



TOWN OF CHAPEL HILL

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

Town Council

Meeting Minutes - Final

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, June 24, 2020

7:00 PM

Virtual Meeting

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 Zoom webinar directly online or by phone.

Register for this webinar:

https://us02web.zoom.us/webinar/register/WN_ip49EzjuTOaWcE1k3Ww7GQ After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 841 9420 6182

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

Roll Call

Present: 8 - Mayor Pam Hemminger, Mayor pro tem Michael Parker, Council Member Jessica Anderson, Council Member Allen Buansi, Council Member Hongbin Gu, Council Member Karen Stegman, Council Member Tai Huynh, and Council Member Amy Ryan

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Emergency Management Coordinator Kelly Drayton, Business Management Director Amy Oland, Business Management Assistant Director Matt Brinkley, Interim Planning Director Judy Johnson, Community Resilience Officer John Richardson, Planner II Michael Sudol, Planner II Becky McDonnell, Executive Director for Community Safety/Police Chief Chris Blue, Senior Planner Anya Grahm, Deputy Town Clerk Amy Harvey, Executive Director for Technology and CIO Scott Clark, and Sabrina Oliver Communications and Public Affairs Director/Town Clerk.

ROLL CALL

Mayor Hemminger opened the virtual meeting at 7:00 p.m. and summarized the

agenda. She called the roll, and all Council Members replied that they were present.

OPENING

1. A Resolution on Developing New Community Approaches to Improve Racial Equity and Public Safety in Chapel Hill. (no attachment)

[\[20-0456\]](#)

Mayor Hemminger announced a Council resolution that reaffirmed its June 3, 2020 commitment to eradicate racial bias and structural racism. Because the resolution was so extensive, Council Members Buansi and Stegman would make short statements about its goals, she said.

Council Member Buansi said that it was long past time for action, at all levels of government, to change policies that discriminate against and violate basic constitutional and human rights of people of color. He said that Chapel Hill's police chief had taken a progressive approach to public safety, but that policing as an institution had rightly been called into question for its racist roots and history of violence against people of color.

Council Member Buansi listed steps that the Town would take as it begins to re-imagine and re-examine and re-invest in community resources. These steps included prohibiting choke holds, ending regulatory traffic stops for low-level violations, authorizing deadly force only when there is a clear threat of death or serious bodily injury, and having clear accountability for officers violating such policies. He said that the Council had requested information that it needed to inform a transparent process and long-term change.

Council Member Stegman said that a Council Committee would be formed to clarify Community Policing Advisory Committee's (CPAC) and Justice in Action Committee's (JIAC) charges. That Committee would institute Chapel Hill Police Department (CHPD) data presentations and explore alternatives to having security resource officers in schools, she said. She stressed the Council's commitment to re-imagining the Town budget and reallocating resources in a way that would reflect the community's commitment to justice and equity.

Council Member Stegman said that the Town would hold a series of community-wide listening sessions and that a Community Task Force would make actionable recommendations on a range of issues related to public safety such as right sizing of the CHPD, relocating resources as necessary, and coordinating with Orange County and other jurisdictional partners to increase investments in programs that keep communities healthy and safe. The Council was committed to seeing fundamental change and looked forward to realizing a new bold vision of public safety, she said.

Hanna Schanzer, Chapel Hill resident, said that the resolution sounded promising but that not announcing it or making it available online prior to the meeting showed a lack of transparency by the Town.

Emile Charles, a Chapel Hill resident, gave examples of racial inequities that needed to be addressed both nationally and locally and reviewed a list of demands for reform. He asked the Council to not pass the budget until it had deconstructed ties and practices that support white supremacy.

Trinity Casimir, a Chapel Hill resident, advocated for a strategic defunding of the CHPD and a restructuring of the Town's public safety model. She recommended that the Council consult with community members who would be most affected by changes in policing rather than just making decisions on their behalf.

Rachel Collman, a Chapel Hill resident, agreed with previous speakers regarding the Town's lack of transparency and community involvement. She said that the Council's sense of urgency regarding the budget deadline came from an effort to maintain a status quo that was no longer working for everyone.

Maggie Blunk, a Chapel Hill native, said that the proposed resolution sounded promising but that reallocating CHPD funds to affordable housing would illustrate the Council's dedication to racial justice better than creating a task force down the road. She said that Chapel Hill was not the progressive city that it claimed to be.

Lindsay Ayling, a Chapel Hill resident, asked the Council to abolish the police rather than just taking half measures. She mentioned that a white supremacist had been discovered on the CHPD and said she wondered how many other officers shared his ideology. Ms. Ayling cited incidents in which she believed the CHPD had sided with neo-Nazis and white supremacist groups rather than anti-racist protesters.

Mary Alta Feddeman, a Chapel Hill native who lives in Durham, said that the Town's budget had not been changed in any meaningful way even though the Council had heard five hours of comments from people asking for change. She said only so many reforms could be made to something that was built on white supremacy before it would be necessary to drastically reconsider it.

Anna Richards, president of the Chapel Hill-Carrboro NAACP, said that aspects of Council's resolution were encouraging. She pointed out ways in which the NAACP agenda aligned with the Council's resolution and urged the Council to expedite the process and to take some steps immediately. The community would hold the Council accountable for what it was stating in the resolution, she said.

Mayor Hemminger thanked Ms. Richards for working with the Town and asked her to submit the NAACP's agenda.

Mackenzie Kwok, a Chapel Hill resident, concurred with previous speakers and said that putting limitations on the use of force had not reduced harm to black and brown communities. Banning choke holds had not saved Eric Garner or George Floyd, she pointed out. The council's professed ideals could not be accomplished without reallocating funds from the CHPD to community services and safety, she said.

Amelia Covington, a Chapel Hill resident, said that community policing had failed many times and that those funds should be diverted. Public safety meant investing in communities of color in a way that was decided by those communities, she said.

Delores Bailey, executive director of EmPOWERment, Inc., said that change would need to begin at the Council level. She suggested ways in which restructuring could make the CHPD more effective and said that it was time for change. EmPOWERment had worked for years to bring community and the police together through community meetings and that the conversation should begin with them, she said.

George Barrett, associate director at the Marion Cheek Jackson Center, said that reform had been talked about for years but violence against black people had not lessened. The resolution was a good step in the right direction, he said, but he urged the Council to be explicit about defunding the police and reallocating that money into community resources, especially black and brown communities.

Paris Miller, an EmPOWERment, Inc. board member, said she was speaking as vice chair of CPAC, which had not been consulted regarding the resolution. She implored the Council to include CPAC in future conversations on policing and community safety since that was its charge. She had recently sent a letter regarding those expectations to the Mayor and Council but had not received a response, she said.

Mayor Hemminger thanked Ms. Miller for the letter and said that she would reply.

Maia Donald, a Chapel Hill resident, said that the Council resolution came across as a last minute effort. The Council had not taken steps to strategically defund the CHPD, had not reached out to the community, and had not made the process transparent, she said. She asked Council Members to vote against the proposed budget and to disband the CHPD.

E. McManus, a Chapel Hill resident, agreed with other speakers' comments and said that she and others wanted more than what was being offered in the Council resolution. The Town budget should reflect what its residents want and need, she said.

Mayor Hemminger thanked the Council for caring so deeply about the issues and providing input. She thanked Council Members Buansi, Stegman and Ryan, in particular, for composing the resolution and expressed gratitude to the staff members who had worked on it. She stressed the Council's commitment to fostering trust, respect, human dignity, and equality for all and said they were eager to get conversations started.

Mayor Hemminger said that the Council would make its resolution available if it passes. She explained that the proposed process would include community voices.

The Council voted unanimously to adopt the resolution.

Mayor Hemminger announced that the Town would be partnering with the Orange County Local Reentry Coalition and neighboring municipalities to post Hearing Impacted Voices, a moderated panel discussion on Inequality, Policing and Injustice. The event would be free and open to the community, and information was available on the Town's Calendar and its Facebook page, she said.

A motion was made by Council Member Buansi, seconded by Council Member Stegman, that R-1 be adopted. The motion carried by a unanimous vote.

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.

1.01 Economic Development Specialist Laura Selmer Request
Regarding Sole Source Purchase of Traffic Barrier Materials.

[\[20-0474\]](#)

Economic Development Specialist Laura Selmer requested authorization to purchase traffic barriers for the purpose of increasing pedestrian space on Franklin Street.

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, that R-1.1 be adopted. The motion carried by a unanimous vote.

1.02 Norma Safransky and Sharon Bagatell Regarding Energy Innovation and Carbon Dividend Act of 2019.

[\[20-0475\]](#)

Norma Safransky and Sharon Bagatell, Chapel Hill residents, asked the Council to approve a resolution endorsing a NC House Resolution 763 to reduce carbon emissions. The bi-partisan bill would place a fee on fossil fuels at the source and would distribute collected money among households as a monthly dividend, they explained. If passed soon, the plan would reduce carbon emissions by 40 percent in the first 12 years and by 90 percent by 2050, they explained.

Mayor Hemminger pointed out that the Council normally receives and refers resolutions to the Town Manager, Town Attorney and Mayor. However, since the current meeting was the last before the Council's recess, she recommended adopting the resolution (2020-06-24/R-1.2) with a stipulation that staff review the wording to ensure that it lined up with what the Town could normally support.

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, that this Petition/R-1.2 be adopted. The motion carried by a unanimous vote.

1.03 Rachel Collman Comment.

[\[20-0476\]](#)

Rachel Collman said that she wanted to point out the hypocrisy of calling for a staff review of the resolution just passed while not allowing a review of the previous resolution.

This item was received as presented.

1.04 Maple Osterbrink Regarding Environmental Justice Commission.

[\[20-0477\]](#)

Maple Osterbrink, a Chapel Hill resident, reminded the Council that she had recently requested \$100 for expenses related to an Environmental Justice Commission that she intended to start when in-person meetings were again allowed. She also wanted to know the legal requirements of starting a commission, she said.

Mayor Hemminger agreed to reply as soon as she could.

This item was received as presented.

ANNOUNCEMENTS BY COUNCIL MEMBERS

1.05 Mayor Hemminger Regarding Town Attorney Ralph Karpinos' Last Meeting.

[\[20-0478\]](#)

Mayor Hemminger noted that Town Attorney Ralph Karpinos was retiring

after 32 years of working with the Town. She thanked him for his dedicated effort throughout the years and his willingness to explain things in a way that lay people could understand. She said that Mr. Karpinos would return in the fall when the Council could properly honor him.

1.06 Mayor Hemminger Regarding Mask Distribution.

[\[20-0479\]](#)

Mayor Hemminger noted that NC Governor Cooper had announced a statewide requirement for face coverings. She said that the percentage of positive COVID-19 tests was up and the number of hospitalizations was increasing in NC. Everyone's help and participation was needed and information about when and where to get free face masks was on the Town's website, 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-2 be adopted as amended, which approved the Consent Agenda. The motion carried by a unanimous vote.

2. Approve all Consent Agenda Items.

[\[20-0457\]](#)

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

3. Approve the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY 2019-20.

[\[20-0458\]](#)

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

4. Authorize the Town of Chapel Hill to Participate in the North Carolina Ancillary Governmental Participant Investment Program (AGPIP).

[\[20-0459\]](#)

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

5. Endorse a Letter from Orange County Climate Council to Governor Cooper.

[\[20-0460\]](#)

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

6. Adopt a Calendar of Council Meetings through December 2020.

[\[20-0461\]](#)

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

INFORMATION

7. Receive Upcoming Public Hearing Items and Petition Status List.

[\[20-0462\]](#)

This item was received as presented.

DISCUSSION

8. Update on Town Efforts to Respond to the COVID 19 Crisis. (no attachment)

[\[20-0463\]](#)

Emergency Management Coordinator Kelly Drayton gave an update on the Town's COVID-19 response. She said that Governor Cooper had issued an order to extend Phase II of the reopening to July 17th and would require face coverings when proper physical distancing could not be achieved. She said that North Carolina currently had more than 500 testing sites and was completing an average of 17,000 tests per day.

Ms. Drayton said that residents who had participated in a 2015 Rent and Utility Assistance Program had been returning for additional assistance. She outlined changes to the Emergency Housing Assistance Program that the Town and Orange County had proposed in order to respond to that need. The Town's Call center had been closed in June, but calls were being redirected to specific departments, she said.

Ms. Drayton said that weekly mask distribution was continuing and the Town was still accepting donations of face coverings. Staff and community partners had been distributing masks to public housing residents as well as through local food distribution networks, she said. She noted that weekly food distribution had moved to the Eubanks Park & Ride lot. Ms. Drayton said that health professionals were continuing to urge residents to practice the 3Ws: Wear a mask; Wash your hands; Wait six feet apart.

Mayor Hemminger thanked Ms. Drayton and other staff members and noted that most of the Town's department heads had been helping to distribute food. She said that there had been an increase in the number of "Food for Students" recipients, which was currently distributing at 35 sites. She thanked the staff members and community partners who had been part of the effort to help the community through the pandemic crisis.

Council Member Stegman confirmed with Town Manager Maurice Jones that a lane on Franklin Street would be closed to traffic once the Town had received the necessary barricades.

Mayor Hemminger pointed out that the Orange County Health Department's website was constantly being updated with COVID-19 information.

This item was received as presented.

9. Consider Land Use Management Ordinance Text Amendments - Proposed Changes to Section 3.7 and Appendix A Related to Permitting Flex Office in the Town Center Zoning Districts and Expanding Definitions Related to Types of Retail. [\[20-0464\]](#)

Senior Planner Anya Grahn gave a brief PowerPoint presentation on a proposed text amendment that would expand the General Business definition in the Land Use Management Ordinance (LUMO) to include Retail Sales and Retail Services. This would allow flex office space in the Town Center zoning district without having to specifically define it, she said.

Ms. Grahn proposed revising a few other definitions such as Recreation Facility and Commercial Indoor, as well as expanding the definition of Personal Services to include Performing and Culinary Arts, Physical Exercise, Crafts, and Social Customs and Activities.

Council Members confirmed that the issue of nuisance noise coming from upper stories had been addressed in the definitions section.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that R-7 be adopted. The motion carried by a unanimous vote.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that O-3 be enacted. The motion carried by a unanimous vote.

10. Consider an Application for Zoning Atlas Amendment -137 East Franklin Street and 136 East Rosemary Street Innovation Hub [\[20-0465\]](#)

Planner II Michael Sudol presented an application for a Zoning Atlas Amendment regarding an innovation hub at 137 East Franklin Street. He explained that the project would include two existing buildings on a .66-acre site that spanned a block on both East Franklin and East Rosemary Streets. The buildings exceeded the floor area ratio and height requirements of the underlying zoning districts and rezoning to Town Center-3 would bring them into compliance, he said. He noted that a rezoning would also allow a proposed 1,000 square-foot increase in floor area to enclose the Rosemary Street frontage.

Mr. Sudol said that the public hearing had been closed on June 11th and that no comments or changes had been made since then. The Planning Commission was recommending approval, he said, and he recommended that the Council adopt the Resolution of Consistency and enact Ordinance

A.

A motion was made by Council Member Ryan, seconded by Council Member Stegman, that R-9 be adopted. The motion carried by a unanimous vote.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that O-4 be enacted. The motion carried by a unanimous vote.

11. Consider the Final Budget and Related Items for FY 2020-21.

[\[20-0466\]](#)

Town Manager Maurice Jones gave a PowerPoint presentation on the FY 2020-21 budget. He reviewed the process to date and pointed out that a budget must be passed by the end of June 2020. The proposed budget addressed many of the Council's strategic priorities, he said, noting that it did not include a property tax increase and would maintain core services. He pointed out that the budget did not include a pay increase for employees.

Mr. Jones said that many of the effects of COVID-19 on the budget were still unknown. He had proposed reducing or eliminating several items with the hope of restoring them in future years, he said. He explained that the Town had negotiated its percentage increase for employee health insurance down from 4 percent to 2 percent. Chapel Hill had also received a couple of fairly large grants and would be able to increase the living wage for about 20 full-time employees, he said.

Mr. Jones said that the final recommended budget (not including transfers) was a little more than \$111 million. He displayed a chart that showed the total broken down by departments. He said that the Town would spend close to \$11 million on affordable housing in the coming year, which would include \$5 million in bond funds. Staff anticipated spending a similar amount in FY 2022 when the other half of the \$10 million bond for affordable housing would be dispersed, he said.

Mr. Jones said that staff planned to examine the Town's delivery of services across all departments and would return to Council in the near future to discuss allocation of resources. He hoped to resume discussions regarding a five-year budget strategy and the goal of those discussions would be to understand community wants and needs, to make decisions regarding priorities, and to discuss how to achieve strategic goals, he said.

Council Members confirmed with staff that sales tax revenue in March was down nearly 5 percent and that April sales figures would be available on July 15th. Business Management Director Amy Oland said that average growth for the year was about 6.5 percent.

The Council also verified that hourly parking fees would increase when the Town started charging again in July or August and that this had been discussed with the Downtown Partnership.

Nancy Oates, a Chapel Hill resident, thanked the Town for fully funding its living wage commitment.

Rachel Thomas-Levy, a Chapel Hill resident, said that the CHPD budget had not changed since the Council's last meeting when citizens asked that funds be reallocated to affordable housing. She asked Council Members to listen to the community.

Mary Alta Feddeman, a Chapel Hill resident, asked to see an itemized CHPD budget, adding that black community leaders and organizers had also made that request.

Sonia D., a Chapel Hill resident, asked the Council to postpone voting on the budget and pointed out that Council Members had the power to vote against it if it did not reflect their values. She said that she had requested an itemized CHPD budget and been told that it was being worked on.

Sarah Hoffman, a Chapel Hill resident and graduate student, agreed with what others had said about the urgent need to divest from the CHPD and invest in community resources. She asked that the budget structure be changed in the next cycle in a way that would meaningfully accommodate input from constituents.

Kaori Sueyoshi, a Chapel Hill native, agreed with previous speakers regarding the CHPD. She felt encouraged by the Council's resolution but believed that voting for the proposed budget signified its satisfaction with the status quo, she said. In 2014, when she was a member of the JIAC, she had asked for information regarding race equity concerns, but that letter remained unanswered, she said.

Mr. Jones said that the CHPD budget was close to \$13 million. He pointed out that Transit was the Town's largest department and emphasized that the Town would invest close to \$11 million in affordable housing over the next fiscal year and another \$11 million, or more, in FY 2022. The Town was mandated by law to pass a budget by the end of June in order to ensure that Town services continue, he pointed out.

Mayor Hemminger said that the Community Task Force would return with recommendations. She confirmed with Mr. Jones that the Town could amend its budget throughout the year. She acknowledged that Town documents could be confusing and pointed out that the General Fund was not the overall Town budget. Staff was looking for ways to make the

budget clearer and easier to understand, she said.

Council Member Gu said that the Council owed it to the community to move cautiously and make sure that all residents, especially the most vulnerable, were being protected. She felt encouraged by the level of citizen engagement, she said, and she assured residents that passing the budget did not mean the end of the process. Working together, everyone could make Chapel Hill an example of social justice and equality, she said.

Council Member Huynh proposed a friendly amendment stating that the Council would revisit the budget when the Community Task Force recommendations came through, but Council Member Ryan said she thought that interest was met in the resolution and that spelling it out might hamstring the process. Council Member Stegman said she thought the intent of Council Member Huynh's proposed amendment was related to issues of trust.

The Council discussed how it could make revisions throughout the year and could institute greater change when developing its five-year plan. Mayor Hemminger pointed out that the Town needed to be thoughtful about making changes since nearly three quarters of the budget consisted of people. She said that COVID-19 would affect revenues and the Town's need for services. The Council was committed to looking deeply into what the community had asked but needed to do so in a thoughtful way, she said.

Mayor Hemminger said that passing the Town budget was a beginning, not an end, and that the Council would make changes throughout the year. She confirmed with Council Member Huynh that putting the issue on an agenda for discussion in early fall would satisfy his interest, and she made a commitment to work with the Manager to do that.

The Council voted unanimously to approve the FY 2020-21 budget. Mayor Hemminger pointed out that the budget included a fine-free Public Library and other changes that would enhance equity.

A motion was made by Mayor pro tem Parker, seconded by Council Member Anderson, that O-5 be enacted. The motion carried by a unanimous vote.

12. Consider Enacting a Budget Ordinance Amendment for CARES Act Funding.

[\[20-0467\]](#)

Community Resilience Officer John Richardson gave a PowerPoint presentation on a budget ordinance amendment that would allow the Town to officially receive \$746,000 in Coronavirus Aid Relief Economic Security (CARES) Act funding from Orange County. He explained that the aim of that \$2 trillion federal economic relief package was to protect people from the public health and economic impacts of COVID-19.

Mr. Richardson said that the Town had submitted a request for funding to Orange County in May 2020 and that those funds were being allotted on a per capita basis. Chapel Hill would receive about 28 percent of Orange County's \$2.6 million share from the state, he said. He recommended that the Council enact the budget amendment and said that staff would return in the fall with an update.

Mr. Richardson provided details on CARES Act requirements, which included spending funds by December 30, 2020. He presented examples of eligible expenses, summarized the proposed budget ordinance amendment, and explained how CARES dollars and FEMA funding would be coordinated.

Mr. Richardson proposed a plan for spending CARES Act funds but noted that the Council or Manager could change the spending plan at any time before December 30th. The Town and other local governments would work with a consultant to help the economic recovery and the Town's portion of that countywide effort would be \$46,000, he said.

Council Members confirmed with Mr. Richardson that the consultant's fee would come from either Economic Support or the Public Information. They ascertained that the CARES Act provided funds; whereas, FEMA money was a reimbursement for up to 75 percent of expenses. Council Member Gu asked if alternative housing for isolating family members would be covered, and Mr. Jones replied that it could be discussed with the Health Department and regional partners as a potential for CARES Act funding.

Mr. Jones and Mayor Hemminger commented on efforts to educate the public on how to protect themselves. Mayor Hemminger said that she wanted preventing evictions and foreclosures to be a top priority. She understood the need for better broadcasting equipment, but preventing evictions was more important, she said.

Mr. Jones said that he did not foresee a need to choose between the two since the Town had other funding sources set aside for rental and housing assistance.

Ms. Richards stated that the NAACP would endorse the budget if the \$155,250 for public information and intergovernmental affairs was directed toward human needs.

Council Members Ryan, Anderson and Parker agreed with Ms. Richards' comments. Mayor pro tem Parker confirmed with Mr. Jones that the Council could change allocations down the line. Council Member Buansi verified that the CARES Act money must be used for COVID-19 expenses.

Mr. Jones pointed out that a portion of Public Information funding was intended for providing more secure access and higher quality of broadcasting for the Council's virtual meetings. The Council certainly could consider waiting for that, but there were other alternatives for providing rental assistance, he said.

Council Member Gu stressed the importance of creating more space for outdoor activities, noting that doing so would help those who normally use public transit.

Mayor Hemminger recommended that the Council enact the ordinance with the caveat that the Town Manager would provide an update on other sources of funding and the needs.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that O-6 be enacted. The motion carried by a unanimous vote.

- 13.** Consider an Application for Conditional Zoning at Weavers Grove, 7516 Sunrise Road - Proposed Change from Residential-2 (R-2) to Residential-6 Conditional Zoning (R-6-CZ) and Neighborhood Commercial Conditional Zoning (NC-CZ).

[\[20-0468\]](#)

Mayor Hemminger said that the public hearing on this item had been closed, but the Council had continued to receive public comments by email. Council Members had agreed to allow some citizens to speak but would then take final action on the item without an additional waiting period, she said.

Planner Becky McDonnell provided background on Weavers Grove, a proposed residential community on 32.6 acres along Sunrise Road. The project, developed by Habitat for Humanity and Ballentine Associates, would include 243 residential units, 100 of which would be affordable, she said. She explained that the plan also included a small commercial center and community amenities throughout. The proposal was to rezone the property from Residential-2 to Residential-6 Conditional and Neighborhood Commercial Conditional, she said.

Ms. McDonnell said that the developer had agreed to construct a berm along Interstate 40 to protect Weavers Grove and adjacent properties from traffic noise. She outlined six stipulations that had been added to Ordinance A since the Council closed the public hearing. She recommended that the Council adopt the Land Use Plan amendment and the Resolution of Consistency and enact revised Ordinance A including the six new stipulations.

Council Members confirmed that a required weekly erosion control inspection would be conducted only during active construction and that

Habitat for Humanity and Ballentine Associates did not feel that the new stipulations were burdensome.

In response to Council questions, Bruce Ballentine explained that the proposed berm would be higher than Interstate 40, except where it transitioned back down to existing grade on the east and west ends. Ballentine Associates had ideas for ways to make it even taller and planned to try extending it as well, he said.

Ms. Oates recommended that the subsidized homes be interspersed among the market rate ones in each housing type since segregating the two types could lead to social justice issues. Additionally, she warned that the subsidized units being planned on marshy ground would experience expensive flooding issues for those homeowners.

Abby Zarkin, Chandlers Green Homeowners Association president, said that neighbors wanted to see specific language addressing what the berm would accomplish. She said that some of the affordable homes would be subjected to unhealthy noise levels and that a sound study needed to be performed in order to stipulate what the berm must accomplish.

Michael Murphy, a Chandlers Green resident, agreed with what Ms. Zarkin said about the berm and expressed concern about the Chandlers Greene residences that were below the ephemeral stream. The proper solution would be to not build the three houses in that wet area, he said.

Ms. Richards agreed that there were legitimate concerns about how the affordable houses would be constructed and where they would be placed. She supported Council approval but hoped that the developer would ensure an equitable distribution of housing types within the development and not create segregated areas, she said.

Donna Bell, a Chapel Hill resident, expressed confidence that the Council would be thoughtful about the affordable housing needs. She stressed what a good partner Habitat for Humanity had been over the years, and she encouraged the Council to support the project.

Douglas Call, a Habitat board member and chair of its Advocacy Committee, urged the Council to get as many affordable homes on the site as possible. Regardless of what part of the land they end up on, the children would be playing together and the families would be walking on the same walkways, he pointed out. Approving the project would be a fine start toward changing attitudes about what the Town really was, said Mr. Call.

Danny Benjamin, a Chapel Hill resident, stated that berms sometimes made noise problem worse because of the way sound travels. He requested that a sound study be done prior to approval and that the noise

target be around 66 decibels or a level that authorities accepted.

Council Members stressed the importance of working to ensure that the berm reduce noise to 67 decibels or below and of being flexible with the site plan. They praised Habitat for working with its neighbors to mitigate problems and encouraged them to address the equity concerns that speakers had raised.

Mayor Hemminger said that the Habitat model had broken the cycle of poverty for many families. She pointed out that the project was the Council's first Conditional Zoning process for residential development and said that had allowed the Council to communicate and obtain community input in a way that had not been possible under Special Use Permit process. She thought it was the way to obtain more affordable housing in the future, she said.

A motion was made by Council Member Huynh, seconded by Council Member Stegman, that R-11 be adopted. The motion carried by a unanimous vote.

A motion was made by Mayor pro tem Parker, seconded by Council Member Buansi, that R-12 be adopted. The motion carried by a unanimous vote.

A motion was made by Mayor pro tem Parker, seconded by Council Member Anderson, that O-7 be enacted as amended. The motion carried by a unanimous vote.

- 14.** Adopt a Resolution Closing the Public Hearings for [\[20-0469\]](#)
A) Authorizing an Economic Development Agreement for the East Rosemary Downtown Deck & Redevelopment Project; and
B) Conditional Zoning at 125 East Rosemary Street Parking Garage from Town Center-2 (TC-2) to Town Center-2-Conditional Zoning (TC-2-C).

Mayor Hemminger said that the Council was going to close the public hearing on this project because there was no date certain for an Economic Development Agreement. She read a statement from the Town Attorney about taking items off the agenda and said that staff would re-advertise public hearings at a later time.

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, that R-14 be adopted. The motion carried by a unanimous vote.

APPOINTMENTS

- 15.** Appointment to the Board of Adjustment. [\[20-0470\]](#)

Mayor Hemminger said that appointments would be made in the fall when

there were significant openings on certain boards. However, Mayor pro tem Parker and a Council Committee had interviewed some applicants, and he was going to bring their recommendation forward tonight, she said.

A motion was made by Mayor pro tem Parker, seconded by Council Member Anderson, that Nathan Boucher be appointed to the Board of Adjustment. The motion carried by a unanimous vote.

16. Appointments to the Historic District Commission. [\[20-0471\]](#)

A motion was made by Mayor pro tem Parker, seconded by Council Member Anderson, that Josh Gurlitz and Duncan Lascelles be appointed to the Historic District Commission. The motion carried by a unanimous vote.

17. Appointment to the Orange Water and Sewer Authority Board of Directors. [\[20-0472\]](#)

A motion was made by Mayor pro tem Parker, seconded by Council Member Buansi, that Deanie Anyangwe be appointed to Orange Water and Sewer Authority Board of Directors. The motion carried by a unanimous vote.

18. Appointment to the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Board. [\[20-0473\]](#)

Mayor Hemminger announced that Mayor pro tem Parker would represent Go Triangle at the Metropolitan Planning Organization (MPO) and that she was the Town's designee. Council Member Ryan volunteered to be the alternate, and the Council voted unanimously to appoint her to that seat.

Mayor Hemminger reminded the Council that there would be a closed session regarding candidates for the Town Attorney position at 9:00 a.m. on June 25th. She said that there might be an additional meeting at 7:00 p.m. to finish that discussion. She thanked Council Members for working hard in recent months and said she hoped they would get some much needed downtime during the summer break.

Mr. Jones expressed appreciation for the Council's thoughtfulness, support, and endurance during recent months.

Town Attorney Ralph Karpinos said that working for the Town for many years had been a wonderful experience for him and his family, and he hoped to be able to thank Council Members in person in the fall.

Mayor Hemminger pointed out that Mr. Karpinos had agreed to remain and help with the new attorney's transition.

A motion was made by Mayor pro tem Parker, seconded by Council Member Anderson, that R-15 be adopted. The motion carried by a unanimous vote.

ADJOURNMENT

The meeting was adjourned at 10:55 p.m.