



**MINUTES OF THE CITY OF BURLINGTON
CITY COUNCIL MEETING
Tuesday, January 15, 2019**

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, NC, 27215, on January 15, 2019, at 7:00 p.m.

Mayor Ian Baltutis presided

Council Members Present:

Mayor Ian Baltutis
Council Member Robert Ward
Council Member James Butler
Council Member Harold Owen

Staff Present:

City Manager, Hardin Watkins
City Attorney, David Huffman
City Clerk, Renee Ward

Council Members Absent:

Mayor Pro Tem Kathy Hykes

CALL TO ORDER: Mayor Ian Baltutis

INVOCATION: Council Member Robert Ward

PROCLAMATION: Renee Ward - Appreciation for Service as Burlington City Clerk

RECOGNITION: Aarron Barr, Burlington Animal Services, Volunteer

INTRODUCTIONS:

- Al Cablay, Public Works Director
- Jay Mebane, Inspections Director

REMEMBRANCE City Employee William Sharpe, Streets Division

CODE OF ETHICS–DISCLOSING CONFLICTS OF INTEREST: City Clerk Renee Ward
There were no conflicts of interest reported.

APPROVAL OF MINUTES:

- December 3, 2019 – Work Session
- December 4, 2019 – City Council Meeting

Upon a motion by Council Member Ward, seconded by Council Member Owen, it was resolved unanimously to approve the above listed minutes.

ADD-ON: Consent Agenda - Item H: Reject Bids – Burlington-Alamance Airport

Upon a motion by Council Member Owen, seconded by Council Member Butler, it was resolved unanimously to approve the Add-On.

ADOPTION OF AGENDA

Upon a motion by Council Member Ward, seconded by Council Member Owen, it was resolved unanimously to adopt the agenda with the Add-On.

CONSENT AGENDA:

- A. To approve waiving bulk collection fees for the period of March 4, 2019, through April 27, 2019.
- B. To approve an agreement between the City of Burlington and Alley, Williams, Carmen and King, Inc., for inspection and plan review services on an as needed basis contingent upon proof of adequate insurance documentation.
- C. To approve Budget Amendment 2019-18 to allow Burlington Fire Department to use donations received for Departmental Supplies in the Fire Prevention Bureau.

BA2019-20

Increase Revenues:

01004530 30111	Contributions – Fire	\$ 1,300
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Increase Expenditures:

01053532 43300	Departmental Supplies	\$ 1,300
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- D. To approve Budget Amendment 2019-19 to allow Burlington Animal Services to receive donations to the Animal Services Staff Training account.

BA2019-19

Increase Revenues:

01004503 30104	Donations – Animal Shelter	\$ 1,363
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Increase Expenditures:

01052503 41401	Staff Training	\$ 1,363
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- E. To approve Budget Amendment 2019-26 to allow Burlington Animal Services to receive donations to use for medical care of the animals.

BA2019-26

Increase Revenues:

01004503 30104	Donations – Animal Shelter	\$ 7,100
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Increase Expenditures:

01052503 41401	Staff Training	\$ 1,000
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01052503 43319	Medical Supplies	6,100
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- F. To approve Budget Amendment 2019-27 to allow Burlington Police Department to use funds received from Alamance County to apply them to Burlington Communications (911) expenditures.

BA 2019-27

Increase Revenues:

01008000-30553	Miscellaneous	\$ 62,530
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Increase Expenditures:

01051519-43390	Equipment not Capitalized	\$ 15,494
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01051519-47400	Equipment	47,036
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- G.** To reclassify and restructure Public Works, Administrative Specialist position, Level 17, to an Animal Services, Grants and Development Coordinator position, Level 20, effective upon Council approval and to approve Budget Amendment 2019-29 to fund the request.

BA2019-29

Decrease Expenditures:

01060630 40200	Personnel Services	\$ 21,000
01060630 40500	FICA Taxes	1,700
01060630 40600	Group Insurance	2,400
01060630 40700	Retirement Expense	4,300
01060630 40800	401K	1,100
01060600 41100	Telephone	500
01060600 41401	Staff Training	1,500
01060600 43300	Departmental Supplies	500
01060620 43600	Uniforms & Safety Apparel	300
01060630 45300	Dues & Subscriptions	200

Increase Expenditures:

01052503 40200	Personnel Services	\$ 21,000
01052503 40500	FICA Taxes	1,700
01052503 40600	Group Insurance	2,400
01052503 40700	Retirement Expense	4,300
01052503 40800	401K	1,100
01052503 41100	Telephone	500
01052503 41401	Staff Training	1,500
01052503 43300	Departmental Supplies	500
01052503 43600	Uniforms & Safety Apparel	300
01052503 45300	Dues & Subscriptions	200

- H.** To approve rejecting the bids for the Burlington-Alamance Airport Outfall which received on November 6, 2018, to allow City staff to further develop alternative routing and funding.

Upon a motion by Council Member Butler, seconded by Council Member Owen, it was resolved unanimously to approve the foregoing consent agenda.

PUBLIC HEARINGS:

ITEM 1: CITIZEN COMMENTS - AMENDMENT 2018-2019 COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN - NORTH PARK PHASE 1C

Mayor Baltutis announced that a public hearing had been set for citizens to comment on an amendment to the scope of work for North Park Phase 1C project, in the 2018-2019 Annual Action Plan.

Assistant Director of Planning and Community Development Director, David Beal presented the original language for North Park Phase 1C scope of work and the proposed language for the amendment. He stated an amended version of the Action Plan was available for citizen review in the Planning and

Community Development Department from November 26, 2018 through December 23, 2018, and no written public comments were received.

The public hearing was opened, and the following person spoke:

Mr. Celo Faucette, 124 Faucette Avenue, spoke in favor of the amendment and thanked Council and City staff for the improvements made at the North Park facilities.

Motion by Council Member Butler, seconded by Council Member Owen, it was resolved unanimously to close the public hearing.

Motion by Council Member Owen, seconded by Council Member Ward, it was resolved unanimously to approve the amendment to the 2018-2019 Community Development Annual Action Plan.

ITEM 2: REZONING GARDEN ROAD

Mayor Baltutis announced a public hearing has been set to consider an application to rezone from R-15, Residential District, to CR, Conditional Residential District, for the use of a 114-unit townhouse development. The properties are located on the north side of Garden Road between Whitt Avenue and Boone Station Drive, referenced as Alamance County parcel identification numbers 112523 and 107226.

Director of Planning and Community Development Amy Nelson stated that this proposal is dense at 6.2 units per acre and is located to a nearby apartment complex of Wayfair at Garden Crossing on Garden Road which has 25.34 units per acre, for a comparison.

She reported that at the November 26, 2018 Planning and Zoning Commission meeting, the commission heard concerns from neighbors about landscaping, the height of the units, number of units, traffic, signage and the connection to Collinwood Drive. The developer held a public meeting after notifying 59 property owners, with 16 of these residents in attendance. She stated the Planning and Zoning Commission recommended approval of the request by a 5-2 vote.

Ms. Nelson stated the City's Comprehensive Plan calls for residential and commercial in the area. The residential includes multi-family property. Commercial and O&I are already in the area. Therefore, staff has recommended approval of the rezoning.

Mr. Mark Reich the engineer for the developer provided details of the plans for the development and asked Council to approve the rezoning.

The public hearing was opened, and the following persons spoke:

Ms. Kristina Shuman, 540 Whitt Drive, spoke in opposition of the rezoning.

Mr. Tom Burgess, 326 Coachlight Trail, spoke in opposition of the rezoning.

Mr. Raymond Stuart, 518 Whitt Drive, spoke in opposition of the rezoning.

Mr. Conevich, spoke in opposition of the rezoning and asked about how the City would respond to traffic.

Mr. David Lazzo, Howling Wolf Residential, LLC, the developer of the property responded to questions about the architecture of the proposed townhomes and was unable to state the actual height at this time until it is known which company will be building the townhomes. He stated the plans are for two-story townhomes that meet the requirements.

Mr. Mark Reich stated the developer is also proposing to put in a right turn lane for westbound traffic and a left turn lane for east bound traffic at the intersection of Collinwood and Garden Road.

Upon a motion by Council Member Ward, seconded by Council Member Butler, it was resolved unanimously to close the public hearing.

Upon a motion by Council Member Ward, seconded by Council Member Butler, it was resolved unanimously to continue consideration of the rezoning to the February 5, 2019, City Council meeting.

ITEM 3: REZONING STOKES STREET

Mayor Baltutis announced that a public hearing had been set to consider an application to rezone from MF-A, Multifamily District, to B-2, General Business District, being a portion of Alamance County tax identification numbers 133419 and 133425. The properties are located at 409 Stokes Street and being a portion of Alamance County tax identification numbers 133419 and 133425.

Director of Planning and Community Development, Amy Nelson stated this proposal is to allow the owner of the two lots involved to add a lean-to onto the rear the commercial building already on the property to meet set-back requirements.

Ms. Nelson reported there are no foreseeable problems with the owner's request. At the Planning & Zoning meeting, no one spoke in opposition. City staff recommends approval and the Planning & Zoning Commission voted unanimously to approve the rezoning request.

Ms. Lora Toy, owner of the properties stated the purpose of the request to add a 20-foot by 60-foot lean-to on the backside of the property and asked Council to consider approving.

The public hearing was opened, and the following person spoke:

Gloria Bradsher, 413 Cates Avenue, Burlington, asked to clarify if her property was involved.

Ms. Nelson responded the 413 Cates Avenue was not a property involved in the request.

Upon a motion by Council Member Butler, seconded by Council Member Ward, it was resolved unanimously to close the public hearing.

Council Member Butler moved that the following ordinance be adopted to rezone from MF-A Multifamily District to B-2 General Business District for properties located at 409 Stokes Street and being a portion of Alamance County tax parcel identification numbers 133419 and 133425.

Consistency Statement:

Council Member Butler stated that this motion is based upon the consistency of the proposed rezoning with the Comprehensive Plan, in that the Future Land Use map in Section 4 "Land Use" of the Comprehensive Plan calls for this area to have traditional residential and mixed use and the property is contiguous to existing B-2 zoning now. This action is reasonable and in the public interest in that there

would be no impact to the adjacent MF-A lots for residential use and that the subject property is rezoned as requested this amendment is compatible with existing land uses in the area.

Ordinance #19-01

ORDINANCE TO AMEND OFFICIAL ZONING MAP (Rezone properties located on Stokes Street)

BE IT ORDAINED by the City Council of the City of Burlington, North Carolina:

Section 1. That the official zoning map, an element of the Burlington Zoning Ordinance, and the Comprehensive Land Use Plan are hereby amended by rezoning MF-A Multifamily District to B-2 General Business District. The properties are located at 409 Stokes Street and being a portion of Alamance County tax identification numbers 133419 and 133425.

Section 2. That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

Section 3. That this ordinance shall take effect upon passage.

Adopted this 15th day of January 2019, by the City Council of the City of Burlington, NC.

The foregoing ordinance was seconded by Council Member Owen, and after full discussion, the same was voted upon and declared duly adopted, no amendments having been offered and consent having been given to place the same upon its immediate passage. Councilmembers voting in favor of the motion to adopt the foregoing ordinance were Baltutis, Ward, Butler and Owen.

ITEM 4: ADOPT AN ORDINANCE AMENDING BURLINGTON CITY CODE, CHAPTER 22, ARTICLE II, “SMOKING AND POLLUTION CONTROL”

Mayor Baltutis announced that a public hearing had been set to consider adopting an Ordinance amending Burlington City Code, Chapter 22, Article II “Smoking and Pollution Control.”

Kacie Lynch, 477 Retreat Lane, Burlington, Elon-Alamance Health Partner fellow presented on the initiative to change the existing Ordinance.

The Public Hearing was opened, and the following persons spoke in favor of the amendment to prohibit all tobacco use in the City park systems:

Sally Gordon, 244 Canary Place, Burlington, Elon University Graduate
Shawn Perkins, 1919 Basin Creek Road, Burlington, Cone Health Cancer Center
Marcy Green, 6808 Winters Drive, Whitsett,
Glenda Linens, 3109 Winfield Ridge Drive, Burlington
Mary Gillett, 1002 Mt. Pillard Drive, Greensboro
Gavin Stevens, 1109 Providence Court, Elon
Katie Latta, spoke in support that the Kernodle Senior Center be designated as a smoke free zone
David Durham, 1013 Brookview Drive, Elon
Chris Honeycutt, 1511 Wells Court, Burlington.
Dr. Yun Boylston, 5005 Windsor Court, Elon

Richard Parker, 417 S. Broad Street, Burlington

City Manager Hardin Watkins responded to enforcement of the amended ordinance. He stated that there will be a fine of \$50.00 to issue if necessary. Signage will be posted through the locations to educate the public.

Upon a motion by Council Member Butler, seconded by Council Member Ward, it was resolved unanimously to close the public hearing.

Council Member Owen asked City Attorney David Huffman about smoking along the sidewalks of the Paramount Theater and the May Memorial Library downtown, and how this ordinance amendment applies to these locations.

City Attorney David Huffman stated that the amendment adds additional areas as well as expands to all tobacco use and that it would allow staff to enforce in the Depot area and also covers facilities operated by Recreation and Parks.

Council Member Ward moved for the adoption of the following Ordinance:

Ordinance #19-02

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURLINGTON
AMENDING CHAPTER 22 OF THE CITY CODE**

Whereas, in Chapter 22, Article II “Smoking and Pollution Control” of the Code of Ordinances, the City of Burlington protects the public health, safety and welfare by prohibiting smoking in a wide range of public places as authorized by G.S. 130A-498.

Whereas, research indicates that, during active smoking, outdoor levels of secondhand smoke may be as high as indoor levels and may pose a health risk for people in close proximity, and that some hazard exists beyond 30 feet.

Whereas, the United States Food and Drug Administration (FDA) announced that an analysis of e-cigarette samples contained nicotine and toxic chemicals and that aerosol emitted from e-cigarettes contains nicotine as well as water vapor, making e-cigarette use less safe than clean air to the nearby non-user.

Whereas, the 2016 Surgeon General’s report on E-Cigarette Use Among Youth and Young Adults states that e-cigarette use has become a public health concern.

Whereas, this Council affirms its commitment to the health of the general public and in particular youth who use the facilities and grounds of the City of Burlington’s Recreation and Parks Department.

Whereas, this Council finds and declares that, in order to protect the public health and welfare, it is in the best interest of the citizens of the City of Burlington to amend its Smoking and Pollution Control ordinance to expand the locations where smoking is prohibited on the grounds of the City’s parks and greenways system, and, further, to prohibit the use of all tobacco products, including e-cigarettes, in those same locations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON:

The following amendments and additions to Chapter 22, Article II Smoking and Pollution Control of the Burlington Code of Ordinances are hereby adopted:

Section 1. Section 22-31 of the Code entitled “Definitions” is hereby amended to add the following definitions:

Burlington Parks System/ City Parks System – bodies of water, land and facilities owned, managed, leased, or occupied by Burlington Recreation and Parks. This includes but is not limited to: grounds, city parks, playgrounds, natural areas, golf course, trails and greenways, streams, municipal lakes or other bodies of water, parking lots and sidewalks bordering the park system and bus stop shelters on the City of Burlington Parks System grounds.

E-cigarette - Any electric oral device that employs a mechanical heating element, battery or electronic circuit regardless of shape or size and that can be used to heat a liquid nicotine solution or any other substance, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or description.

Greenways – A strip of undeveloped land near an urban area, set aside for recreational use or environmental protection.

Grounds - An unenclosed area owned, managed, leased, or occupied by the City of Burlington.
Tobacco/Tobacco Product Any product containing or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, or ingested by any other means, including but not limited to cigarettes; e-cigarettes; cigars; hookah; little cigars; snuff; and chewing tobacco. A tobacco product excludes any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, and a tobacco dependent product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Section 2. Section 22.32 of the Code is hereby amended to be entitled “Smoking and use of tobacco products prohibited in specific public places” and is further amended to delete the last subsection (11)

“(11) The following facilities owned or operated by the City of Burlington for public use: playgrounds, youth athletic fields including spectator areas, swimming pools including dressing or restroom facilities, tennis courts including spectator areas, City Park amusement ride area, Fairchild Park BMX track including spectator areas, and concert areas in City Park, North Park, Willowbrook Park, and the Depot area.”

Section 3. A new section 22.33 is hereby added to be entitled “Smoking and use of tobacco products, including e-cigarettes, prohibited in facilities and grounds of the Burlington Parks System,” and subsequent sections are renumbered accordingly:

“Smoking and the use of tobacco products, including e-cigarettes, shall be prohibited in all Burlington Parks Systems facilities and grounds, which include but are not limited to: playgrounds; youth athletic fields including spectator areas; swimming pools including dressing or restroom facilities; tennis courts including spectator areas; City Park amusement ride area; Fairchild Park BMX track including spectator areas; concert areas in City Park, North Park, Willowbrook Park, and the

Depot area; greenways and trails; special facilities such as the golf course and municipal lakes; parking lots; sidewalks bordering park grounds; and ballfields.”

Section 4. Section 22.36 of the Code, as renumbered, entitled “Posting of signs required” is amended by adding a second paragraph.

“Signs shall be posted in the facilities and grounds of the Burlington Parks System identified in Section 22.33 above that state that smoking, including e-cigarettes is prohibited. Such signs shall include the “No Smoking” “No Smokeless” and “No E-cigarette” symbol and lettering shall be of size and legibility as described above.”

Section 5. Section 22.38 of the Code, as renumbered, entitled “Enforcement and penalties, smoking” is hereby amended by deleting the last sentence which reads:

“In addition to or in lieu of the foregoing remedies, violations of this section may be enforced by any one or more of the remedies authorized by the provisions of G.S. 14-4 or G.S. 160A-175.”

This amending ordinance shall take effect April 1, 2019.

Adopted this 15th day of January 2019, by the City Council of the City of Burlington, NC.

The foregoing Ordinance was seconded by Council Member Owen, and after full discussion, the same was voted upon and declared duly adopted, no amendments having been offered and consent having been given to place the same upon its immediate passage. Councilmembers voting in favor of the motion to adopt the foregoing ordinance were Baltutis, Ward, Butler and Owen.

ITEM 5: ADOPT A RESOLUTION IN SUPPORT OF GRANT APPLICATION FOR PROJECT FIBER

Mayor Baltutis announced a public hearing had been set to consider adopting a Resolution in support of Project Fiber’s application to the North Carolina Department of Commerce Building Reuse Grant to assist with renovation costs at 245 West Davis Street.

Economic Development Director, Peter Bishop reported there has been a request to adopt a Resolution to support an application to a state grant fund. Project Fiber is a telecommunications services company that expressed interest in purchasing and renovating the former Bank of America building in downtown Burlington at 245 West Davis Street. This project would create 33 new jobs in a two-year period, with an average salary of \$70,455. This is a competitive and confidential project. He stated North Carolina and Indiana are competing for this project.

Mr. Bishop stated the company is interested in the North Carolina Building Reuse program and they are asking for the City Council to adopt a resolution in support of this grant application to defray the costs of the project. He stated the project meets the criteria for such application and he recommends approval of the resolution.

Mr. Wade Butler, a representative for the Project Fiber company spoke about the history of the company and the proposed plans for the project and thanked staff for tireless assistance and appreciates the opportunity to make this request.

The public hearing was opened, and the following person spoke:

Jose Luis Alegria, 1717 Askew Street, spoke about the need for banks in east Burlington areas

Upon a motion by Council Member Butler, seconded by Council Member Ward, it was resolved unanimously to close the public hearing.

Council Member Butler moved for adoption of the following resolution:

Resolution #19-01

RESOLUTION IN SUPPORT OF THE CITY OF BURLINGTON GRANT APPLICATION ON BEHALF OF PROJECT FIBER

Whereas, the City Council supports the revitalization of Burlington and seeks to encourage small business development within downtown Burlington; and,

Whereas, Project Fiber is an Indiana corporation registered to do business in North Carolina; and,

Whereas, Project Fiber's operation of a corporate headquarters at 245 West Davis Street, Burlington, North Carolina, will positively impact the revitalization vision and goals as stated in the 2008 "Downtown Burlington Master Plan," and positively impact the development of a thriving small business climate in downtown Burlington; and,

Whereas, pursuant to N.C.G.S. §158-7.1(a) the City is authorized to make appropriations from property taxes and other unrestricted revenue sources for economic development purposes to increase the taxable property, employment, and business prospects of the City; and,

Whereas, pursuant to N.C.G.S. §143B-472.126 et seq., the North Carolina Legislature created the Rural Economic Development Division within the North Carolina Department of Commerce, organizing and promoting grant and loan programs including the Building Reuse Program, and encouraging applications from local governments in the State; and,

Whereas, the City Council deems it in the City's best interest to make application to the North Carolina Department of Commerce seeking grant funds from the Rural Economic Development Division's Building Reuse Program to be utilized in the redevelopment of the building to be owned and occupied by Project Fiber, 245 West Davis Street, Burlington, North Carolina 27215; and,

Whereas, the Rural Economic Development Division's Building Reuse Program requires a local government entity to be the named applicant to the State; and,

Whereas, the Building Reuse Program provides for the City to secure its investment in a Building Reuse project by way of a promissory note secured by a mortgage deed of trust executed and conveyed by the building owner to the City; and,

Whereas, the Building Reuse Program allows the City to further secure its investment in the Building Reuse project by timing the disbursement of the grant proceeds once the program requirements for job attainment have been achieved by the recipient Project Fiber; and,

Whereas, paragraph III.M. of the City of Burlington’s Economic Development Incentive Policy provides for the City Council to hold necessary public hearings as required under State law and N.C.G.S. §158-7.1(c) calls for the governing body of the local government to conduct a public hearing prior to approval of an economic development appropriation; and,

Whereas, following proper notice, the Burlington City Council conducted a public hearing on the proposed Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Burlington City Council that:

1. The City make application to the North Carolina Department of Commerce Rural Economic Division for Building Reuse grant funds in an amount not to exceed Four Hundred Thousand and 00/100 Dollars (\$400,000) for building reuse purposes of the building at 245 West Davis Street, Burlington, North Carolina.
2. Upon the adoption of said Resolution, the City Manager shall execute all required documentation to make application for the grant. The City’s investment in said Building Reuse project shall be secured by a mortgage deed of trust executed by the Project Fiber. Further, the City’s investment shall be secured by timing the disbursement of the grant proceeds so that no grant disbursement is made until the program requirements for job attainment are achieved by Project Fiber.

Adopted this 15th day of January 2019, by the City Council of the City of Burlington, NC.

The foregoing resolution was seconded by Council Member Owen, and it was passed unanimously.

NEW BUSINESS:

ITEM 6: AWARD A CONTRACT - CAROUSEL & CARVINGS, LLC. - DENTZEL CAROUSEL RESTORATION - CAPITAL PROJECT ORDINANCE – BA2019-28

Mayor Baltutis announced that City Council would consider awarding a contract, in the amount of \$1,160,394, to Carousels & Carvings, LLC., and to approve the Dentzel Carousel Restoration Capital Project Ordinance -BA2019-28 for the complete restoration of the Burlington City Park Dentzel Carousel.

Assistant City Manager Rachel Kelly presented to Council the purpose of necessary repairs and restoration of Burlington’s City Park carousel.

Ms. Kelly stated that the request at this time is to approve a contract and budget amendment to complete the restoration project. She stated the initial phased project approach was initiated in 2017-2018 off-season until a major mechanical failure unexpectedly closed the Carousel in late summer of 2018. She stated that after reviewing the proposals and inquiring with over two dozen owners of these historic dentzel carousels across the country, it was obvious the most qualified restorer of antique carousels in the nation is Carousels & Carvings, LLC, located in Marion, Ohio.

Ms. Kelly stated that while the Carousel is under full restoration, staff will begin to assess the future of the carousels shelter and recommendations will come to Council later this year for structural remedies and possible options for the relocation of the Carousel to prevent future flooding since its currently located in the flood plain.

Council Member Butler stated this Carousel is not just a recreation ride, it's a piece of art and asked for the estimated value once these repairs are complete.

Finance Director, Peggy Reece responded it would be an estimated \$3.5 to \$4 million-dollar value.

Council Members and City staff discussed various options to relocate the carousel to avoid the risk of possible flooding. Consensus was to explore relocating the carousel and the housing of the carousel in downtown Burlington or to another location in City Park when the carousel returns from the restoration in Marion, Ohio in 2021.

**Dentzel Carousel Restoration Project
Capital Project Ordinance
BA2019-28**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, NORTH CAROLINA, that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby adopted.

Sec. 1. Full restoration and preservation of the Carousel in-order to reopen it to the public. Mechanical failure forced the carousel to close late this past summer. Through extensive research, the current proposal is to allow a historic carousel restoration specialist, Carousels & Carvings a contract to undertake the project. In addition to the contract, there will be ancillary expenses that will be incurred in-order to complete the restoration project.

Sec. 2. The officials of the City of Burlington are hereby directed to proceed with this project within the budget outlined in this project ordinance.

Sec. 3. The following revenues are anticipated to be available to the City to complete the project:

42209000 38390	Operating Transfer In	<u>1,211,100</u>
		1,211,100

Sec. 4. The following amounts are appropriated for the project:

42272000 47300	Capital – Other Improvements	<u>1,211,100</u>
		1,211,100

Sec. 5. The Finance Director shall report on the financial status of this project as directed by the City Council and shall inform the Council of any unusual occurrences.

Sec. 6. Copies of this Project Ordinance shall be made available to the Budget Officer and the Finance Director for direction in carrying out this project.

Sec. 7. That this ordinance shall take effect upon passage.

Upon a motion by Council Member Owen, seconded by Council Member Butler, it was resolved unanimously to award the contract to Carousels & Carvings, LLC, and approve the Dentzel Carousel Restoration Project Capital Project Ordinance, Budget Amendment 2019-28 in the amount of \$1,211,100.

PUBLIC COMMENT PERIOD:

There were no public comments

CITY COUNCIL COMMENTS:

There were no comments

ADJOURN:

Upon a motion by Council Member Harold Owen, seconded by Council Member James Butler it was resolved unanimously to adjourn. (9:27pm)

Beverly D. Smith

Beverly D. Smith

Interim City Clerk