

A public hearing of the Carrboro Board of Aldermen was held on Tuesday, March 27, 2012 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Dan Coleman
	Jacquelyn Gist
	Lydia Lavelle
	Randee Haven-O'Donnell
	Michelle Johnson
	Sammy Slade [Arrived at 7:45]
Town Manager	David Andrews
Town Clerk	Catherine C. Wilson
Town Attorney	Michael B. Brough

A RESOLUTION REGARDING PAYMENT FOR BALLE CONFERENCE REGISTRATION FEES

The purpose of this agenda item was for the Board to consider allocating \$1,200 from the Mayor and Board of Aldermen travel budget to cover BALLE Conference registration expenses for two Economic Sustainability Commission members.

The following resolution was introduced by Alderman Coleman and seconded by Alderman Johnson:

**A RESOLUTION AUTHORIZING THE PAYMENT OF BALLE CONFERENCE REGISTRATION FEES
FOR ESC MEMBERS
Resolution No. 113/2011-12**

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN THAT:

1. The BALLE Conference registration fees for two Economic Sustainability Commissioners shall be paid for out of the Mayor and Board of Aldermen travel budget for FY 11-12.
2. Each registration fee is \$600.00 and the total cost associated with Economic Sustainability Commissioners shall not exceed \$1,200.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 27th day of March 2012:

Ayes: Dan Coleman, Lydia Lavelle, Mark Chilton, Michelle Johnson Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: Sammy Slade

A RESOLUTION URGING THE REPEAL OF THE RECENTLY AMENDED “CASTLE DOCTRINE”

Alderman Lavelle explained that this resolution was written in response to the killing of Trayvon Martin in Florida.

The following resolution was introduced by Alderman Lavelle and seconded by Alderman Coleman:

**A RESOLUTION URGING REPEAL
OF THE RECENTLY AMENDED “CASTLE DOCTRINE”
Resolution No. 116/2011-12**

WHEREAS, 17-year old Trayvon Martin was killed in Sanford, Florida on February 26, 2012, and the circumstances surrounding his death based on media reports have flooded cyberspace and the media; and

WHEREAS, at a minimum, confirmed facts show that Martin, a high school student from Miami, Florida with no criminal record, was unarmed; yet he was pursued, shot and killed by crime watch volunteer George Zimmerman, who thought that Martin looked “suspicious;” as Zimmerman stated on a call to 911 before he set out to pursue Martin; and

WHEREAS, it has been reported in the media that if arrested, the defense that Zimmerman might present would be based on the “Stand Your Ground” Florida law, which is similar to North Carolina’s newly expanded Castle Doctrine; and

WHEREAS, this outrageous killing has sparked outcries of racism, prosecutorial misconduct, and a call to review state laws that allow this type of “self-defense” to go virtually unchallenged; and

WHEREAS, the North Carolina General Assembly passed a law which included an expansion of the Castle Doctrine last year (S.L. 2011-268), effective December 1, 2011, entitled “An act to provide when a person may use defensive force and to amend various laws regarding the right to own, possess, or carry a firearm in North Carolina;” and

WHEREAS, the Castle Doctrine, which previously applied only to one’s home, expanded specific circumstances under which a person can legally shoot or use deadly force against another to include vehicles and places of work; and

WHEREAS, prior to the expansion of the Castle Doctrine, it was argued that our existing legal system adequately addressed the pleading of self-defense in these places in appropriate legal circumstances, and many argued that expansion of the Castle Doctrine was not necessary; and

WHEREAS, the death of Trayvon Martin in Sanford, Florida last month serves as an example of where such an expansion of the Castle Doctrine can lead to horrific results;

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen:

Urges our local delegation to the North Carolina General Assembly to work to repeal the recently amended North Carolina Castle Doctrine.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 27th day of March 2012:

Ayes: Dan Coleman, Lydia Lavelle, Mark Chilton, Michelle Johnson Jacquelyn Gist, Randee Haven-O’Donnell

Noes: None

Absent or Excused: Sammy Slade

DEBRA SEATON -201 N. GREENSBORO GARDENING EVENT COMMENTS

Debra Seaton spoke to the Board about the recent gardening event at 201 North Greensboro. She explained that the gardeners had threatened to trespass on her property, 203 N. Greensboro and that she requested Police presence be there to protect her property. She called on the Board to publically apologize to the Police Department for comments that were made against their actions. She explained that she did not see any harassment from the Police Officers. She asked the Board to work more closely with the business community and not with groups that are breaking the law.

MICHELLE RIVEST-CVS PROPOSAL INFORMATION

Michelle Rivest asked for more information regarding the CVS proposal that was submitted to the Planning Board.

PUBLIC HEARING ON THE DRAFT WEST MAIN STREET ROAD DIET STUDY AND OAK-POPLAR NEIGHBORHOOD TRAFFIC CIRCULATION STUDY

This agenda item was the public hearing for the West Main Street Road Diet and Pavement Marking Study and the Oak-Poplar Neighborhood Traffic Circulation Study.

Jeff Brubaker, the Town's Transportation Planner, made the presentation to the Board. He explained that the process of completing a one-way traffic study on Oak Avenue is very time intensive and requires a comprehensive analysis.

Jody Lewis and Miller Cochran, representatives from Martin/Alexiou/Bryson, made the presentation to the Board.

Alderman Haven-O'Donnell suggested that the bike box option be pursued at the intersection of Main St. and W. Weaver.

Alderman Gist asked that the Oak Avenue traffic study factor in the effects of the new Shelton Station development.

Catherine DeVine, a resident of 506 Oak Avenue, stated that she does not have any complaints about the current traffic on Oak Avenue. She also stated that she does not have a preference for if the street is one-way or not. She encouraged the proactive nature of the traffic study.

Jenny McMillan , a resident of 403 Oak Avenue, stated that she is unhappy with the current traffic on Oak Avenue. She asked that the study not be delayed. She stated that the current speed limit is too high for the street and suggested that the speed be reduced to 15 MPH. She also stated that if it is turned to a one-way street, she suggested the north only direction. She also stated that she would love to see sidewalks.

Michelle Rivest, a resident of 100 Oak Avenue, stated that she is in favor of Oak Avenue being turned into a one-way street with the north only direction. She stated that a sidewalk would be very expensive but something that could be planned for in the future if the road is turned to a one-way. She thanked the Board for the study and the opportunity to be involved. She stated that the current speed bump does not slow traffic to the point where she feels safe.

John Alderson, a resident of 100 Oak Avenue, thanked the Board for the inclusive and proactive approach to the process. He agreed with a one-way option with north only traffic. He suggested that striping is the most cost-effective solution at this point. He asked why turning Oak Avenue into a one-way is ranked low on the feasibility scale by the consultants. He thinks that a raised pedestrian island is a good idea at Oak Avenue and Greensboro Street.

Jackie Tanner, a resident of Elm Street, asked if Elm Street is closed, or turned one way, if the gas station will also have a reduced entrance way. She stated that she has witnessed people cutting through the gas station and using it as an entrance way into the highway.

Chris Frank, who lives near Evans Court and Oak Avenue, asked that the study move along quickly. He stated that the speed table on Oak Avenue does not function properly and asked that future speed bumps are more closely aligned with the desired speed outcome and the current speed of the road.

The following resolution was introduced by Alderman Haven – O’Donnell and seconded by Alderman Coleman:

**A RESOLUTION RELATING TO THE WEST MAIN STREET ROAD DIET AND PAVEMENT MARKING
STUDY AND OAK-POPLAR NEIGHBORHOOD TRAFFIC CIRCULATION STUDY**
Resolution No.114/2011-12

WHEREAS, *Carrboro Vision 2020* states that the “safe and adequate flow of bus, auto, bicycle and pedestrian traffic within and around Carrboro is essential”; and,

WHEREAS, the Carrboro Downtown Traffic Circulation Study (2005) and Carrboro Comprehensive Bicycle Transportation Plan (2009) recommend road diet concepts for the four-lane section of West Main Street; and,

WHEREAS, on February 8, 2011, the Board of Aldermen adopted a resolution directing Town staff to draft a letter to NCDOT conveying interest in the road diet concept and directing that an associated traffic and safety analysis be completed; and,

WHEREAS, on September 16, 2008, the Board of Aldermen adopted a resolution directing staff to organize a neighborhood meeting to discuss traffic management in the Oak-Poplar neighborhood, bounded by N. Greensboro St., W. Main St., Weaver St., and Carrboro Elementary; and,

WHEREAS, through the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, the consulting firm Martin/Alexiou/Bryson was procured to conduct the road diet analysis and neighborhood traffic study; and,

WHEREAS, a report including both studies was subsequently prepared and received by the Board of Aldermen on March 6, 2012;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. The Board of Aldermen accepts the West Main Street Road Diet and Pavement Marking Study and the Oak-Poplar Neighborhood Traffic Circulation Study.

2. The Board of Aldermen recommends that the following options are researched:
 - a. Reducing the speed on Oak Avenue
 - b. Creating a striped sidewalk and exploring the combination of a one-way street with a sidewalk on Oak Avenue
 - c. Oak Avenue becoming one-way with a north only direction
 - d. A raised pedestrian island at the intersection of Oak Avenue and Greensboro
 - e. A speed bump or table on Oak Avenue
 - f. The exploration of a painted pedestrian refuge island near East Poplar
 - g. The possibility of a crosswalk near East Poplar
 - h. The studies should factor in, as best as possible, the traffic impact from Shelton Station
3. The Board of Aldermen directs Town staff to coordinate with the consultant to complete the preliminary pavement marking plan for a road diet on W. Main St.
4. The Board of Aldermen directs the Town Manager to send a letter to NCDOT conveying the Board's resolution on the West Main Street Road Diet and Pavement Marking Study along with a copy of the study, the preliminary pavement marking plan (upon completion), and any other necessary supporting information.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 27th day of March 2012:

Ayes: Dan Coleman, Sammy Slade, Lydia Lavelle, Mark Chilton, Michelle Johnson Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: None

PUBLIC HEARING ON A CONCEPT FOR SAFETY IMPROVEMENTS IN THE JONES FERRY ROAD CORRIDOR

This agenda item was the public hearing for a concept plan for safety improvements in the Jones Ferry Road corridor.

Jeff Brubaker, the Town's Transportation Planner, made the presentation to the Board. He explained that the impact the plans will have on existing trees is not clear enough to report at this time.

Alderman Haven – O'Donnell suggested that the new medians be planted so that the area feels warmer as a welcoming area to Carrboro.

Anissa McLendon, a resident of Alabama Road, stated that there have been 82 accidents along Jones Ferry in the past five years. She stated that the diet plan will hinder the uses of her street. She expressed concern with Alabama Avenue being used as a turn-around road for traffic leaving the gas station. She suggested the addition of a traffic light, the reduction of speed limit, and the installation of a crosswalk, and the relocation of the bus stop closer to the tennis courts, the use of a service road at Abbey Court for an entrance onto Jones Ferry.

Tamara Sanders, 708 Davie Road, asked if there is way to decrease the use of cut-through traffic on Neville Drive. She also suggested that the speed limit be reduced on Jones Ferry Road.

Trish McGuire, the Town's Planning Director, in response to Alderman Coleman's question, stated that the Family Dollar has submitted a special use and variance application have been submitted to the Planning Department and are under review.

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN LAVELLE FOR STAFF TO REPORT BACK ON THE FOLLOWING SUGGESTIONS AND FORWARD THE PROPOSED PLANS TO THE TRANSPORTATION ADVISORY BOARD FOR REVIEW:

1. RELOCATION OF THE BUS STOP ON JONES FERRY
2. WILL THE PROJECT CREATE TURN-AROUND TRAFFIC ON ALABAMA AVENUE?
3. IF THE PROJECT CREATES A CENTER MEDIAN ON JONES FERRY, SHOULD NEVILLE ROAD BE OPEN TO TRAFFIC IN THE WAY THAT IT IS CURRENTLY?
4. THE FINAL PROJECT SHOULD HAVE PLANTED MEDIANS AND CREATE A MORE WELCOMING ENTRANCE WAY TO CARRBORO

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SLADE AND SECONDED BY ALDERMAN COLEMAN FOR STAFF TO ALSO CONSIDER OAK AVENUE SPEED BUMPS THAT HAVE MORE OF AN EFFECT ON LOWERING SPEEDS. VOTE: AFFIRMATIVE ALL

201 NORTH GREENSBORO (CVS) PUBLIC HEARING

Trish McGuire, the Town's Planning Director, presented the Board with a letter from Kimley-Horn, on behalf of Reddlands, Inc., requesting to postpone the public hearings scheduled for April 17, 2012.

MOTION WAS MADE BY ALDERMAN LAVELLE AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO POSTPONE THE 201 NORTH GREENSBORO (CVS) PUBLIC HEARING THAT WAS SCHEDULED FOR APRIL 17, 2012 TO A DATE NOT YET DETERMINED. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (COLEMAN)

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN COLEMAN TO AUTHORIZE THE PLANNING DEPARTMENT STAFF TO SCHEDULE A PUBLIC HEARING FOR CLAREMONT FOR APRIL 17, 2012, IF POSSIBLE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ADJOURN THE MEETING AT 9:26 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk