



# 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, June 3, 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://bit.ly/3dhSJ9d> After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 812 5599 4296

View Council meetings live at <https://chapelhill.legistar.com/Calendar.aspx> – and on Chapel Hill Gov-TV ([townofchapelhill.org/GovTV](http://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, Executive Director for Community Safety/Police Chief Chris Blue, Fire Chief Vencelin Harris, Emergency Management Coordinator Kelly Drayton, Business Management Director Amy Oland, Economic Development Specialist Laura Selmer, Transportation Planning Manager Bergen Watterson, Executive Director for Technology and CIO Scott Clark, Communications and Public Affairs Director/Town Clerk Sabrina Oliver, and Deputy Town Clerk Amy Harvey.

#### OPENING

Mayor Hemminger opened the virtual meeting at 7:00 p.m. and explained that it would be a regular meeting rather than the budget work session that had originally been scheduled.

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

#### ANNOUNCEMENTS BY COUNCIL MEMBERS

##### 0.01 Council Members Statement Regarding George Floyd. [\[20-0400\]](#)

Mayor Hemminger read a statement regarding the death of George Floyd, who had recently died at the hands of police officers in Minneapolis, Minnesota. The statement addressed racial inequities, expressed deep sorrow for the pain that local communities had been experiencing and emphasized the need to eliminate racial bias and institutional racism.

Each Council Member read a part of the statement, which outlined crimes against people of color and affirmed the Town's commitment to justice and the equitable treatment of people of color. The statement noted the disproportionate effect that the COVID-19 pandemic was having on the population as a result of pre-pandemic realities and a legacy of structural discrimination. Council Members stated that they were committed to ensuring public safety and health and a community in which all were free to thrive and live their lives without fear.

Mayor Hemminger urged citizens to get out and vote and to put people in office who share the values of dignity and respect for all. She praised Chapel Hill community members for protesting in a peaceful manner and thanked Council Member Buansi for crafting the statement and bringing it forward.

Council Member Buansi noted the importance of speaking with a unified voice against inequality and violence, regardless of one's race. He thanked those who had been advocating for change and said that change would be achieved through sustained effort.

##### 0.02 Mayor Hemminger Regarding Gun Violence Awareness Day. [\[20-0401\]](#)

Mayor Hemminger pointed out that Council Members were wearing orange to raise awareness for National Gun Violence Awareness Day on Friday, June 5, 2020. She read a related statement and stressed the importance of continuing efforts to implement common sense gun legislation. She encouraged all residents to wear orange on Friday and to elect people to office who would help change laws. More information was available at the Moms Demand Action and North Carolinians Against Gun Violence websites, Mayor Hemminger said.

##### 0.03 Mayor Hemminger Regarding Orange County Commissioners Budget Proposal. [\[20-0402\]](#)

Mayor Hemminger said that the Orange County Board of Commissioners

had been considering eliminating the \$568,000 that it contributed to the Chapel Hill Public Library Fund from its upcoming budget. She would send them a letter regarding how the Library benefited the entire Orange County community, especially its most vulnerable residents, she said.

0.04 Mayor Hemminger Regarding Upcoming Advisory Board Meetings. [\[20-0403\]](#)

Mayor Hemminger announced that the Council Committee on Economic Sustainability would meet on Friday, from 8:00-10:00 a.m. She said that several other advisory board meetings were listed on the Town website.

### **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.

0.05 Carl Schuler Regarding Upcoming Budget. [\[20-0404\]](#)

Carl Shuler, a Chapel Hill resident, suggested that Town department heads take a 10 percent voluntary salary reduction in FY 2021 as a symbolic gesture during the pandemic. Those savings could be used to help citizens who were suffering financial hardships due to pandemic-related job losses, he said.

0.06 Maia Donald Regarding Upcoming Budget. [\[20-0405\]](#)

Maia Donald, a University of North Carolina (UNC) student, said that the recommended FY 2020-21 budget allocated 24 percent of funding to the Police Department (PD) while allocating only 1 percent to housing assistance, 6 percent to the Public Library, and 11 percent to parks and recreation. The proposed PD allocation was a 10 percent increase from what it had been in the previous budget, she said.

Ms. McDonald proposed de-funding the PD entirely and redistributing that money to education, social work, housing assistance, food stamps, and more. She said that police reforms had not reduced the problems of police brutality and systemic racism.

0.07 Hassan Sora Regarding Upcoming Budget. [\[20-0406\]](#)

Hassan Sora, a Chapel Hill resident, said that 24 percent of the Town

budget was roughly \$15 million and that allocating that amount to the PD was a gross misuse of Town funds. He urged the Council to reconsider the proposed allocation, and he said that giving the PD a 10 percent increase would be outrageous.

0.08 Christine Anderson Stewart Regarding Upcoming Budget. [\[20-0407\]](#)

Christine Anderson Stewart, a Chapel Hill resident, also said that allocating 24 percent of the Town's budget to the PD was too high, especially considering the history of U.S. race relations and recent incidents of police brutality and violence. She said that reallocating those resources toward health, mental health, and education would reduce violence and the need for policing by creating more equity.

### **CONSENT**

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

#### *Approval of the Consent Agenda*

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

1. Approve all Consent Agenda Items. [\[20-0393\]](#)

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

2. Appoint Community Members to Participate in the Town Attorney Assessment Center. [\[20-0394\]](#)

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

### **INFORMATION**

3. Receive Upcoming Public Hearing Items and Petition Status List. [\[20-0395\]](#)

This item was received as presented.

4. Response to Council Questions Regarding the Recommended Budget. [\[20-0396\]](#)

Town Manager Maurice Jones responded to apparent misunderstandings regarding the Police Department's budget. He said that the total budget of \$115,752 would be only a .7 percent increase over FY 2020, not 10 percent. The proposed increase was primarily due to Town-wide increases in retirement and health insurance costs, he said. The proposed PD operating budget would actually decrease by 6.4 percent from the previous year, he said,

Mayor Hemminger pointed out that Chapel Hill Police Officers were required to go through rigorous equity training. The Town had held public meetings in the past to re-examine how it handles policing and she looked forward to planning another one of those in the near future, she said.

This item was received as presented.

#### 4.01 E. McManus Regarding Upcoming Budget. [\[20-0408\]](#)

E. McManus, a Chapel Hill resident, expressed agreement with the previous speakers' comments about decreasing funding for the Chapel Hill Police Department.

### DISCUSSION

#### 5. Update on Town Efforts to Respond to the COVID 19 Crisis. (no attachment) [\[20-0397\]](#)

Emergency Operations Coordinator Kelly Drayton gave a weekly update on the Town's response to the COVID-19 pandemic and its "Safer for Everyone in Chapel Hill" campaign. She said that the Town had distributed 2,000 face masks over the past two weeks and that the Food Bank had served 488 families and more than 2,100 individuals.

Ms. Drayton pointed out that contracts with local hotels and vendors for housing InterFaith (IFC) Council shelter residents were set to expire, and she described some of the options that the Town, County, and IFC had been looking at for continuing that support. She said that the Town's virus testing capabilities were continuing to expand and listed sites where individuals could be tested for COVID-19. More information was available on the Town's website, she said.

Ms. Drayton noted that NC Governor Cooper had extended a provision regarding utility shut-offs through July 29 and had implemented a three-week moratorium on evictions for those who were unable to pay their utility bills.

Mayor Hemminger pointed out that an eight-year-old Durham County child had recently died from COVID-19, and she stressed the importance of being vigilant. She said that Orange County leaders had been discussing requiring face coverings in order to slow down the virus's spread and that she would bring that item forward for Council consideration.

The Council confirmed with Mr. Jones that staff had been in communication with the University regarding school reopening in the fall and that he would bring that information to the Council within the next few weeks. Mayor Hemminger mentioned that she had postponed a policy meeting with UNC that day because of local and national protests related

to the death of George Floyd.

In response to Council questions, Mr. Jones said that an increased number of positive virus cases could be attributed, in part, to increased testing. There had also been an increase in household spread, especially in the Latino community, he said. Efforts were being made to communicate with those families in Orange County, he said.

In response to a question from the public, Mr. Jones said that masks were being distributed at fire stations, food banks, and public housing and that interested individuals could contact the Town for more information.

Council Member Gu noted that more than 5,800 masks and 275 face shields had been distributed downtown at a recent drive-thru mask giveaway. She said that the Town hoped to organize more such events in the future and was willing to work with others who wanted to organize similar ones.

Josh Levenson, a Chapel Hill resident, asked about the most restrictive steps the Town could take that would allow its most vulnerable residents to get out for at least a few hours a day in a safe environment where the public would be required to wear masks. He asked if there was a Town resource for such information.

Mayor Hemminger replied that the Town had a COVID-19 section on its website and that the Orange County Health Department had an improved dashboard where one could report a business that was not complying with mandatory mask or face shield regulations.

This item was received as presented.

#### 6. Consider Ordinance to Authorize the Town Manager to Permit Use of Public Sidewalks and Other Areas for Outdoor Retail and Restaurant Activity During the COVID-19 Pandemic State of Emergency. [\[20-0398\]](#)

Economic Development Specialist Laura Selmer gave a PowerPoint presentation on a proposed ordinance that would close lanes to traffic on Franklin Street and would institute other temporary measures that would help downtown businesses reopen under COVID-19 restrictions. She recommended that the Council authorize the Town Manager to temporarily allow outdoor areas, such as sidewalks and parking areas, to expand into the lane for dining and retail activity.

Ms. Selmer explained that having a protected pedestrian lane would allow more space for people to walk, bike, run, shop and dine, while keeping a safe, social distance from one another. She said that the Town had received a petition with more than 1,000 signatures supporting the lane

closure.

Ms. Selmer said that the Town had received conceptual approval from the North Carolina Department of Transportation (NC DOT) and expected to receive official approval soon. She showed what a typical street section would look like and described how message boards would post alerts about traffic changes.

Ms. Selmer said that the ordinance would allow retail sidewalk sales but only for existing businesses. She noted a suggestion to wave permit fees while the ordinance was in effect. She said that the ordinance would allow temporary signs that would indicate whether a business was open and/or offering take-out or curbside pick-up.

Council Members confirmed with Ms. Selmer that it probably would be feasible to have different expiration dates for the east and west ends of Franklin Street. They confirmed with staff that it probably would be possible to open West Franklin lanes while students were moving back in and then close them down again afterward. Ms. Selmer pointed out that the cost of renting or purchasing barriers for a longer period of time would need to be addressed.

The Council verified with Transportation Manager Bergen Waterson that staff had been working to identify other areas in Town where the ordinance might be applied.

Ms. Selmer said that the Downtown Partnership had been exploring safety guidelines that would indicate waiting spaces and require outdoor tables to be six feet apart.

Mayor Hemminger noted that all employees were required to wear masks and that the Town was considering requiring others to do so as well in places where they could not practice physical distancing. The mask ordinance would be overarching and could include commercial areas, she said.

Council Members Anderson and Buansi said that requiring a face covering would be appropriate since it would be awkward for businesses themselves to ask customers to cover their faces. The Council and staff also talked about adding a requirement that patrons maintain a minimum six feet from one another.

Mr. Levenson expressed enthusiasm for the proposed ordinance and urged the Council to extend it to after students return. He said that having some concrete barriers with orange cones in between could help to make the space more adaptable.

Mary Parry, a Chapel Hill resident and the petition's creator, said that community members appreciated the Town's efforts and were ready to dig

in and help. Many had suggested ways to help people learn to use the lanes, she said, and Mayor Hemminger recommended that Ms. Parry share that information with Ms. Selmer.

In response to suggestions from Council Member Ryan, Mr. Karpinos proposed revising a portion of the ordinance to read: "outdoor uses can only be in areas where the business can provide a plan for Town approval showing that a minimum of six feet of distancing between pedestrians and customers can be provided."

Council Member Ryan replied that the revision met her intent but did not require the part about presenting a plan for Town approval. She confirmed with Ms. Waterson that the revision would meet NC DOT requirements.

Mr. Karpinos and the Council discussed ordinance changes that would allow the Town Manager to remove permission if a business violated the ordinance. Mr. Karpinos also proposed language that would require businesses to comply with any future provisions that the Town might issue.

Council Member Stegman confirmed with Ms. Waterson that NC DOT would likely accept a plan to open the West Franklin Street lane while students were settling in and then close it again afterward.

The Mayor and Council agreed to give the Town Manager discretion to make modifications, if needed, during the Council's summer recess. Mayor Hemminger confirmed with Mr. Jones that he was comfortable with that idea. The Council agreed by consensus to extend the Town's state of emergency to August 31, 2020.

Mr. Karpinos showed proposed ordinance changes on the screen and Mayor Hemminger called the role to confirm that all Council Members agreed with the revisions.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that O-1 be enacted as amended. The motion carried by a unanimous vote.

#### **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 discuss an economic development matter. The motion carried by a unanimous vote.

#### **ADJOURNMENT**

The meeting was recessed at 8:48 p.m., the Council went into closed session and the meeting adjourned at the end of the closed session.