



**Council Members Present:**

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

**Council Members Absent:** None

**Staff Present:**

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

Scott Bibler, Peter Bishop, Rachel Kelly, Nolan Kirkman, Todd Lambert, Tony Laws, Morgan Lasater, Mike Nunn, Bob Patterson, Peggy Reece, and John Vernon.

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

Due to the Coronavirus Pandemic this meeting was convened remotely using the Zoom Webinar platform.

**A) BUILD Grant Application – Maple Avenue Corridor**

\*City Council to consider an Addition to the May 5, 2020, City Council Meeting agenda to adopt a BUILD Grant Resolution.

Director of Planning and Transportation Mike Nunn presented on the City's intentions to reapply for the BUILD Grant funding opportunity for the Maple Avenue Corridor Project. He reported the City of Burlington BUILD grant application of 2019 was not funded but did receive highly recommended status from the federal North Carolina Department of Transportation (DOT) staff. He explained City staff is working with Toole Design to enhance the 2019 application package based on feedback from the DOT staff in Washington, D.C. He reported Burlington is in a federally designated urbanized area with a population of less than 200,000 and the Maple Avenue Corridor project is in a rural area making it eligible for up to 100% BUILD grant funding and does not require a match.

Mr. Nunn asked reported prior to preparation of the application and submittal, staff is seeking approval guidance for applying for the 2020 BUILD grant funding which has an application deadline of May 18, 2020. He asked City Council to consider and addition to the May 5, 2020, City Council Meeting agenda for Council to consider adopting a Resolution to approve City staff's authority to apply for the BUILD (Better Utilizing Investments to Leverage Development grant.

Council consensus was to place an addition to the May 5, 2020, City Council Meeting Consent Agenda to adopt a Resolution for the 2020 BUILD Grant Application.

## **B) Community Development – Citizen Participation Plan Update**

\*Public Hearing will be held during the May 5, 2020, City Council Meeting to consider adopting updates.

Director of Planning and Transportation Mike Nunn provided an overview of an update to the Community Development Citizen Participation Plan. He reported the update was recommended by Civitas LLC, consultants as well as a requirement from HUD to have periodic updates. He noted in addition, HUD is requiring this update in order to receive CDBG CARES Act funds for coronavirus relief.

Mr. Nunn reported the current plan the City is operating under is from 2011. He explained additionally, HUD Headquarters released a memo on April 9, 2020 directing grantees to amend Citizen Participation Plans to establish expedited procedures during times of emergency. He explained the following points of revisions which are recommended for the update:

- Clarify the distinction between public hearings and public meetings/needs assessments;
- Set the public hearing notice and public comment period notice for both the Consolidated/Annual Action Plan and the Consolidated Annual Performance and Evaluation Report (CAPER Year End Report);
- Identify which organizations are consulted during the Consolidated Plan process;
- Include expedited procedures to draft, propose, or amend plans during times of emergency, including the definition of “reasonable notice and opportunity to comment.”
- Define a substantial amendment to the Consolidated Plan and Annual Action Plan; and Include non-profit grant proposal requirement of online submission only.

Mr. Nunn reported the Community Development staff will present at the public hearing scheduled for May 5, 2020 and staff recommends the updates to the current plan effective upon City Council approval.

Mayor Baltutis announced a Public Hearing will be held at the May 5, 2020, City Council Meeting and the public may email comments to [publiccomments@burlingtonnc.gov](mailto:publiccomments@burlingtonnc.gov) to submit comments or will be able to participate remotely during the virtual meeting to speak during the public hearing.

## **C) Burlington Downtown Corporation Transition to Hybrid Model**

Economic Development Director Peter Bishop presented on a proposal to transition to a more hybrid model and change the current model of downtown merchant and property owner services to a more efficiently achieve goals in better alignment and coordination with the City of Burlington. He announced Interim Executive Director, Sara Beth Hardy and Burlington Downtown Corporation Board President, Coleman Rich were present and in attendance remotely for this meeting.

Mr. Bishop reported under the proposed hybrid model, the City would contract with the private non-profit organization, Burlington Downtown Corporation, Inc. (BDC) to operate the Downtown Grants program, serve on the Main Street Committees, conduct merchant relations and advise on

public art, open space and design functions. He reported after the resignation of Executive Director, Jessica Pasi3n in January 2020, City staff began researching alternate models of service provision for downtown Burlington. He explained staff has completed extensive research to determine the best model for a successful downtown development program. He reported transitioning to a hybrid model enables effective interconnection with the City's overall economic development program and ensures the most effective use of tax dollars.

Mr. Bishop reported the BDC consists of a Board of Directors, and two full time staff including an Executive Director and Communications Manager. He reported three city staff members and an elected official serve as ex-officio on the BDC's Board of Directors. He explained the proposal would provide a stronger set of resources to accomplish more and will find some efficiencies and savings overall. He reported City staff had extensive conversations with Liz Parham, Director of the NC Main Street & Rural Planning Center, and the proposal to transition is highly recommended. He shared based on research conducted by City staff, throughout North Carolina, the majority of downtowns have transitioned to hybrid models.

Mr. Bishop reported future steps would be a presentation to City Council to consider approval of a Memorandum of Understanding between the City of Burlington and the BDC and approval of an annual contract for MSD services. He reported the preferred transition would be to have something in place by the start of the FY 20-21 in July.

Coleman Rich, BDC Board Chair, reported conversations are ongoing with City staff and the board will continue to work on the language along with the City of Burlington on a draft MOU.

Sara Beth Hardy, Interim Executive Director, noted the BDC Board of Directors meet via Zoom in April 2020 and formally voted to move forward with drafting an MOU and consensus of the BDC Board was to move forward.

Assistant City Manager, Rachel Kelly reported the City of Burlington Finance Department would oversee the accountability of operations of the BDC.

Peggy Reece reported the BDC is a component of the annual CAFR and auditing will continue to be required annually.

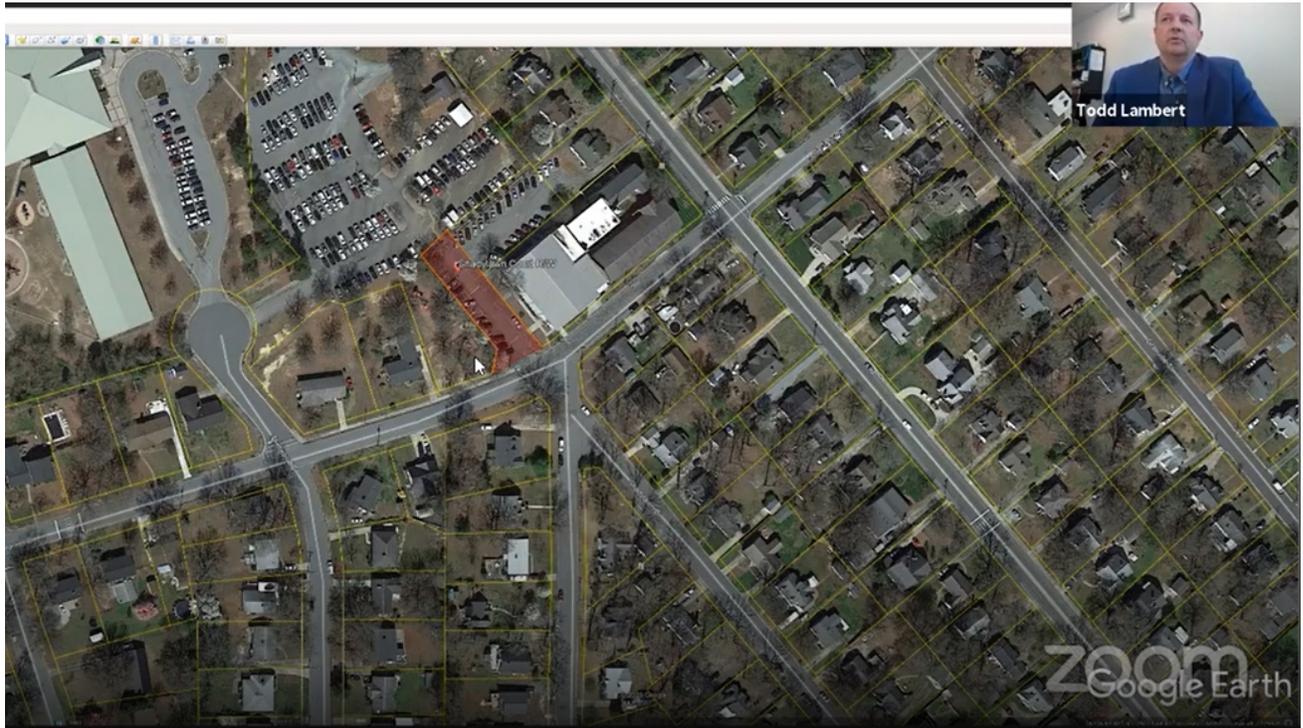
Following a brief discussion, Council consensus was for City staff and the BDC to proceed with drafting of their MOU for future Council consideration.

#### **D) Right of Way Abandonment Request – Shadylawn Court**

*\*City Council to consider an Addition to the May 5, 2020, City Council Meeting agenda to adopt a Resolution of Intent to Abandon the Right of Way of Shadylawn Court and Set a Date of Public Hearing for June 16, 2020.*

Todd Lambert, City Engineer presented on a request for the City to abandon the Right of Way of Shadylawn Court. He reported Shadylawn Court is a non-maintained right-of-way directly behind Hope Church. He explained the portion of right-of-way platted as part of Plat Book 11 page 67 was not constructed as a public road and functions as part of the church's parking lot and driveway entrance. He reported there are no public water or sewer lines in this section of right-of-way.

Mr. Lambert reported City staff recommends the abandonment of Shadylawn Court per requirements and procedure pursuant to NC General Statute 160A-299 and asked City Council to consider an addition to the May 5, 2020 consent agenda to adopt a Resolution of Intent setting a date of public hearing for the June 16, 2020 City Council Meeting.



Council consensus was to place an addition on the May 5, 2020, City Council consent agenda to adopt a Resolution to set a date of public hearing to be held on June 16, 2020.

**E) Boards and Commissions Reports**

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

There were no reports.

**F) City Manager Report**

CDBG-CV Overview

City Manager Hardin Watkins reported the City as a CDBG entitlement City (over 50,000 population), Burlington will receive around \$277,000 in a one-time special allotment called CDBG-CV. He stated the funds must be used for COVID-19 related matters and the usage must be in the City's previously adopted CDBG plans and strategies.

Manager Watkins explained the City has received feedback from Council on how to use the funds and since this is disaster related and falls in line with our previously adopted work plans, formal Council approval is not required by HUD.

### CARES Act funding for Link Transit

Director of Planning and Transportation Mike Nunn provided a summary of the intent of the CDBG-CV Cares Act funding in the amount of \$277,455 that the city received and that it would need to be used to prevent, prepare for, and respond to COVID-19. He reported there are two areas in the current Annual Action Plan staff is looking at for distribution of the funds; Public Services and Economic Development; microloan program. He provided an overview of the two areas and both meet the low to moderate income eligibility component. He reported an official request for proposal (RFP) would be solicited community wide and information returned to City Council at the June 2, 2020, City Council Meeting to consider approval. He reported the funds must be used for COVID-19 related matters and must be in the City's previously adopted CDBG plans and strategies. He explained staff recommends that the funds be divided into the following three categories:

- 1) Micro-loans to businesses in low-to-moderate income areas (LMI) – the area designation required by HUD – Economic Development Department will administer with the support of our Community Development Division;
- 2) Safety Net support of the community's vital non-profit service providers with enhanced needs during the pandemic;
- 3) Utility payment assistance for low-to-moderate income (LMI) person to help them get current on their past due residential water bills – these are paid to the utility provider, not the client.

He provided the next steps before the funds can be disbursed include the following:

- Release RFP and finalize non-profit allocation amounts
- Public advertisement of the 2019-2020 Action Plan Amendment for inclusion of the CARES funds (5-day comment period via newspaper and website)
- Hold Public Hearing and City Council approve amendment to 2019-2020 Annual Action Plan
- After Public Hearing and City Council approval, submit 2019-2020 amendment to HUD office for final approval.
- Sign agreements with non-profits and disburse funds.
- CD staff monitor Public Services Grants & ED staff monitor Micro enterprise Assistance.

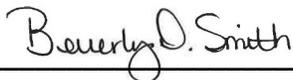
Mr. Nunn reported following the above steps, staff would work together and seek feedback from Council on how the funds are spent, vetting that through the proposal process, evaluate the request and be sure the funding is eligible before awarding any funds.

City Manager Hardin Watkins reported the City received funding through the CARES Act for Link Transit and yielded to Mike Nunn to explain the details.

Mr. Nunn reported the City received 3.1 million through CARES Act under Section 5307 Urban Area Formula funds. He stated the city typically receives around \$1 million, which makes this a significant increase. He stated the funds received will allocate \$1.5 to fleet replacement, and \$540,000 to the daily operations for service providers and drivers. He reported the City is not required to match these federal funds.

Following a brief discussion between City staff and Council, it was recommended to consider using some of these funds to allow a fare free period for an extended length of time coming out of Covid-19, when restrictions are lifted in NC Executive Orders and the environment is safe to do so, as well as look into the possibility of some of the fleet equipment replacement to be electric if that is an affordable option.

The meeting was adjourned at 6:06pm



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Beverly D. Smith, NCCMC  
Interim City Clerk

May 4, 2020  
Work Session