



Minutes of the Burlington City Council Meeting Virtual Meeting 7:00pm – Tuesday, September 15, 2020

The City Council of the City of Burlington held a regularly scheduled meeting remotely beginning at 7:00pm on September 15, 2020. Due to the Coronavirus Pandemic, this meeting was convened remotely via 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: Council Member Jim Butler

The invocation was offered by Council Member Jim Butler.

SPECIAL GUEST: Alamance County Board of Elections Director, Kathy Holland

Alamance County Board of Elections Director Kathy Holland provided information about the November 2020 election including details on voter registration, voting by mail and election day procedures. She provided polling locations for precincts around Alamance County and those set up in 14 area schools for Election Day 2020. She shared the safety protocols in place due to Covid-19. She reported the Alamance Board of Election will not be handing out paper ballots, sneeze guards will be placed, full PPE will be used by poll workers, and arrangements for separate entrances and exits will be established at each location to maintain social distancing options for voter safety. She provided early voting dates and hours beginning October 15th and reported voting locations will be provided at Elmira Community Center, Kernodle Senior Center, Holly Hill Mall, the Alamance County Annex Building, and Mebane Arts Community Center.

Dawn Hurdle was present and provided North Carolina Absentee Ballot requests portal information that can be found at www.votebymail.ncsbe.gov.

REPORT TO COUNCIL: Burlington Downtown Corporation Annual Report

Presented by Sara Beth Hardy, Downtown Manager and Peter Bishop, Economic Development Director

Board President Coleman Rich was in attendance. He expressed appreciation for the operations managed by Downtown Manager Sara Beth Hardy and is looking forward to the new opportunities for the future of the Downtown Burlington area.

Downtown Manager Sara Beth Hardy provided an annual report of the Burlington Downtown Corporation on the statistics, highlights, projects and recognitions experienced in the 2019-2020 fiscal year. She reported on the following statistics of the Municipal Services District Annual Report:

Downtown by the Numbers:

Business Openings & Closings: 10 new openings, three closings.

Net Jobs Added: 60 Full-Time and 15 Part-Time

Volunteer Hours Logged: 600 hours valued at \$15,258

Public & Private Investment:

Public Improvements: \$93,000+

Grant Dollars Committed: \$90,000

Total Private Investment Leveraged: \$675,000

MSD Properties:

Major Public Improvements: 2

Façade Improvements: 10

Building Rehab Projects: 6

BDC Grant Awards 19-20 – 2 of the Projects have been completed – 4 still in progress:

Beechwood Family Properties

The Tire Center

Occasions Restaurant

Epic Construction

Burlington Nutrition (façade improvements)

Ms. Hardy shared the following downtown beautification projects completed in FY 19-20:

- Downtown Mural Project – Mauricio Ramirez completes “Justice & Equality” - \$11,195 raised for future murals at an event in November
- MSD Trash & Recycling Plan implemented January 1, 2020

She reported there are two sites identified that they hope to complete murals in the year 2020 with the funds raised and expressed appreciation to City of Burlington staff and downtown business owners for the trash and recycling plan success.

Ms. Hardy reported on successful events and partnerships including the following:

- Inaugural Phoenix 4th Friday
- Fourth Friday Art Walk Series
- Community Calendar
- Small Business Saturday, Holiday Promotions

She noted there were some merchant led events and calendar sharing that activated the downtown area and have provided for some well attended and safe events. She explained activities planned for the fall of 2020.

Ms. Hardy reported on Burlington’s Main Street Success which included the following:

- Main Street Accreditation 2020
- Main Street Award: Best Adaptive Reuse
- Main Street Champions: Bob and Kathy Hykes were celebrated

She recognized the BDC Governance Board of Directors 2019-2020, Advisory Board and Ex-Officio Members and expressed appreciation for their engaged project work and responsive support.

Board of Directors 2019-2020

Coleman Rich, President
**Jeff Andrews, Past
President**
Madison Taylor, Secretary
Howard Hawks, Treasurer

Advisory Board
Gary Aherron
Brad Harmon
Kelly May
Matt Wall

Ervin Allen
Katie Chung
Allen Gant, III
Ben Harris
Eric Henry
Casey Lewis
Tracy Schmidt
Holly Treadwell
Jeff Wilkins

Ex-Officio Members
Ian Baltutis, City Council Liaison
Peter Bishop
Emily Crowley
Nolan Kirkman
Cary Worthy

Ms. Hardy reported on the resources and events developed to aid the community with the challenges small businesses faced during the Covid-19 pandemic. She shared a video of the unique passion and creative energy of some of the downtown merchants and shared plans for the upcoming year.

Mayor Pro Tem Hykes expressed appreciation for the enthusiasm of the downtown merchants and the presentation provided.

Council Member Butler commented on the enjoyment of the outdoor seating downtown and hopes that will continue.

Council Member Owen commented on Mr. Coleman’s leadership and stated it’s the most momentum he’s seen in the downtown area than he can recall.

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

APPROVAL OF MINUTES:

- June 16, 2020 City Council Meeting
- July 6, 2020 Work Session
- July 7, 2020 City Council Meeting
- July 21, 2020 City Council Meeting

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

ADDITION:

- **Consent Agenda - Item G:** Budget Amendment 2021-5 - Old Burlington Solid Waste Landfill Project to increase Task 2A for Phase 1

Upon a motion by Mayor Pro Tem Hykes, seconded by Council Member Butler, it was resolved unanimously to approve the addition of Item G.

ADOPTION OF AGENDA

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

CONSENT AGENDA:

- A.** To adopt an Ordinance approving the following Traffic Commission recommendations:
- 1) Install a Hi-Vis crosswalk and associated pedestrian crossing signage on West Davis Street on the southeast approach at the intersection of West Davis Street and Tarleton Avenue.
 - 2) Install No Parking Any Time signs along the south side of Cleveland Avenue from Belmont Street to the terminus of Cleveland Avenue.
 - 3) Reduce the speed limit from 35mph to 25mph on Hallie Long Lane from Christopher Drive to the terminus of Hallie Long Lane
 - 4) Install stop signs on the Washington Street approaches at the intersection of Washington Street and South St. John Street to convert this intersection to an All-Way Stop.
 - 5) Install stop signs at 38 unsigned and unsignalized intersections currently operating under two-way stop conditions with no stop sign in the field.

Ordinance #20-18

AMENDMENT TO THE CITY OF BURLINGTON TRAFFIC ORDINANCE

BE IT ORDAINED by the City Council of the City of Burlington:

- 1) Request to install Hi-Vis crosswalk and pedestrian crossing signage at the intersection of West Davis Street and Tarleton Avenue:
 - a) On West Davis Street on the southeast approach at this intersection
- 2) That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.
- 3) That this ordinance shall take effect upon passage.

Adopted this 15th day of September 2020.

Ordinance #20-19

AMENDMENT TO THE CITY OF BURLINGTON TRAFFIC ORDINANCE

BE IT ORDAINED by the City Council of the City of Burlington:

- 1) Request to establish No Parking zone at the following locations:
 - a) On the south side of Cleveland Avenue from Belmont Street to the terminus of Cleveland Avenue
- 2) That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.
- 3) That this ordinance shall take effect upon passage.

Adopted this 15th day of September 2020.

Ordinance #20-20

AMENDMENT TO THE CITY OF BURLINGTON TRAFFIC ORDINANCE

BE IT ORDAINED by the City Council of the City of Burlington:

- 1) Request to speed limit reduction and installation of 25-mph posted speed limit signs on Hallie Long Lane
 - a. On Hallie Long Lane from Christopher Drive to the terminus of Hallie Long Lane
- 2) That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.
- 3) That this ordinance shall take effect upon passage.

Adopted this 15th day of September 2020.

Ordinance #20-21

AMENDMENT TO THE CITY OF BURLINGTON TRAFFIC ORDINANCE

BE IT ORDAINED by the City Council of the City of Burlington:

- 1) Request to install stop signs at the intersection of Washington Street and South St. John Street to convert this intersection to an All-Way Stop.
 - a. On Washington Street approaches at the intersection of Washington Street and South St. John Street
- 2) That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance hereby repealed.
- 3) That this ordinance shall take effect upon passage.

Adopted this 15th day of September 2020.

Ordinance #20-22

AMENDMENT TO THE CITY OF BURLINGTON TRAFFIC ORDINANCE

BE IT ORDAINED by the City Council of the City of Burlington:

- 1) Request to install Stop Signs at unsignalized intersections currently operating under two-way stop conditions with no stop sign in the field.

- a. On Ada Street at Hamilton Street
 - b. On Adams Street at Robertson Street
 - c. On Allendale Drive at Avon Street
 - d. On Allendale Drive at Vanderford Street
 - e. On Askew Street at Willowbrook Drive
 - f. On Ava Street at Willowbrook Drive
 - g. On Bellvue Street at Maryland Avenue
 - h. On Burlingame Place at Granville Street
 - i. On Cedar Avenue at Columbia Avenue
 - j. On Columbia Avenue at Bowman Avenue
 - k. On Gattis Street at Texas Avenue
 - l. On Georgia Avenue at Rainey Street
 - m. On Georgia Avenue at Stonewall Street
 - n. On Georgia Avenue at Oklahoma Avenue
 - o. On Gorrell Street at Willowbrook Drive
 - p. On Gorrell Street at Atwater Street
 - q. On Greenbriar Street at Scott Street
 - r. On Greenbriar Street at Fairfield Street
 - s. On Hedge Street at Cross Street
 - t. On Isley Avenue at Whitsett Street
 - u. On Joseph Street at Bradley Street
 - v. On Market Street at N. Main Street
 - w. On Market Street at Spring Street
 - x. On Parker Street at North Avenue
 - y. On Ponco Street at Bowman Avenue
 - z. On Robertson Street at Logan Street
 - aa. On Shoffner Street at Thompson Street
 - bb. On Trade Street at N. Main Street
 - cc. On Trade Street at Spring Street
 - dd. On Willow Avenue at Bowman Avenue
 - ee. On Willow Avenue at Cedar Avenue
 - ff. On Aarons Way (North Leg) at Hallie Long Lane
 - gg. On Aarons Way (South Leg) at Hallie Long Lane
 - hh. On Taylors Court at Hallie Long Lane
 - ii. On Woodsman Drive at Hallie Long Lane
 - jj. On Catskill Court at Woodsman Drive
 - kk. On Balsam Drive at Woodsman Drive
 - ll. On Balsam Drive at Aarons Way
- 2) That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.
- 3) That this ordinance shall take effect upon passage.

Adopted this 15th day of September 2020.

- B.** To accept the bids for 2020-013 Greeson Road Waterline Replacement and award a contract to Ralph Hodge Construction Co., Inc, contingent upon meeting insurance, bonding and legal requirements.

- C. To adopt a proposed Ordinance revision to Article VI; Personnel System; Chapter 2, Division 6.- Leave Program: Section 2-261 – Basic Calculations of Sick and Vacation Leave to be effective January 9, 2021.

Ordinance #20-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURLINGTON AMENDING
CITY CODE CHAPTER 2 (ADMINISTRATION),
ARTICLE VI. PERSONNEL SYSTEM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON that the following amendments be made to Chapter 2 Administration, Article IV Personnel System, Division 6. Leave Program, of the City Code of Ordinances as follows:

Section 1: That Chapter 2 Administration, Article VI. Personnel System, Division 6. Leave Program, Section 2-261 of the Code entitled “Basic calculations of sick and vacation leave” is hereby amended to read as follows:

“Fire fighters with a basic work week of fifty-three (53) hours a week will accrue sick leave at the rate of 5.54 hours per pay period.”

Section 2: That all ordinances or parts of ordinances inconsistent herewith are repealed.

Section 5: That this ordinance shall be effective January 9, 2021.

Adopted September 15, 2020.

- D. To approve a proposed letter of support to Dr. Kevin Cherry of the State Historic Preservation Office for the Dentzel Menagerie Carousel’s retention on the National Register of Historic Places through and after its relocation to the new Carousel House in City Park’s Amusement Area and authorize the Mayor to complete the Chief Elected Official recommendation for the property to be submitted for listing in the Register.
- E. To approve the 2020 Fee Schedule proposed changes for Burlington Athletic Stadium rental fees.
- F. To approve Budget Amendment 2021-6 – CARES Act Grant Project Ordinance to establish a revenue fund for CARES Act monies that has been allocated to the City of Burlington by Alamance County for the FY 2020-21 budget.

Budget Amendment 2021-6

**CARES ACT (CORONAVIRUS RELIEF FUND) GRANT
GRANT PROJECT ORDINANCE
BA2021-6**

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. The project authorized is the CARES Act (Coronavirus Relief Fund) Grant Project Ordinance. The grant will be used for covering necessary expenditures due to the public health emergency with respect to the Coronavirus Disease 2019 that are incurred between March 27, 2020 and December 30, 2020, including but not limited to acquisition and distribution of medical supplies, disinfection of public areas, expenses for mitigating Covid-19 threats to the public health and safety, and expenses for quarantining individuals.

Sec. 2. The officials of the City of Burlington are hereby directed to proceed with this project within the terms stated in the Grant contract.

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

53204000-30124	State Grant	\$ 845,455
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Sec. 4. The following amounts are appropriated for the project:

53240000-40200	Personnel Services	\$550,286
53240000-40500	FICA Taxes	42,097
53240000-40700	Retirement	67,702
53240000-40800	401K	27,514
53240000-43300	Supplies-(cleaning, PPE, etc.)	99,046
53240000-43390	Capital items not capitalized	11,860
53240000-47300	Capital- other improvements	46,950

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.

G. To approve Budget Amendment 2021-5 to increase Task 2A for Phase 1 of the Remediation Plan for the Old City of Burlington Solid Waste Landfill Project.

Budget Amendment 2021-5

**Capital Project Ordinance
BA2021-5
(Originally established with BA2020-9)**

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. In November 2018, the City solicited RFQ's for qualifications to provide site assessment services at the City's old Solid Waste Landfill. Under G.S. 130A-310.6 (f), the City will be eligible for reimbursement for costs of the voluntary assessment for pre-1983 landfills. To be eligible for reimbursement, plans must be reviewed and approved by the NCDEQ, Division of Waste Management, Inactive Hazardous Sites Branch (ISHB), Pre-Regulatory Landfill Unit. This

amendment is necessary in-order to perform the remedial investigation of the old City of Burlington Solid Waste Landfill. **Amendment 1: budget for additional task in Phase 1 in order to perform the remedial investigation of the Old City of Burlington Solid Waste Landfill.**

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:

53004000 30124	Miscellaneous State Grants	\$ 59,154
53004000 30124	Miscellaneous State Grants	\$ 5,120

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

53041000 41900	Professional Services	\$ 59,154
53041000 41900	Professional Services	\$ 5,120

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 Ward, seconded by Mayor Pro Tem Hykes, it was resolved unanimously to approve the foregoing consent agenda.

PUBLIC HEARINGS:

Item 1 – Resolution Lease and Use Agreement City of Burlington and Burlington Baseball Club, Inc.

Mayor Baltutis announced a public hearing has been set to consider adopting a Resolution authorizing a Lease and Use Agreement between the City of Burlington and Burlington Baseball Club, Inc.

Assistant City Manager Rachel Kelly presented the Lease and Use Agreement expiring at the conclusion of 2020. She reported the City contracted with Burlington Baseball Club, Inc., to provide Appalachian League baseball at the Burlington Athletic Stadium since 1986 with a new lease that has been negotiated with new ownership of the Baseball Club for Council consideration. She introduced Ryan Keur, President and current owner of the Burlington Baseball Club, Inc., in attendance. She reported the lease was advertised as required and is recommended for approval by City staff.

Ryan Keur shared excitement for future plans, expressed appreciation for the City of Burlington and the support of the city’s leadership throughout this process with what he believes will be a favorable outcome for Burlington baseball in the near future. He described the Burlington Athletic Stadium as a community gathering place that he plans to continue supporting and expressed appreciation for improvements to the stadium that will provide for a place to gather for many more years to come.

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

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

Upon a motion by Council Member Owen, seconded by Council Member Butler, it was resolved unanimously to adopt the following Resolution:

Resolution # 20-12

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, PURSUANT TO NCGS 160A-272, AUTHORIZING THE LEASE OF SURPLUS REAL PROPERTY TO BURLINGTON BASEBALL CLUB, INC.

WHEREAS, the City of Burlington hereinafter, "City" has declared certain real property surplus, said property being more particularly identified as Burlington Athletic Stadium; and

WHEREAS, having determined that said property will not be needed by the City for City use during the term of said Lease, under the proposed uses and conditions set forth in the Lease and Use Agreement, the City Council of the City of Burlington desires to lease said property; and

WHEREAS, the City Council of the City of Burlington, North Carolina, pursuant to NCGS 160A-272, desires to lease said surplus real property to Burlington Baseball Club, Inc., for a period of four years and three months with said lease term commencing on October 1, 2020, at the rental fee of \$4,000 (reduced due to 2020 season cancellation) for year 2020, \$25,000 for year 2021, \$25,750 for year 2022, \$26,522 for year 2023, and \$27,317 for year 2024. Additionally, Burlington Baseball, Inc. will pay \$20,500 annually to partially defray capital costs for stadium upkeep and improvements and for staffing for field preparation and management (\$10,000 in year 2020 recognizing the cancellation of the 2020 Minor League Season); and

WHEREAS, thirty days' notice has been given in accordance with NCGS 160A-272 stating the City of Burlington's intent to execute a Lease and Use Agreement for said surplus real property; and

WHEREAS, the corporate entity Burlington Baseball Club, Inc. first brought Appalachian League Baseball to Burlington in 1986 and has maintained an operation affiliation with major League Baseball, all the while leasing the Burlington Athletic Stadium from the City; and

WHEREAS, control of Burlington Baseball Club, Inc. has been transferred to new ownership Ryan Keur as President of the corporate entity;

WHEREAS, this Lease and Use Agreement was authorized by the City Council at its meeting held on September 15, 2020

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURLINGTON does hereby resolve that said surplus real property shall be leased to Burlington Baseball Club, Inc., in accordance with NCGS 160A-272, and in consideration, therefore, the City of Burlington shall lease said surplus real property to Burlington Baseball Club, Inc., for a period of four years and three months, with said lease term commencing on October 1, 2020;

AND IT IS FURTHER RESOLVED that the Mayor is hereby authorized to execute said Lease on behalf of the City of Burlington.

Adopted this 15th day of September 2020.

Item 2 – Annexation Ordinance – Hanford Road :

Mayor Baltutis announced a public hearing has been set to consider adopting an Annexation Ordinance to extend the corporate limits of the City of Burlington for 0 and 1450 Hanford Road contiguous voluntary annexation requests, effective 11:59pm, September 15, 2020.

Principal Planner, Long-Range Planning, David Beal presented an application received for a voluntary annexation of two parcels located at 0 and 1450 Hanford Road. He reported this request was presented at the August 17, 2020, Work Session and a valid petition has been received and certified. He reported a Resolution setting a date of public hearing was adopted by City Council at its August 18, 2020, City Council Meeting and was properly advertised on August 26, 2020.

Mr. Beal provided an overview of the request and reported this voluntary contiguous annexation request does not require the City to provide additional extensions of utilities unless it is a distressed area, which is not the case here. He announced Lee Bryant representing the owners of the property is present to respond to any questions. He stated City staff recommends approval of the annexation request.

The public hearing was held. There were no public comments received or questions for the owners.

Upon a motion by Council Member Owen, seconded by Mayor Pro Tem Hykes, 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 adopt the following Annexation Ordinance:

Ordinance # 20-24

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF BURLINGTON, NORTH CAROLINA**

WHEREAS, the City Council has been permitted under G.S. 160A-31 to annex the area described below; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the City of Burlington Municipal Building at 7:00pm on September 15, 2020, after due notice by the publication on August 26, 2020 ; and

WHEREAS, the City Council finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31 the following described territory is hereby annexed and made part of the City of Burlington as of September 15, 2020 at 11:59pm.

0 and 1450 Hanford Road Contiguous Voluntary Annexation

Lying and being in Graham Township, Alamance County, North Carolina, known as parcel IDs 131187 and 131297, and more particularly described as follows:

Beginning At An EIP;

Thence S 01°59'36" W A Distance Of 130.31';
Thence S 04°04'16" E A Distance Of 161.67';
Thence S 04°04'16" E A Distance Of 150.11';
Thence S 18°45'44" W A Distance Of 450.33';
Thence S 18°51'07" W A Distance Of 170.21';
Thence S 63°50'50" E A Distance Of 125.03';
Thence S 63°50'50" E A Distance Of 140.62';
Thence S 02°46'20" W A Distance Of 109.27';
Thence S 36°57'10" E A Distance Of 110.43';
Thence S 45°20'50" W A Distance Of 71.93';
Thence S 32°24'31" W A Distance Of 115.34';
Thence S 27°56'45" W A Distance Of 185.96';
Thence S 39°23'03" W A Distance Of 71.66';
Thence S 44°53'02" W A Distance Of 233.01';
Thence N 60°30'42" W A Distance Of 50.06';
Thence N 31°17'15" W A Distance Of 161.48';
Thence N 45°25'57" W A Distance Of 222.88';
Thence N 31°11'42" W A Distance Of 114.30';
Thence N 12°43'03" W A Distance Of 119.33';
Thence N 42°24'21" W A Distance Of 101.78';
Thence N 36°34'41" W A Distance Of 129.84';
Thence N 18°02'17" W A Distance Of 330.97';
Thence S 56°48'24" W A Distance Of 229.40';
Thence S 52°37'00" W A Distance Of 1083.48';
Thence N 44°00'18" W A Distance Of 667.56';
Thence N 32°01'21" E A Distance Of 1248.89';
Thence N 32°25'15" E A Distance Of 30.15';
Thence N 32°25'15" E A Distance Of 344.05';
Thence N 32°34'19" E A Distance Of 1175.88';
Thence N 32°33'10" E A Distance Of 29.76';
Thence S 37°07'02" E A Distance Of 299.23';
Thence With A Curve Turning To The Right With An Arc Length Of 399.66', With A Radius Of 3973.04', With A Chord Bearing Of S 34°13'10" E, With A Chord Length Of 399.49';
Thence S 30°44'54" E A Distance Of 195.44';
Thence N 57°07'02" E A Distance Of 30.03';
Thence N 57°07'02" E A Distance Of 57.86';
Thence S 43°26'21" E A Distance Of 575.15';
Thence S 43°26'21" E A Distance Of 10.00';
Thence S 27°00'03" W A Distance Of 140.15';
Which Is The Point Of Beginning,
Having An Area Of 4010376.62 Square Feet, 92.07 Acres

Section 2. Upon and after September 15, 2020 at 11:59pm, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Burlington and shall be entitled to the same privileges and benefits as other parts of the City of Burlington. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Burlington shall cause to be recorded in the office of the Register of Deeds of Alamance County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 15th day of September 2020.

Item 3 – Rezoning – 2307 Eric Lane:

Mayor Baltutis announced a public hearing has been set to consider an application to rezone from Light Industrial (LI) District to General Business (GB) District. The property is located at 2307 Eric Lane, referenced as Alamance County tax identification number 120491.

Director of Planning and Transportation Mike Nunn presented the application and provided an overview of the property location on Eric Lane near I-85 Plaza off interstate I-40. He reported the request is a traditional rezoning with no conditions or development standards. He reported the property is contiguous with existing General Business (GB) District properties and is located within a commercially developed area which makes it consistent with the Comprehensive Plan and compatible with the uses in the surrounding area. He reported City staff and Planning and Zoning Commission recommend approval. He announced the property owner, Mr. John Burton is present to respond to any questions.

Mr. Burton commented on the rezoning request and asked City Council to consider approving this request for General Business to allow them to proceed with the property purchase for a potential business.

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

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

Council Member Owen made a motion to adopt the following Ordinance. He stated this request is consistent with the Comprehensive Plan and moves to approve this request to rezone from Light Industrial

(LI) District to General Business (GB) District. The property is located at 2307 Eric Lane, referenced as Alamance County tax identification number 120491.

Council Member Owen stated 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 be Regional Commercial with commercial uses and the request is compatible with the adjacent General Business (GB) District. He stated this action is reasonable and in the public interest in that the Comprehensive Plan calls this area to be Regional Commercial with commercial uses.

Mayor Pro Tem Hykes seconded the motion, it was resolved unanimously to approve the adoption of the following Ordinance:

Ordinance #20-25

**ORDINANCE TO AMEND OFFICIAL ZONING MAP
(Rezone property located at 2307 Eric Lane)**

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 Light Industrial (LI) District to General Business (GB) District. The property is located at 2307 Eric Lane, referenced as Alamance County tax identification number 120491.

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 September 2020.

PUBLIC COMMENT PERIOD

- Molly Whitlatch, 912 W. Davis Street, Burlington spoke in favor of chickens within Burlington City limits.

There were six public comments received via email. The names, address and topic of each were read into the meeting by Interim City Clerk, Beverly Smith.

- Peter Ustach, 2324 Pepperidge Avenue, Burlington, emailed in favor of allowing chickens in the city limits of Burlington.
- Amanda Ustach, 2324 Pepperidge Avenue, Burlington, emailed in favor of allowing chickens in the city limits of Burlington.
- Jane Elder, Burlington, emailed in favor of allowing chickens in the city limits of Burlington.
- Leanna Giles, 1915 Sunnybrook Drive, Burlington, emailed in opposition of allowing chickens in the city limits of Burlington.
- Debbie Johnson, 1806 Edgewood Avenue, Burlington, email in favor of allowing chickens in the city limits of Burlington.

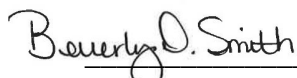
CITY COUNCIL COMMENTS

Mayor Baltutis announced the following:

- Community Police Advisory Team proposal was provided by City staff during the September 14, 2020, Work Session and he urged community feedback which can be submitted online. He stated the proposal is published on the City's website for review.
- Back-yard Chicken Survey has been published on the City of Burlington website and via social media and he urged residents to complete the survey to provide community feedback.
- Ribbon cutting will be held for the opening of the North Park Pool on Wednesday, September 16, 2020, and will be live streamed at 6:30pm on Facebook social media.
- Alamance Pride will host a modified event on October 3, 2020.
- City Gate Dream Center is providing a tutoring program and in need of volunteers. Reach out to City Gate Dream Center to participate.

ADJOURN

Upon a motion by Council Member Owen, seconded by Council Member Butler, it was resolved unanimously to adjourn at 8:28pm.



Beverly D. Smith, NCCMC
Interim City Clerk

