchased by Orange County via
296 reimbursement to the Solid Waste Enterprise Fund in 2016; and,

297
298 **WHEREAS**, Mayors for Carrboro and Chapel Hill and the Orange County Commissioners
299 Chair have agreed to jointly pursue an update to the 2002 Resolution and have been meeting
300 with respective management and supporting staff, as suggested by the elected officials at an
301 Assembly of Governments meeting in 2017, to determine next steps for preservation and
302 development of the Greene Tract; and,

303
304 **WHEREAS**, on February 12, 2019 the Carrboro Board of Aldermen, and on February 19,
305 2019 the Orange County Commissioners, voted to approve a resolution to support adjusting
306 the property lines of the jointly-owned tract and Headwaters Preserve, creating a jointly-
307 owned preserve, indicating land uses, and conceptually agreeing to consider development of
308 the Greene Tract; and,

309
310 **WHEREAS**, on February 20, 2019 the Chapel Hill Town Council voted to approve the
311 exploration of ways to protect the County-owned Headwaters Preserve and a proposed jointly
312 owned preserve area; and,

313
314 **WHEREAS**, the Chapel Hill Carrboro City Schools in a letter dated May 22, 2019, have
315 indicated the district's continued interest in designation of a school site to be located on the
316 Greene Tract; and,

317
318 **WHEREAS**, on July 15, 2019 the Chapel Hill Town Council adopted a resolution to support
319 adjusting the property lines on the Greene Tract, creating a jointly-owned preserve, and
320 conceptually agreeing to consider development of the Greene Tract; and,

321
322 **WHEREAS**, at that time the Chapel Hill Town Council did not agree to designating the
323 land uses indicated on the maps attached to the Carrboro and County's resolutions; and,

324
325 **WHEREAS**, the three jurisdictions agreed conceptually to the following land use
326 designations:

- 327 • Approximately 22 acres for joint preserve;
328 • A minimum of 16 acres for public school site and public recreational site;
329 • Approximately 66 acres for housing/mixed use; and,

330
331 **WHEREAS**, the Chapel Hill Town Council also adopted a resolution on July 15, 2019
332 committing to holding a series of community meetings, soliciting input from the public and
333 respective advisory boards regarding land uses and densities, initiating environmental and
334 connectivity assessment; and initiating steps to protect the jointly-owned preserve and the
335 Headwaters Preserve in perpetuity; and,

336
337 **WHEREAS**, in January 2020, the three local governments adopted the 2020 Greene Tract
338 Resolution for a Path Forward Process for Further Assessment of the Greene Tract, which

consolidated the differences, superseded the resolutions adopted in 2019, and included the following:

- Initiated an environmental assessment of the entire Greene Tract to consider designating the most environmentally sensitive area as the Headwaters Preserve with a cost share Interlocal Agreement;
- Initiated the drafting of a Memorandum of Understanding between the three jurisdictions related to a decision making process;
- Delayed public engagement efforts until agreement on a Memorandum of Understanding; and,

WHEREAS, analysis of the Greene Tract's past, present, and future identified the following land use needs and goals:

- Promote mixed-income housing opportunities; development of housing that serves a range of incomes;
- Preserve valuable environmental features including tree canopy, open space, stream buffers, and wildlife corridors;
- Protect historical and cultural resources;
- Promote cost effective infrastructure;
- Incorporate school and recreation sites;
- Earmark development areas for mixed income housing and mixed use potential; and,

WHEREAS, the Greene Tract Environmental Assessment was completed by SynTerra Inc. in July 2020 and corresponding video presentation was completed in April 2021 which included an environmental analysis on existing conditions on the Greene Tract, site specific information on environmental and cultural conditions present on the Greene Tract, suitability analysis, and four draft land use alternatives; and,

WHEREAS, the Interlocal Agreement Regarding the Current and Future Use of the Jointly Owned Greene Tract between the Orange County and the Towns of Carrboro and Chapel Hill was adopted in April 2021; and,

WHEREAS, the three local governments' elected officials and staff have met with community members, solicited survey responses, and conducted public meetings in order to encourage and collect input from the Orange County community; and,

WHEREAS, the three local governments' elected officials and staff will continue to work with environmental staff, environmental partners, and community to identify, protect, and maintain the most cultural and environmentally sensitive features of the Greene Tract from future development and consider development guidelines exceeding regulatory standards preserving these areas; and,

WHEREAS, the staff work group considered direction from the respective governing boards, specialized staff, housing partners, and community in developing a conceptual plan for the Greene Tract; and,

WHEREAS, each board will consider this resolution in November 2021 and provide direction to their respective staff.

385
386 **NOW, THEREFORE, BE IT RESOLVED THAT** the Town of Carrboro Town Council:

387 1. Approve the draft recombination plat to modify the existing county owned (60 acres) and
388 jointly owned (107 acres) portions of the Greene Tract as shown in Exhibit 1.

389 2. Approve the conceptual plan, as shown in Exhibit 2 for the joint owned portion of the
390 Greene Tract which designates and defines the following future land uses:

391 a. 60 acres for the Headwaters Preserve (County owned)

392 b. Approximately 22 acres for Greene Tract Preserve

393 c. Approximately 66 acres for development

394 d. Approximately 16 acres for public school and public recreational site

395 3. Authorize the Manager to sign the final recombination plat as property owner for the Town
396 of Carrboro.

397 4. Continue to solicit input from the public, governing boards, specialized staff, and housing
398 partners, during the master planning and development agreement process.

399
400 This the 16th day of November 2021

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

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405
406 **DISCUSSION OF TOWN COUNCIL LIAISON FOR CLIMATE ACTION TEAM**

407
408 The purpose of this agenda item was to allow the Town Council to discuss changing the
409 number of liaisons to the Climate Action Team.

410
411 **A motion was made by Council Member Haven-O'Donnell, seconded by Council**
412 **Member Gist, to approve the following ordinance:**

413
414 AN ORDINANCE AMENDING SECTION 3-24.16 OF THE CARRBORO TOWN CODE
415 TO AUTHORIZE THE APOINTMENT OF UP TO TWO LIASONS TO THE CLIMATE
416 ACTION TEAM

417 Ordinance No. 3/2021-22

418 THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

419 Section 1. Section 3-24.16 (c) of the Town Code is amended to read as follows:

420 (c) Up to two liaisons shall be appointed by the Council every year at, or shortly after,
421 the Town Council's organizational meeting when other appointments to advisory
422 boards, commissions, or committees are made.

423 Section 2. All provisions of any Town ordinance in conflict with this ordinance are
424 repealed.

in marginalized populations; or related content areas		
Resident with Professional Expertise, Lived Experience in the Criminal legal system; human services delivery; social work; public health; harm reduction; community building in marginalized populations; or related content areas	Barbara Fedders	
Resident with Professional Expertise, Lived Experience in the Criminal legal system; human services delivery; social work; public health; harm reduction; community building in marginalized populations; or related content areas	Benjamin Gear	
Resident with Professional Expertise, Lived Experience in the Criminal legal system; human services delivery; social work; public health; harm reduction; community building in marginalized populations; or related content areas	Madison Hayes	
Resident with Professional Expertise, Lived Experience in the Criminal legal system; human services delivery; social work; public health; harm reduction; community building in marginalized populations; or related content areas	Frances Henderson	
Resident with Professional Expertise, Lived Experience in the Criminal legal system; human services delivery; social work; public health; harm reduction; community building in marginalized populations; or related content areas	Mariela Hernandez	

459

460 This the 16th day of November 2021

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

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MATTERS BY COUNCIL MEMBERS

**MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY
COUNCIL MEMBER HAVEN-O'DONNELL, FOR STAFF TO BRING BACK A
FUTURE AGENDA ITEM REGARDING LEAF BLOWERS AND 2 STROKE
ENGINE PROHIBITION. VOTE: AFFIRMATIVE ALL**

ADJOURNMENT

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

Town Clerk

Mayor