



Municipal Conference Room

**Minutes of the Burlington  
City Council Work Session**  
425 S. Lexington Avenue, Burlington, NC  
5:00pm - Monday, November 4, 2019

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**Council Members Present:**

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

**Council Members Absent:**

Mayor Pro Tem Kathy Hykes

**Staff Present:**

City Manager, Hardin Watkins  
City Attorney, David Huffman  
Interim City Clerk, Beverly Smith

Jeff Andrews, Scott Bibler, Peter Bishop, Al Cablay, Amy Cameron, Vanessa Diggs, Chris Felts, Rachel Kelly, Nolan Kirkman, Jeff Knight, Todd Lambert, Morgan Lasater, Tony Laws, Blake Moyer, Mike Nunn, Bob Patterson, Peggy Reece, and Jeff Smythe

**Media Present:** Tomas Murawski, Alamance News and Elizabeth Pattman, The Times News

**A) Utility Encroachment – Celito Clec, LLC**

City Engineer Todd Lambert provided a brief summary of a request for Council to approve a Utility Encroachment for Celito Clec, LLC, to provide fiber optic connection to the Tru Hotel located at the corner of Sacoon Drive and Kirkpatrick Road. He reported the request on the consent agenda at the November 5, 2019, City Council Meeting will extend fiber optic cable from the Hampton Inn along Saconn Drive to the Tru Hotel. He explained that Celito Clec provides data services to various hotel chains in that area, the proposed extension will be a lined owned and maintained by Celito, and the City staff recommends approval.

With no further comments or questions, Mr. Lambert will proceed with the request on the November 5, 2019, City Council consent agenda.

**B) Sidewalk Improvements**

City Engineer Todd Lambert provided an overview of a request accepting the low bid, submitted by ASJ Wilson Construction, LLC, for an FTA funded Sidewalk Improvements project that consists of approximately 5400 linear feet of 5' sidewalk along Front Street, Main Street, Church Street and Mebane Street in Burlington. He explained this project would connect several open gaps around the City.

Mr. Lambert reported the lowest responsible bidder was ASJ Wilson Construction, LLC, out of Greensboro. He stated Engineering staff has experience working with this contractor and has no

reservations regarding contractor qualifications. He reported the project is funded at 80% by FTA funds and 20% by City funds, which were previously budgeted and set aside within the Project Ordinance. He explained the purpose of this project is to provide sidewalk along City bus routes, thus providing safer pedestrian access to various bust stops along these routes. He shared the project costs will be covered by funds from the Federal Transit Authority. He indicated property negotiations have been conducted with property owners involved in the project areas and City staff recommends approval of the agreement with ASJ Wilson Construction, LLC and associated Budget Amendment.

Following a brief discussion, Council consensus was to place this item on the consent agenda of the November 5, 2019, City Council Meeting.

### **C) Youth Solutions Update**

Community Engagement Manager Morgan Lasater provided a brief introduction of Youth Solutions Coordinator Vanessa Diggs and explained her presentation to Council will share findings and discuss direction for the Youth Solutions Initiative going forward. She reported the past few months have been spent compiling research, discovering partnership opportunities, conducting community conversations and creating measurable indicators to impact youth in Burlington.

Youth Solutions Coordinator Vanessa Diggs provided an overview of the initial steps taken to determine the framework in to lead and guide best practices for Burlington. She shared initiatives began with gathering data and statistics, visiting various areas within the community to determine what assets the City already has, and discovery of how to move forward with information gathered.

Ms. Diggs reported the Community Engagement Division hosted informal forums with youth at Crazycutz Barbershop on Tucker Street in Burlington, Crump Village and Dream Girls at Crump Village. She shared the following responses when the youth in attendance at the forums were asked, "What can we do as a City to make you successful?":

- Improve school conditions
- Medical services
- Cultural events and activities
- Safe place to hang out
- Work and jobs
- Place to play sports
- More activities for ages 16 and up
- Transportation and parental consent were barriers for each group

Ms. Diggs named a few of the City of Burlington's assets that are currently meeting the needs of youth in various communities such as the Park & Play program, Junior Police Academy, LINK Transit, summer tours of Burlington Police Department, and National Night Out. She explained there are four areas of focus based on their initial review which include more of the following; Afterschool Programs, Parenting Programs, Mentoring, and Youth Leadership. She reported moving forward Youth Solutions would like to have more community-based afterschool programs, partnerships with local mentoring programs, culturally competent parenting programs, local community-based activities, youth leadership groups, youth influencers network and a strategic plan to encompass the four major areas of focus.

### **D) Proposed Water and Sewer System Master Plan**

Water Resources Director Bob Patterson provided an overview of the proposed Water and Sewer Master Planning efforts. He introduced Mr. Tom Tant, Vice President of Hazen & Sawyer. He reported following a request for qualifications process from engineering companies, a committee from Water Resources and the Engineering Department interviewed three firms and selected Hazen & Sawyer to develop a comprehensive water and wastewater Master Plan.

Mr. Tom Tant provided a brief overview of the development and scope of the Comprehensive Master Planning Phases. He reported initial review and screening of facility needs will be conducted in Phase 1, modeling, evaluations and planning in Phase 2, and implementation of the recommendation will happen in Phase 3. He reported the estimated timeline of the key project elements and activities involved should be completed by mid-2020.

Water Resources Director Bob Patterson noted the City has had experience working Hazen & Sawyer both on the water and sewer side and they are familiar with the City's system. Hazen has a strong basis in North Carolina, and they are very well regarded.

City Attorney David Huffman commented the timing of developing a master plan will be helpful with renewals of contracts coming up in 2022 and 2024 with other municipalities determining the needs for future use, growth and trends when Council begins looking at these as they need to be modified.

Mr. Patterson stated the City has funds in the current FY 19-20 budget to fund this request.

Following a brief discussion between Council and Staff, consensus was to place this request as an addition to the November 5, 2019, City Council Meeting to consider awarding a contract with Hazen & Sawyer, P.C., for the Comprehensive Water and Wastewater Utility Master Plan.

## **E) Overbrook Terrace Area Flooding – Proposed Design Alternatives Overview**

Water Resources Director Bob Patterson reported on an area of Overbrook Terrace that has experienced localized flooding according to citizen concerns reported over the past year. He stated that Ms. Diana Lester spoke during Public Comments about her concerns at the October 15, 2019, City Council meeting and City staff was asked to provide an update to City Council at the November Work Session and report on the issues of concern, possible factors, and findings of engineering studies conducted.

Mr. Patterson provided an overview of the reported incidents of flooding that took place during recent heavy rainstorm events of a significant nature. He provided a description of the existing storm drainage flow and how these storms resulted in runoff producing overtopping of the existing storm drainage network, resulting in flooding of properties surrounding the Overbrook Terrace cul-de-sac. He provided Council with a copy a video clips provided by Ms. Lester showing the extent of the flooding during a rain event in April of 2019 at 201 Overbrook Terrace and the surrounding area.

Mr. Patterson reported the City engaged the L.E.A.D.S. group, a local engineering firm at that time to conduct a study to determine the existing system capacity, look at the evidence of the historical recent flooding and provide a comparison of system flow capacity to City standards for design of new subdivisions and locate any potential flow restrictions. He stated the study began in late April and the initial report of the firm's study was issued to the City in June 2019. He reported one small pipe in need of repair was in a culvert in the City's right of way that did not contribute to the flooding had separated and was repaired by immediately by the Street Division. He explained in conclusion of the

study the Overbrook Terrace culvert evaluation determined storm damage system in Overbrook Terrace is performing at less than standard for design for newly built subdivisions.

Mr. Patterson reported the August 2019 Overbrook Terrace Design Alternative Study identified components within the system that could be improved such as Alternative 4A which would involve replacing an existing 36" pipe with one 60" pipe and an additional 18" pipe crossing Overbrook Road. He reported the cost estimate range to install Alternative 4A would be approximately \$85,000 to \$100,000 depending upon actual bidding process results. He stated Alternative 4A would not correct the issues Ms. Lester reported for 201 Overbrook Road.

### Alternative 4A

Replace existing 36" pipe with one 60" pipe and an additional 18" pipe crossing Overbrook Road.



Mr. Patterson reported Alternative 6 would carry higher flow and involves replacing 36" pipe #5 replaced with 60" HDPE, add 60" concrete pipe interceptor alignment and a 18" RCP crossing Overbrook Road. He explained implementing Alternative 6 due to the type of constrictions within the properties involved, it would require the removal of one or both properties located at 201 and 203 Overbrook Terrace to carry the newly installed drain.

### Alternative 6

Existing 36" pipe #5 replaced with 60" HDPE, add 60" concrete pipe inteceptor alignment and a 18" RCP crossing Overbrook Road.



Mr. Patterson reported the City would need to consider the following components in decisions related to the concerns in the Overbrook Terrace area.

- Existing 36” pipe located under the deck of 203 Overbrook Terrace and upsizing the pipe will impact residential property.
- Existing sanitary sewer mains and service located on 203 Overbrook Terrace along with tight working areas complicate construction which will drive up costs.
- 201 Overbrook Terrace will still be impacted by storm events greater than the 10-year storm even if Alternative 4A is constructed.
- Removing residences 201 and 203 Overbrook Terrace would allow for the space needed to upsize the system.
- Current Stormwater Policy restricts City from working on private property unless a 50/50 agreement is entered.

Following the overview of the Overbrook Terrace Area Flooding, Mr. Patterson continued discussion providing the City’s current stormwater policy and proposed stormwater policy identifying

## **F) Stormwater Cost Share Program - Proposed Policy**

Water Resources Director Bob Patterson provided an overview of Stormwater Cost Share Program in the proposed stormwater policy.

Mr. Patterson summarized the following components of the City’s current stormwater policy;

- 1) Allows for residents to enter into contract with City to participate in 50/50 funding of drainage improvements on private property.
- 2) The City participation is capped at \$10,000/lot owner.
- 3) No rational method for prioritization of cost-share applications.
- 4) Some improvement projects are too costly for residents to participate even at 50%.
- 5) Project types are limited to stormwater system improvements, excluding stream/channel restoration, stabilization and enhancement.

Mr. Patterson summarized the following components of the proposed stormwater policy;

- 1) Allows for residents to enter into contract with City to participate in 80% City/20% resident funding of drainage improvements on private property.
- 2) 50/50 funding option will remain available for smaller drainage improvement projects.
- 3) Projects will be undertaken based on available funding and project cost.
- 4) Rational method for prioritization of cost-share applications.
- 5) Allows for residents to pay their share in installments.
- 6) Project types would no longer be limited to stormwater system improvements and can include stream/channel enhancement, stabilization, restoration to address erosion concerns

Mr. Patterson provided the five major categories for scoring of applications which look at the following considerations;

- 1) Public benefit
- 2) Flooding impacts in finished floor areas
- 3) Water quality/habitat benefits
- 4) Estimated City expenses

Mayor Baltutis asked for clarification on future growth and impervious surfaces expectations for water shed from growth in the Alamance Road area.

Mr. Patterson explained the current design is based on the fully developed expectation of the surrounding areas.

Council Member Owen commented on the stormwater pipe located under the deck of one of the properties involved and asked for clarification about what is permitted by the City.

Mr. Patterson responded building over stormwater pipes is presently not permitted and indicated throughout the city there are some areas that permitted properties to build over top of stormwater operations, however, that would not be allowed today.

Council Member Butler commented a funding mechanism for residential and commercial properties, in addition to having the policy in place to address these needs, is necessary which would also require the stormwater fund to be reevaluated.

Mr. Patterson responded many cities in North Carolina charge an impervious based fee structure that based on the equivalent residential unit to determine the average residential lot which allows that fee to be based on that residential unit. He reported larger commercial industrial properties would pay a multiple of that equivalent residential unit based upon proportion of the impervious area it occupies that contributes to the draining.

Following a lengthy discussion, Council consensus was for City staff to seek a funding mechanism for future stormwater fee needs and discover how it can calculate and be implemented report back to City Council around the first of the year in 2020.

Council asked City staff to report back at the December 2, 2019, Work Session on a proposed Stormwater Fee Structure.

Mayor Baltutis asked Ms. Diane Lester if she had any additional questions after hearing the report from City staff and Council discussion.

Ms. Diane Lester commented on concerns she has for her family, her health, financial concerns she is as a result of the flooding concerns at her property on Overbrook Terrace.

Mayor Baltutis thanked Ms. Lester for her comments and provided additional clarity on the report from Water Resources and directives to report to back to Council in the coming weeks.

#### **FIVE MINUTE RECESS:**

Mayor Baltutis called for a five-minute recess. The meeting was adjourned for a five-minute recess and reopened for the following reports.

### **G) Downtown Centralized Solid Waste Collection Program**

Public Works Director Al Cablay and Solid Waste Superintendent Chris Felts were present to report on the proposed changes to the Downtown Centralized Solid Waste Collection Program for solid waste service delivery in the 16-block municipal service district. He stated the proposed changes remove the rollout carts from the downtown sidewalks to improve the pedestrian experience and accessibility. He reported the plan was developed in conjunction with the Burlington Downtown Corporation staff, Executive Director, Jessica Pasi3n and design committee members.

Mr. Cablay provided an overview of the primary attributes of the plan which include:

- Removal of roll-out trash and recycle carts from the sidewalk areas of the Municipal Service District.
- Five- (5) drop-off areas for the dumpsters (trash and recycle) are proposed at this time as well as other locations for cart corrals
- Specific locations for dumpsters and corals have been reviewed by both City Public Works Staff and the current Recycling Contractor, Waste Industries.
- Assign each business a strategically recommended drop-off location (dumpster and/or coral).
- Businesses that have the ability to house/store roll-out carts such they will not be on the sidewalk at any given time may be allowed to keep their carts.
- Begin new plan on Jan 1, 2020.

BDC Executive Director Jessica Pasi3n shared a brief overview of the beautification efforts involved with the committee spearheaded by Casey Lewis, owner of Owl and Rabbit and Holly Treadwell owner of The Blend Co. She reported there were five zones suggested and identified in the plan in the downtown area which were recommended as the safest and most accessible to the downtown merchants based on their business location. She noted that any of the zones in the plan could be used by the merchants and the designated zones were merely suggestions.



Mr. Cablay reported the next steps before implementation is to seek Council input and feedback. He shared Public Works will continue partnering with the Burlington Downtown Corporation to educate and make businesses aware of the plan and implementation. He noted some of the downtown businesses will not be affected by the proposed plan and will continue to utilize the trash bins they presently use. He stated they anticipate rolling out the plan January 1, 2020.

Council and staff briefly discussed the program plan and expressed positive input and feedback.

With no further comments, consensus was to proceed with downtown trash program. Council Members thanked the Public Works staff, the BDC and downtown business owners for partnering in these efforts to improve the appearance of the downtown area and applauded them for the continued efforts to ensure the effectiveness of the program.

#### **H) Boards and Commissions Reports**

- Planning and Zoning Commission – None
- Traffic Commission – None
- Public Transit Advisory Commission (PTAC) - None

#### **I) City Manager Comments**

City Manager Hardin Watkins reported on the City’s efforts to get involved in the complete count efforts for the upcoming 2020 Census. He explained there are many efforts happening county wide and statewide regarding the upcoming 2020 Census. He stated Alamance County developed a committee that includes representation by Mayor Baltutis and City staff including Department Heads and Community Engagement team will actively participate in making sure awareness is communicated to our residents as well as encourage participation from residents.

The meeting was adjourned at 7:08pm.

Beverly D. Smith  
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Interim City Clerk

November 4, 2019  
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