



# TOWN OF CHAPEL HILL

## Town Council Meeting Minutes

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

Mayor Pam Hemminger  
Mayor pro tem Karen Stegman  
Council Member Jessica Anderson  
Council Member Camille Berry  
Council Member Tai Huynh

Council Member Paris Miller-Foushee  
Council Member Michael Parker  
Council Member Amy Ryan  
Council Member Adam Searing

**Wednesday, June 1, 2022**      **6:30 PM**      **Virtual Meeting**

### Language Access Statement

For interpretation or translation services, call 919-969-5105.

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Para servicios de interpretación o traducción, llame al 919-969-5105.

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### Virtual Meeting Notification

Town Council members will attend and participate in this meeting remotely, through internet access, and will not physically attend. The Town will not provide a physical location for viewing the meeting.

The public is invited to attend. The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council business meetings and work sessions. Please participate in a voluntary demographic survey <https://www.townofchapelhill.org/demosurvey> before accessing the Zoom webinar registration. After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 884 3934 1493

View Council meetings live at <https://chapelhill.legistar.com/Calendar.aspx> – and on Chapel Hill Gov-TV ([townofchapelhill.org/GovTV](https://www.townofchapelhill.org/GovTV)).

### OPENING

Mayor Hemminger called the work session to order at 6:30 p.m. and reviewed the agenda. There would be 10 minutes for public comment at the end of the meeting, if time allowed, she said. She pointed out that the Town had received

many emails about Item 3 and said that there would be more opportunities for public engagement on that in the future.

### ROLL CALL

Mayor Hemminger called the roll and all Council Members replied that they were present.

**Present:** 9 - Mayor Pam Hemminger, Mayor pro tem Karen Stegman, Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Tai Huynh, Council Member Michael Parker, Council Member Amy Ryan, and Council Member Adam Searing

### OTHER ATTENDEES

Town Manager Maurice Jones, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Planning Director Colleen Willger, Business Management Director Amy Oland, Assistant Business Management Director Matt Brinkley, Parks and Recreation Director Phil Fleischmann, Park Maintenance Superintendent Kevin Robinson, Assistant Planning Director Judy Johnson, Parks and Recreation Assistant Director Atuya Cornwell, Assistant to the Town Manager for Administrative and Program Ross Tompkins, Downtown Special Projects Manager Sarah Poulton, Director Affordable Housing and Community Connections Sarah Vinas, Communications and Public Affairs Director and Town Clerk Sabrina Oliver, and Deputy Town Clerk Amy Harvey.

### ANNOUNCEMENTS BY COUNCIL MEMBERS

0.01 Mayor Hemminger Regarding Gun Awareness on Friday. [\[22-0489\]](#)

Mayor Hemminger said that the Council would raise the orange flag and share a proclamation at the Peace & Justice Plaza at 12:30 p.m. on June 3rd, Gun Violence Awareness Day. Elected officials from Carrboro and Orange County and representatives of North Carolinians Against Gun Violence and Moms Demand Action would be present as well, she said.

Mayor Hemminger encouraged Council Members to wear the color orange to the next Council Committee on Economic Sustainability meeting to raise awareness regarding gun violence.

0.02 Mayor Hemminger Regarding Wearing Orange at Council Committee on Economic Sustainability. [\[22-0490\]](#)

0.03 Mayor Hemminger Regarding Trails Day on Saturday at Umstead Park. [\[22-0491\]](#)

Mayor Hemminger said that National Trails Day events would be held at Umstead Park on June 4th, beginning at 10 a.m. Events would offer a unique, interactive trail experience and would be a wonderful opportunity for all who love the outdoors to join a day of service and exploration, she

said.

0.04 Mayor Hemminger Congratulations To UNC Women's Lacrosse. [\[22-0496\]](#)

The Mayor and Council congratulated the UNC Women's Lacrosse team on capturing the NCAA Division 1 National Championship over the weekend.

0.04 Mayor Hemminger on Pride Promenade on Saturday Afternoon. [\[22-0492\]](#)

Mayor Hemminger said that the towns of Chapel Hill and Carrboro would be hosting their first annual Pride Promenade on the afternoon of June 4th. The walk, which would be in celebration of Pride Month and the LGGTQ community, would begin at Peace and Justice Plaza and end at 140 West Plaza, she said.

0.05 Mayor Hemminger Regarding Continuing Virtual Meetings. [\[22-0493\]](#)

Mayor Hemminger said that upcoming Council meetings would include a Council Committee on Economic Sustainability meeting on June 3rd, from 8:00 to 10:00 a.m. She summarized the agenda and said that CCES meetings would remain virtual through June.

0.06 Council Member Berry Congratulations To Diamond Heels. [\[22-0494\]](#)

Council Member Berry extended congratulations to the Diamond Heels baseball team for advancing to the ACC tournament.

0.07 Council Member Miller-Foushee Regarding The Swearing-In of Allen Buansi. [\[22-0495\]](#)

Council Member Miller-Foushee sent congratulations to former Council Member Allen Buansi for recently being elected to represent District 56 at the NC House of Representatives.

## AGENDA ITEMS

1. Continue Discussion on the Development of the FY 2022-23 Budget. [\[22-0484\]](#)

Town Manager Maurice Jones updated the Council on recent changes to the FY 2022-23 Town Budget. These included a contribution of \$258,000 to an interlocal agreement for the Interfaith Council (IFC) and \$126,000 for a Partnership to End Homelessness request to fund SOHRAD, a street outreach program. The total of \$384,000 could be met by using \$118,039 in new affordable housing (AH) funding, saving \$95,000 by eliminating funding for vehicle replacement, and using \$55,000 in Re-imagining Community Safety funds, he said.

Mr. Jones said that a \$115,561 gap would remain, but could be addressed by allocating fund balance, reducing a Class & Compensation Study reserve, and/or reducing the cost-of-service increases. Additionally, an Economic Development administrative coordinator position had been added and a compensation analyst position had been removed from the budget, he said. He pointed out that staff continued to propose a property tax rate of 52.2 cents, which included an 0.8 cent increase for Transit.

Mayor Hemminger explained that the requests for IFC and SOHRAD had come late in the process, and she praised the Manager and staff for finding ways to address them. She pointed out that the Town could allocate the fund balance for one year and would then have to work out how to make the contribution in future years.

Council Member Parker and Mr. Jones discussed the importance of knowing what other municipalities in the interlocal agreement were willing to contribute to the IFC and how the details would be handled. Council Member Parker confirmed that the agreement would come to the Council for final approval.

Council Member Miller-Foushee confirmed with Mr. Jones that an additional penny on the tax rate would yield approximately \$95,800 more in revenue for the Town. Increasing the tax rate by 0.9 cent would reduce the amount needed for IFC and SOHRAD to less than \$20,000, Mr. Jones said.

Council Members Ryan and Parker pointed out that Chapel Hill residents pay for such programs twice because they pay both County and Town taxes. Next steps should include a formula that would make the cost-sharing agreement more logical and fair, they said, but added that doing so should not interfere with getting IFC and SOHRAD the funds that they need.

The Mayor and Council expressed unanimous support for allocating the fund balance for one year and then figuring out a funding plan for IFC and SOHRAD in future years. The Council did not want to increase the tax rate any further but agreed on the need for a plan for annual contributions.

Council Member Parker said that he understood the reasoning behind using vehicle replacement funds but felt disturbed by that because those were very important reoccurring needs that the Council needed to discuss, he said. Mayor Hemminger agreed that the Town needed to find a way to balance such needs with its community values.

Mayor Hemminger commented on the difficulty of receiving such a large funding request so close to a budget decision. She said that Orange County and the towns needed better communication in order to work together in the future to help the most people. She thanked staff for providing options and for helping the Council develop a plan so late in the

process.

Mr. Jones said he agreed with the points the Council had made and looked forward to discussing a five-year budget strategy in the fall. The proposed budget truly demonstrated the Council's commitment to its community's values, he said.

Downtown Special Projects Manager Sarah Poulton said that staff had determined that 35 of 46 community requests for the American Rescue Plan Act (ARPA) funds were eligible, based on their letters of intent. Thirteen of those had fallen into public health categories and seven were related to food and supplies, she said. She discussed which projects were new or special programs and pointed out that the Town had previously worked with most of the organizations on the list through its annual Human Services funding process.

Ms. Poulton reviewed categories for funding and said that staff strongly recommended that requests related to building AH or providing AH services go through the same funding process as AH Bond and AH Reserve projects do. The Town's AH and Community Connections team should determine which funding stream made the most sense for each of those projects, she said.

Ms. Poulton said that staff still needed to determine whether two requests from IFC were unique or were in addition to the request that the Council had just discussed. She said that AH and Community Connections staff had recommended pausing consideration of ARPA funds for Emergency Housing Assistance because they were considering working with Orange County on that.

Ms. Poulton said that staff had developed its criteria based on the Council's expressed interests. As the Town moves into the applications phase, staff recommended limiting proposals to those that were between \$50,000 and \$1 million, were clearly ARPA eligible, were unlike Human Services projects, and were big, bold, transforming ideas, she said. She explained that staff had not recommended funds for staffing or normal operations because ARPA money would last only two years.

Ms. Poulton said that the Orange County Health Department had \$17 million remaining in ARPA funds but had not yet announced how it intended to use that. The County had set aside approximately \$5 million for AH-related projects, which included emergency housing assistance (\$4.7 million), emergency home repairs (\$120,000), long-time homeowners assistance (\$250,000), and a landlord incentive program (\$55,000), she said. She showed other programs that Orange County traditionally funded and said that it had already put about \$80,000 in ARPA funds towards some of those.

Council Member Ryan said that she needed to see more details before she would be able to provide feedback. However, the criteria used seemed reasonable and the basic framework seemed good to her, she said. She confirmed with Ms. Poulton that staff had not been able to find eligibility categories for 11 proposed projects.

Mayor pro tem Stegman said she liked the spirit of the criteria as long it was flexible, and Council Member Anderson agreed that the criteria looked good but said she needed to look closer at projects to determine which ones were exciting. She would also like to see the Town and County funding plans side-by-side, she said.

Council Members Parker and Anderson recommended getting a sense of how sustainable projects would be when ARPA funds ended. Council Member Parker questioned the proposed \$1 million cut-off, which might preclude good programs from being funded, and said he wondered if the allocations could be juggled around a bit. Council Member Miller-Foushee proposed that staff look at whether some of the proposed allocations should be increased.

Mayor Hemminger asked about a letter of intent from Food From Farmers, and Ms. Poulton explained that there had not been a sufficient number of participating farmers and that there were certification issues. Mayor Hemminger replied that she was intrigued by that proposal and would like to see more information.

Council Member Parker and Mayor Hemminger discussed how Orange Water and Sewer Authority (OWASA) had been left with more than \$330,000 of bad debt from mostly commercial accounts that no longer existed. Ms. Poulton said that OWASA had submitted three different proposals and that she would look into those more deeply.

Council Member Searing verified with Ms. Poulton that a \$10 million federal standard deduction for revenue replacement could be used for anything a local government had the authority to do. Staff's plan had about \$9 million of that going to Town departments and \$1 million to community projects, she said. Business Manager Amy Oland offered to bring back additional information about organizations that had been excluded and the rationale for doing so.

## 2. Parks and Recreation Update.

[\[22-0485\]](#)

Parks and Recreation (P&R) Director Phil Fleischman gave a PowerPoint presentation on tasks, successes and needs of the P&R Department. He read the mission statement, showed photos of the management team, presented lists of P&R goals and responsibilities, and described facilities.

Assistant P&R Director Atuya Cornwell showed photos and presented information on youth programs, food distribution efforts, summer camps, sports leagues, and athletic events. He pointed out that July 2022 would be National Parks and Recreation Month and mentioned some of the P&R events that would be happening during June and July 2022.

Mr. Fleischman discussed needs that had been identified in a 2013 P&R Comprehensive Plan but had not yet been addressed. These included: constructing a new office building, finding a location for a clay studio, developing a new community park on the eastern side of Town, creating neighborhood parks and sports facilities, expanding skate parks, and incorporating the Teen Center into a new space. He said that tennis and pickleball courts were key needs and that having more resources to maintain current courts was critical as well.

Senior Manager of Park Planning and Operations Kevin Robinson discussed recent improvement projects and thanked the Council for the funds that it had allocated. He discussed several initiatives that help to improve the Town's natural environment and emphasized the crucial role that volunteers play in those efforts. He discussed priorities set by the Parks, Greenways, and Recreation Commission. A 15-year capital improvement program included 72 projects valued at about \$26 million, he said.

Mr. Robinson listed the following as the highest P&R priorities: replace the turf and reconstruct tennis courts at Cedar Falls Park; replace the skate park at Homestead Park; make improvements to the AD Clark Pool; reconstruct or relocate the Teen Center; and reconstruct a court at Ephesus Park. He provided cost estimates for some of those projects but noted recent additional increases in the cost of construction and materials.

Mr. Fleischman talked about space constrictions and said that P&R had been talking with the Chapel Hill-Carrboro School System about sharing more facilities. He said that potential funding mechanisms for addressing the needs that he and his colleagues had outlined included: operating budget, Pay-GO fund, two-thirds bonds, general obligation bonds, ARPA funds, and public-private partnerships.

Tyler Steelman, chair of the Parks, Greenways, and Recreation Commission, said that Commission members had voted to narrow down a list of more than 70 projects to 13 that needed immediate attention. He said that they had then narrowed that list down to the following four projects: Cedar Falls Parks synthetic turf replacement; inclusive playground; skate park repair and expansions, Teen Center programming and improvements. He mentioned other projects that needed attention and said that the Commission had received petitions from residents regarding a splash pad and the Legion Road open space.

Mr. Fleischman asked Council Members what facilities, amenities and

programs they would prioritize for growth or development, which topics they wanted to know more about, and if they were interested in joining a tour of P&R facilities in July.

Council Member Parker asked about Orange County's contributions and Mayor Hemminger replied that the County had paid for the current turf at Cedar Falls Park and had built the West 10 complex. The County did not do facilities in coordination with towns but had purchased land for future parks on Mill House Road and Twin Creeks in Carrboro, she said.

Council Member Ryan requested that information on how much is spent on maintenance be more clearly delineated in the next budget cycle.

Council Member Searing asked for a response from staff to residents' complaints from residents about having to travel to other areas to participate in some activities.

Mr. Fleischman replied that most residents seemed generally satisfied but wanted to see more. Staff had been receiving complaints about maintenance of some facilities -- such as the skate park, Teen Center, Cedar Falls turf fields and tennis courts -- but people seemed to value the parks, trails and recreation system, he said.

Council Member Anderson commented on how both Public Works and P&R were responsible for Town upkeep and maintenance. She asked if P&R staff had recommendations for ways to better allocate those resources. Mr. Fleischman described the differences between the two departments' maintenance responsibilities. There was a great collaborative relationship, and the two departments seemed to have some of the same struggles with resources, he said.

In response to a question from Council Member Miller-Foushee about fees, Mr. Fleischman said that some had been added in recent years but there had not been significant changes. He mentioned a plan to do an internal analysis of fees in the next fiscal year and emphasized the importance of examining the financial assistance program to make sure it was not creating any barriers to access. He noted that fees that had been eliminated following the pandemic and said that households could qualify for up to a 90 percent reduction for many programs.

Mayor Hemminger and Mr. Fleischman discussed a possible future P&R bond, and the Mayor proposed that he poll Council Members to find a mutual date for a P&R tour.

The Mayor and Council thanked Mr. Fleischman and the P&R staff for running excellent and accessible facilities with limited funds, creating programs that the public loved, and collaborating well with other Town departments. Council Member Ryan, liaison to the P&R Commission, emphasized the value of P&R to human health and environmental

resilience.

Council Members agreed that the Town needed to come up with a plan in the fall to address P&R maintenance needs. They expressed interest in knowing what a new P&R comprehensive plan would cost and if it would be eligible for federal and/or state funds. They discussed finding out what a bond might look like. They said that comprehensive planning for P&R should be related to the Complete Communities initiative that Town was about to undertake.

The Council expressed support for the Cedar Falls turf field, inclusive playground, Teen Center, and AD Clark pool upgrades. Council Member Ryan said that the Town needed to address the request for a pickleball complex, noting that supporters had made a commitment to raise \$400,000 for a facility. Council Member Huynh said that a combined pickleball/basketball complex was an enticing idea.

Council Member Searing said that some Chapel Hill residents had complained about having to drive to other communities for recreational opportunities, such as splash pads, adaptive playgrounds, pickleball courts and greater open space. He argued in favor of investing more money in parks and greenways, which he said Town residents had identified as their highest priority in a recent survey.

Council Member Anderson expressed her continuing support for a splash pad in Town, characterizing building one as a "no-brainer" that the Town absolutely had to figure out how to do. Some Council Members asked for more information about combining a splash pad with an inclusive playground. Council Member Huynh recommended making that an option in the Splash Pad Feasibility Study and Council Members Anderson and Stegman noted the potential cost savings of combining the two.

Several Council Members commented on the importance of prioritizing current maintenance needs before exploring/investing in new projects. Council Member Huyhn asked for information on how much towns similar to Chapel Hill invested in their parks. Council Member Miller-Foushee said she disagreed with the notion that the Town was not prioritizing P&R. The Town was listening and was working hard to meet the community's needs and desires in the face of competing priorities, she said.

Council Member Berry said that a splash pad would enhance the Town but was not a community need. A sprinkler system at the inclusive playground would be good enough until the Town was able to afford a splash pad, she said. She and Council Member Miller-Foushee emphasized the need to repair the AD Clark pool. They said that the Town should not build a new water feature until it had a strategy to pay for it and could maintain the ones it had.

The Council emphasized their desire to ensure that P&R fees were equitable at all levels. If fees needed to be increased, then equity should be kept in mind, they said. Council Member Parker pointed out that applying for a scholarship could be a stigmatizing experience and said that doing so should be made as private as possible.

Mayor Hemminger praised P&R for continuing to push for more summer camps and confirmed with Mr. Fleischman that the Department had been working with schools to expand a joint use agreement. However, due to a national shortage, the Town had not been able to recruit enough summer camp counselors, coordinators and lifeguards to operate at full capacity this year, Mr. Fleischman said.

Mayor Hemminger said that she equated parks, recreation, greenways and open space with the mental health of the community. She was especially focused on youth programming and wanted more camps and opportunities for youth who were not able to attend other summer enrichment programs, she said. She said that she wanted to see an agreement with the School System, and she expressed support for a P&R bond when the cost of building a new Municipal Services Center was known. She said that there were creative ways to get things done, such as using Fund Balance or Two-Thirds Bonds. She was not in favor of raising fees but wondered about possible opportunities to expand hours in order to increase revenue, she said.

3. Discuss the Future Use of the American Legion Property, 1714 Legion Road. [\[22-0486\]](#)

Mr. Jones provided background information on the Town's purchase of a 36.2-acre site from the American Legion in 2019. He said that discussions regarding that land had been interrupted by the COVID-19 pandemic, but that five Council Members had recently submitted a petition asking the Town to make a determination regarding possible uses. He asked the Council to determine if staff should pursue the potential uses described in the petition.

Assistant to the Manager Ross Tompkins gave a PowerPoint presentation that included additional background on the property. He explained that the Town had purchased the property, which was zone Residential 2, through installments that had consisted of \$3.6 million from General Fund balance and \$4.3 million from General Obligation Bonds designated for recreational facilities. He said that the site included two buildings and about 8.6 acres of Research Conservation District. An existing three-acre pond could be removed with a permit from the US Army Corps of Engineers, he said.

Mr. Tompkins explained that a public engagement process lead by an

American Legion Task Force had focused on evaluating possible public and recreational uses for the property. The Task Force had administered a short online survey to help learn residents' preferences and received about 1,000 responses, he said. He pointed out that questions had focused primarily on recreational uses but that about 100 respondents had written in AH as a use for the site.

Mr. Tompkins said that the recent Council petition asked staff to look at developing an implementable plan for future use of the property by fall 2022 so that a public engagement process could begin, and the Council could vote on a final plan in early 2023. He said that the petition specified the following potential uses: passive/active recreation, affordable housing, compatible private development that would generate revenue that could be invested in the other uses.

Mr. Tompkins showed a conceptual design that Town Urban Designer Brian Peterson had presented at a 2020 Council work session. That design assumed removal of the pond, which could lead to the creation of a stream on the property, Mr. Tompkins pointed out. He said that possible next steps could include designing recreational amenities further, obtaining specifics on the feasibility and cost of building AH on the site, and/or obtaining better information about the potential for private development. He asked for feedback from the Council on whether or not to proceed, and on the feasibility of the proposed timeline.

Council Members Ryan, Anderson and Searing said that they did not support all aspects of the petition. Council Member Ryan said that the timeline seems too fast. She understood the arguments for selling part of the land but preferred to hold off until the Town had the money to develop and use it for some combination of park and AH, she said.

Council Members Anderson and Searing argued that it did not make sense to separate the property from the Town's Complete Communities planning initiative. Council member Anderson said that staff did not have the "bandwidth" to do such one-off projects while being asked to do the larger projects as well. Council Member Searing spoke in favor of using the land for a park and against selling a piece of it to a commercial entity.

The five other Council Members, signatories to the petition, all said they wanted staff to proceed and that they approved of the timeline.

Mayor pro tem Stegman pointed out that selling a piece of the property in order to recoup some development costs for the rest of it had been the plan since 2017. She wanted to obtain more information rather than talk in the abstract about it, she said. She noted the importance of having an excellent park for that part of Town and said that the Town could meet multiple needs if it could figure out how to pay for it.

Council Member Miller-Foushee said that the property offered a great opportunity to achieve a number of the Council's stated goals by building a complete, transit-oriented, walkable community that could provide AH, parks and greenspace. She was excited about the potential to build an inclusive community where people of all abilities and socioeconomic status could thrive, she said.

Council Member Huynh pointed out that one principle of the Complete Communities initiative was that everything should be on the table. However, external stakeholders had been told that the American Legion parcel was not on the table, he pointed out. He said that the Council's petition explicitly signaled that the property was part of the new planning process and should be discussed.

Council Member Parker recalled that the plan from the start had included looking at selling or leasing a portion of the site to help pay for developing a park and to generate tax revenues that could be used to maintain it. It was time to actually start building it, and the Council needed hard facts and actual numbers to present to the community, he said. He pointed out that the proposed timeframe would synchronize well with the Town's Complete Communities work.

Council Member Berry commented on how the parcel was large enough to meet multiple needs. She pointed out that Durham's Central Park had been developed on five acres of reclaimed urban wasteland in the heart of downtown. She emphasized the need for more AH and said she did not understand how people could not want to provide that.

Mayor Hemminger said that there appeared to be common ground among Council Members. For example, they agreed that they were not pitting AH against parks and that the Town could have both, she said. She expressed support for the idea of exploring possibilities. The proposed timeline might be a little unrealistic, but she looked forward to seeing more information in the fall about the possibilities, she said.

Mayor Hemminger pointed out that Council meeting had gone over its time limit. She advised those from the public who had wanted to speak to send written comments or call the Council.

## ADJOURNMENT

The meeting was adjourned at 9:51 p.m.