



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

**Town of Carrboro  
Meeting Minutes  
Town Council**

**June 7, 2022**

**7:00 PM**

**Council Chambers - Room 110**

**This meeting was 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 Eliazar Posada, Council Member Sammy Slade

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

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**OATH OF OFFICE FOR COUNCIL MEMBER-ELECT ELIAZAR POSADA**

Council Member-Elect Eliazar Posada was issued the Oath of Office by N.C. House of Representative, Ricky Hurtado.

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**PUBLIC COMMENT**

**Addie Wilson**, Starlite Drive resident, spoke about speeding on Starlite Drive.

**Dorothy Espelage**, Starlite Drive resident, also spoke about speeding on Starlite Drive.

**Motion was made by Council Member Foushee, seconded by Council Member Slade, to direct staff to proceed with the following action:**

Move ahead with planning 1-3 speed tables for Starlite Drive, at staff's discretion, while simultaneously planning a neighborhood meeting and addressing questions about accessibility for those using wheelchairs and other forms of mobility challenges, and to explore the potential reuse of the temporary speed tables on Oak Avenue.

This, the 7th day of June 2022.

**Ayes:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Eliazar Posada and Council Member Sammy Slade

Courtnei McWilliams, Carrboro resident, read "I Rise" by Maya Angelou.

Soteria Shepperson, Carrboro resident and business owner, addressed the Council.

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**APPROVAL OF ABSTRACT OF VOTES CAST AT THE MAY 17, 2022 SPECIAL ELECTION**

The purpose of this item was for the Town Council to consider approval of the Abstract of Votes Cast at the May 17, 2022 Special Election.

**Motion was made by Council Member Haven-O'Donnell, seconded by Council Member Nowell, to approve the following resolution:**

A RESOLUTION APPROVING THE ABSTRACT OF VOTES CAST AT THE MAY 17, 2022 SPECIAL ELECTION BE IT RESOLVED BY THE CARRBORO TOWN COUNCIL:

Section 1. The Abstract of Votes Cast at the May 17, 2022 Special Election is hereby approved as follows:

Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
TOWN OF CARRBORO TOWN COUNCIL (UNEXPIRED)	Aja Kelleher		1,131	597	500	33	1
	Eliazar Posada		3,417	1,485	1,847	84	1

Section 2. This resolution shall become effective upon adoption.

This, the 7th day of June 2022.  
**Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Eliazar Posada and Council Member Sammy Slade**

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**APPROVAL OF MINUTES FROM THE MARCH 8, 2022 MEETING**

**MOTION WAS MADE BY COUNCIL MEMBER HAVEN-O'DONNELL, SECONDED BY COUNCIL MEMBER NOWELL TO APPROVE THE MINUTES OF THE MARCH 8, 2022 MEETING. VOTE: AFFIRMATIVE ALL.**

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**DONATIONS TO FIRE DEPARTMENT AND FY 2021-22 ADOPTED BUDGET AMENDMENT**

The purpose of this item was to recognize and appropriate \$455 in contributions made to the Fire Department.

**Motion was made by Council Member Haven-O'Donnell, seconded by Council Member Nowell, to approve the following ordinance:**

**ACCEPTANCE OF DONATIONS TO THE FIRE DEPARTMENT AND FY 2021 -22  
ADOPTED BUDGET AMENDMENT  
Ordinance No. 11 / FY 2021-22**

WHEREAS John and Leigh Anderson have contributed \$80.00 to the Town of Carrboro Fire Department; and,

WHEREAS Thomas Yost has contributed \$375.00 to the Town of Carrboro Fire Department; and,

WHEREAS the Town Council is grateful for the generosity of the Andersons and Mr. Yost; and,

WHEREAS it is appropriate to amend the FY2021-22 General Fund budget to incorporate this restricted donation;

NOW, THEREFORE, BE IT ORDAINED, by the Town of Carrboro Town Council that in accordance with authority contained in G.S.159-15:

- Section 1. The Council recognizes the receipt of \$455.00 in donations and will appropriate the funds for use by the fire department.  
Section 2. The Town Council thanks the Andersons and Mr. Yost for their combined contribution of \$455 to support the Town's Fire Department operations.

Section 3. This budget ordinance amendment shall be effective immediately upon adoption.

Section 4. A copy of this budget amendment shall be forwarded to the Town's Finance Officer within five (5) days.

This, the 7th day of June 2022.

**Ayes:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Eliazar Posada and Council Member Sammy Slade

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**REQUEST TO AUTHORIZE TOWN MANAGER TO EXTEND CONTRACT WITH RAMEY KEMP & ASSOCIATES FOR SOUTH GREENSBORO STREET SIDEWALK (TIP# C-5650) PRELIMINARY ENGINEERING SERVICES**

The contract for Ramey Kemp & Associates (RKA), the design firm preparing the bid documents for the South Greensboro Street sidewalk, is scheduled to expire at the end of June 2022. The purpose of this agenda item is to authorize the Town Manager to execute a contract extension with RKA to complete the preliminary design and associated bid documents.

**Motion was made by Council Member Haven-O'Donnell, seconded by Council Member Nowell, to approve the following resolution:**

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXTEND THE CONTRACT WITH RAMEY KEMP & ASSOCIATES FOR PRELIMINARY ENGINEERING SERVICES TO CONSTRUCT THE SOUTH GREENSBORO STREET SIDEWALK (TIP # C-5650)

WHEREAS, the Town of Carrboro executed a municipal agreement, and supplemental agreement with the North Carolina Department of Transportation to receive federal STBG-DA, STBG, and Congestion Mitigation and Air Quality Improvement Program (CMAQ) Funds for the design and construction of the South Greensboro Street Sidewalk, an approximately 0.9-mile sidewalk from the north end of Old Pittsboro Road to Public Works Drive; 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, the Town has been awarded \$486,579 of Orange County Transit funds to the project; and,

WHEREAS, on June 19, 2018, the Town entered into a contract with Ramey Kemp & Associates to complete preliminary engineering services to design and prepare bid documents for construction; and

WHEREAS, it is necessary to extend the contract to complete the preparation of bid documents, the bid advertisement and review of the award and execution of a construction contract.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Town Council that the Council authorizes the Town Manager to extend the contract with Ramey Kemp & Associates for two more years to complete the preliminary design services, including the preparation of the bid documents and participation in the bid process.

**This the 7th day of June 2022**

**Ayes:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Eliazar Posada and Council Member Sammy Slade

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**REQUEST TO SUBMIT A STIP AMENDMENT TO ALLOCATE LOCAL DISCRETIONARY FUNDS TO JONES CREEK GREENWAY**

Motion was made by Council Member Haven-O'Donnell, seconded by Council Member Nowell to approve the following resolution:

**RESOLUTION TO AUTHORIZE STAFF TO SUBMIT A REQUEST FOR A STIP AMENDMENT TO ADD FUNDS FOR THE JONES CREEK GREENWAY PROJECT (TIP#C-5181)**

WHEREAS, the Town Council on April 5, 2016, adopted a Capital Improvement Project Ordinance for the Jones Creek Greenway design and construction; and,

WHEREAS, the Town of Carrboro executed a municipal agreement, and supplemental agreement with the North Carolina Department of Transportation to receive Congestion Mitigation and Air Quality Improvement Program (CMAQ) Funds for the design and construction of the Jones Creek Greenway, a one-hundred-foot bridge and paved greenway trail between Lake Hogan Farm Road and the Twin Creeks Greenway; and,

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

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO, 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 \$256,000.

This the 7<sup>th</sup> day of June 2022.

**The motion carried by the following vote:**

**Ayes:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Eliazar Posada and Council Member Sammy Slade

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**REQUEST TO ISSUE SPECIAL USE PERMIT-A TO UTILIZE EXISTING BUILDING FOR ARTSCENTER AT 400 ROBERSON STREET**

The purpose of this agenda item was for the Town Council to consider making a decision on the request for a Special Use Permit-A application for the ArtsCenter to renovate the existing building at 400 Roberson Street.

Marty Roupe, Development Review Administrator, gave a short introduction of this item. Ken Reiter, Project Developer, was on hand to answer questions by Council.

**A motion was made by Council Member Nowell, seconded by Council Member Posada to approve the following:**

**DECISION ON SPECIAL USE PERMIT-A**  
**The ArtsCenter, 400 Roberson Street**

On May 24, 2022, the Town Council held a quasi-judicial hearing on the application of Coulter Jewel Thames PA, on behalf of the ArtsCenter, for a Special Use Permit-A to allow the ArtsCenter to use the existing building and infrastructure at 400 Roberson Street in Carrboro, North Carolina for an arts center. Based on the evidence submitted at the hearing, the Council makes the following Findings of Fact, Conclusions, and Decision:

**Findings of Fact**

1. The property that is the subject of the application, located at 400 Roberson Street in

Carrboro, North Carolina, PIN No. 9778-95-2758, is 2.03 acres with an existing vacant building, and is zoned B-1(g) within the Downtown Neighborhood Protection overlay district.

- 2. The surrounding land uses are to the North, B-1(c)-parking lot; to the South, townhouses; to the West, Sweet Bay Place Right of Way; and to the East, R-7.5 town cemetery.
- 3. The ArtsCenter proposes to use the existing one-story building (17,143sf) on the property as an arts center, which is a permitted use with a Special Use Permit-A in the B-1(g) district under classification 5.300 and 5.320 in the Table of Permissible Uses, with utilization of the existing parking on the property, consisting of 86 parking spaces.
- 4. According to the Staff Report, the Application is complete, and the proposed use satisfies all of the Land Use Ordinance requirements regarding traffic, parking, bike parking, tree protection, screening, shading of the parking lot, tree canopy, drainage and grading, and requirements pertaining to utilities and refuse collection.
- 5. The ArtsCenter proposes to keep the existing 5-foot-wide sidewalks along both Roberson Street and Sweet Bay Place as a continuation of a nonconforming situation, and these existing sidewalks are sufficient to serve the ArtsCenter use.
- 6. Mr. Tom Tolley, a N.C. Certified Appraiser, rendered the opinion that the proposed use would not adversely impact any neighboring property values and would likely enhance the residential and commercial values of the nearby properties based on the nature of the proposed use.

Conclusions

- 1. The Application is complete.
- 2. The Application complies with all applicable requirements for the Land Use Ordinance.
- 3. The proposed use will not materially endanger the public health or safety.
- 4. The proposed use will not substantially injure the value of adjoining or abutting property.
- 5. The proposed use will be in harmony with the area in which it is to be located.
- 6. The proposed use will be in general conformity with the Land Use Plan and Thoroughfare Plan.

Decision Based on the foregoing findings of fact and conclusions, the Council grants the requested Special Use Permit-A to the ArtsCenter.  
The lighting within the parking lots will be reviewed and approved by the zoning staff to be in compliance with the requirements of Section 15-242.5 General Standards of the Land Use Ordinance prior to approval of the Construction Plans for the ArtsCenter.

Signed, this the 7th day of June 2022.

**The motion carried by the following vote:**

**Ayes:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Eliazar Posada  
**Nays:** Council Member Sammy Slade

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**PUBLIC HEARING ON TOWN MANAGER’S RECOMMENDED BUDGET FOR FY23**

The purpose of this agenda item was to provide an opportunity for the public to comment on the Town Manager’s Recommended Budget for FY23 as required by G. S. 159-12 (b).

**Comments from the public:**

**Jay Miller**, Board Member of the Inter-Faith Council for Social Service, spoke on this item.  
**Braxton Foushee**, Chair of the Carrboro Planning Board and resident, spoke on this item.  
**Jackie Jenks**, Executive Director of Inter-faith Council for Social Service, spoke on this item.

**COUNCIL MEMBER NOWELL MADE A MOTION, SECONDED BY COUNCIL MEMBER POSADA, THAT THE CARRBORO TOWN COUNCIL ACCEPT THE FULL FUNDING REQUEST OF THE INTER LOCAL AGREEMENT WITHIN THE COMING BUDGET, FOR THE AMOUNT THAT THE INTER-FAITH COUNCIL FOR SOCIAL SERVICE IS REQUESTING. VOTE: AFFIRMATIVE ALL**

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**CONTINUATION OF PUBLIC HEARING: SPECIAL USE PERMIT-A FOR NEW COMMERCIAL BUILDING AT 201 NORTH GREENSBORO STREET**

The purpose of this agenda item was for the Town Council to continue a public hearing on Special Use Permit-A application for new Commercial Building at 201 North Greensboro Street.

Marty Roupe, Development Review Administrator, introduced the item.  
Jeremy Anderson, developer with CJT, gave a presentation on the project.  
Tom Tolley, state certified general appraiser, spoke on this item.  
Nathaniel Parker, Stam Law Firm, spoke on this item.  
Rich Kirkland, state certified general appraiser, spoke on this item.  
Jim Halley, resident of Carrboro, spoke on this item.  
Nathaniel Parker questioned Tom Tolley about the item.  
Ed Lammas, representative with Beacon Properties Group, spoke on this item.

**Council Member Slade made a motion, seconded by Council Member Haven-O'Donnell to direct staff to finalize the findings of fact which are as follows:**

**Findings of Fact**

1. The properties that are the subject of the application, located at 201 North Greensboro Street and 100 Center Street in Carrboro, North Carolina, PIN Nos. 9778-86-3587 and 9778-86-2555, are 0.53 acres in size. The 201 North Greensboro Street parcel is vacant and has an existing parking lot on the 100 Center Street parcel. The 201 North Greensboro Street parcel is zoned B-1(c) within the Downtown Neighborhood Protection overlay district, and the 100 Center Street parcel is zoned B-2.
2. The surrounding land uses are to the North, B-1(c) and B-2-CZ – commercial buildings; to the South, B-1(c) – public street; to the West, B- 2 and B-2-CZ – public street and commercial building; and to the East, B- 1(c) – public street.
3. The property owner proposes to construct a three-story commercial building (16,186 sf) on the property to include multiple commercial uses, which are permitted uses with a Special Use Permit-A in the B-1(c) and B- 2 districts under the use classifications listed on the Project plans, with utilization of the existing parking on the property and additional parking to be created, totaling 40 parking spaces.
4. The forty (40) parking spaces are sufficient to serve the 201 North Greensboro Street project based on information provided by the applicant regarding the alternative modes of transportation to get to and from the 201 North Greensboro Street project.
5. According to the Staff Report, the Application is complete, and the proposed use satisfies all the Land Use Ordinance requirements regarding traffic, parking, bike parking, tree protection, screening, shading of the parking lot, tree canopy, drainage and grading, and requirements pertaining to utilities and refuse collection.

6. The property owner proposed to keep the existing 5-foot-wide sidewalk along the 100 Center Street parcel as a continuation of a nonconforming situation.
7. Mr. Tom Tolley, a N.C. Certified Appraiser, rendered the opinion that the proposed use would not adversely impact any neighboring property values and would likely enhance the residential and commercial values of the nearby properties based on the nature of the proposed use.

This, the 7th day of June 2022.

**Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Eliazar Posada and Council Member Sammy Slade**

Mayor Seils closed the public hearing.

Mayor Seils said that a decision will be made before summer recess begins on June 22, 2022.

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**ANNUAL ORANGE COUNTY FOOD COUNCIL PRESENTATION AND PROGRESS REPORT**

The purpose of this agenda item was to receive the annual Orange County Food Council progress report and presentation.

Ashley Heger, Director of the Orange County Food Council, gave the presentation.

**COUNCIL MEMBER SLADE MADE A MOTION, SECONDED BY COUNCIL MEMBER POSADA, TO ACCEPT THE ORANGE COUNTY FOOD COUNCIL PRESENTATION AND PROGRESS REPORT. VOTE: AFFIRMATIVE ALL**

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**ADOPTION OF CARRBORO CONNECTS 2022-2042 COMPREHENSIVE PLAN**

The purpose of this agenda item was for the Town Council to consider adoption of the draft comprehensive plan, Carrboro Connects 2022-2042.

Trish McGuire, Town Planning Director, gave a presentation.

**Motion was made by Council Member Posada, seconded by Council Member Romaine, to approve the following resolution.**

RESOLUTION ADOPTING CARRBORO CONNECTS 2022-2042

WHEREAS, N.C.G.S § 160D-501 requires local governments to adopt and reasonably maintain a comprehensive or land-use plan as a requisite to regulating land use through zoning; and

WHEREAS, a comprehensive plan sets forth visions, goals, strategies, and projects intended to guide the physical and social development of a local government jurisdiction based on an analysis of present and future needs; and

WHEREAS, Since March of 2020, the Town has worked with a contracted consulting team to draft a comprehensive plan;

WHEREAS, Carrboro Connects was a community-driven effort that has included extensive community engagement and represents broad and diverse community input; and

WHEREAS, the Town's boards and commissions participated in multiple reviews of Carrboro Connects to provide feedback and confirm consistency with the Town's visions and goals; and

WHEREAS, on December 16, 2021, the Town of Carrboro Planning Board recommended adoption of Carrboro Connects Comprehensive Plan; and

WHEREAS, at their duly advertised meetings held Tuesday, November 16, 2021, and Tuesday, February 22, 2022, the Carrboro Town Council held a public hearing on adopting the Carrboro Connects 2022-2042 Comprehensive Plan.

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

- 1) Adoption of Carrboro Connects 2022-2042 Comprehensive Plan to guide land use, growth and development, public services, and programming; and
  - 2) Adoption of Carrboro Connects 2022-2042, particularly Chapter 8, as the Town’s Recreation and Parks Master Plan; and
  - 3) Re-adoption of the following plans to assist with informing the implementation of Carrboro Connects:
    - a. Updated Bike Plan
    - b. Community Climate Action Plan
    - c. Energy and Climate Protection Plan
    - d. Economic Sustainability Plan
    - e. Downtown Parking Plan
- This the 7<sup>th</sup> day of June in the year 2022.

**The motion carried by the following vote:**

**Ayes:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O’Donnell, Council Member Danny Nowell, Council Member Eliazar Posada, and Council Member Sammy Slade

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**MATTERS BY COUNCIL MEMBERS**

Council Member Foushee made a motion, seconded by Council Member Nowell, that in the Fall, the discussion will continue about the “feel free” tag line on the current logo.

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**ADJOURNMENT**

**MOTION WAS MADE BY COUNCIL MEMBER HAVEN-O’DONNELL, SECONDED BY COUNCIL MEMBER ROMAINE, TO ADJOURN THE MEETING.**

**VOTE: AFFIRMATIVE ALL**

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Town Clerk

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Mayor

