



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

## **Town of Carrboro**

### **Meeting Minutes**

#### **Town Council**

**September 20, 2022**

**7:00 PM**

**Council Chambers – Room 110**

**This meeting 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; Nick Herman, Town Attorney; Mary Bryant, Deputy Town Clerk

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#### **PROCLAMATION: FALLEN FIREFIGHTERS MEMORIAL WEEKEND / FIRE PREVENTION WEEK**

Mayor Seils proclaimed October 9 to 15, 2022, to be Fire Prevention Week in Carrboro. The proclamation was presented to Will Potter, Interim Fire Chief of the Carrboro Fire Department.

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#### **ACKNOWLEDGEMENT OF AWARD FOR THE TOWN OF CARRBORO PLANNING DEPARTMENT**

Mayor Seils announced that the Town of Carrboro's Planning Department was awarded the 2022 Marvin Collins Outstanding Planning Award for the Town's Comprehensive Plan. The award was presented specifically to Planning Administrator, Tina Moon and Associate Planner, Ben

Berolzheimer. The award category is for comprehensive plans for small communities that have a population of 25,000 or less.

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### **PROCLAMATION: COMMUNITY PLANNING MONTH**

Mayor Seils proclaimed October 2022, to be Community Planning Month in Carrboro. The proclamation was presented to Trish McGuire, Planning Director for the Town of Carrboro.

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### **POETRY READING**

Fred Joiner, the Town's Poet Laureate, read a poem by Marilyn Freeman called "The Body Knows."

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### **PUBLIC COMMENT**

**Kevin Poinbeouf** spoke on continued issues with Merritt's Gravel Pit.

**Shelley Welch** spoke on continued issues with Merritt's Gravel Pit.

**Brian Crawford** spoke about issues with Wyndham Drive in the Kentfield neighborhood being blocked by bollards.

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### **A RESOLUTION SCHEDULING AN OCTOBER 18, 2022 TOWN COUNCIL MEETING AND CANCELING THE OCTOBER 25, 2022 TOWN COUNCIL MEETING**

The purpose of this item was to schedule a meeting for October 18, 2022 and to cancel the October 25, 2022 meeting.

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

A RESOLUTION SCHEDULING THE OCTOBER 18, 2022 TOWN COUNCIL  
MEETING AND CANCELING THE OCTOBER 25, 2022 TOWN COUNCIL  
MEETING

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

80  
81 Section 1. A Town Council meeting is scheduled for October 18, 2022.

82  
83 Section 2. The October 25, 2022 Town Council meeting is canceled.

84  
85 This the 20th day of September 2022.

86  
87 **The motion carried unanimously by the following vote:**

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

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95 **REQUEST TO SET A PUBLIC HEARING ON A LAND USE AMENDMENT**  
96 **RELATING TO CERTAIN LIMITATIONS ON THE USE OF CRIMINAL PENALTIES**

97  
98 The purpose of this item was for the Town Council to consider setting a public hearing on a text  
99 amendment to the Land Use Ordinance to conform to state legislation relating to the use of  
100 criminal penalties for violations of development regulations.

101  
102 **A motion was made by Council Member Haven-O'Donnell, seconded by Council**  
103 **Member Romaine, to approve the following resolution.**

104  
105 A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE TO COMPLY  
106 WITH SB 300, SL 2021-138 RELATING TO CERTAIN LIMITATIONS ON THE USE OF  
107 CRIMINAL PENALTIES

108  
109  
110 WHEREAS, the Carrboro Town Council seeks to provide ample opportunities for the public to  
111 comment on proposed amendments to the Land Use Ordinance;

112  
113 NOW, THEREFORE BE IT RESOLVED that the Town Council sets a public hearing on  
114 November 1, 2022, to consider adopting "An Ordinance Amending the Carrboro Land Use  
115 Ordinance to Comply with SB 300, SL 2021-138 Relating to Certain Limitations on the Use of  
116 Criminal Penalties."

117  
118 BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County and the  
119 Town of Carrboro Planning Board for consideration and recommendation prior to the specified  
120 public hearing date.

121  
122 This is the 20<sup>th</sup> day of September in the year 2022.

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

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

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131 **GRANT PROJECT ORDINANCE FOR FY21-22 ORANGE COUNTY COMMUNITY**  
132 **CLIMATE ACTION GRANT FUNDING**  
133

134 The purpose of this item was for the Town Council to adopt the Project Ordinance authorizing  
135 the Town Manager to accept two grants from the FY21-22 Orange County Community Climate  
136 Action Grant Fund and enter into agreements with Orange County for grant administration.

137  
138 **A motion was made by Council Member Haven-O'Donnell, seconded by Council**  
139 **Member Romaine, to approve the following Grant Project Ordinance.**  
140

141 GRANT PROJECT ORDINANCE FOR FY21-22 ORANGE COUNTY COMMUNITY  
142 CLIMATE ACTION GRANT FUNDING  
143

144 **ORDINANCE #: 1 / FY 22-23**

145 WHEREAS Orange County has awarded two grants to the Town of Carrboro under its FY 2021-  
146 22 Orange County Community Climate Action Grant Program: and,

147 WHEREAS \$40,567.50 is for the installation of a green roof and a photovoltaic (PV) solar array  
148 on the west roof of the 203 South Greensboro Street Project; and \$3,765.00 is for a part-time  
149 employee to monitor food waste collection at the Carrboro Farmers' Market for one year; and,

150 WHEREAS Orange County requires the Town to enter into a grant agreement to govern the  
151 receipt and use of these awards; and,

152 WHEREAS the Town Council deems this activity to be a worthy and desirable undertaking;

153 NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE TOWN  
154 COUNCIL OF THE TOWN OF CARRBORO THAT:

- 155 1. The Town Council accepts the FY 2021-22 Community Climate Action Grants from  
156 Orange County in the amount of \$44,332.50, for the installation of a green roof and a PV  
157 solar array on the west roof of the 203 South Greensboro Street Project and for a part-  
158 time employee to monitor food waste collection at the Carrboro Farmers' Market for one  
159 year.

- 160 2. These grant revenues are appropriated as follows:

PV Solar Array Project		\$ 40,567.50
Part-time monitor for food waste collection	\$	3,765.00
Total		<u>\$ 44,332.50</u>

3. The funds in Section 2 above shall be available for expenditure until completion of the projects.

4. The Town Manager is authorized to execute the required Grant Agreements and any other required documents with Orange County for the receipt and use of these funds.

5. The Finance Officer is authorized to make the necessary and appropriate transfer of funds identified as needed.

6. Upon adoption, the Town Clerk shall file a copy of this ordinance with the Finance Director.

7. This project ordinance is effective immediately.

The foregoing ordinance having been submitted to a vote of the Town Council and received the following vote and was duly adopted this 20<sup>th</sup> day of September 2022.

**The motion carried unanimously 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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**APPOINTMENT OF AFFORDABLE HOUSING ADVISORY COMMISSION MEMBER TO 2ND TERM**

The purpose of this agenda item was for Council to consider reappointment of Affordable Housing Advisory Commission member Betty Curry to a 2nd three-year term.

**A RESOLUTION MAKING AN APPOINTMENT TO THE AFFORDABLE HOUSING ADVISORY COMMISSION**

The Carrboro Town Council hereby appoints the following applicant to the Affordable Housing Advisory Commission:

<b>Seat Designation</b>	<b>Appointee</b>	<b>Term Expiration</b>
In-town member	Betty Curry	9/2025

This resolution shall become effective upon adoption.

This the 20th day of September 2022.

**The motion carried unanimously 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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**UPDATE ON STARLITE DRIVE TRAFFIC CALMING AND APPROVAL OF TOWN CODE AMENDMENTS RELATING TO PARKING AND TRAFFIC CONTROL SIGNAGE**

The purpose of this agenda item was to provide the Town Council with an update on the installation of traffic calming and other safety measures for Starlite Drive, and to request adoption of the recommended amendments to the Town Code related to signage for on-street parking and traffic control devices.

**A motion was made by Council Member Haven-O'Donnell, seconded by Council Member Romaine, to approve the following ordinance to amend the Carrboro Town Code:**

**AN ORDINANCE AMENDING THE CARRBORO TOWN CODE ON PARKING RESTRICTIONS AND TRAFFIC CONTROL DEVICES ALONG STARLITE DRIVE  
ORDINANCE #: 2 / FY 22-23**

**THE CARRBORO TOWN COUNCIL ORDAINS:**

**Section 1.** Article II, of Chapter 6 Section 4, subsection (a) of the Carrboro Town Code (Stop Signs Required at Certain Intersections) is amended by deleting the following intersections:

Fowler Street Starlite Drive (Amend 3/2/04)

Starlite Drive Sunset Drive

Starlite Drive Starlite Drive

**Section 2.** Article II, of Chapter 6 Section 5, subsection (a) of the Carrboro Town Code (Stop Signs at Places Other Than Intersections) is amended by deleting the sentence, "All stop signs in the city limits of Carrboro are located at intersections," and adding the following locations:

Starlite Drive (westbound) approximately 300 feet west of Sunset Drive

Starlite Drive (eastbound) approximately 170 feet east of Broad Street

**Section 3.** Article IV, of Chapter 6, Section 19, Subsection (b)(1) of the Carrboro Town Code (No Parking At Any Time) is amended by rewriting subdivisions (pp), (ppp) and (sss) to read as follows:

(pp) The south side of Starlite Drive from the intersection of Starlite Drive and Broad Street continuing through its first ninety degree turn along the west side of the street and continuing through its second ninety degree turn along the south side of the street to the Carrboro Town limit. (Created 6/9/15)

(ppp) On the outside curve of Starlite Drive approximately 200 feet east of Broad Street, from a point 25 feet south of the south curbline to a point 25 feet west of the west curbline.

(sss) The south side of Starlite Drive from the Carrboro Town Limits to its ninety-degree bend to the north.

**Section 4.** All provisions of any town ordinance in conflict with this ordinance are repealed.

**Section 5.** This ordinance shall become effective upon adoption.

This the 20<sup>th</sup> day of September 2022.

**The motion carried unanimously 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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**ACCEPTANCE OF AND AUTHORIZATION TO IMPLEMENT THE  
CLASSIFICATION AND COMPENSATION STUDY REPORT**

The purpose of this agenda item was to request that the Town Council accept the Classification and Compensation Study Report and approve the implementation plan.

**A motion was made by Council Member Foushee, seconded by Council Member Romaine, that the following resolution be approved:**

**A RESOLUTION FOR THE IMPLEMENATION OF THE COMPREHENSIVE  
COMPENSATION AND CLASS STUDY CHANGES**

WHEREAS, the Town of Carrboro contracted with Management Advisory Group, Inc. (hereinafter "MAG") in March of 2022 to conduct a comprehensive study of the Town's Position Classification and Pay Plan; and

WHEREAS, in accordance with the terms of the contract, MAG delivered a final report to the Town in September of 2022 recommending changes to the Town's pay and classification plans;

WHEREAS, the Town Manager and the Human Resources Director have reviewed the final report and have shared the findings with the Directors of each department within the Town; and

WHEREAS, funding in the amount of \$660,220 have been designated as carryover for expenditure in FY 2022-23 operating budget; and,

WHEREAS, the findings and recommendations of the study are acceptable and feasible.

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

1. The recommended findings and changes to the Town's Position Classification and Pay Plan as presented in MAG's final report are hereby accepted.
2. The Town's Position Classification and Pay Plan is hereby modified in accordance with the findings and recommendation of MAG's final report.
3. The Town Manager is authorized to implement the changes to the Position Classification and Pay Plan effective October 8, 2022.
4. The Town Manager is authorized to make the necessary budget amendment(s) for the implementation of the new Pay Plan.
5. Within five (5) days after this resolution is adopted, the Town Clerk shall file a copy of this resolution with the Finance Director.
6. This resolution is effective immediately.

This the 20<sup>th</sup> day of September 2022.

**The motion carried unanimously 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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**REVIEW OF POLICIES FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT OF 2021, CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS**

The purpose of this agenda item was to present draft policies required for the expenditure of American Rescue Plan Act of 2021, Coronavirus State and Local Fiscal Recovery Funds (ARP/CSLFRF).

Arche McAdoo, Finance Director for the Town of Carrboro, gave a presentation about the topic.



Council Members asked questions, which were answered, and discussion ensued.

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### **GRANT PROJECT ORDINANCE FOR EXPENDITURE OF ARP/CSLFRF FUNDS**

The purpose of this agenda item was to present to the Town Council a proposed allocation of ARP/CSLFRF for consideration and adoption on October 11, 2022.

Arche McAdoo, Finance Director for the Town, gave a presentation about the topic.

Council Members asked questions, which were answered, and discussion ensued.

Chris Atack, Chief of Police, answered questions about the police department's need for crisis diversion and mental health services.

Andy Vogel, IT Director, answered questions about the town's broadband plans requests.

Charles Harrington, Interim Recreation and Parks Director, answered questions about the upcoming festivals, upgrades and renovations requests.

Jon Hartman-Brown, Economic Development Director, answered questions about small business grants, disparity studies, training for minority businesses, kitchen prep facilities.  
Council asked him to research what the federal government defines as BIPOC, underrepresented, and other terms as they relate to ARPA funding categories.

Anne-Marie Vanaman, Interim Housing and Community Services Director answered questions about OWASA delinquent accounts due to COVID, PFAS in wastewater tracking, weatherization of homes for LMI, affordable housing, and owner-occupied manufactured homes renovations.

Daniel Snipes, Interim Public Works Director answered questions about bikeways resurfacing, public bathrooms and water fountain downtown.

Trish McGuire, Planning and Zoning Director, answered questions about recycling bins in parks, safe routes to schools, and bike plan projects.

Cat Lazorko, Communications and Engagement Director answered questions about new digital signage.

Discussion ensued about submission dates for ARPA funding requests.

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**CLIMATE REALITY EVENT FEE WAIVER**

**MOTION WAS MADE BY COUNCIL MEMBER NOWELL, SECONDED BY  
COUNCIL MEMBER ROMAINE, TO APPROVE A WAIVER FOR FEES  
ASSOCIATED WITH THE UPCOMING EV RODEO.**

**The motion carried unanimously 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.**

Council asked the Town Manager for clarification on the policy concerning event fee  
waivers and sponsorships.

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**ADJOURNMENT**

**MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY  
COUNCIL MEMBER POSADA, TO ADJOURN THE MEETING.**

**VOTE: AFFIRMATIVE ALL**