



Minutes of the Burlington City Council Meeting Virtual Meeting 7:00pm – Tuesday, November 17, 2020

The City Council of the City of Burlington held a regularly scheduled meeting remotely beginning at 7:00pm on November 17, 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: Mayor Pro Tem Kathy Hykes

The invocation was offered by Mayor Pro Tem Hykes.

PRESENTATION: Minetree Pyne Historic Preservation Awards

Conrad Olmedo introduced Lori Bryan, Chair of the Historic Preservation Commission, and Molly Whitlatch, Vice-Chair of the Historic Preservation Commission in attendance to present the 2020 Minetree Pyne Preservation Awards.

Lori Bryan provided a brief history of the preservation award.

Molly Whitlatch recognized the following recipients and presented before and after photos of the successful renovations completed at each of these projects.

Mr. and Mrs. Josh Grant of 911 West Davis Street

The Grants were in attendance and expressed appreciation for the award. They reported the renovations took place over a two-and-a-half-year time frame.

May Hosiery Lofts of 144 4th Street

Representatives from Clachan Properties were in attendance and expressed appreciation for the award. They reported this project resulted in a successful project and how well it's been received with 100% leased properties at this time.

Burlington Beer Works of 103 East Front Street

Tracy Schmidt representing the Burlington Beer Works was in attendance and expressed appreciation for the award and support from the community to see this project come to fruition.

PROCLAMATION: Small Business Saturday – November 28, 2020

Downtown Manager Sara Beth Hardy congratulated the Minetree Pyne Award recipients. She shared Small Business Saturday will be held on Saturday, November 28, 2020, in the downtown Burlington area. She provided an overview of events planned in an effort to support local businesses in our community.

The Proclamation was issued by Mayor Baltutis and City Council Members.

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

ADOPTION OF AGENDA

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

CONSENT AGENDA:

- A. To adopt an Ordinance amending City Code of Ordinance, Chapter 12, Fire Protection and Prevention, Article II; Fire Prevention Code, addition Section 12-25 and authorize the City Manager to execute an agreement with Fire Recovery, USA, LLC, for the management of billing and collection associated with the fire inspection fees contingent upon contract approval of City Attorney.

Ordinance #20-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURLINGTON AMENDING CITY
CODE CHAPTER 12 (FIRE PROTECTION AND PREVENTION),
ARTICLE II. FIRE PREVENTION CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON that the following amendments be made to Chapter 12 Fire Protection and Prevention, Article II. Fire Prevention Code by adding Sec. 12-25. Fire Inspection Fees, of the City Code of Ordinances as follows:

Section 1: That Chapter 12 Fire Protection and Prevention, Article II. Fire Prevention Code be amended by adding Section 12-25. Fire Inspection Fees to read as follows:

- a) *Inspection Fee.* The Fire Marshal or designee shall charge an inspection fee for each fire code compliance inspection except for local and state government buildings. It shall be the duty of every person maintaining or operating the business or premise to pay the inspection fee.
- b) *Administration and Collection of Inspection Fees.* The administration, issuance, and collection of fire inspection fees may be managed by the City, or under contract with a third-party. Administrative fees may be added to those fees established in Sec. 12-25 (c) and shall be considered part of the inspection fee and collected in the same manner.
- c) *Establishment of Inspection Fees.* Inspection fees shall be based on the following tiered schedule based on the square footage of the building or space inspected:

Tier	Square Footage Inspected	Inspection Fee	Admin Fee	Total Inspection Cost
Tier 1	0 – 2,499	\$50	\$19	\$69
Tier 2	2,500 – 4,999	\$100	\$19	\$119
Tier 3	5,000, - 7,499	\$125	\$19	\$144
Tier 4	7,500 – 9,999	\$150	\$19	\$169
Tier 5	10,000 – 49,999	\$200	\$19	\$219
Tier 6	50,000 – 99,999	\$250	\$19	\$269
Tier 7	100,000 +	\$300	\$19	\$319

d) *Establishment of Re-Inspection Fees.* Re-inspection fees shall be established and collected in the same manner using the following schedule. These fees will be issued upon re-inspection of violations identified on the initial inspection.

Re-Inspection	Re-Inspection Fee	Admin Fee	Total Re-Inspection Cost
First Re-Inspection	\$50	\$19	\$69
Second Re-Inspection	\$100	\$19	\$119
Third and Subsequent Re-Inspections	\$150	\$19	\$169

Section 2: It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the Code of the City of Burlington, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention, as necessary.

Section 3: That all ordinances or parts of ordinances inconsistent herewith are repealed.

Section 4: That this ordinance shall be effective upon adoption.

Adopted this 17th day of November 2020.

- B.** To approve an Interlocal Agreement between the City of Burlington and Alamance County for the use of the Paramount Theater for the purpose of conducting court.

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

UNFINISHED BUSINESS:

ITEM 1 – Community Police Advisory Team

Mayor Baltutis announced City Council will receive public comments and consider adopting a proposal for the creation of a Community Police Advisory Team (CPAT). (*Continued from the November 3, 2020, City Council Meeting.*)

City Manager Watkins provided background of the development of the proposal being considered by City Council. He summarized the timeline which started in July 2020 when City Council asked for an update on this topic.

Manager Watkins explained a draft proposal (dated 9.4.20) from the City Manager and Police Chief was initially presented at the September 14, 2020 Council Work Session. He reported draft proposals were presented to City Council on October 6, 2020, and discussed at the November 2, 2020, Work Session with possible consideration at the November 3, 2020, City Council Meeting which was continued to the November 17, 2020, City Council Meeting for consideration. He reported after multiple conversations with community members and meaningful revisions to the initial draft, a proposed version (dated 11.12.20) is presented for additional formal public comment, Council discussion, and possible action on the most recent update. He stated should Council act tonight, during the months of November, December and January, the formal application process would begin, and appointment of members could be completed around January 19, 2021 for City Council formal consideration. He reported following appointments, City staff would poll members for best options of meeting time, date, location to establish and communicated a selected date and develop and agenda with their first meeting convening in February 2021.

Manager Watkins shared highlights of final revisions made to the current (11.13.20 version) proposed for City Council consideration.

Mayor Baltutis opened the meeting for public comments.

Interim City Clerk Beverly Smith read in the following comments:

Alamance Agents for Change submitted a public comment via email on November 17, 2020 and indicated they would have attendees at the virtual meeting though could not guarantee who exactly would be speaking on the topic and asked that it be submitted in reference to the CPAT. The email was provided to the City Council, City Manager, and the Police Chief.

Susie Stogner, 4272 Boyd Wright Road, Burlington, spoke on her affiliation with Alamance Agents for Change, her participation in recent events in Graham with the Mayor, and provided the following written comments in the Q&A chat via Zoom.

Dear City Council,

I have been a Burlington resident my whole life and writing you tonight in regard to the CPAT document. I am writing tonight to voice what I believe to be strengths and weaknesses in this document.

Strengths:

It opens a door for a form of meaningful engagement in community where previously there had been little to none, and quite oppositely, one where use of power has been rampant. It begins a possible process for trust-building around community policing during a time in our country and county when that is so desperately needed. It has the ability to adopt to changes in our climate and community needs, should the power be given.

Weaknesses:

It does not fully address why we are in need of this in the first place, which is the historic degradation and oppression of black, brown and indigenous people in our community. It does not apologize for those mistakes made, and ones that live in full waking memories of so many people of color in our community

It does not allow the Community Police Advisory Team to, in addition to building this relationship and trust, hold the police fully accountable for their actions when mistakes happen, thus continuing a cycle of power over vulnerable populations. It does not ensure and fortify a pathway for racial equity education and training for all involved (including City officials) so that everyone is speaking the same language. It does not give me confidence that you understand how racial equity and root cause of disparity is a part of all policy-making efforts you are involved in, because if that was the case, this document would read much differently and include more language around that so that acknowledgement and trust can make a turn. I think you have a good start, but it will be up to you all and the Team that is chosen, along with your willingness to dig deeper in the understanding of racial equity to be able to make this a more meaningful means of engagement: and trust-building for generations of people in our community who have been targeted, stopped, abused, criminalized, and silenced it's going to take a lot more than this to build those bridges back and I would encourage you to consider other ways you can use your power to allow more voices to be heard here.

The following public comment was submitted by Michael Graves Burlington, NC via email on November 18, 2020. He notified the City of Burlington he experienced technical difficulties during the virtual meeting, and Mr. Graves asked that his email and comments be included in the record.

On Nov 18, 2020, at 11:26 AM, Michael Graves (email)

Hardin and Council,

Last night doing the meeting I tried to hit the raise hand button during the zoom call but it would not interact and because I was in my car traveling, I had no way of calling the IT person for the city to let them know that I had issues. However, I would large my concern with you here today and hope it could be placed in the record.

The advisory board has expanded to be a whole lot more than I think it needed to be but leaving out one of the key things that it in my opinion must have.

The Committee should not be a social experiment, we should not be concerned about the diversity of the police department and how to fix that, that is what we pay the chief for. There may be reasons why a department may not look like the city of Burlington. Although we want it to look like city, it may be legitimate reasons that it cannot. If you survey any reasonable person, they really have an officer that does not look like them that is competent in fair then one that looks like them that is in competent and unethical. If we feel as citizens that the department doesn't look like the city intentionally that is another story and that would need to be corrected but the way we would need to correct that it's still not in the prevue of the committee.

The way to correct it is to the council when we had a problem of minority officers, we introduced this to then Mayor Wall during one of our forums Mayor Wall and the council instructed Manager Owens to address this which he did. That happened the night of the forum with a phone call to me from the Mayor immediately after the forum ended.

The point is the mayor was responsive to the concerns of the citizens. He was a mayor that was fair and told me that the council members that he served with, Jim you and others, were also and unaware of those

issues as well as he said he did not believe the city manager at the time was aware of those issues, Harold. therefore, being a fair person, he knew that was not acceptable but he also knew that if he wanted to run for office again that had to be corrected.

If council is not made aware of the concerns of the citizens how can you correct them and how can you be responsible to the citizens who have these concerns if you don't know about them.

There needs to be a report given after the meeting to the council so the council can be aware of any issues the committee has addressed to the chief of police and the city manager. Some of the concerns that I have wrote in my emails would be addressed, I suppose, in this committee but some of those issues when I have talked to you council members, you had no idea about the concerns of the citizens and you still would not have an idea if I had not addressed them with you.

I want to be able to address to the people that is responsible to me and responsible to the citizens. At the end of the day I cannot, or any citizen cannot hire or fire the chief or the city manager if there are things that they are doing that are not professional or not constitutional or morally and ethically wrong. But when I go to the ballot box I can make my concerns heard as I galvanize the community to let them know the issues. And if I addressed them with the council but the council did nothing about it there is where my change can come. With our vote we can demand change come in departments that we don't have any control over.

When I first talked to the chief, this committee was supposed to be very simple, provide transparency and confidence for the citizens of Burlington. It has come a social experiment in some ways as well as a place where professional licensing organizations as I call them the alphabet of professionalism, go to reside. All the licensing agencies of the world and all the certifications of this profession of law-enforcement, does not go toward anyway in helping the issues that the average citizen is concerned about.

Unprofessional or uninformed officers that fall on the deaf ears of administration. Drugs in the community, calls that go on unanswered and the inability to even step out and sit on their front porch, that's what citizens are concerned about not the alphabet of professionalism which even some officers have no idea what it stands for not the citizens that it's supposed to benefit.

Now saying all that, I support this committee simply because I was the one who suggested to the chief not only when he first came here but after the George Floyd incident that we should have a committee. I support this committee and I support Hardin's efforts to get it to this point. I understand why he reached out to the community to have their input however at some point leaders have to lead and make hard decisions regardless of what people want because you cannot give everything to everybody and too many hands in the soup spoils the soup.

If we have a chief of police that simply cheerlead the department but once concerns are brought to him or her they are not addressed you the council should know. And I do know that the city manager will be a part of this and those concerns can go directly to him however at this point in time we have a good manager. Hardin is a good city manager who is a fair person, but he can get things wrong as well not only that more importantly Hardin will not be the city manager forever. What happens when a manager gets in that office that does not support the communities concerns for fair law-enforcement and is not as fair as the current city manager, then we are back to where we started.

Regardless of all that to me if this board cannot report to the council it is impotent. The council needs to be aware of the issues because at the end of the day it is you that the people hire and therefore directly responsible to them.

The most important thing this board needs is the ability to be able to report to the people directly responsible to the citizens and that is you the council. It is my hope that that could be added I now this is a work in progress and I know it is not perfect although we strive for perfection and one way that we can get there is to make sure that this committee can make aware to the council their concerns and their conversations that come from these meetings.

Public Comment Period Closed:

Upon a motion by Council Member Ward, seconded by Mayor Pro Tem Hykes, the public comment period was closed.

Upon a motion by Council Member Butler, seconded by Council Member Owen, it was resolved unanimously to adopt the following Community Policing Advisory Team Formation and Charter (11/13/20 Version)

THE BURLINGTON POLICE DEPARTMENT
Community Police Advisory Team
Formation and Charter (11.13.20 version)



ARTICLE I.

Name

The group shall be called the Burlington Community Police Advisory Team (Burlington CPAT).

ARTICLE II.

Preamble

- The City of Burlington and the Burlington Police Department are committed to fairness, impartiality, and racial equity in all activities.
- The Community Police Advisory Team has been created as a body to recommend improvements to the policy and practice of the police department to the City Manager and Police Chief in an ongoing basis, along with the mission and goals outlined in the charter.
- The City of Burlington and the Burlington Police Department recognize that the police department has a high profile and impactful role in the lives of many people. Persons of color have shared and expressed concern about past experiences and treatment. The Burlington Police Department is committed to continuously improving performance and strives to better understand the needs of everyone in the community.
- The City of Burlington and the Burlington Police Department embrace community policing as a tested and visible method of engaging with residents and building trust.

ARTICLE III.

Mission

The Mission of the Community Police Advisory Team is to provide advice and recommendations to the City Manager and Police Chief to improve the quality of policing in Burlington in a cooperative effort between the community and the police by reviewing and recommending policy enhancements to better meet the needs of the community, provide and support a training curriculum that allows for police and community experiences to both be shared and understood with greater context, and analyzing existing public records all of which results in improved perception of procedural justice, and enhanced trust of the police.

ARTICLE IV.

Goals

The primary goal of the Community Police Advisory Team is to provide advice and counsel to the police department and City Manager as follows:

1. Provide a **venue for informed and engaged residents** of Burlington to address issues and concerns relating to public safety
2. **Recommend** actions that may be taken by the Police Department to address root causes of crime, improve quality of life, and reduce crime and the fear of crime in Burlington.
3. Review and provide **advice on agency wellness programs**, officer safety, benefits, and assist with periodic awards ceremonies or other opportunities to celebrate agency and employee successes.
4. Regularly review and provide **input on policy and procedure**.
5. Assist with **recruiting and retaining** a diverse and qualified workforce.
6. Provide input on **training development** and delivery, with an emphasis on community policing, de-escalation skills, fair and impartial policing practices, ethics, and communication skills.
7. Assist in **identifying industry best practices and evidence based practices** in policing with the intent to improve service delivery, crime fighting strategies and further improve police culture.
8. **Evaluate departmental annual reports generated for CALEA regarding use of force, pursuits, traffic stop reports, and other metrics** as deemed necessary to evaluate the performance and make recommendations on the agency's ability to build trust and provide public safety in an equitable manner.
9. Provide a venue for public engagement and public involvement related to the City's **CALEA certification efforts**. Maintaining the CALEA certification for the Burlington Police Department is a high priority of the City and CPAT can assist in this endeavor by providing feedback, input, and advice related to the required national standards.
10. **Educate and advocate with the public** including participation in interactive community and police related events such as on-going educational opportunities or town hall type meetings on wide ranging police, safety, justice, and/or racial equity topics, including responses to critical incidents.
11. Gain understanding of the City of Burlington and Burlington Police Department **budget process** and provide feedback to Police Department and City Manager on prospective areas of needs and resources that would be helpful to the community.

ARTICLE V.

Advisory Scope

The scope of authority for the CPAT is advisory only; no decision-making authority, formal or informal, resides with CPAT. Team members are charged to provide sound advice and counsel to the Police Chief and City Manager regarding topics set out in this charter. The enabling statutory authority for the establishment of this CPAT, an advisory board, is N.C.G.S. §160A-146 and N.C.G.S. §160A-4. In this advisory role, CPAT members will have access only to public information as set out in N.C.G.S. §132 and N.C.G.S. §160A-168. CPAT will not have investigatory and subpoena powers or authority and will not have access to: employee personnel records pursuant to N.C.G.S. §160A-168 including internal affairs inquiries and records of complaints filed against individual officers; criminal investigations records and intelligence information records pursuant to N.C.G.S. §132-1.4; and, law enforcement agency recordings pursuant to N.C.G.S. §132-1.4A.

ARTICLE VI.

Membership The Community Police Advisory Team will consist of 15-20 members formally approved by City Council. Members will be representative of the community and must reside in the City Limits of Burlington. Having previously been convicted of a misdemeanor or felony will not preclude membership on the CPAT. City Council will strive (flexibility may be needed) to identify and select members from the categories as follows:

- Alamance Burlington School System (ABSS)
- Alamance Community College
- The business community
- The youth community, perhaps drawn from ABSS leadership program, community youth leadership programs, or a separate Youth Leadership Police Advisory Board (if formed)
- The NAACP and/or other activist groups in the city
- The African American community
- The Hispanic/Latinx community
- The community of indigenous persons of North Carolina
- The LGBTQ community
- All Faith communities, including ministerial/clergy associations, the Muslim faith community, the Christian faith community, and all other faith communities in Burlington.
- The community of justice-involved persons
- The local chapter of the National Alliance on Mental Illness (NAMI)
- One line level police employee
- Several geographic based community members, striving to include at least one member from each of the City's four geographic police patrol zones

Interested community members will complete an application which may be submitted to the Community Engagement Division in the City of Burlington Municipal Building during business hours, at the police department in the Administration Office, or online. The selection process will follow the City's standard Boards & Commissions procedures, whereby all applications are forwarded directly to City Council for review and consideration.

Members are required or strongly encouraged to:

- complete two ride alongs per calendar year (unless doing so would cause emotional trauma),
- attend a Community Police Academy within two years of initial appointment, and
- participate in other group learning opportunities annually.

ARTICLE VII.

Term of Service

All terms of office shall be three (3) years. An individual appointed to complete the balance of a term caused by a vacancy will serve the balance of that term. Upon initiation of the group, individuals will be assigned 1, 2 and 3-year terms by City Council in equal numbers. Individuals interested in serving another term on the board must complete the City's Community Engagement Division application process.

Members may be removed for a pattern of unexcused absences, or disorderly behavior in meetings such as failing to follow the rules of procedure as developed by CPAT and enforced by the co-chairs.

Unexcused absences shall be actively addressed by the co-chairs to ensure that members are actively participating and equally engaged.

Team members shall attend all regularly scheduled CPAT meetings (unless formally excused by the Co-Chairs) and actively engage and participate in meetings. Excessive unexcused absences by any member will be grounds for replacement of the member. Arrangements will be made for virtual or remote meeting participation as needed.

ARTICLE VIII.

Meetings

The meetings will generally be scheduled monthly following a set schedule for regular business in order to meet the goals listed. Additional meetings may be called to provide advice and counsel or assist with community relations during critical incidents such as officer involved shootings or in-custody deaths.

The CPAT may host public forums with a variety of goals that may include building trust, understanding and acknowledging historical community issues, sharing best practices, and soliciting information.

Two members shall be selected by the Team as "Co-Chairs" and will assist Police Department administrative staff with agenda selection, timing, attendance, and other matters as deemed necessary by the group.

Subject Matter Experts will be invited to provide information or knowledge about police practices to further educate CPAT members about industry best practices.

The Police Department staff will review aggregate data for the prior six-month period for categories such as use of force, pursuits, traffic stops and complaints. January to June will be reviewed in August/September and July to December will be reviewed in February/March.

On a schedule to be determined by the Team, the Police Department will make additional presentations on the Department's Strategic Plan or other topics as requested.

The Community Police Advisory Team will draft rules of procedure for the group to follow. Any such document would be reviewed each year for any changes to protocols.

All meetings of the CPAT are subject to and shall comply with the North Carolina Open Meetings Law as set out in the North Carolina General Statutes, Article 33C, Meetings of Public Bodies, Sections 143-318.9 through 143-318.18.

ARTICLE IX.

Member's Role

Each member must strive to be engaged in the community in order to be aware of issues and receive information from the people of Burlington relating to public safety concerns.

Each member is encouraged to participate fully in all CPAT meetings by expressing their opinions freely and members shall follow the rules of conduct as determined by the group. Diversity of opinion is welcomed and encouraged. The Co-Chairs will work to facilitate and foster group cohesion and amiable working relationships. Recognizing there may be disagreement and healthy debate from time to time, the Co-Chairs will also strive to assist CPAT members to be able to express themselves in an organized, respectful, and amicable way.

Each member is encouraged to participate regularly in the ride along program and to attend the Community Police Academy and similar programs as well. Familiarity with police procedures, community policing practices, and specific neighborhood issues and concerns enhances the value of comments and participation on the Community Police Advisory Team.

ARTICLE X.

Chief's Role

The Chief of Police will work collaboratively with the Team Co-Chair members to prepare the agenda for meetings. The administrative staff of the police department will publish this information to the members in a timely manner.

The Chief of Police will maintain a membership with the National Association of Civilian Oversight for Law Enforcement (NACOLE). The Chief will share best practices from NACOLE with the CPAT and include those actions within the management of the CPAT as appropriate.

The Chief of Police will meet regularly with the City Manager to discuss and review the activities and topics of discussion of the CPAT.

ARTICLE XI.

City Manager Role

The City Charter establishes the Council-Manager form of government in Burlington. Accordingly, the City Manager supervises all of the City's department heads, including the Police Chief and as such is responsible for oversight of the Police Chief and the Police Department on behalf of the City Council and Mayor.

The City Manager's responsibility under the City Charter is to hear any complaints or concerns with the Police Department or Police Chief that cannot be resolved or handled by the Police Chief. For this reason,

the City Manager will stay actively engaged with the CPAT and report periodically (with the help of the Police Chief) to the City Council and Mayor on the initiatives, activities, and work of the group.

The City Manager will maintain a membership with the National Association of Civilian Oversight for Law Enforcement (NACOLE) on behalf of the City.

The City Manager will attend meetings of the CPAT at least once per quarter in order to stay abreast of the important issues of the group and to maintain awareness of the CPAT's activities and interests. Members of the CPAT are welcomed and encouraged to reach out to the City Manager at any time to express any concerns or topics of interest.

ARTICLE XII.

Interaction With Other Entities

Should there be a county-wide law enforcement advisory board in Alamance County, the appropriate number of members will be drawn from the Burlington CPAT as the designated members of the county advisory board. Those members will be the primary communication route between the two groups.

ARTICLE XIII.

Review

After formation, the CPAT Charter may be reviewed periodically (perhaps annually) to maintain a focus on improving the operations of the group. Any proposed Charter changes shall be presented to City Council at a City Council Work Session Meeting for discussion. If City Council is amenable to the suggested changes, they can be scheduled for public comment and consideration at a future City Council Meeting.

Last revised 11-13-2020 at 5:50 pm.

Adopted this 17th day of November 2020.

PUBLIC HEARING:

ITEM 2 – 2020-2021 Annual Action Plan, 2020-2024 Consolidated Plan, 2019-20 CAPER and Budget Amendment 2021-08

Mayor Baltutis announced a public hearing has been scheduled to receive public comments on the proposed amendment to the 2020-2021 Annual Action Plan and 2020-2024 Consolidated Plan for its Community Development Program and to consider approving Budget Amendment 2021-08 to be expended on Coronavirus related CDBG eligible activities.

Director of Planning and Transportation Mike Nunn provided an overview of the request to amend its 2020-2021 CDBG Annual Action Plan and reported the City has received additional funds in the amount of \$344,077 of CDBG-CV19 funds from HUD to be expended on coronavirus-related CDBG eligible activities.

Michael Blair, Piedmont Triad Regional Council was in attendance and provided an overview of the process in the allocation of the CV funds. He reported a Request for Proposals for CDBG-CV grant funds was released to non-profits in the public services category and the following organizations have applied as summarized:

*City of Burlington Community Development
CDBG-CV RFP Summary – November 2020*

PROPOSAL #1

Agency: CityGate Dream Center

Contact Person: Lisa Edwards

Project Address: 1423 N. Church St. Burlington, NC 27217

Proposed Activity:

1. Emergency assistance for COVID related economic hardship to provide rent/mortgage and utility assistance to members of the community. Funding request: \$25,000.00
2. Learning center staffing to assist students with virtual learning daily at the Dream Center. Funding request: \$18,900.00
Total Funding Request: \$43,900.00

PROPOSAL #2

Agency: Allied Churches of Alamance County, Inc.

Contact Person: Jai Baker, Executive Director

Project Address: 206 N. Fisher St. Burlington, NC 27217

Proposed Activity:

1. Rental Assistance and Community Outreach. Assisting those affected by the virus by supplementing their past due rent/mortgage payments as outlined by the CDBG-CV funding terms. Funding request: \$20,000.00
Total Funding Request: \$20,000.00

PROPOSAL #3

Agency: Women's Resource Center of Alamance County

Contact Person: Susan Watson

Project Address: 411-B West Fifth St. Burlington, NC 27215

Proposed Activity:

1. Due to unemployment rates, the Women's Resource Center of Alamance County has seen an increase in need. Additional CDBG-CV funding will allow for direct assistance of clients with past due rent and utility expenses, offsetting the threat of evictions and displacement of families from their homes.
Total Funding Request: \$15,000.00

Mr. Nunn reported \$86,000 would be provided for the Utility Payment Assistance Program and an additional \$86,000 to support the Economic Development Microenterprise Loans.

Council Member Butler inquired how the City reached out to the community to seek interest.

Mr. Nunn responded the City has a robust process which included providing the information to all eligible agencies, via email, special virtual session, media advertisement as usual, and the City extended the deadline an additional week to seek as much response as possible. He reported they anticipate additional interest with future funding as long as these funds are available.

Rebecca Ashby provided an overview of the Consolidated Annual Performance Evaluation Report (CAPER) as required by HUD and summarized the following expenditure of funds throughout the fiscal year from July 2019 through June 30, 2020:

Community Development Block Grant (CDBG) and HOME funds were used during the year for several projects meeting the requirements for use of those funds.

The City spent and/or allocated the following in 2019:

- Housing Rehabilitation- \$ 12,624.00
- Public Facilities- \$ 52,880.33
- Public Infrastructure- \$ 71,433.00
- Public Service- \$322,578.67
- Planning & Administration- \$ 93,210.00

Housing Rehabilitation: The total CDBG expenditures for housing projects include the costs for lead-based paint hazard inspections and temporary relocations. Of the total expenditures for housing, the City spent \$12, 624.00 of its CDBG loan fund proceeds for (1) one housing rehabilitation

Public Facilities: To date, the City has expended over \$29,147.00 to renovate Ralph Scott Lifeservices locations. The City will fund upgrades to the CityGate Dream Center, using \$23,733.33 of funds.

Public Infrastructure: The City completed the Clay Court/Clay Street Paving expending \$71,433.00. The City plans to complete the Haw River Greenway Pedestrian Lane, and Phase 2 of North Park Renovations.

Public Services: The City expended \$13,910.64 at the public library at the North Park Community Center. During the program year, the library circulated 5,682 materials for use in the library and the patrons' homes, a slight increase over the previous program year. For the program year, the door count at the branch library was 22,588 patrons, down from last year's count.

The City expended \$5,707.18 on Burlington Development Corporation's HOPE and STEPS programs providing Rapid Re-Housing.

The City also spent \$23,176.16 to assist with the City's only homeless shelter, Allied Churches, to operate their Empowerment Center. During program year 2019, Allied Churches provided overnight shelter to 2176 individuals, 21 families.

The City funded Residential Treatment Services \$23,676.24, and CityGate Dream Center \$23,733.33,

Administration: The City expended \$93,210.00 on Administration. The City used the money to fund the Community Development Technician position, as well as programmatic/planning needs.

Economic Development: The City allocated \$100,000 to a business façade program to help businesses in the Maple Avenue Corridor, an area located within an Opportunity Zone boundaries.

Mayor Baltutis opened the public hearing.

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 Mayor Pro Tem Hykes, seconded by Council Member Owen, it was resolved unanimously approve the proposed amendment to the 2020-2021 Annual Action Plan and 2020-2024 Consolidated Plan, adopt the 2019-2020 CAPER, and approve Budget Amendment 2021-08 for the Community Development Program.

Budget Amendment 2021-08

Increase Revenues

55404020-32033	19-20 CDBG-CV Allocation Income	\$344,077
----------------	---------------------------------	-----------

Increase Expenditures

55446020-46043	19-20 Public Services	\$258,077
55446020-46000	19-20 Microenterprise Loans	\$ 86,000

PUBLIC COMMENT PERIOD

Michael Graves, Burlington, NC submitted the following public comment via email. He notified the City of Burlington he experienced technical difficulties during the virtual meeting and asked that the following email be included in the record under Public Comments.

From: Michael Graves

Date: November 18, 2020 at 1:29:19 PM EST

I also like this put into the record since I was not able to participate via zoom last night.

The mayor has stood with his name tag on not only representing himself but also the city of Burlington with people who have demanded the defunding of the police department, which is totally contrary to CPAT which the council just adopted. They advance the ideas of anarchy and overthrowing of our government as well as basic lawlessness.

The group is planning to come back to do the same thing again to provoke law-enforcement into rehab in our downtown areas all while on the disguise of protesting injustice what is really promoting a individual for profit. Does the city condone this and Will they be responsible if anybody eventually gets hurt or killed it this lawlessness if it continues as the founder of the organization promised that it would.

This group and its founder has also set up a fund me page that has requested and collected funds for their continued activism in these areas, which the mayor stood beside the founder and spoke at that same event where this funds were requested funds.

My question is does the council stand by the collection of these funds and what those funds will be used for and are they going to be responsible for any miss use of those funds that could come from this organization.

This group of individuals try to advance socialism and a different form of government that we currently have in this republic as well as a direct attack on capitalism. I understand that a person can support any form of government that they desire or advance any philosophy that they desire while living in this country even if it's contrary to what this country stands for.

I do understand that the mayor on some of his pages advance witches and warlocks, which socialism is a better than that but not by too far, but I digress, but he has that right but it should not be associated with the citizens of Burlington he represents when he has a name tag on identifying him as mayor.

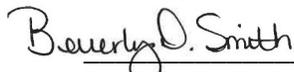
I request the mayor, while attending these events which he can do as an individual and represent his self, remove any name tag and do not identify himself as mayor unless he does a disclaimer to let the people know that he is speaking as an individual and the thoughts and statements that he is going to make represents him as an individual and his independent of Burlington and does not represent in any shape or form the thoughts of the citizens of Burlington.

CITY COUNCIL COMMENTS

Council Members encouraged everyone to have a safe and Happy Thanksgiving being mindful of modifying social gatherings as we are still facing the increase of COVID-19 cases in our community.

ADJOURN

Upon a motion by Mayor Pro Tem Hykes, seconded by Council Member Ward, it was resolved unanimously to adjourn at 8:05pm.



Beverly D. Smith, NCCMC
Interim City Clerk