



**MINUTES OF THE BURLINGTON  
CITY COUNCIL MEETING  
Tuesday, December 3, 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 December 3, 2019 at 7:00 p.m.

Mayor Ian Baltutis presided.

**Council Members Present:**

Mayor Ian Baltutis  
Mayor Pro Tem Kathy Hykes  
Council Member Robert Ward  
Council Member James Butler  
Council Member Harold Owen

**Staff Present:**

Assistant City Manager Nolan Kirkman  
City Attorney David Huffman  
Interim City Clerk Beverly Smith

**Council Members Absent:** None

**Staff Absent:** City Manager Hardin Watkins

**CALL TO ORDER:** Mayor Ian Baltutis

**INVOCATION:** Council Member Jim Butler

**CERTIFICATION OF ELECTION:** Interim City Clerk, Beverly Smith

Interim City Clerk Beverly Smith confirmed the certification of the election held on November 5, 2019, as certified by the Alamance County Board of Elections and the Guilford County Board of Elections; as follows:

**Votes for Mayor Position:**

Ian Baltutis	2,387
Joey Cook, Sr.	1,191
Write-In Votes	12

**Votes for Council Member Positions:**

Bob Ward	2,780
Kathy Hykes	2,739
Write-In Votes	143

Interim City Clerk Smith confirmed that Ian Baltutis is the duly elected Mayor for a two-year term expiring in December 31, 2021, pursuant to the law.

Interim City Clerk Smith confirmed Bob Ward and Kathy Hykes are the duly elected Council Members for four-year terms expiring in December 31, 2023, pursuant to the law.

**ORGANIZATION OF NEW CITY COUNCIL -  
OATH OF OFFICE NEWLY ELECTED OFFICIALS:**

Interim City Clerk Beverly Smith administered the Oaths of Office to the following recently elected members: Mayor Baltutis and Council Members Hykes and Ward.

## **NEW COUNCIL CONVENES-Election of Mayor Pro Tem – Oath of Office:**

Mayor Baltutis called for nominations of Mayor Pro Tem.

Council Member Ward nominated Council Member Kathy Hykes as Mayor Pro Tem. There were no other nominations.

Upon a motion by Council Member Ward, seconded by Council Member Owen, it was resolved unanimously to elect Council Member Kathy Hykes as Mayor Pro Tem.

Interim City Clerk Beverly Smith administered the Oath of Office to Mayor Pro Tem Hykes.

**RECOGNITION:** USA Softball Hall of Fame Induction of Recreation and Parks Director, Tony Laws Assistant City Manager Rachel Kelly announced Recreation and Parks Director Tony Laws recently received a national honor being inducted in the National Softball Hall of Fame in Sparks, Nevada on November 9, 2019. She shared he was joined by his wife and children and 8 other inductees. She shared he was a Team Leader for three international world championship teams, joins an elite group of over 400 Members of the National Softball Hall of Fame. She shared he was recognized for his Meritorious Service and communicated the City is proud to celebrate and recognize Tony for his representation.

Director of Recreation and Parks Tony Laws expressed his appreciation for the recognition and support throughout his 50-plus years of service. He thanked his family for their support and expressed appreciation to his colleagues. Tony stated he was honored to be a good representative of Burlington locally and nationally.

## **REPORT TO COUNCIL – Carousel House Design:**

Mayor Baltutis announced representatives from Clearscapes, P.A., are in attendance to present on the Carousel House Design.

Assistant City Manager Rachel Kelly explained Council engaged Clearscapes, P.A. in June 2019 to design a Carousel House and attached event space as well as a mini-master plan for the adjacent amusement park area. She reported the contract includes design services from concept to construction administration, public engagement, master planning and site evaluations. She introduced Mon Pen Yueh, Project Architect from Clearscapes, P.A., presenting on the schematic design of the Carousel House. She mentioned Brandon Holt, Capital Projects Manager was in attendance for any questions Council may have.

Mon Peng Yueh provided an overview of the Community Engagement strategy to seek public input that included tabling at community events during Fourth Friday on June 28, 2019 and Independence Day Celebration on July 3, 2019. She explained public input was also solicited through an online survey which provided three hundred thirty-two responses. She reported four focus group input sessions were held to collect input from City staff, stakeholders, Council Members, Recreation and Parks Commissioners, and staff from the Alamance County YMCA.

Ms. Yueh provided the results of priorities for the element of the Carousel House that is most important during the public input sessions. The priorities collected, in order of importance, ranked as follows;

- Providing a waiting/viewing area
- Inside an air-conditioned building
- Exterior walls that can open up

- Year-round operation
- Natural light into the space
- Visibility of the carousel when the facility is closed

Ms. Yueh summarized the criteria used to create the design for the Carousel House. She reported based on the public input and feedback from community engagement, the following criteria was established;

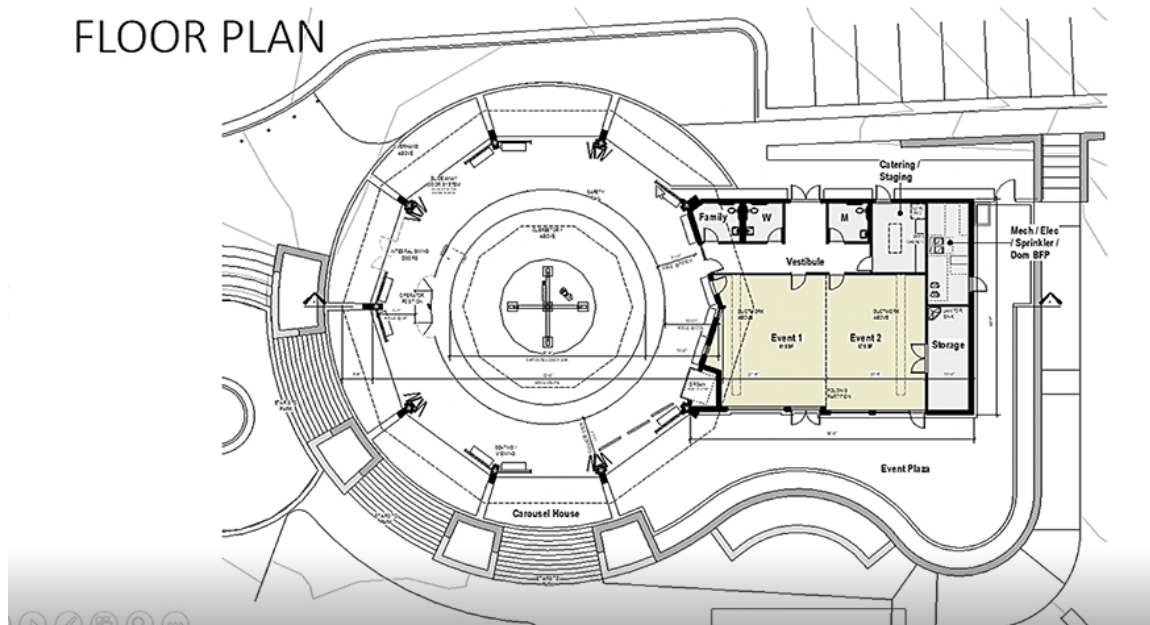
- Carousel is visible when the facility is closed
- Exterior walls that open up
- Natural ventilation in the summer
- Semi-conditioned in the winter
- Fully conditioned event space
- Event space that can accommodate +/- 100 people
- Visibility from South Church Street
- Locate outside of 500-year flood plain

Ms. Yueh provided an overview of the development of the proposed site plan. She reported the entry point to the City Park amusement area would be modified, the existing airplane ride, picnic shelter and YMCA buildings would remain in their current locations. She explained a critical priority was to maintain as much of the existing site elements and infrastructure as possible and limiting the areas of disturbance to less than one acre. She explained an aerial view of the proposed relocation of the Carousel House as seen in the image below.



Ms. Yueh reported on the proposed hardscape materials. She explained the proposed area design around the Carousel House which would include brick pavers, vehicular pavers, flower art, landscaping lights, building wall with artistic expression, terraced retaining walls and café seating in the plaza patio areas. She shared landscape elements including parking lot barrier hedges, upright regal oak trees, vines for the walls, grasses and flowering trees.

Ms. Yueh provided an overview of the floor plan of the Carousel House and event plaza. She reported the house design is approximately 4,000 square feet with the carousel located in the center of the house design. She reported the size allows for generous circulation space around the carousel with some seating areas installed and doors to open and connect to the outdoor environment. She stated the design allows for easy access to the event plaza spaces, and steps that access the park area. She described the event space which is approximately 1,200 square feet to function as one large event space or partitioned off to create two smaller event spaces. She explained the event space could accommodate 80-85 people for a banquet type event or up to 180 people for a conference with chairs.



Ms. Yueh presented on the visual components of the structure which would include glazed walls, laminate wood structure with a clear finish, full glass doors to open to the outdoors, and exposed wood and duct work to provide for openness in the design. She described renderings of a daytime view of the schematic design which allows for view of the carousel house from the parking area and street. She described renderings of the evening view with the lighting of the inside of the house that would be a beacon to the park.

Ms. Yueh identified the estimated project of this scale cost could be around 3.5 to 4 million dollars for a high-quality level of facility for the Carousel House. She concluded her presentation identifying the next steps in order to proceed with proposed project plans;

- Design Development/Construction Document Phases: Winter 2019-2020
- Regulatory Reviews: Early Spring 2020
- Bidding Phase: Spring 2020
- Council Award contract for project: Spring 2020
- Construction Phase: Summer 2020 to late spring 2021

Council Member Owen commented on the accessibility from the steps to the carousel with the number of small children and older individuals navigating around the steps from the plaza area to and from the carousel house.

Ms. Yueh responded and explained the proposed design includes ADA accessibility from the park and parking areas to the carousel house and includes a sloped ramp from the parking areas around the carousel

house. She explained in working with the existing conditions of the park area, the number of steps involved in the design maintains the level to connect the height difference in the parking level to the park entrance level without having to regrading the park requiring more drastic measures to the elevations of the current conditions.

Mayor Pro Tem Hykes requested clarification on the entrance to the park from the parking areas.

Council Member Owen requested clarification on the parking areas to the City Park and the YMCA property.

Assistant City Manager Rachel Kelly responded the City loses a couple of spaces and the YMCA gains a couple of spaces with the proposed plan.

Mayor Baltutis commented on the availability of space during special events and cueing of lines during largely attended events.

Ms. Yueh responded the proposed design provides for circulation of cueing lines around the event space and throughout the carousel house design to provide lines to form safely in that area.

Council Member Owen requested clarification of the estimated costs of 3.5 million and if that takes into consideration any of the other costs for work to be completed in the City Park.

Assistant City Manager Rachel Kelly the cost estimate includes the site plan project and includes the entire project costs including site work necessary, actual construction, parking lot work, with contingency built in. She indicated a more appropriate number will be given to Council at a future date.

With no further comments, Mayor Baltutis thanked City staff and representatives from Clearscapes, P.A. for the presentation of the proposed design plans.

**CODE OF ETHICS DISCLOSING CONFLICTS OF INTEREST:** Interim City Clerk, Beverly Smith  
There were no conflicts of interest reported.

**ADDITION: Consent Agenda – Item F:**  
Resolution to Abandon Public Water Line – 3010 S. Church Street

Upon a motion by Council Member Ward, seconded by Council Member Owen, it was resolved unanimously to approve the addition of Item F to the Consent Agenda.

### **ADOPTION OF AGENDA**

Upon a motion by Council Member Butler, seconded by Mayor Pro Tem Hykes, it was resolved unanimously to adopt the agenda as amended with the addition of Item F to Consent Agenda.

### **CONSENT AGENDA:**

- A.** To approve the 2019 North Carolina Firefighter’s Association Annual Roster Certification pursuant to North Carolina General Statute 58-86-25.

## **2019 North Carolina Firefighter’s Association Annual Roster**



Alvis, Lawrence  
 Ashley, Elan B.  
 Bailey, Brad  
 Bailey, Stephen  
 Bailey, Shannon  
 Barger, Nathan  
 Baulding, Joshua  
 Boger, Lindsey  
 Britt, Greg  
 Broomer, Joshua  
 Byrd, Robert  
 Chandler, Seth  
 Chavez Abraham  
 Clayton, Tanner  
 Cobb, James  
 Cockerham, Dustin  
 Cole, Alexander  
 Craven III, James R.  
 Davis, Anthony  
 Deal, Lee  
 Dix, Cody  
 Dixon, Adam K.  
 Doss, Adam  
 Eamotte, Michael  
 Everett, Chad  
 Fleming, Chad  
 Fulcher, Joshua  
 Glover, Lindsey  
 Golden, Christopher  
 Gomez, Paul  
 Guthrie, Jeremy  
 Haley, Landon  
 Handy, Travis  
 Harris, James N.  
 Hart, Branden

Hartung, Wesley B.  
 Hauser, Matthew  
 Howard, Adam  
 Hunt, Wesley  
 Irby, Ricky  
 James, Kent  
 Jenkins, Darren  
 Karper, Joseph  
 Keck, Blair  
 Kerns, Randall  
 Lawrence, Matthew  
 Lee, Justin  
 Lewis, Jerry  
 Lineberry, Christopher  
 Loy, Jr., Charles  
 Loy, Jr., Joseph  
 Mann, Steven  
 Mansfield, Russell  
 Massey, Jordan C.  
 Matthews, Justin  
 Morton, Landon  
 Motley, Kelby  
 Mulford, Eric  
 Murphy, Thurman  
 Murray, Mark A.  
 Murray, Matthew  
 Nunn, Michael G.  
 Oliver, Jesse D.  
 Page, Ethan D.  
 Parrish, Samuel  
 Paschal, Kyle  
 Payne, Jacob  
 Poteat, Walker  
 Pruitt, Matthew D.  
 Quintana, Alyssa

Ramirez, Raul  
 Riddell, Nathaniel M.  
 Riggan, Robert  
 Riley, Eugene  
 Robinson, Travis  
 Rudd, Adam H.  
 Sharpe, David  
 Shaw, James  
 Shepherd, Jeffrey  
 Shields, Trenton  
 Shoffner, Greyson  
 Shoffner, Jeffrey D.  
 Shoffner, Justin  
 Slagle, Jr., Don A.  
 Smith, Brandon R.  
 Smith, Christopher A.  
 Smith, Jay A.  
 Smith, Kevin M.  
 Spencer, William J.  
 Stanfield, Samuel D.  
 Stanfield, Stephen N.  
 Stevenson, David B.  
 Stout, Shawn  
 Sweat, Elaina F.  
 Sykes, Travis  
 Teague, Tyson S.  
 Tickle, Todd  
 Waller, Christopher B.  
 Watlington, Paul  
 Willets, Michael  
 Wilson, Michael  
 Winebarger, Ryan  
 Wolford, Caleb  
 Wright, Brock  
 Wright, Donald  
 Wrightenberry, Ronald

- B.** To approve the Burlington-Graham Metropolitan Planning and Organization blanket agreement for reimbursement of allowable expenses for transportation studies approved by the Transportation Advisory Board.
- C.** To approve a proposed 2020 City Council and Work Session regular meetings schedule.
- D.** To approve Budget Amendment 2020-15 to allow the Community Development Division for reallocation of Community Development Block Grant funds.

Budget Amendment 2020-15

Increase Revenues

555-08000-33610	HOME City Program Income	\$72,490.25
555-08000-33611	HOME County Program Income	\$26,090.43

Increase Expenditures

555-46019-56010	HOME City Program Income	\$72,490.25
555-46019-56011	HOME County Program Income	\$26,090.43

- E. To approve Budget Amendment 2020-16 to allow the Burlington Police Department to use Melvin Hall Fund donations.

Budget Amendment 2020-16

Increase Revenues:

01004511-30108 Police Donations M. Hall \$ 3,894

Increase Expenditures:

01051511 43323 M. Hall Donation Expenses \$ 3,894

- F. To adopt a Resolution to permanently abandon a portion of a public water line and the associated permanent easement across Alamance County PID 113301, GPIN 8854486099 and known as 3010 S. Church Street.

**Resolution#19-14**

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURLINGTON TO PERMANENTLY ABANDON A PORTION OF A PUBLIC WATER LINE AND THE ASSOCIATED PERMANENT EASEMENT ACROSS ALAMANCE COUNTY PID 113301, GPIN 8854486099 AND KNOWN AS 3010 S. CHURCH STREET.**

WHEREAS, the City Council of the City of Burlington has received a request to permanently abandon a portion of a public water line and the associated permanent easement across Alamance County PID 113301, GPIN 8854486099 and known as 3010 S. Church Street.

WHEREAS, this public water line was originally installed to serve the commercial development known as Edgewood Village; and

WHEREAS, this public water line was installed and accepted by the City in conjunction with the original Edgewood Village building construction and recorded in the Alamance County Register of Deeds on October 20, 1981 in Plat Book 26 Page 40; and

WHEREAS, the subject property is proposed to be redeveloped as a LIDL grocery store; and

WHEREAS, LIDL proposes to demolish the existing structure and build a new building on the parcel; and

WHEREAS, the proposed new building would be situated over the existing public water line which is not recommended by City staff; and

WHEREAS, the Lidl developer would remove the existing public water line to a point that is not in conflict with the proposed building; and

WHEREAS, the demolition and removal of the existing public water line shall be inspected, approved, and accepted the City Engineer; and

WHEREAS, upon successful removal of the existing public water line, the City shall record a plat showing the limits of removal and abandonment, as supplied by the developer and approved by the City Engineer; and

WHEREAS, the proposed public water line abandonment is shown as a development condition on the LIDL #1418 Burlington Site Plan approved by the Burlington Technical Review Committee (TRC) on October 18, 2019;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Burlington agrees to abandon a portion of the existing public water line and the associated permanent easement across Alamance County PID 113301, GPIN 8854486099 and known as 3010 S. Church Street upon the City Engineer's approval of the demolition plan, removal of the existing waterline and the recording of a Final Plat, as supplied by the Applicant and approved by the City Engineer. The Final Plat recorded with the Alamance County Register of Deeds shall show the limits of actual abandonment. This abandonment shall not be complete until all of the aforementioned considerations are completed to the satisfaction of the City Engineer.

Adopted this 3<sup>rd</sup> day of December 2019.

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

### **PUBLIC HEARINGS:**

#### **ITEM 1: FY 2018-2019 and FY 2019-2020 – CDBG Annual Action Plans**

Mayor Baltutis announced a public hearing has been set to receive citizen comments and consider approving amendments to the FY 2018-2019 and FY 2019-2020 Community Development Block Grant (CDBG) Annual Action Plans.

Community Development Administrator Sonyé Randolph presented on the Planning and Community Development request for Council to consider amendments to the FY 2018-2019 and FY 2019-2020 Community Development Block Grant Annual Action Plans. She reported in the FY 2018-2019 annual action plan Council allocated \$95,642 to City Park restrooms and in FY 2019-2020 Council allocated \$110,330 to the North Park Development Phase 2B. She explained the request during this public hearing is to request the \$110,330 be reallocated to rehab the City Park restrooms project which would bring that project budget to \$205, 972. She stated as required by HUD a public hearing must be held to amend the Annual Action Plan.

The public hearing was held. There were no public comments.

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

Upon a motion by Council Member Butler, seconded by Mayor Pro Tem Hykes, it was resolved unanimously to approve the amendments to the FY 2018-2019 and FY 2019-2020 Community Development Action Plans.

#### **ITEM 2: REZONING - 3725 South Church Street:**

Mayor Baltutis announced a public hearing has been set to consider an application to rezone from O&I Office and Institutional District to CB Conditional Business District for the use of a Unified Business Development. The property is located at 3725 South Church Street, referenced as Alamance County tax identification number 107007.



Interim Director of Planning and Community Development Mike Nunn presented on the application to rezone. He provided an aerial view of the zoning map. He reported the property is located within a commercial corridor along South Church Street and the proposed use of the property makes the property compatible with the uses already in the area. He explained the development incorporates requirements identified in the Greenways and Bikeways Plan, the applicant is providing a multiuse path along Westbrook Avenue frontage which will combine with the frontage on Church Street that the NC DOT will install in their current project for late 2020. He explained this provides for a continuous multiuse path.

He reported the plan was first submitted to Technical Review Committee on March 22, 2019 and the conceptual plan for development was approved by TRC on November 12, 2019. He explained the Commission discussed the possibility of providing bike racks for those who may want to ride their bike to the property and the representative of the developer, Mr. Chad Huffine indicated they would consider it. He reported this application was received prior to November 1, 2019, and therefore is not subject to the requirements of the Unified Development Ordinance. He noted even though it is not subject to those requirements, the developer is adding additional landscaping and fencing to screen the adjacent residential properties and has agreed to meet the design and sign standards in the Unified Development Ordinance.

Mr. Nunn announced staff recommends approval of the rezoning request and the Planning and Zoning Commission unanimously recommends approval of the request. He announced Mr. Chad Huffines is in attendance to present and respond to any questions or concerns.

Mr. Chad Huffines reported this project completes the development at the intersection at Westbrook and Church Street and provides transition that the long-range development asks for. He mentioned concerns brought up at Planning and Zoning Commission meeting and the resolution to those issues.

The public hearing was held. There were no public comments.

Upon a motion by Council Member Ward, seconded by Mayor Pro Tem Hykes, it was resolved unanimously to close the public hearing.

Council Member Butler moved to adopt the following Ordinance. He stated this request is inconsistent with the Comprehensive Plan, but he moves to approve and that the City Council declares the Comprehensive Plan modified through this approval.

He moved to recommend we approve this request, with the stated conditions, to rezone from O&I Office & Institutional District to CB Conditional Business District. The property is located at 3725 South Church Street, referenced as Alamance County tax identification number 107007.

Council Member Butler stated this motion is based upon the inconsistency 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 uses.
- The property is contiguous with commercial zoning and the proposed use is properly screened from residential properties.
- The development incorporates requirements identified in both the Greenways & Bikeways Plan [(Map 3.4A Comprehensive Network (Northwest Burlington) and the Pedestrian Master Plan (Map 3.4 – Pedestrian Network Recommendation Map, Southwest Grid).

Council Member Butler stated this action is reasonable and in the public interest in that:

- The Comprehensive Plan calls for Traditional Residential uses and the proposed use is compatible with the uses in the area.
- The request is compatible with the existing zoning in the area.
- Developer is providing an area for the installation of a multi-use path to be installed by NCDOT along South Church Street and the applicant is installing a multi-use path along Westbrook Avenue.

Council Member Ward seconded the motion, it was resolved unanimously to approve the adoption of the following Ordinance:

### **Ordinance#19-20**

### **ORDINANCE TO AMEND OFFICIAL ZONING MAP (Rezone property located at 3725 South Church Street, referenced as Alamance County parcel identification numbers 107007)**

**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 Unified Development Ordinance, and the Comprehensive Land Use Plan are hereby amended by rezoning from O&I Office and Institutional District to CB Conditional Business District for the use of a Unified Business Development, subject to the conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance. The area is described as follows:

The property is located at 3725 South Church Street, referenced as Alamance County parcel identification numbers 107007.

Section 2. That the rezoning from R-15 Residential District to CB Conditional Business District for the use of a Unified Business Development is hereby authorized subject to the following Use and Development Conditions:

#### **Use Conditions**

1. Unified Business Development

#### **Development Conditions**

1. Development proposes to exclude the use of restaurant from the proposed 6,000 square feet.
2. Development proposes to limit the amount of restaurant use in the northern building to 7,200 square feet.
3. Development proposes to meet Chapter 5 “Commercial Design Standards” of the Unified Development Ordinance (publication date 7/30/2019) effective November 1, 2019, to be approved by Technical Review Committee staff.
4. The concept plan associated with the conditional zoning request is intended for illustrative purpose to assist City Council in considering the proposed development conditions. The applicant shall provide a fully detailed site plan that will comply with all applicable UDO requirements to the Technical Review Committee for approval before building permit will be issued. Any significant deviations from the concept plan or any additional conditions that may

be necessary as determined by the Technical Review Committee shall require recommendation from the Planning and Zoning Commission and approval from the City Council.

5. Allowable uses for the proposed development will be those compatible with those uses allowed in the Unified Business Development – permitted uses. The uses listed as not allowed under a Unified Business Development will not be allowed and also not allowed will be Adult Oriented Businesses.
6. Development proposes to comply with the commercial Sign Ordinance as presented in the Unified Development Ordinance , latest edition (7/31/2019) effective November 1, 2019.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed including site plans and other submissions, unless subsequently changed or amended as provided for in the City of Burlington Zoning Ordinance.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in the City of Burlington Code of Ordinances and Zoning Ordinance.

Section 5. That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall take effect upon passage.

### **ITEM 3: AMENDMENTS to Chapters 2, 3, 4, 5, 8 and 9 – UDO**

Mayor Baltutis announced a public hearing has been set to consider amendments to Chapters 2, 3, 4, 5, 8 and 9 of the Unified Development Ordinance.

Interim Director of Planning and Community Development Mike Nunn presented on the identified necessary amendments to the Unified Development Ordinance since its adoption on November 1, 2019. He reported staff has been working regularly to review the document. He explained staff has identified amendments that consist of grammatical errors and a few deletions, additions, and text changes. He reported at the November 25, 2019, Planning and Zoning Commission meeting, Mr. Chad Meadows explained the amendments and Planning and Zoning Commission unanimously recommend approval of the amendments. He stated there were no public comments during that meeting.

Mr. Nunn introduced Chad Meadows to present the amendments to Council for the purpose of the public hearing.

Mr. Chad Meadows provided an overview of the adoption of the UDO and summarized the adjustments and amendments which are a vast majority of edits or typographic errors, twenty-five substantive changes in which none are drastic. He identified the adjustments considered for adoption by each chapter and asked for any questions or concerns following his presentation.

The public hearing was held. There were no public comments.

Upon a motion by Mayor Pro Tem Hykes, seconded by Council Member Owen, it was resolved unanimously to close the public hearing.

Council Member Ward moved to adopt the following Ordinance. He stated this request is consistent with the Comprehensive Plan and moves to we approve this request to amend Chapters 2, 3, 4, 5, 6, 8, and 9 of the Unified Development Ordinance.

Council Member Ward stated this motion is based upon the consistency of the proposed amendments with the Comprehensive Plan, in that;

- Section 4, Land Use, Goal 1, Recommendation 5, of the Comprehensive Plan, calls for an update of the Unified Development Ordinance.
- Section 4, Land Use, Goal 1, Recommendation 5, of the Comprehensive Plan, calls for ensuring sound land planning decisions that are consistent with the vision of the Plan.
- Section 4, Land Use, Goal 1, Recommendation 5, of the Comprehensive Plan, promotes economic and social benefits, minimizes public costs, and increases the city's tax levy.

Council Member Ward stated this action is reasonable and in the public interest in that;

- Section 4, Land Use, Goal 2, Recommendation 4, of the Comprehensive Plan, addresses confusion, conflicts, and obsolescence of the Zoning Code through a new Unified Development Ordinance.
- Section 4, Land Use, Goal 2, Recommendation 4, of the Comprehensive Plan, a new UDO will be modern, graphically intensive, and user-friendly from both a public/petitioner and administrative perspective.
- Section 4, Land Use, Goal 2, Recommendation 4, of the Comprehensive Plan, that the comprehensive planning process, the community's goals and objectives, supplemented by additional public input, will ultimately help shape the new UDO.

Council Member Butler seconded the motion, it was resolved unanimously to approve the adoption of the following Ordinance:

### **Ordinance#19-21**

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

Section 1. That Chapters 2, 3, 4, 5, 8 and 9 of The City of Burlington Unified Development Ordinance, will be amended in accordance with the following amendments.

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

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

**Design Burlington Unified Development Ordinance Amendments  
UDOTA-01-20**

## **NEW BUSINESS:**

### **ITEM 4 – 2020 Fees and Charges Schedule**

Mayor Baltutis announced City Council will consider approving a proposed 2020 Fees and Charges Schedule to be effective January 1, 2020.

Director of Finance and Risk Management Peggy Reece asked if Council had any questions or concerns regarding the changes provided. She mentioned Department Heads with proposed changes to the schedule are present to respond to any questions there may be within those divisions.

There were no questions or comments from Council.

Upon a motion by Council Member Ward, seconded by Council Member Butler, it was resolved unanimously to approve the 2020 Fees and Charges Schedule to be effective January 1, 2020.

## **PUBLIC COMMENT PERIOD**

There were no public comments.

## **CITY COUNCIL COMMENTS**

Mayor Pro Tem Hykes recognized City staff for attention to the development of the schedule of fees and charges for 2020 and continued efforts with the Unified Development Ordinance amendments.

Council Member Butler expressed appreciation of the Planning Department staff for the continued dedication to the Unified Development Ordinance and attention to detail.

Mayor Baltutis expressed appreciation to those who ran for office in the 2019 election and appreciation for the community members who engaged and the voter participation in this election. He asked for support and encouraged Council and staff to focus more attention on the following to meet the needs of the community based on feedback in conversations he engaged in during his campaign.

- Affordable Housing – continue exploring how to meet those needs and address homelessness in the community.
- A more proactive approach to demolishing abandoned houses in the community. He challenged staff and Council to consider taking heavier action to show we will not allow structures remain in this community.
- Requests from riders, residents, business owners, and employees asking for an increase in services from Link Transit with the addition of Saturdays and Sundays making that operation 7 days a week. He asked for consideration in adding these schedule changes in the coming year.
- Structure of the City Council and is there truly enough representation in the community. He encouraged everyone to look at opportunities in how the City Council is structured, how we engage in the community better geographically.
- Stormwater fees and how we are managing those needs.

Mayor Baltutis recognized students in attendance from Elon University.

**ADJOURN** Upon a motion by Council Member Ward, it was resolved unanimously to adjourn at 8:18pm

*Beverly D. Smith*

Beverly D. Smith, Interim City Clerk