



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

Town of Carrboro
Meeting Minutes
Town Council

March 15, 2022

7:00 PM

Remote Meeting

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

Present: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Sammy Slade

Also Present: Richard White, Town Manager; Wesley Barker, Town Clerk; Mary Bryant, Deputy Town Clerk; Nick Herman, Town Attorney

PROCLAMATION-TRANSIT DRIVER APPRECIATION DAY

Mayor Seils read a proclamation for Transit Driver Appreciation Day. The proclamation was presented to Brian Litchfield, Town of Chapel Hill Transit Director.

POETRY READING

Fred Joiner read a poem by Margaret Walker called, "How Many Silent Centuries Sleep in My Sultry Veins?"

PUBLIC COMMENT

Aja Kelleher stated that she has concerns about a possible affordable housing project on Pathway Drive and the town's transparency about this project. She also stated that she is concerned about stormwater and erosion related to this project.

31 Mayor Seils stated that what occurred recently was approval for a process to evaluate town-
32 owned pieces of property throughout the community and to assess the ability for potential
33 development of affordable housing.

34 *****

35 **APPROVAL OF MINUTES FROM THE JANUARY 4 AND JANUARY 11, 2022**
36 **MEETINGS**

37 **MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY**
38 **COUNCIL MEMBER ROMAINE, TO APPROVE THE MINUTES OF JANUARY 4,**
39 **2022 AND TO POSTPONE THE APPROVAL OF THE JANUARY 11, 2022 MINUTES.**
40 **VOTE: AFFIRMATIVE ALL**

41 *****

42 **FIRE DEPARTMENT MONTHLY REPORT**

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

45 **MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY**
46 **COUNCIL MEMBER ROMAINE, TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE**
47 **ALL**

48 *****

49 **POLICE DEPARTMENT MONTHLY REPORTS**

50 The purpose of this item was to provide a brief overview of calls for service for the month of
51 February.

52 **MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY**
53 **COUNCIL MEMBER ROMAINE, TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE**
54 **ALL**

55 *****

56 **STORMWATER UTILITY MONTHLY REPORT**

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

59 **MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY**
60 **COUNCIL MEMBER ROMAINE, TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE**
61 **ALL**

62 *****

63 **ECONOMIC DEVELOPMENT MONTHLY REPORT**

64 The purpose of this item was to provide a regular monthly activities and status report.

65 **MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY**
66 **COUNCIL MEMBER ROMAINE, TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE**
67 **ALL**

68 *****

69 **A REQUEST FOR A MINOR MODIFICATION TO THE WINMORE VMU**
70 **CONDITIONAL USE PERMIT TO ALLOW CONVERSION OF LOT 179 TO THREE**
71 **SINGLE-FAMILY LOTS AND ASSIGN THE COMMUNITY POOL TO SERVE AS**
72 **CIVIC USE FOR THE VMU**

73 Town Council was asked to consider approving a Minor Modification to the Conditional Use
74 Permit for Winmore VMU to allow conversion of Lot 179 to three single-family lots and assign
75 the community pool to serve as civic use for the VMU. A resolution approving the modification
76 is attached should the Board choose to approve the request.

77 Marty Roupe, Development Review Administrator for the Town, gave a short presentation and
78 introduced Eric Chupp, Vice-President of Capkov Ventures, who gave a slideshow presentation
79 describing the request. Joe Kovens, with Capkov Ventures, was also in attendance.

80 Christina Berkowitz, Winmore HOA President, answered questions from the Council about the
81 request.

82
83 Melissa McCabe, Carrboro resident, stated that she had reached out to someone from the town
84 expressing her concern about the increase in density and pedestrian dangers if three additional
85 families move into Winmore. She said that she never received a response from the Town.

86
87 Marty Roupe responded to Ms. McCabe that he looked through his emails and could not find any
88 correspondence from her. Ms. McCabe responded that the emails were not sent to Marty or
89 anyone in attendance at the meeting.

90
91 Mr. Chupp responded to Ms. McCabe that they have eliminated a fair amount of lots in Winmore
92 so that the overall density is less than was initially approved and that this was one of the reasons
93 they switched from the 12-unit condominium building to the 3 units. He stated that they made
94 these changes after hearing concerns from Winmore residents.

95
96 Council Member Foushee asked Mr. Chupp if the Town could get any affordability built into the
97 3 single family homes that are proposed.

98
99 Mr. Chupp responded that the builders had made a huge contribution to affordable housing in the
100 past as well as other special buildings and considerations but cannot build in affordable housing
101 in these three single family homes.

102
103 Council Member Slade stated that he encourages the Town to have a Public Hearing on this
104 issue. He also stated that he would like to see a gazebo added to the project for use by teenagers.
105

MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY COUNCIL MEMBER FOUSHEE, TO SCHEDULE A PUBLIC HEARING ON A DATE TO BE DETERMINED BY THE MANAGER. VOTE: AFFIRMATIVE ALL

THE 203 PROJECT GUARANTEED MAXIMUM PRICE

The purpose of this item was to provide the Council with the cost to construct the 203 Building for consideration and approval.

Ben Schmadeke, Capital Projects Manager for the Town, gave a presentation.

Chad Webb, Western Division Vice President with Barnhill Contracting, was present to answer questions from Town Council.

Eric Pond, Preconstruction Manager with Barnhill Contracting, was also present to answer questions from Town Council.

A motion was made by Council Member Haven-O'Donnell, seconded by Council Member Nowell, that the following resolution be approved:

A RESOLUTION FOR ACCEPTING THE GUARANTEED MAXIMUM PRICE FOR THE 203 PROJECT

WHEREAS, The Town has undertaken the development of a major civic facility, The 203 Project, in partnership with Orange County; and,

WHEREAS, on August 8, 2018 the Town selected Barnhill Contracting Company as the Construction Manager at Risk for the 203 Project; and,

WHEREAS, on June 15, 2021 the Town Council approved the project design; and,

WHEREAS, bidding and advertising was performed by Barnhill Contracting Company in accordance with Town policy and State requirements; and,

WHEREAS, Barnhill Contracting Company has developed a Guaranteed Maximum Price (GMP) to complete the construction of the project in the amount of \$34,692,067; and,

WHEREAS, The Town Council has received recommended finance strategies to pay for the Town's share of the construction costs for the 203 Project;

NOW, THEREFORE, BE IT RESOLVED that the Carrboro Town Council approve the Guaranteed Maximum Price for the 203 Project provided by Barnhill Contracting Company in the amount of \$34,692,067.

This the 15th day of March in 2022.

Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell

Noes: Council Member Sammy Slade

A motion was made by Council Member Haven-O'Donnell, seconded by Council Member Nowell, that the following ordinance amendment be approved:

**AMENDMENT TO 203 SOUTH GREENSBORO STREET CAPITAL IMPROVEMENT
PROJECT ORDINANCE**

WHEREAS the Town of Carrboro (Carrboro), and Orange County (County) entered into a Development Agreement on December 4, 2017 related to design, permitting, and construction of a building and associated parking at 203 S. Greensboro Street to provide for the Orange County Southern Branch Library, Orange County Skills Development Center, Town of Carrboro Recreation, Parks and Cultural Resources, WCOM Radio, and other uses; and,

WHEREAS the Town and County subsequently amended this Development Agreement on May 1, 2020; and,

WHEREAS Barnhill Construction, Construction Manager at Risk (CMAR) for the 203 S. Greensboro Street Project has provided to the Town and County a Guaranteed Maximum Price (GMP) of \$34,692,067 for construction; and,

WHEREAS the total cost of the project is estimated to be \$41,174,840 for the design, construction and provision of furniture, fixtures and equipment (FF & E); and,

WHEREAS the Town's estimated share of costs for the project total \$18,955,958; and,

WHEREAS, the County's estimated share of costs for the project total \$22,218,882; and,

WHEREAS, it is necessary to amend this Capital Project Ordinance to provide sufficient funding for the completion of 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 THE 203 SOUTH GREENSBORO STREET CAPITAL IMPROVEMENT PROJECT ORDINANCE is amended as follows:

1. The total revenues for the 203 S. Greensboro Street Project are increased to \$41,174,840 with each party responsible for the share of revenues as shown below.

Approved Budget	Increase (Decrease)	Total Revenue	
Town of Carrboro	\$ 12,000,000	\$ 6,955,958	\$ 18,955,958
Orange County	\$ 15,638,255	\$ 6,580,627	\$ 22,218,882

Total	\$ 27,638,255	\$ 13,536,585	\$ 41,174,840
-------	---------------	---------------	---------------

2. The following expenses are authorized until completion of the project and each party shall be responsible for the proportionate share of expenses for the 203 S. Greensboro Street Project as shown below.

Orange County	Town of Carrboro	Total	
Design	\$ 1,252,236	\$ 1,004,859	\$ 2,257,095
Construction	\$ 19,202,063	\$ 15,490,004	\$ 34,692,067
FF & E	\$ 1,764,583	\$ 2,461,095	\$ 4,225,678
Total	\$ 22,218,882	\$ 18,955,958	\$ 41,174,840

3. The Town of Carrboro shall finance its share of the costs as follows:

- a. Debt Financing in the amount of \$12,595,000 for Design and Construction;
- b. Cash contribution of \$6,319,358 for FF & E, contingency, and construction; and,
- c. Cash contribution of \$41,600 from Stormwater Utility Enterprise Fund for soil cell.

4. The Town Manager and Finance Officer are hereby authorized to perform and undertake such acts and actions necessary for the financing of this project.

5. The Town Council authorizes the transfer of up to \$6,314,358 from General Fund balance (also known as cash reserves) to the 203 S. Greensboro Street Capital Project.

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

7. All other provisions of the Capital Project Ordinance shall continue in effect.

8. This Amended Project Ordinance shall become effective upon adoption.

The foregoing amended capital project ordinance having been submitted to a vote received the following vote and was duly adopted this 15th day of March 2022.

Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell

Noes: Council Member Sammy Slade

ADJOURNMENT

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

224 *****

225

226

227

228

229 _____

230 **Town Clerk**

231

232

233

234 _____

235 **Mayor**

236

237