



TOWN OF CHAPEL HILL

Town Council Meeting Minutes - Draft

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

Mayor Jessica Anderson
Mayor pro tem Amy Ryan
Council Member Camille Berry
Council Member Melissa McCullough
Council Member Paris Miller-Foushee

Council Member Theodore Nollert
Council Member Adam Searing
Council Member Elizabeth Sharp
Council Member Karen Stegman

Wednesday, March 6, 2024 6:00 PM RM 110 | Council Chamber

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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In-Person Meeting Notification

View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- Spectrum is replacing 1998 encoder that transmits programming to cable channel 18. It remains offline until complete.
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person - <https://www.townofchapelhill.org/demosurvey>

Parking

- Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
- See <http://www.parkonthehill.com> for other public lots on Rosemary Street
- Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and Speakers

- Entrance on the ground floor.
- Sign up at the meeting starting at 5:30 PM with the Town Clerk to speak.
- If more than 14 people sign up for an item, Council will reduce speaking time from 3 minutes to 2 min./person.
- Please do not bring signs.

ROLL CALL

Mayor Jessica Anderson called the meeting to order at 6:00 p.m. and reviewed the agenda. Mayor pro tem Ryan and Council Member Searing were absent due to out-of-town obligations.

- Present:** 7 - Mayor Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Karen Stegman, Council Member Theodore Nollert, Council Member Melissa McCullough, and Council Member Elizabeth Sharp
- Absent:** 2 - Mayor pro tem Amy Ryan, and Council Member Adam Searing

OTHER ATTENDEES

Town Manager Chris Blue, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Affordable Housing and Community Connections Director Sarah Viñas, Transit Director Brian Litchfield, Executive Director for Strategic Communications and Marketing Susan Brown, Business Management Director Amy Oland, Planning Director Britany Waddell, DEI Officer Shenekia Weeks, Police Officer Mister, Director of Employee Engagement/Organizational Development Anita Badrock, Fire Chief Jay Mebane, Deputy Town Clerk Amy Harvey, and Assistant Town Clerk Brenton Hodge.

OPENING

0.01 The Council Adopted A Resolution In Support of Immigrant Communities in Chapel Hill (R-0.01) by Consensus. [\[24-0121\]](#)

Each Council Member read a portion of a Resolution in Support of Immigrant Communities, which stated the Council's commitment to fostering a welcoming environment for all. The Council was committed to protecting the rights of refugees and asylees and to advocating for a clear path to citizenship for undocumented residents, they said. The resolution encouraged law enforcement officials to foster trust and cooperation with immigrant communities and urged all Town residents to engage in activities that bolster respect and understanding.

Mayor Anderson thanked Council Member Nollert for bringing the resolution forward, and she thanked the Governor's Advisory Council for Hispanic and Latino Affairs for elevating the issue.

R-0.01 was adopted by consensus.

0.02 Proclamation: Transit Employee Appreciation Day. [\[24-0122\]](#)

Council Member McCullough read a proclamation regarding the importance of the Town's fare-free transit system and the critical role that its operators play in creating a welcoming and inclusive Town environment. In recognition of their dedication and hard work, the Council proclaimed March 18, 2024, as Bus Operator Appreciation Day in Chapel Hill and encouraged everyone to thank local and regional bus operators at every opportunity, she said. Transit Director Brian Litchfield accepted the proclamation on behalf of Chapel Hill Transit.

This item was received as presented.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.03 Mayor Anderson Regarding Orange County's Creek Week. [\[24-0123\]](#)

Mayor Anderson said that Orange County Creek Week (March 16-23) would celebrate the creeks, streams and rivers that connect the Town's communities. Staff members from Orange County and neighboring towns were planning a series of events and activities and those details would be posted on the Town's social media, she said.

This item was received as presented.

0.04 Mayor Anderson Regarding the March 13th Work Session. [\[24-0124\]](#)

Mayor Anderson said that the Council was scheduled to meet at the Chapel Hill Public Library at 6:00 p.m. on March 13th to discuss the annual budget and the Land Use Management Ordinance rewrite.

This item was received as presented.

0.05 Council Member Miller-Foushee Regarding Ramadan. [\[24-0125\]](#)

Council Member Miller-Foushee explained the purpose of Ramadan, which would run from March 10th to April 9th, 2024. She urged residents to observe the Town's commitment to diversity and religious tolerance and to perform acts of kindness, mercy and understanding during that time.

This item was received as presented.

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. "Change the Names" Request The Town of Chapel Hill to remove and replace street signs bearing names linked to the vestiges of racism and oppression that are inconsistent with Town's current goals to be a vibrant and inclusive community. [\[24-0109\]](#)

Resident Joyce Sandy petitioned the Town to change the name of Cameron Avenue to Pauli Murray Avenue in order to reflect and lift up current residents. Jesse Huddleston, vice chair of the Center for History and Social Justice in Durham, said that Dr. Pauli Murray was a professor, lawyer, poet, author and Episcopal priest and that changing the street name would be a tribute to her contributions as well as American democracy and global human rights. Several audience members stood to show their support for the petition.

The Mayor and Town Manager agreed to have the Naming Committee and staff review the petition later in the month.

This matter was received and referred to the Manager and Mayor.

1.01 Anne Hartley Request Regarding Clark Lake. [\[24-0126\]](#)

Resident Anne Hartley read a petition that asked the Town to dispute the exclusion of Clark Lake Dam from a Clark Lake Basin Study that a developer had performed. The petition proposed that the Council either modify a related ordinance to include the dam study or rescind its approval of Chapel Hill Crossing South and require the developer to maximize the density of the land.

Mayor Anderson said that the Chapel Hill Crossing developer had offered to conduct a watershed basin study to help the Town understand water flows in the project area and would share that when it was completed. She hoped that those who owned the private dam would work with the North Carolina Dam Safety Program, which has oversight for dams statewide, she said.

This matter was received and referred to the Manager and Mayor.

1.02 Request Regarding Downtown Bathrooms. [\[24-0127\]](#)

Juliette Alegria, an intern at Community Empowerment Fund, spoke about how the lack of public restrooms in Downtown Chapel Hill had been affecting those who were experiencing homelessness and others. She asked the Council to act on an investigative report that staff had done in 2019 and move forward with a plan to provide at least four bathrooms. She also recommended that the Town compensate downtown businesses

that provide restrooms to the public free of charge.

Crystell Ferguson, a team leader at the InterFaith Council (IFC), said that the IFC had been asking the Town to provide 24-hour bathrooms in the Downtown area for eight years. She described the repercussions of not having public restrooms other than in the Wallace Deck, where there were safety issues. She asked the Council to keep its word and provide "something so simple that no human being should ever have to ask for it".

This matter was received and referred to the Manager and Mayor.

1.03 Request for Affordable Housing Bond. [\[24-0128\]](#)

Eight people spoke in favor of having a \$50 million Affordable Housing (AH) Bond referendum on the Town's November 2024 ballot, and several others stood to show their support.

George Barrett, executive director of the Marian Cheek Jackson Center and co-chair of the Orange County Affordable Housing Coalition, said that higher housing prices and rent increases were expected to worsen and would lead to more displacement and racial inequity. More than 350 community members were petitioning the Council to take action on a bond that would dedicate the equivalent of 2 cents on the property tax rate for affordable housing, he said. He pointed out that the Town's AH Plan was recommending such an investment over the next five years.

Resident Susan Laidlaw said that the Council's commitment to AH did not go far enough, and she presented a vision for what could be achieved if the Council advanced the petition. Elizabeth Young, an Episcopal Church of the Advocate member, asked the Council to prioritize discussing taking the recommended steps. Property tax relief had been a mere Band-Aid considering the increase in valuations, she said.

Jackie Jenks, co-chair of the AH Coalition and the IFC's president and CEO, described the urgency of the homelessness crisis. She said that 180 men, 57 women, and 63 families were currently waiting for space in Town shelters, and she emphasized the dangers of sleeping outside. The Town's current housing crisis was urgent and unacceptable and "not who we are," she said.

Delores Bailey, executive director of EmPOWERment, Inc. characterized the statistics regarding homelessness in Chapel Hill as staggering and getting worse. The \$50 million bond was necessary because of the urgency, she said. Darin Campbell, an IFC board member, said that people were sleeping in tents, and cars, on street corners, and in alleys in Chapel Hill. Projects intended to address the problem would not be completed without additional funding, he said.

Ronald Carnes, an Orange County resident, said that the Council had organize residents in the past to come together and achieve Town goals. He urged Council Members do that again regarding the \$50 million AH bond. Resident Anita Wright described how the IFC had helped her and her family after they had been forced out of their Chicago home. She encouraged the Council to believe that it could take care of everyone.

A motion was made by Council Member Berry, seconded by Council Member Miller-Foushee, that the Council received and refer the petitions to the Mayor and Manager. The motion carried by a unanimous vote.

AGENDA ITEMS

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 Berry, seconded by Council Member Miller-Foushee, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

2. Approve all Consent Agenda Items. [\[24-0110\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
3. Accept a Grant for the Chapel Hill Fire Department for Capital Improvements or Equipment Acquisition. [\[24-0111\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
4. Notice of Intent to Renew a Wireless Lease Agreement with T-Mobile [\[24-0112\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
5. Dedicate a Private Sewer Easement on Town Property Located at the southern end of Sugarberry Road to Service Three Nearby Properties [\[24-0113\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.

DISCUSSION

6. Increase the Project Authorization for the Rosemary Street Parking Deck. [\[24-0114\]](#)
Deputy Town Manager Mary Jane Nirdlinger gave a PowerPoint

presentation regarding increasing costs for the Rosemary Street Parking Deck. She reviewed the Council's vision for the Downtown area and its original authorization of a development contract in June 2021. She reminded Council Members that the total budget had then increased to \$47.9 million after foundation issues were discovered in 2022 that added \$9 million to the project. She said that the project had faced schedule delays since then, and that construction costs escalated during that time.

Ms. Nirdlinger reminded the Council that conditions such as the COVID-19 pandemic, global disruptions to the construction industry, changes in labor costs, and inflation had led to an unprecedented environment and continuing challenges. She recommended an additional \$3.02 million increase in the project authorization to cover any remaining costs and a minimum 10 percent contingency to account for any unforeseen conditions. The deck was estimated to open in summer 2024, she said.

Director of Business Management Amy Oland proposed two resolutions: Resolution 4 would increase the project authorization by \$3.02 million; and Resolution 5 would increase the amount the Town could reimburse itself from a future borrowing. She said that project costs that exceed the Town's original borrowing would be paid from Debt Service Fund Balance. The borrowing method would be installment financing, she said, adding that she anticipated returning to the Council for two approval actions in May and June 2024.

Ms. Oland said that the Town would be able to absorb the \$3 million additional costs within its existing debt service capacity with minimal impact on its average annual debt service. However, there could be a delay with other new or unfunded projects, depending on the Council's other priorities, she pointed out. She said that she would outline an opportunity to combine that financing with other Town needs at an April 2024 Work Session.

Ms. Oland pointed out that the impact on capacity would largely depend upon what parking numbers looked like when the new parking deck opened. She said that pushing positive annual cash flow to FY 2030 would lead to total positive cumulative cash flow sometime in FY 2033. Debt ratios might be higher than the Town's usual policy for three to five years, but that would not affect the Town's ratings, she said.

Ms. Oland pointed out that changes already made to the parking fee structure would improve revenue and move the Town toward self-sufficiency. Staff would continue to explore revenue-generating options and would provide further recommendations as needed, she said.

Council Member Nollert asked staff to provide clarification later on some of the figures that had been presented. Council Member Berry expressed sympathy for Town staff members who had been coping with changing conditions regarding the site and the U.S. economy

Mayor Anderson said that everyone was feeling frustrated by the challenges, delays, and cost overruns associated with the project. She hoped to see that important piece of the East Rosemary Renovation and Innovation Hub completed by the summer, she said. She pointed out that the Town had a new Parking Manager and stressed the need to think creatively about how the Deck could generate consistent revenues. She raised the possibility of having an external audit as an extra precaution.

A motion was made by Council Member Stegman, seconded by Council Member Miller-Foushee, that the Council adopt R-4. The motion carried by a unanimous vote.

A motion was made by Council Member Stegman, seconded by Council Member Miller-Foushee, that the Council adopt R-5. The motion carried by a unanimous vote.

7. Authorize the Town Manager to Formally Prepare a New Framework for Advisory Boards [\[24-0115\]](#)

Mayor Anderson said that there had been a lot of questions and concerns about this item. The majority of Council Members had agreed with creating a very short-term work group to help identify and track questions for staff to discuss at an upcoming work session, she said. She proposed that she and Council Members Berry, Nollert and Sharp comprise that group, which would then reach out to the full Council for input. She recommended that the Council not vote on any resolutions at the current meeting.

Director of Strategic Communications and Marketing Susan Brown gave a PowerPoint presentation that included a recap of work done regarding Town advisory boards, a review of current recommendations, and a summary of potential next steps. She reviewed the guiding questions that the Council had asked staff to keep in mind when assessing the current system of Town boards and commissions. She said that 11 boards were within the project scope and that four others (Board of Adjustment, Planning Commission, Historic District Commission, and Community Design Commission) would be assessed as part of Land Use Management Ordinance (LUMO) rewrite.

Ms. Brown said that the overarching interests in the original petition from Council were for meaningful and diverse public input and community engagement, good stewardship of staff and community resources, and clear understanding of roles and responsibilities. The process thus far had included looking at best practices from peer municipalities, using a Diversity Equity and Inclusion lens and a user experience perspective to assess the application and appointment process, she said. She explained how the approach had included surveys, focus groups, and follow-up

discussions.

Ms. Brown said that her team had found that 20 or more staff members typically spend a total of about 270 hours (equivalent to \$10,000) per month supporting Town boards. She said that a lack of clarity regarding roles and responsibilities had led to staff members feeling undervalued and lacking in purpose. She pointed out that only a few boards were required by NC state statutes, and she explained why some of the others had been created. She said that Town boards were most effective when they stayed tightly focused on policy. However, scope creep was common with boards in general, she said.

Ms. Brown said that her team had learned so far that some boards had been meeting less frequently, often due to lack of agenda items. Others had continued to meet monthly, but often only to receive reports and updates. Some boards had been doing policy work and were ready to align their charges with the new framework, but others were unclear about what policy work meant, she said. She reported that all members had expressed a desire to increase diversity on their boards. She and her team would continue to meet with the boards until April 2024, she said.

Ms. Brown reviewed a list of recommended best practices and four additional recommendations for improving the process. She explained how those aligned with the Council's interest in having meaningful and diverse public input/engagement, good stewardship of staff and community resources, and clarity regarding roles and responsibilities. She showed a list of 11 boards to which those goals would apply.

Ms. Brown pointed out that the Grievance Hearing Board was undergoing substantive improvements and the Justice in Action Committee was being sunset. She said that staff needed clearer direction from Council on whether or not to consider phasing out the Transportation and Connectivity Advisory Board, whose members had expressed a strong desire to remain and apply new standards and practices to their work.

Ms. Brown emphasized the importance of training, accountability for all, and careful consideration of any new boards, committees or commissions. Possible next steps could include continuing to meet with boards and commissions and drafting ordinance changes for Council consideration, she said. She said that staff could implement the recommendations for the application and appointment processes, begin to implement training, and return to the Council with a progress report in a year or two.

Mayor Anderson said that she and the Town Manager had recently met with board chairs, who had agreed with Ms. Brown's findings. Those chairs supported focusing on policy, but wanted clarity on what that would look like, she said. She said that board chairs specifically wanted to know how they would be transitioned, how they would provide feedback, and what would happen after they provided advice to the Council. Board chairs had

agreed with the need for more diversity and had expressed interest in working with staff to achieve that, she said.

The Council confirmed with Ms. Brown that she and her team believed that advisory boards were most effective when they focused on providing policy guidance to the Council. They also verified that some boards did not always meet, due to low attendance, lack of agenda items, or lack of a quorum.

Council Member Miller-Foushee said that staff was moving in the right direction but that more Council discussion was needed. She pointed out that Town boards had not become more equitable despite efforts and said that investing in a structure that did not fix that was an issue for her. She proposed that the full Council meet to continue discussing the issue, rather than convening the smaller workgroup. As the person who had brought the petition forward, she wanted the process to be as inclusive as possible, she said.

Council Member Nollert commented that him serving on the workgroup would have limited value since he was a new Council Member who had little idea what some boards did. He did not think staff's proposal was heading in the right direction but wanted to have a full Council discussion about that, he said.

Council Member Stegman also spoke in favor of a full Council work session on the topic as well. If any work group did occur, Council Member Miller-Foushee, the petitioner, should lead it, she said. She said that staff's presentation was moving in the right direction but did not completely address the lack of equity on Town boards. She proposed a larger look at the entire structure and how it would function for a much more diverse range of community members.

Council Member Berry said she wanted more information about whether each board was serving its purpose or if they were duplicating staff efforts. She expressed concern about the amount of time that staff members had been spending on board meetings that were then sometimes not even held. She was not opposed to having a workgroup in order to expedite the process but understood other Council Members' views about the need for openness and transparency, she said.

Council Member McCullough said that figuring out how boards' roles could be distinct from the Council's and staff's would require much more discussion by the full Council. She was bothered by the notion of board members advising staff, since the Town could hire consultants when it needed additional expertise, she said.

Council Member Sharp proposed clarifying whether Town boards should be

vehicles for community engagement or sources of expertise. There might be expertise on boards that would save the Town from having to pay for a consultant, she pointed out. Overall, the proposed plan needed to be simpler and easier to understand, she said.

Mayor Anderson said that having board members direct or correct staff, or fill in for staff expertise, had never been the Town's intent and that the application, selection and orientation process needed to be clear on that. She pointed out that the Council wanted to primarily address policy and have some oversight over the professional staff. She agreed with others that the Council needed to have a much deeper discussion. She explained that she had proposed the workgroup in order to get some additional thoughts on how to structure work sessions.

Mayor Anderson said, in summary, that the Council was not ready to vote on any resolution and wanted to move rapidly into continued conversations. Council Members' various interests and perspectives could be addressed at an upcoming work session, she said. She thanked Ms. Brown for her work and said that it was incumbent upon the Council to provide guidance regarding next steps.

Council Member Berry cautioned against staff and boards having continued discussions while the Council was still unclear about what it wanted to do. Council Members discussed the pros and cons of sharing their thoughts with each other in writing, but the Mayor recommended that they address that at another time.

Planning Director Brittany Waddell pointed out that four boards (Board of Adjustment, Planning Commission, Historic District Commission, and Community Design Commission) were codified in the LUMO and that a text amendment would be required to make any changes to them. Council Member Miller-Foushee commented, however, that the Community Design Commission was not actually mandated by the state. The Council had decided to discuss what work that board could do within the purview of the Planning Commission, but that had not been represented in the staff presentation, she said.

This matter was received and continued discussion to future work session.

ADJOURNMENT

This meeting was adjourned at 8:11 p.m.