



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Mayor Pam Hemminger
Mayor pro tem Michael Parker
Council Member Jessica Anderson
Council Member Allen Buansi

Council Member Hongbin Gu
Council Member Tai Huynh
Council Member Amy Ryan
Council Member Karen Stegman

Wednesday, February 26, 2020 7:00 PM RM 110 | Council Chamber

Roll Call

- Present:** 7 - Mayor Pam Hemminger, Mayor pro tem Michael Parker, Council Member Jessica Anderson, Council Member Allen Buansi, Council Member Hongbin Gu, Council Member Karen Stegman, and Council Member Amy Ryan
- Absent:** 1 - Council Member Tai Huynh

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Support Services Captain Josh Mecimore, Fire Inspector Donnie Morrissey, Communications Manager Catherine Lazorko, Library Director Susan Brown, Business Management Director Amy Oland, Transportation Planning Manager Bergen Watterson, Transit Director Brian Litchfield, Assistant Library Director Meeghan Rosen, Transit Planner Nick Pittman, Senior Park Planner Marcia Purvis, Assistant Business Management Director Matt Brinkley, Planning Development Manager Bill Webster, Library Systems Manager David Green, and Deputy Town Clerk Amy Harvey.

OPENING

0.01 Friends of the Chapel Hill Public Library Presentation of Funds for Finishing Phase 2 Parking Improvements. [\[20-0171\]](#)

Mayor Hemminger opened the meeting at 7:00 p.m. She noted that Council Member Huynh was absent/excused.

Karen Curtin, representing Friends of the Chapel Hill Public Library, presented the Town with \$185,000 to be used for finishing improvements and adding 16 more spaces to the Library's upper parking lot. She said that more information about Friends, a volunteer organization that raised funds for the Library through events and membership dues, was available at www.friendschpl.org.

Mayor Hemminger pointed out that the Chapel Hill Public Library was the most used facility in Town. She expressed gratitude to Friends and others for their volunteer help and contributions.

PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS

Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

1. Carlisle Willard Request Regarding Proposed Anti-Corruption Resolution. [\[20-0151\]](#)

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

2. Bayberry Drive Residents Request to Amend the Water and Sewer Management, Planning, and Boundary Agreement to Allow Water and Sewage Services to Their Lots. [\[20-0152\]](#)

A motion was made by Council Member Anderson, seconded by Council Member Buansi, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

- 2.01 Lillian Pierce Request to Abandon Bicycle/Pedestrian Easement at 205 Huntington Way. [\[20-0172\]](#)

Lillian Pierce, a Chapel Hill resident, said that a 30-foot-wide Town easement was taking up the bulk of her backyard in an area where she wanted to garden and install a fence. Town staff had supported her request to abandon the easement and had recommended that she file a formal petition, she said.

A motion was made by Council Member Anderson, seconded by Council Member Buansi, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

ANNOUNCEMENTS BY COUNCIL MEMBERS

- 2.02 Mayor Hemminger Regarding Council Vacancy. [\[20-0173\]](#)

Mayor Hemminger said that notice of a Council vacancy had been published and the public was invited to submit applications with the Town Clerk's office before 5:00 p.m. on March 27, 2020. Forms and information

were available online or at Town Hall, she said.

2.03 Mayor Hemminger Regarding East Rosemary Street Redevelopment Public Information Meetings. [\[20-0174\]](#)

Mayor Hemminger announced that public information meetings with Grubb Properties to discuss a redevelopment project on East Rosemary Street would be held on March 27th, at 10:00 a.m. at the Franklin Hotel and from 6:00-8:00 p.m. at Top of the Hill.

2.04 Mayor Hemminger Regarding Chapel Hill Nine Marker. [\[20-0175\]](#)

Mayor Hemminger said that the public was invited to an unveiling of the Chapel Hill Nine marker at 4:00 p.m. on February 28th at 450 West Franklin Street. That date would be the 60th anniversary of the Colonial Drug Store sit-in, she pointed out.

2.05 Mayor Hemminger Regarding Climate Summit. [\[20-0176\]](#)

Mayor Hemminger announced that a first Climate Summit would be held at the Chapel Hill Public Library on March 27th.

2.06 Mayor Hemminger Regarding Upcoming Public Information Meetings. [\[20-0177\]](#)

Mayor Hemminger said that a meeting to obtain public feedback on changes to West Franklin Street would be held on March 3rd, from 5:00-7:00 p.m. She also said that an open house on urban design principles to the Town's Future Land Use Map would be held from 6:00-7:00 p.m. on March 4th in the first floor conference room at Town Hall. The Council Committee on Economic Sustainability would meet on March 6th, she said.

CONSENT

Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.

Approval of the Consent Agenda

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, that R-1 be adopted as amended, which approved the Consent Agenda. The motion carried by a unanimous vote.

3. Approve all Consent Agenda Items. [\[20-0153\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

4. Approve the Miscellaneous Budget Ordinance Amendment and Project Ordinance Amendments to Adjust Various Fund Budgets for FY 2019-20. [\[20-0154\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

5. Accept Deed of Gift for Forest Creek Open Space Property from Pine Tree Corporation. [\[20-0155\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

6. Adopt Minutes from January 25, and 26, 2019 and November 20, 2019 and December 4, 2019 Meetings. [\[20-0156\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

INFORMATION

7. Receive Upcoming Public Hearing Items and Petition Status List. [\[20-0157\]](#)

This item was received as presented.

DISCUSSION

8. Initial Budget Public Forum on the Annual Budget, Capital Program, Use of Grants and Related Items, and Potential Legislative Requests. [\[20-0158\]](#)

Director of Business Management Amy Oland opened the public forum on the Town's FY 2020-2021 Operating Budget, 15-Year Capital Program, Community Development Block Grant (CDBG) Program, HOME Program, Housing Capital Funds Program, Public Transportation Grants, Downtown Service District, and Potential Legislative Proposals.

Ms. Oland said that a public forum for CDBG projects had been held in November 2019 and that applications for funding were being reviewed. The FY 2021 award would be \$417,655, up from the FY 2020 award of \$386,000, she said. She explained that a second public forum would be held on March 25th and that the item would come back for Council approval on April 22, 2020.

Ms. Oland noted that the Orange County HOME Consortium's deadline for completing applications for funding had been February 17th. A committee would review applications and make recommendations in April and an annual plan, as well as a five-year consolidated plan, would be submitted to HUD by May 15th, she said.

Ms. Oland explained that the amount of Housing Capital Grant funds for FY 2021 was still unknown, but a preliminary program plan based on previous awards equaled \$719,000. The final plan would be brought to the Council in April, she said.

Ms. Oland said that the Town had received an annual federal allocation of \$1.9 million in Public Transportation grants. State maintenance funds were anticipated to be approximately \$3.8 million, but staff was conservatively estimating \$3.3 million, she said. She pointed out that a Transit budget would be presented to the Transit Committee in April and would come to the Council in May.

Ms. Oland said that estimated FY 2021 funding for the Downtown Service District was approximately \$368,000, but that was subject to change. She pointed out that the deadline for filing legislative bills would be May 5, 2020 and that the Council would meet with its legislative delegation prior to that date.

Ms. Oland reviewed the anticipated schedule with a staff presentation of a 5-year budget strategy and preliminary projections on March 18th to an anticipated adoption of the budget on June 12, 2020. In addition to speaking at upcoming public forums, members of the public could contact Council Members by mail or email, and budget information would be available on the Town's website, she said.

In response to a request from Council for clarification, Ms. Oland explained that the 5-year strategy would help provide a big picture view to help frame the Council's budget conversations over the next five years. She said that the Capital Program ranked Town needs over 5-, 10- and 15-year timeframes and fit them into a financing plan which was then brought to the Council for funding discussions.

This item was received as presented.

9. Discuss Library Overdue Fine Policy.

[\[20-0159\]](#)

Chapel Hill Public Library (CHPL) Director Susan Brown, liaison to the Library Advisory Board, noted that an October 2019 petition had urged the Council to consider adopting a "fine free" library model with the FY 2020-2021 budget process. She reviewed the reasons for that petition and the data that supported it. Fines, which currently represented only one percent of the CHPL's budget, disproportionately affected lower income people, she said.

CHPL Assistant Director Meeghan Rosen discussed the effects on libraries when they no longer assess and collect overdue fine penalties. She reviewed the CHPL's current borrowing policies and pointed out that most of its procedures would remain the same.

Blaine Schmidt, speaking on behalf of the CHPL Advisory Board, said that the Board had considered the petition very carefully for more than two years. He asked the Council to consider the request during its budget deliberations.

Council Members confirmed that Ms. Brown thought the proposal was compatible with Town goals and CHPL board interests. She said that staff had been empowered over the years to make exceptions for situations of economic hardship. Not charging fines would save staff time and money, but it would not entirely offset the revenue from overdue book fines, she said.

The Council verified with Ms. Brown that a fine free policy would apply to all because having people identify themselves as low income would not be in keeping with public library values. Council Members confirmed with her that there had been a recent decrease in revenue from fines due to the Library's efforts to decrease barriers and make it easier to return items on time.

Mayor pro tem Anderson, liaison to the CHPL Advisory Board, expressed strong support for including the initiative in the Town's annual budget conversation. The Council expressed general support for the petition and Mayor Hemminger said she hoped the Town would be able to approve it during the budget process.

This item was received as presented.

10. Discuss Options for the Fordham Boulevard Sidepath Project.

[\[20-0160\]](#)

Transportation Planning Manager Bergen Watterson gave a PowerPoint presentation on the Fordham Boulevard sidepath, a project that would be jointly funded by the Town and the NC Department of Transportation (NC DOT) in an 80 percent federal/20 percent local arrangement. She provided details regarding the sidepath's design and showed how it would fit into the bike and pedestrian network that the Town's 2017 Mobility and Connectivity Plan had contemplated.

Ms. Watterson said that the project had progressed to 30 percent design but had then been paused in 2018 in order to address concerns from the Little Ridgefield neighborhood. At public outreach meetings in 2018 and 2019, residents had discussed the resulting loss of a vegetative buffer, noise pollution, and potential safety risks associated with cars crossing side streets, she said.

Ms. Watterson presented the pros and cons of three design alternatives that had been developed in response to that public feedback. Option 1 and 2 proposed a 10-foot multi-use sidepath along Fordham Boulevard, and Options 3 and 4 proposed a shared street through the neighborhood, she said.

Ms. Watterson compared and contrasted the options and outlined potential remedies for concerns regarding Option 1 and 2. These included changes to where the path would cross side streets, replacing the

vegetative buffer, adding a sound barrier, installing raised crosswalks, and creating sharper turns off Fordham Boulevard to slow exiting traffic, she said. She discussed funding opportunities and provided cost estimates. Staff would return the following week for Council guidance on which alternative to choose, Ms. Watterson said.

The Mayor and Council confirmed with Ms. Watterson that the Town appeared to have the right-of-way and probably would not need to purchase land in order to construct the sidepath. They ascertained that it would take four to five years to reestablish a mature vegetative buffer, and that the recommended sound barrier would be six feet tall but could be taller if the Land Use Management Ordinance would allow.

Kim Stahl, a Chapel Hill resident, said that the project could be a win/win for all. She pointed out that everyone agreed on leaving a healthy stand of trees, providing buffers, creating connectivity, using funds efficiently, and in ensuring safety.

Jason Merrill, Transportation and Connectivity Advisory Board chair, said that the Board viewed the sidepath as a vital connection in the Town's Mobility and Connectivity Plan. He said that six of seven Board members had been convinced that the project would cause minimal long-term disruption to the neighborhood.

David Colar, a Chapel Hill bicycle commuter, said that the path between Cleland Drive and Little Ridgefield was in very poor shape and was dangerous at intersections. He expressed support for Option 1 and 2, stating that the project would be an important part of the connection between Glen Lennox and the Blue Hill District.

Sam Byassee, a Bicycle Alliance of Chapel Hill Member, described current dangers for cyclists trying to traverse the area. He said that data did not support a potential speed or noise problem and that Option 1 and 2 would be much safer than having a shared street run through the neighborhood as outlined in Options 3 and 4.

Barbara Keyworth, a Chapel Hill resident and cyclist, said that Fordham Boulevard was too hazardous for biking but that people would use the proposed sidepath. She pointed out that having shared streets through a neighborhood could run the risk of cyclists crashing into opening car doors.

Council Members expressed a preference for Option 1 and 2, but with sensitivity to the neighborhood's concerns. They stressed the importance of instituting safety measures, buffering noise, improving the vegetative buffer, and having "egress only" on some streets. They spoke about the Town's connectivity goals and praised the staff's thoughtful process, which was trying to meet community needs while staying committed to the Town's vision and goals.

Mayor Hemminger asked staff to return with information regarding the number of homes that would be affected by an entry to Little Ridgefield. Council Member Ryan asked for information on whether "egress only" streets would be acceptable to NC DOT. Council Member Gu requested more information on how the community would be involved in the process.

This item was received as presented.

11. 2020 Chapel Hill Community Survey Results. [\[20-0161\]](#)

Town Manager Maurice Jones explained that the ETC Institute had been conducting community surveys for the Town since 2009 and had developed an extensive trend chart to compare results over the years. He said that the 2019 survey had found that Chapel Hill residents were highly satisfied with the overall quality of life in Town.

Mr. Jones pointed out that the Town ranked above average in 32 of 38 areas. He mentioned areas for improvement such as traffic flow, public parking, stormwater runoff, and affordable housing and noted that the Town had been dedicating time and funding toward making such improvements. The cost of the survey was \$25,470, he said, noting that details were available at www.townofchapelhill.org/survey.

Chris Tatum, representing ETC Institute, provided additional information. He said that about 20 percent of selected households had responded to the survey. The majority had stated that Chapel Hill was an exceptional place to live, but ratings were a little lower in pockets where traffic flow and issues regarding growth were seen as problematic, he said.

Mr. Tatum said that the Town had improved in 47 of 68 areas, with the greatest improvements being in categories related to opportunities to participate in Town decision-making, access to parks and greenspace, maintenance of the downtown, availability of festivals, snow removal, maintenance of Town buildings, and consideration of future generations. Areas where ratings had decreased included new development in Town, ease of walking, recreation programs, and stormwater, he said. Mr. Tatum concluded that the Town was moving in the right direction overall and was doing a great job of meeting community needs.

Council Members verified with Mr. Jones that a demographic breakdown of respondents and sub-groups was available on the Town's website. Thirty-six percent of respondents had graduate degrees, 38 percent had four-year college degrees, 16 percent had some college, 8 percent had high school only, and 2 percent had less than a high school education, he said. The Council also confirmed that over-sampling would be an option if they were interested in having more data on specific groups. ETC Institute could provide information on how the Town compared with nearby municipalities, Mr. Tatum said.

Communications Manager Catherine Lazorko described the ways in which

the Town communicated with the public. In addition to putting information on its website, Chapel Hill communicated with the public through social media, she said. She noted that approximately 100 people had signed up for a neighborhood liaison program that redistributes Town information as well. Neighborhood associations had also become important conveyors of information and more than 12,000 residents were active on Nextdoor, she said, noting that the Town communicated through those venues as well.

This matter was received and filed.

12. Receive Update on Short Range Transit Plan.

[\[20-0162\]](#)

Transportation Director Brian Litchfield gave an update on the Town's Short-Range Transit Plan (SRTP), which had been endorsed by the Town's Transit Partners (the University of North Carolina at Chapel Hill and the Town of Carrboro) and was awaiting the Council's endorsement.

Mr. Litchfield reviewed the SRTP's guiding principles and said that a proposed Preferred Alternative would meet the Transit Partners Committee's project goals. These goals were to develop high frequency corridors, be equitable, provide Sunday services, increase ridership, and to be sustainable, he said. He explained that the Transit Partners had wanted a cost-constrained plan that would identify opportunities to reallocate within the existing system.

Thomas Wittmann, of Nelson/Nygaard Consultants, provided details on the Preferred Alternative and outlined some of its benefits. He discussed public outreach efforts and the resulting determination that adding more frequent service and adding Sunday service were high community priorities.

Mr. Wittmann said that the Preferred Alternative would be to maintain some services in neighborhoods, to take a step toward creating high-frequency corridors, and to look at adding Sunday service and expanding Saturday service. He characterized the public response as positive and provided cost estimates and a menu of options. He pointed out that only so much could be done within existing funding, however.

Mr. Litchfield said that the Preferred Alternative had been designed to be cost neutral and that staff was targeting August 2020 as an implementation date. He asked the Council to consider adopting the Short-Range Transit Plan, including the Preferred Alternative with modifications. Mr. Litchfield pointed out that the other Transit Partners had already endorsed the Plan.

The Council confirmed that the funding formula would remain the same as it had been for a decade or more. That is, UNC-CH would pay 100 percent

of services that the Town operated for it and costs for other routes would be shared among the three Transit Partners based on their populations. The Council confirmed that adding Sunday service would be part of the Transit Department's budget request for FY 2020-2021. Mr. Litchfield said that he should have an idea of what that state funding might be within 60 days.

Martha Schultz, representing the CHPL, advocated for adding direct bus service to the Library. She pointed out that a required stop light had been installed there years ago, and she noted the benefits of having bus service to the Library.

Mayor pro tem Anderson expressed support for adding bus service to the CHPL, and Council Member Gu commented on the importance of having that as well as other connections within Town.

The Council verified that increasing bus frequency and adding Sunday service would cost about \$3 million. Mayor Hemminger said that the Council was only being asked to give direction, but Mr. Litchfield pointed out that the Transit Partners had provided a resolution for adopting the Short-Range Transit Plan and the Preferred Alternative. The Council adopting the resolution would make the Town consistent with what UNC and Carrboro had already done, he said.

Mayor Hemminger noted the difficulty of voting on a plan that included an increased allocation when the Town was just beginning its budget process, but Mr. Jones expressed confidence that the Town would be able to cover the cost.

A motion was made by Mayor pro tem Parker, seconded by Council Member Stegman, that R-4 be adopted. The motion carried by a unanimous vote.

APPOINTMENTS

13. Appointment to the Cultural Arts Commission.

[\[20-0163\]](#)

Mayor Hemminger pointed out that applications would open in June for a number of appointments to Town boards.

The Council appointed Ivana Vazquez to the Cultural Arts Commission.

REQUEST FOR CLOSED SESSION TO DISCUSS ECONOMIC DEVELOPMENT, PROPERTY ACQUISITION, PERSONNEL, AND/OR LITIGATION MATTERS

ADJOURNMENT

The meeting was recessed at 10:16 p.m. the Council went into closed session and the meeting adjourned at the end of the closed session.

