



Minutes of the Burlington City Council Meeting Virtual Meeting 7:00pm – Tuesday, May 5, 2020

The City Council of the City of Burlington held a regularly scheduled meeting remotely beginning at 7:00pm on May 5, 2020. Due to the Coronavirus Pandemic this meeting was convened remotely using the Zoom Webinar platform.

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:

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

Council Members Absent: None

CALL TO ORDER: Mayor Ian Baltutis

INVOCATION: Mayor Ian Baltutis

SPECIAL REPORT: Cone Health System

Dr. Bruce Swords, Chief Medical Officer, Cone Health System
Lisa Pennington, Chief, Community & Corporate Well-being, Cone Health
Tracey Grayzer, Impact Alamance, Executive Director

Lisa Pennington introduced Dr. Bruce Swords, Chief Medical Officer of Cone Health Systems. She expressed appreciation for the City's invitation and interest in health care in our community. She gave a brief introduction of Dr. Swords and shared his background prior to joining Cone Health in 1996. She reported Dr. Swords is a leader in a Covid-19 steering committee that began ordering supplies, equipment, and medications as well as evaluating resources and structures beginning in December in order to prepare and ensure the safety of patients and staff members in anticipation of the virus.

Dr. Swords shared expertise and insights of Cone Health's plans during this pandemic. He reported Cone Health began evaluating medications, personal protection equipment needs, and collaborated with infectious disease specialist to make proactive decisions. He shared the current and future state of plans that Cone Health has in mind for making sure the health systems facilities, patients, employees, and the community stay safe during this pandemic.

SPECIAL PRESENTATION: PAWS Presentation – Animal Services

Sam and Vicky Hunt

City staff shared a previously recorded video of the nearly completed Animal Services Pet Adoption and Resource Center and a presentation was recorded by Chairman of PAWS, Vicky and Sam Hunt.

Vicky and Sam Hunt presented a donation from PAWS in the amount of \$750,000 to help fund the renovation project which was made possible in large by PAWS – Pet Adoption and Welfare Society of Alamance County through fundraising.

Ms. Hunt reported PAWS started in 2002 when adoptions were around 211 per year and stated current adoptions have reached nearly 4,000 per year. She announced names of PAWS Board Members and many others as she thanked everyone involved for their dedication and work for the homeless animals of Alamance County.

PROCLAMATIONS:

Link Transit Driver Appreciation in honor of Link Transit’s Fourth Anniversary

Mayor Baltutis presented a Proclamation, on behalf a City Council, to Link Transit for its Fourth Anniversary and recognized Link Transit drivers for their exceptional service.



**City of Burlington, North Carolina
PROCLAMATION
Recognizing
LINK TRANSIT DRIVER APPRECIATION
in honor of
LINK TRANSIT’S FOURTH ANNIVERSARY**

WHEREAS, JUNE 6, 2020, marks the celebration of the 4th Anniversary of Link Transit; and

WHEREAS, Link Transit is the local transportation partner serving Burlington, Gibsonville, and Alamance Community College; and

WHEREAS, the goal of Link Transit is to improve the quality of life for residents by providing a safe, reliable, and cost-effective mobility solution for our community; and

WHEREAS, Link Transit has provided over 350,000 rides to members of our community in the past four years; and

WHEREAS, Link Transit Drivers provides approximately 375 safe, reliable, and cost-effective rides every day to members of our community; and

WHEREAS, Link Transit Drivers continue to offer service as Essential Workers during the 2020 COVID-19 pandemic and to provide transportation for other essential services; and

WHEREAS, In the midst of the COVID-19 pandemic, ridership trends have changed significantly, suggesting that more residents are using Link Transit to access essential services.

NOW, THEREFORE, I, Mayor Ian Baltutis, and the Burlington City Council do hereby deem it an honor and a pleasure to extend this Proclamation in recognition of **Link Transit Drivers** in honor of **LINK TRANSIT'S 4TH ANNIVERSARY**. The City of Burlington appreciates and admires their commitment to providing an essential service to our community and is grateful for the positive impact Link Transit has had for our City.

This the 5th day of May 2020.

National Public Works Week – May 17-23, 2020

Mayor Baltutis presented a Proclamation, on behalf of City Council, to Public Works for National Public Works Week recognizing the contributions of public works personnel for their qualified and dedicated service to the City of Burlington. Public Works Director, Al Cablay accepted the Proclamation on behalf of the Public Works & Transportation Department.



City of Burlington, North Carolina
PROCLAMATION
In Recognition of
National Public Works Week
May 17-23, 2020

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

NOW, THEREFORE, I, Mayor Ian Baltutis, and the Burlington City Council do hereby proclaim the week of May 17-23, 2020 as "**National Public Works Week**" in the City of Burlington, North Carolina, and calls upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

This the 5th day of May 2020.

CODE OF ETHICS DISCLOSING CONFLICTS OF INTEREST:

Interim City Clerk, Beverly Smith

There were no conflicts reported.

APPROVAL OF MINUTES:

- February 3, 2020 Work Session
- February 4, 2020 City Council Meeting
- February 18, 2020 City Council Meeting
- March 2, 2020 Work Session
- March 3, 2020 City Council Meeting
- March 17, 2020 City Council Meeting

Upon a motion by Council Member Ward, seconded by Mayor Pro Tem Hykes, it was resolved unanimously to approve the foregoing minutes.

ADDITIONS TO CONSENT AGENDA:

- **Item H – Consent Agenda:** Adopt BUILD Grant Resolution
- **Item I – Consent Agenda:** Adopt Resolution of Intent to Permanently Close Shadylawn Court

Upon a motion by Council Member Jim Butler, seconded by Mayor Pro Tem Hykes, it was resolved unanimously to adopt the agenda.

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 additions.

CONSENT AGENDA:

- A.** To approve a Utility Construction Agreement between the City of Burlington and the North Carolina Department of Transportation for Project U-5752, (St. Mark’s/ US 70 Project).
- B.** To approve a primary pre-position debris removal contract with TFR Enterprises, Inc., and a secondary pre-position debris removal contract with CERES Environmental, Inc., and to authorize the City Manager to execute said contracts contingent upon final review and approvals by the City Attorney and Director of Finance & Risk Management.
- C.** To approve ratification of an amendment to the contract between the City of Burlington and Central Carolina Veterinary Services, PLLC., for the operation of the Spay and Neuter Clinic of Alamance County.
- D.** To set a date of public hearing for July 7, 2020 to consider approving a lease for a portion of the Fairchild Community Center for the operation of a childcare program.
- E.** To approve Budget Amendment 2020-27 for the Community Development Rental Rehab account for housing repairs.

Budget Amendment 2020-27

Increase Revenues

03117000-39999	19-20 Appropriated Fund Balance	\$19,000
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Increase Expenditures

03146000-41526	19-20 Housing Repair	\$19,000
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- F. To approve Budget Amendment 2020-28 for the Community Development HOME Program Income Adjustments as required by the HOME Consortium administered by the City of Greensboro.

Budget Amendment 2020-28

Decrease Revenues

55508000-33610	15-16 HOME City Program Income	\$3,799.81
55508000-33611	15-16 HOME County Program Income	\$7,176.77
55508000-33611	16-17 HOME County Program Income	\$ 2,595.86

Decrease Expenditures

55546016-56007	15-16 Owner-Occupied Housing Rehab City	\$3,799.81
55546016-56006	15-16 Owner-Occupied Housing Rehab County	\$7,176.77
55546017-56006	16-17 Owner-Occupied Housing Rehab County	\$2,595.86

Increase Revenues

55508000-33610	16-17 HOME City Program Income	\$47,194.35
55508000-33610	17-18 HOME City Program Income	\$9,654.14
55508000-33611	17-18 HOME County Program Income	\$19,170.00

Increase Expenditures

55546017-56007	16-17 Owner-Occupied Housing Rehab City	\$47,194.35
555-46018-56010	17-18 HOME City Program Income	\$9,654.14
555-46018-56011	17-18 HOME County Program Income	\$19,170.00

- G. To approve Budget Amendment 2020-29 to amend the Dentzel Carousel Restoration Project Ordinance.

Ordinance #20-14

**Capital Project Ordinance
BA2020-29**

(Originally established with BA2019-28, Amended BA2019-40)

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, Carousel & Carvings, a contract to undertake the project. In addition, the contract, there will be ancillary expenses that will be incurred in-order to complete the restoration project. Amendment 1: to design a new carousel house as well have a mini-master plan drawn. The mini-master plan will focus on the 8-acre amusement area and will include a topographic survey and subsurface utility locates. **Amendment 2: to purchase land for the carousel house.**

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	50,000
42209000 38390	Operating Transfer In	291,774
42209000 38390	Operating Transfer In	<u>1,211,100</u>
		1,552,874

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

42272000 47100	Land	50,000
42272000 47200	Building	277,880
42272000 47300	Capital – Other Improvements	1,211,100
42272000 48000	Contingency	<u>13,894</u>
		1,552,874

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.

H. To adopt a Resolution to approve City staff’s authority to apply for a BUILD (Better Utilizing Investments to Leverage Development) Grant.

Resolution #20-04

RESOLUTION TO APPROVE CITY STAFF'S AUTHORITY TO APPLY FOR A BUILD (BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT) GRANT CITY OF BURLINGTON, NC

WHEREAS, at its regular meeting on September 1, 2015 the City Council adopted the "Destination Burlington" Comprehensive Plan; and,

WHEREAS, the Comprehensive plan recommended that the City pursue focused corridor plans to address redevelopment opportunities and public realm investment for challenged corridors; and,

WHEREAS, the Comprehensive Plan identified the Maple Avenue corridor as the least preferable gateway to represent the character of Burlington; and,

WHEREAS, on March 21, 2017 City Council approved a contract with Toole Design Group to undertake a corridor study on Maple Avenue; and,

WHEREAS, said corridor study included significant public input, including:

- Steering Committee Meetings;
- Direct Stakeholder Meetings;
- Maple Talks (initial public presentation);
- Surveys for public Input;
- Public Workshop;
- Public Alternative Vetting;
- Public Recommendations Reveal; and,

WHEREAS, the completed corridor plan ("Renew Maple Avenue Corridor Plan") includes recommendations related to conceptual transportation, land-use, and economic development improvements along the corridor; and,

WHEREAS, the Renew Maple Avenue Corridor Plan was presented to City Council at its June 3, 2019 work session meeting; and,

WHEREAS, a public hearing was conducted by City Council at its June 18, 2019 meeting to receive public comments on the Renew Maple Avenue Corridor Plan and the Plan was duly adopted at this meeting; and,

WHEREAS, on February 18, 2020 U.S. Department of Transportation announced the federally administered BUILD (Better Utilizing Investments to Leverage Development) Grant opportunity which has an application deadline of May 18, 2020; and,

WHEREAS, the BUILD Grant opportunity includes \$1 billion available nationwide and projects are eligible for grant awards up to \$25 million; and,

WHEREAS, since Burlington is in a federally designated urbanized area with a population of less than 200,000 the Renew Maple Avenue Corridor Plan project is considered to be located in a rural area and, as such, eligible for up to 100% BUILD grant funding without a local match; and,

WHEREAS, City Council desires for City staff to apply for the BUILD grant for the appropriate Renew Maple Avenue Corridor Plan elements;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURLINGTON does hereby approve for City staff to apply for the BUILD grant for the Renew Maple Avenue Corridor Plan.

Adopted this the 5th day of May 2020.

- I. To adopt a Resolution of Intent to permanently close Shadylawn Court and set a date of public hearing for June 16, 2020.

Resolution #20-05

RESOLUTION AND ORDER TO PERMANENTLY CLOSE SHADYLAWN COURT

WHEREAS, pursuant to North Carolina General Statutes, Section 160A-299, the City Council of the City of Burlington held a public hearing on June 16, 2020 to consider permanently closing Shadylawn Court from the point that it intercepts with northern right-of-way of Garfield Road and traveling in a northward direction to its current terminal abutting the lot line of Hope Church of North Carolina.

WHEREAS, after full consideration of this matter, the City Council does hereby deem it to be in the best interest of the City of Burlington to permanently close Shadylawn Court from the point that it intercepts with northern right-of-way of Garfield Road and traveling in a northward direction to its current terminal abutting the lot line of Hope Church of North Carolina according to N.C.G.S. 160A-299.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON;

Sec. 1. That the City Council, after full discussion of this matter at the public hearing held on June 16, 2020, and upon the terms and conditions hereinafter set forth, does hereby order to permanently closing Shadylawn Court from the point that it intercepts with northern right-of-way of Garfield Road and traveling in a northward direction to its current terminal abutting the lot line of Hope Church of North Carolina and being more particularly described as follows:

Being a certain tract or parcel of land located in Burlington Township, Alamance County, North Carolina, adjoining the property of The Burlington School and being more particularly described as follows:

Being a certain tract or parcel of land located in Burlington Township, Alamance County, North Carolina, adjoining the property of Hope Church of North Carolina, Garfield Road, Harriet Drive and being more particularly described as follows:

BEGINNING at an iron pipe found at the southwestern corner of the parcel of Hope Church of North Carolina as recorded in Deed Book 3556 Page 545 and in the northern right-of-way of Garfield Road, said iron pipe found having NC Grid NAD83(2011) coordinates of Northing 856341.6250 feet, Easting 856341.6250 feet; thence along the western property lines of said Hope Church of North Carolina, north 38°09'19" west, a distance of 135.94' to an existing iron pipe, thence north 40°16'57" west, a distance of 68.13' to a mathematical point, thence south 49°10'03" west, a distance of 50.43' to an existing iron pipe, thence south 40°46'41" west, a distance of 67.97' to an mathematical point, thence south 37°56'25" west, a distance of 105.96', thence south 15°34'50" west, a distance of 17.69' to an existing iron pipe, thence north 66°54'22" east, a distance of 66.75' to an existing iron pipe and being the point and place of beginning, containing 0.23 Acres±, pursuant to a survey by **Carolina Cornerstone Surveying, Inc.** entitled "Street Closure

Survey Property of Hope Church of North Carolina” dated March 25, 2020 and based on NC Grid North meridian, File Number 200116

Sec. 2. That notice of said public hearing was published on May 7, 14, 21, and 28, 2020.

Sec. 3. That a copy of this resolution and order shall be mailed to all owners of the property abutting said street as more particularly described above.

Sec. 4. That a notice of this closing was prominently displayed and posted in at least two places along said streets.

Sec. 5. That the North Carolina State Highway Commission has not accepted any portion of said street for maintenance.

Sec. 6. That after full consideration of this matter at said public hearing, it appears to the satisfaction of the City Council of the City of Burlington to permanently close Shadylawn Court from the point that it intercepts with northern right-of-way of Garfield Road and traveling in a northward direction to its current terminal abutting the lot line of Hope Church of North Carolina and that no person owning property in the vicinity of said existing street will be deprived of reasonable means of ingress and egress to his property.

Sec. 7. That this resolution and order closing the above-described street shall be made effective as of the adoption of this resolution and order.

Sec. 8. That a copy of this resolution and order shall be filed in the office of the Register of Deeds for Alamance County, North Carolina.

Sec. 9. That this resolution shall take effect upon passage.

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

PUBLIC HEARING:

Item 1: Community Development Citizen Participation Plan

Mayor Baltutis announced a public hearing had been set to receive public comments and consider adopting updates to the City of Burlington’s Community Development Citizen Participation Plan as required by HUD.

Community Development Administrator Sonye Randolph provided an overview of the updates to the Community Development Citizen Participation Plan. She reported the plan was updated by the Civitas LLC consultants as one of the first deliverables from the 5-Year Consolidated Plan. She reported HUD requires jurisdictions to periodically update the plan and is a requirement to receive CDBG CARES Act funds for coronavirus relief.

Ms. Randolph reported the revisions include requirements for public hearings and public meetings, as well as policy for providing technical assistance to the Burlington community. She reported the plan explains how information will be made available to the public and the process for citizens to provide comments for amendments and required CDBG plans, such as the Consolidated Plan, Annual Action Plan and the CAPER.

She explained the following revisions recommended by staff and asked City Council to consider approving the updates to the Citizen Participation Plan and hold a public hearing to received public input.

- 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.

The public hearing was held. There were no public comments submitted by email, received by Community Development or commented on during the public hearing.

Upon a motion by Council Member Ward, seconded by Council Member Owen, 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 adopt the amendments to the Citizen Participation Plan.

PUBLIC COMMENT PERIOD

Barbara Enoch Daye, 809 Ray Street, Burlington, NC spoke on the financial state of City of Burlington during the coronavirus pandemic.

City Manager Watkins responded the City has been wise in the past years and decades by putting money aside in fund balance and has built and put that in place so when there are interruptions or emergencies like these, there are funds to get us through difficult times. He explained in budget preparations for FY 20-21, upon advice from the state treasurer’s office, the City will consider adopting our budget in late June with as much data as we can to make decisions. He reported the City will not bring on additional staff through the remainder of this fiscal year and most likely for the majority of FY 20-21.

Council Member Butler responded one of the City’s major services to the community with Link Transit will receive some federal funds around \$3 million through the TAC which will protect that key service for Burlington.

CITY COUNCIL COMMENTS

Council Member Owen expressed appreciation for the community and city staff’s response to the challenges during this pandemic. He reiterated the need for state and federal funding support to local governments during these unprecedented times.

Council Member Butler asked for a brief summary on the latest NC Governor’s order, phase one in comparison to the City’s local state of emergency.

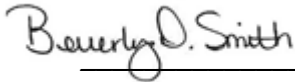
City Manager Watkins responded the two areas the City is more stringent on in the amended local State of Emergency than the NC Governor's order will be the prohibition on interior car cleaning services for area car washes, and physical attendance to funeral and graveside attendance with a limitation of no more

than 10 persons allowed in attendance. He explained the Governor's order allows 50 persons, which would be more than the City is allowing.

Mayor Baltutis commended staff and expressed appreciation for the technology arrangements and successful collaboration of a virtual meeting platform to allow the City to maintain trust and transparency in government by making sure we had the tools in place to resume meetings and public participation.

ADJOURN

Upon a motion by Council Member Owen, seconded by Council Member Butler, it was resolved unanimously to adjourn at 8:16pm



Beverly D. Smith, NCCMC, Interim City Clerk