



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, January 6, 2021 6:30 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/join/91012020000> After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 862 5246 8041

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 Ann Anderson, Crisis Unit Supervisor Megan Johnson, Director of Organizational and Strategic Initiatives Rae Buckley, Assistant Director of Housing and Community Sarah Viñas, Affordable Housing Manager Nate Broman-Fulks, Housing and Community Executive Director Loryn Clark, Police Chief and Executive Director for Community Safety Chris Blue, Director of Executive Director for Technology and CIO Scott Clark, Communications and Public Affairs/Town Clerk Sabrina Oliver, and Deputy Town Clerk Amy Harvey.

OPENING

Mayor Hemminger opened the virtual work session at 6:30 p.m. She denounced

a violent insurrection that had taken place that day at the U.S. Capitol building. She also commented on how results from a recent run-off election in Georgia would provide more balance in the U.S. Senate.

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

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.01 Mayor Hemminger Regarding COVID-19 Information. [\[21-0007\]](#)

Mayor Hemminger pointed out that North Carolina was experiencing its highest number of new COVID-19 cases and hospitalizations. Therefore, Governor Cooper had extended the state's modified stay-at-home order, its curfew and mask mandates, and its limit on unmasked gatherings, she said. She added, though, that hope was on the horizon because the Orange County Health Department would soon be providing information on its vaccine distribution plan.

0.02 Mayor Hemminger Regarding Upcoming Meeting. [\[21-0008\]](#)

Mayor Hemminger said that a virtual public information meeting regarding 101-111 Erwin Road would be held on January 7, 2021 at 5:15 p.m.

0.03 Council Member Buansi Regarding Events in Washington, D.C. [\[21-0009\]](#)

Council Member Buansi commented on an insurrection that day at the nation's capital. He pointed out that the only other time the U.S. Capitol building had been stormed was during the War of 1812. President Donald Trump had essentially empowered the mob to commit those crimes, he said.

Mayor Hemminger reported that North Carolina's mayors had been communicating all day about how to respond to the insurrection. They had decided to allow time to heal and then come together at a later point, she said.

AGENDA ITEMS

1. Update on Criminal Justice Debt Program Advisory Committee. [\[21-0004\]](#)

Police Crisis Unit Supervisor Megan Johnson gave a PowerPoint update on a Criminal Justice Debt Program that the Council had established in 2020. She explained the goal of moving low-income people toward stability and meeting the needs caused by gaps in other community programs. The Town had granted \$20,000 for a related pilot program, she said.

Ms. Johnson reported that the Crisis Unit had developed procedures and application materials and had helped select and facilitate an Advisory

Committee (AC), which held its first meeting in April 2020. She reviewed specific criteria that the Council had outlined and named community partners who had become involved in the Program.

Ms. Johnson said that the application process included conducting background checks, cutting checks, and tracking. She explained that setting up the program had taken longer than expected due to the COVID-19 pandemic. Eleven of the 12 people who had applied had been approved, and a total of \$3,741 in program funds had been spent to date, she said.

Emma Ferriola-Bruckenstein, Justice Department Restoration Program Legal Counsel and Program chair, presented information from a recent Governor's Task Force on Racial Equity and Criminal Justice report, which addressed imposing fines and fees. She said that two items in that report were directly related to the Council's goals of lessening the impact of court debt for Town residents and reducing the Town's reliance on court fines/fees as sources of revenue.

Ms. Ferriola-Bruckenstein said that the AC had unanimously agreed upon the following recommendations: 1) Expand the program to serve Carrboro Residents; 2) Remove the restriction that an applicant can only apply once every three years; 3) Remove the restriction on applicants with a violent felony conviction and give the AC discretion to review circumstances and determine whether funds should be granted; 4) Consider allowing payment for debts due outside Orange County.

In addition, AC members were proposing that the Council consider making them a more permanent, standing committee and were seeking guidance on when to make such a formal request, Ms. Ferriola-Bruckenstein said.

Jesse Gibson, an AC member, expressed general support for the recommendations but cautioned against removing restrictions for those who had been involved in particular types of crimes, which he listed. Additionally, he stressed the importance of requiring receipts for out-of-county payments in order to document that those had been made.

Council Member Stegman confirmed with Ms. Ferriola-Bruckenstein that outreach efforts had recently increased but that the number of people coming through the courts had been lower than normal due to the pandemic. However, her office had generated a list of about 80 people with court debt that the program could contact directly, Ms. Ferriola-Bruckenstein said.

Council Members expressed support for Carrboro joining the program and for giving the AC as much discretion as possible. They confirmed that the plan included looking at a variety of circumstances and considering relief for those who could become productive members of the community.

In response to a question from Council Member Anderson, Ms. Ferriola-Bruckenstein described Orange County Criminal Justice Resource Department's efforts to modify the process of assessing fines and fees. Resource Director Caitlin Fenhagen provided additional information about those efforts. She said that a Governor's taskforce member would present more information at the next AC meeting and that a presentation had been made to the NC Bar Association.

Orange County Clerk of Courts Mark Kleinschmidt said that Samantha Cabe, a new District Court judge, had become a leader in the effort to assess individuals' ability to pay and to set fines accordingly. This would assist Chapel Hill and Carrboro in addressing out-of-county fees, he pointed out.

Nancy Rosales, an adviser to the AC, shared her personal experience of eventually being able to restore her driver's license through the Criminal Justice Department Program. She had been able to re-enter the community, get a job, and have a stable life once free from the burden of accumulated traffic tickets, she said.

The Mayor and Council noted the importance of providing the community with more information, metrics, and clarity about which violent felonies would be excluded. They asked for data on the funding need, for Chapel Hill and Carrboro separately, if the program were made permanent. Council Members agreed that out-of-county fees should be included in the Program.

This matter was received and filed

2. Government Alliance on Race and Equity & County-wide Framework Update. [\[21-0005\]](#)

Director of Organizational and Strategic Initiatives Rae Buckley defined racial equity as eliminating racial disparity so that one's race was not a predictor of success. She said that the Council had identified that as an overarching Town priority and had asked staff to participate in the Governmental Alliance on Race and Equity (GARE) training program.

Assistant Director of Housing and Community Sarah Viñas explained that GARE provided training, technical resources, and grants to government organizations in its network. It had launched a 12-month program in the Piedmont Region in 2019 and Town staff had participated in that training, she said.

Ms. Viñas provided an overview of a proposed Racial Equity Program based on GARE precepts. She outlined typical steps in the GARE model and said that staff had begun applying those to ongoing Town initiatives, such as Building Integrated Communities, language access work, and the Northside Neighborhood Initiative. She acknowledged that the COVID-19 pandemic had slowed the pace of some efforts.

Ms. Viñas gave examples of approaches and discussed plans to add racial equity questions to the Town's affordable housing fund application. The Housing Advisory Board had been using the new criterion when evaluating applications, she said. She mentioned recent Town initiatives, such as Neighborhood Support Circles, and said that Chapel Hill had joined the Refugee Community Partnership, which provided neighborhood-based childcare and scholastic support. Staff had also begun tracking demographic information for its community engagement initiatives and was working to develop a countywide Racial Equity Framework, Ms. Viñas said.

Ms. Buckley then explained that the first step in a proposed countywide Racial Equity Framework would be to work with Orange County, Carrboro and Hillsborough to build the program out. The next step would include translating the principles and approaches learned from GARE into the Town's own Racial Equity Program, she said. She explained that doing so would include building out training and leadership, articulating how to use a racial equity tool, collecting data dis-aggregated by race, and engaging target populations.

Ms. Buckley discussed the importance of timelines and performance measures and said that once the foundation was in place the next steps would be to develop a Racial Equity Plan. Each municipality's plan would include a desired result, data analysis dis-aggregated by race, strategies, an implementation plan, and an accountability step, she said.

Ms. Buckley proposed bringing the framework back to Council at its March 17, 2021 work session. Staff could then begin collecting data and would check back with Council on the countywide community engagement aspect by May or June, she said. She asked Council Members for feedback on the plan itself and on what racial equity policies they would like to see included.

The Council confirmed with staff that the GARE approach included determining a desired result and where the gaps were between that and the data. They verified that it would involve deciding what to change and setting goals and strategies for moving forward. They confirmed that staff would bring residents' top issues, as well as information about available resources and other factors, to the Council along with the Racial Equity Plan, and the Council would then prioritize.

Mayor pro tem Parker commented on the Town's historic difficulty with engaging under-served communities. He asked for thoughts about doing it differently this time.

Ms. Viñas replied that staff would do the things that had been successful in the past, and she listed some of those. They intended to rely on interviews more than surveys, but COVID-19 had affected their ability to

have direct, person-to-person communication, she said.

In response to a question about budgeting, Ms. Buckley said that staff was looking for direction from Council about when to start developing tools and researching capacity and resources. Town Manager Maurice Jones commented that the goal was to make racial equity the fabric of the Town and a part of every department and every major decision.

Council Member Huynh proposed applying race as a factor in who the Town does business with and how it disperses funds. Other Council Members recommended applying a racial equity lens to the Town's Land Use Management Ordinance rewrite and its Climate Action Plan. The Council encouraged applying it to all Town policies, budget decisions, and structural issues.

The Council noted the need for more conversations regarding timeline, resources, prioritization, and institutional barriers. Mayor Hemminger agreed that it had been difficult to obtain input during the COVID-19 pandemic. She pointed out that there would be better opportunities for honest face-to-face interaction in the future.

This matter was received and filed

3. **Manufactured Home Strategy Update.**

[\[21-0006\]](#)

Ms. Viñas gave a PowerPoint update on Town-initiated efforts to address redevelopment threats to four manufactured home communities (MHCs) in the northern part of Town. She said that staff had developed a strategy that included resident engagement, a menu of alternative housing options, sites for potential relocation, and coordinated planning with other local governmental and community partners. She showed the locations of the four MHCs on an area map.

Ms. Viñas said that staff and community partners had carried out extensive engagement with MHC residents in 2018 and that the information collected then was still relevant. Staff had learned that the average income for the majority of families was \$30,000 and that nearly 70 percent of them had lived in their homes for at least 10 years, she said. A survey of MHC residents had revealed a strong preference to stay within Chapel Hill due to its proximity to work, schools, buses, and amenities, she said.

Ms. Viñas said that staff continued to hold engagement sessions and had been focusing on building relationships. The Town had worked closely with EmPOWERment, Inc., and had connected some residents with Habitat for Humanity and other organizations regarding home purchases, she said.

Affordable Housing Manager Nate Broman-Fulks then described a menu of

options that staff had developed. These included relocation assistance, land purchase, and constructing units as part of redevelopment. He gave examples of models that had been successful elsewhere in the country: a town-led model in Boulder, CO; a Habitat-led model in Charlottesville; a resident-owned community model; and a non-profit model that had purchased its first resident-owned community in Asheboro.

Mr. Broman-Fulks said that another approach was to create new affordable housing (AH) as part of redevelopment. He pointed out that the Chapel Hill North master plan had been designed to create opportunities for AH along Weaver Dairy Road. In addition, the Council had prioritized three sites for AH projects on Town-owned land, he said, and he described those.

Mr. Broman-Fulks noted that the Town had joined Carrboro, Hillsborough and Orange County in a Local Government Affordable Housing Collaboration to develop a coordinated strategy for when a MHC faced a redevelopment threat. The Town was also working on the issue with partners, such as Family Success Alliance, EmPOWERment Inc., and the Chapel Hill-Carrboro School System, and was a member of an Orange County Affordable Housing Coalition subcommittee on manufactured homes, he pointed out.

Ms. Viñas and Mr. Broman-Fulks asked Council Members for feedback on what a successful solution would look like to them, guidance on what strategies staff should focus on, and information about whether there was more that staff should be doing.

Council Members discussed the need to proactively and aggressively look at alternatives since all four MHCs in Town were in prime redevelopment locations. They said that addressing the issue would require significant Town resources and that Orange County would need to contribute to the solution. They discussed the unlikelihood that MHC residents would be able to afford the resident-owned solution.

Council Members discussed their desire to have all MHC residents end up in decent housing in areas where they could still get to work and school. They expressed support for partnering with other entities, including the University of North Carolina at Chapel Hill (UNC), which owned a fair amount of land and was where many MHC residents worked. The Council commented on how MHC residents were not a homogeneous group and a variety of solutions would be needed.

Council Member Buansi asked about the possibility of creating a way for current MHC residents to reserve slots in proposed redevelopments, and staff deferred to the Town Attorney for that answer. Mr. Broman-Fulks pointed out, though, that the towns of Boulder and Charlottesville had

successfully purchased and redeveloped MHCs in order to let residents remain.

Council Members stressed the importance of keeping residents educated and informed about potential redevelopment. They emphasized that helping people build equity and wealth should be a core component of any Town strategy.

Council Member Stegman pointed out that the Town had made much progress regarding AH, but not for the income levels of those living in MHCs. She expressed interest in a limited equity co-op model that would include some non-profit partnership. She proposed that the Town bring in some expertise to help figure out a plan.

Council Member Huynh requested information on resources that might help the Town analyze the problem in more detail. He encouraged looking for outside funding and expressed a preference for a public-private partnership that probably would be a collaboration of several groups, such as those working on the Town's AH development at 2200 Homestead Road.

Council Member Gu asked about legal options for prioritizing MHC residents, and Town Attorney Ann Anderson replied that determining that would require careful analysis. She could work on that if the Council provided direction on exactly what it wanted, Ms. Anderson said.

Mayor Hemminger praised staff for successfully transitioning people in the past and said that the same approach would be needed again if any MHC residents needed to move quickly. She agreed with the need to engage Orange County and said that the Town's strategy should include finding a pathway for those who want to remain in Chapel Hill. She had spoken with UNC about the MHC situation, she said.

Mayor Hemminger agreed that it was important to educate MHC residents about their options. She pointed out that options might include future opportunities at the Town's AH project at 2200 Homestead Road or at Weavers Grove, which was based on the home-ownership model. She expressed support for finding out if the Town could legally prioritize transitioning MHC residents.

This matter was received and filed

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

A motion was made by Mayor pro tem Parker, seconded by Council Member Anderson, that the Council enter into closed session as authorized by General

Statute Section 143-318.11(a)(4), to consider an economic development matter.
The motion carried by a unanimous vote.

ADJOURNMENT

The Council recessed the meeting at 9:30 p.m. and adjourned the meeting at the conclusion of the closed session.