



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

Council Members Present:

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

Council Members Absent: None

Staff Present:

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

Jessica Arias, Scott Bibler, Peter Bishop, Amy Cameron, Emily Crowley, Jonathan Dudley, Rachel Kelly, Nolan Kirkman, Todd Lambert, Morgan Lasater, Tony Laws, Joey Lea, Jay Mebane, Mike Nunn, Conrad Olmedo, Bob Patterson, Peggy Reece, Louisa Sholar, Jeff Smythe, John Vernon and Russell Williams.

Presenters Present: Michael Blair, Chad Meadows, Anderson Rathburn, and Veronica Revels

Media Present: Tomas Murawski, Alamance News

Anderson Rathburn, General Manager of the Burlington Sock Puppets, announced the brand reveal of the newly established team name and formally introduced the Burlington Sock Puppets.

A) Updates from Burlington Housing Authority (BHA)

Burlington Housing Authority, (BHA) Chief Executive Officer Veronica Revels briefed Council on the Burlington Housing Authority financial commitment to Tucker Street and Beaumont Avenue apartments and the Rental Assistance Demonstration (RAD program by HUD. She reported the BHA was approached to be the issuer of the bonds, with the approval of the BHA Board of Commissioners, they have pledged \$15,000 of the issuance fee to further this objective. She stated on behalf of the Board of Commissioners, staff and herself, she expressed appreciation to the City Council for the support of the BHA programs.

Ms. Revels provided a brief overview and update on the RAD Program and process. She explained how BHA will create a new nonprofit entity to become the owner of the public housing units, BDC Investment Communities, LLC, and reported on the process timeline. She reported BHA's goal is to start

construction as soon as they close on the financing, which should take 20 to 24 months to complete, with impacts to the community to sustain affordable housing for the next thirty years in the east side of Burlington, improving its curb appeal in updating the housing. She reported the hope is also to create job opportunities to the residents within public housing and surrounding cities. She commented on the collaboration with City of Burlington staff and hopes it will enlarge territory and group all three properties to get grant funding and reach youth. She stated they are excited about the project and breaking ground.

Mayor Pro Tem Hykes commented on studies conducted on this program and stated it says its mostly highly positive effects of the RAD Program with no complaints or feelings of being displaced.

Ms. Revels responded during construction there will be no resident displaced, current residents would be moved around their community to avoid having to go outside of public housing, hoping to keep them on site as much as possible. She reported there would be no costs to the residents, and they will be provided with temporary living arrangements during the construction phases.

Council Member Owen inquired on the timeline to complete these projects.

Ms. Revels responded the timeline includes closing on financing by end of August, application to the RAD Program, and hopefully completed for RHA financing. She reported the General Contractor is ready to go with a 20-24-month construction period ending around 2023.

Mayor Baltutis commented on transit connectivity to the Tucker Street apartments area and inquired about infrastructure improvements in those areas.

Ms. Revels responded there are some transit stops in their communities, but not had conversations on Tucker Street.

Mike Nunn stated the City has several stops at their locations and could look into additional transit stops and pedestrian paths improvements.

B) HOME Program/CDBG Affordable Housing Development

PTRC, Community Development Director Michael Blair provided an overview of HOME Program/CDBG funds. He reported the City released an RFP in November 2020 and explained how the funds may be used. He shared the goal is to assist developers during the fiscal year with financing for, Affordable Housing Development, Affordable Rental Housing Rehabilitation, and Affordable Homeowner New Construction. He reported the City received four applications by the due date on January 7, 2021. He stated all four will be recommended for funding through this program.

Mr. Blair provided brief highlights of the following recommended projects:

Forestdale Meadows - HOME

- New construction, affordable rental development. Will contain 80 apartment units, 100% of which will be targeted to area workforce families.
- 20 units at 40% AMHI will be Burlington HOME.
 - 52 units at 60%; 8 units at 80%
- 8 units (10%) are designed for mobility impaired and disabled tenants.

- Burlington HOME Program Request - \$638,000.00
- Staff recommends approval.

Willow Creek (BHA) - HOME

- Rehabilitation of affordable rental development. 50 apartment units, 100% of which are targeted to elderly and disabled residents.
- 50 units at under 50% AMHI will be Burlington HOME.
- Built in 1971 being tested for Lead Hazards.
- Most units will be redesigned for mobility impaired and disabled tenants. 3 units 100% accessible.
- Burlington HOME Program Request - \$495,000.00 (combined with 223f HUD loan to bring all units to code).
- Conditions – Complete RAD conversion; grantee Burlington Development Corp (501c3); request HUD approve 223f low interest loan.
- Staff recommends approval.

Apple Ridge Development – CDBG

- Infrastructure for affordable single-family ownership development. 12 units, 100% of which are available to households at under 80% of AMFI.
- Requesting for portion of public street construction.
- Plans under TRC review.
- Burlington HOME Program Request - \$150,000
- Staff recommends approval.

Alamance County Habitat - CDBG

- Infrastructure for affordable single-family ownership development. 10 units (nine 3BR, one 4BR), 100% of which are available to households at under 80% of AMFI.
- Requesting for portion of public street/sidewalk construction.
- Conditions – Site plans must be completed and vetted by staff before contracting 60 days.
- Burlington HOME Program Request - \$150,000
- Staff recommends approval.

Mayor Pro Tem Hykes inquired where the funds go should any of these projects not go through.

Mr. Blair responded the CDBG Program funds do have some requirements but not limited to a direct date of completion for the projects and the HOME Program funds is part of a consortium with a balance that's higher than it should be and they do want to get that money into the community and into construction as quickly as possible.

Council Member Butler asked for clarification on the CDBG funds and inquired if it comes from the City's allocation. He asked City Manager about the commitment for other projects and asked how that works on the balance sheet for various other projects for other non-profits with broader community projects. He stated this seems to be a little of a deviation from previous use of CDBG funds.

Council Member Owen stated in the past a large amount was used for various project throughout the community and is a deviation from what's been done in the City for a number of years.

Assistant City Manager, Nolan Kirkman responded the CDBG funds allocated for this year were set aside for public infrastructure as identified in the Annual Action Plan and those funds were not designated at

that time for a specific project. He stated when City staff went through the process with Council, it was discussed about the possibility of using these funds for infrastructure on affordable housing development projects and City staff headed in that direction based on that recommendation.

Council Member Butler recalled that discussion but had not anticipated the use of CDBG funds at that time and recalls those funds being used for more broader impact community projects like the North Park Project and prefers to take a more comprehensive look at this before taking action since the shift from HOME funds to CDBG have been determined.

Council Member Owen concurred with Council Member Butler and stated he would like to understand, from a City's standpoint, other projects that would have qualified for CDBG funding, especially based on the philosophy having been to invest those funds into projects where a substantial amount of our population could utilize it for public purposes. He stated he would like to have had more explanation prior to being asked to consider acting.

Following a lengthy discussion Council consensus was to place an addition on the February 2, 2021, City Council Meeting to consider the HOME funded projects and allowing an additional time for City staff to research other CDBG funded projects before considering the CDBG related items and have more discussion on this funding at the March 2, 2021, City Council Meeting.

C) Downtown Holiday Décor and Lighting

Burlington Downtown Corporation, Downtown Manager Sara Beth Hardy shared plans for improvements to lighting in the downtown area and provided a brief overview of the concepts for replacement and improvements to downtown holiday décor. She reported the BDC's Design Committee formed a Holiday Décor Taskforce in late 2019. She reported following hearing input from downtown businesses and community input as well as City staff, it was determined inventory was dated by age and wear and tear. She shared the main goals included creating a memorable design for year-round lighting needs, creative pathways lighting, and pedestrian focused designs. She shared initial concepts provide for traditional and whimsical concepts that cover the entire downtown district.

Ms. Hardy provided proposed replacement options that include improvements to lighting as well as improved daytime appearances of the holiday décor options. She reported the large lit tree would be converted to LED lighting which allows the ability to move the tree closer to the sidewalk area as an option making it more visible to pedestrians and an area for event programming as a center piece to that location. She explained the replacement of pole mounted lights in the shape of snowflakes to provide the ability to keep up the décor for longer through the winter months to provide for extra lighting during downtime in business like January & February. She shared current additions, including the photo-op wreath in the depot area which had high impact, fits with the theme and was a destination piece. She provided a high impact item proposed to the additions with included new overhead drive or walk-through grapevine ball lighting for Front Street from Worth Street to Lexington Avenue. She shared an over street banner as a welcoming addition which provides for a skyline banner beyond intersection at Church Street and Front Street to serve as a welcoming to the MSD. She presented on future vision plans that would include gingerbread colors, large interactive features and proposed concepts for the Paramount Theater and Historic Depot area.

Ms. Hardy presented proposed plans for year-round ambient lighting in the depot courtyard area which includes wrapping trees, trellises and café lights appropriate for year-round, consistent warm lighting, that is an improvement to event space. She explained a proposed concept for café lights down the length of alleyways as a welcoming addition. She shared this lighting would activate this space and a future mural is planned in this area as well.

Council Member Owen commented on the site lines in the downtown area and importance of those areas being focal points and main corridors to be certain those site lines are attention getting.

Ms. Hardy responded on the impact of those areas and stated review of electrical needs are already being discussed with Duke Energy.

Council Member Butler commented on the holiday lighting décor and most important the ambient lighting to address the dark areas in the evenings and believes it will encourage visitors to mill around more and appear more inviting and safer.

Ms. Hardy responded they anticipate an increase of visitors and more pedestrians to the downtown area and the ambient lighting timing is perfect for that.

Mayor Baltutis commented on the lighting on trellises and the safety concept value year-round.

Mayor Pro Tem Hykes inquired on the cost of introducing these improvements.

Ms. Hardy responded its been proposed to use the BDC's appropriated fund balance for this expense, nearly all of it to purchase the décor itself, and looking at approximately \$75,000-\$85,000. She stated the wanted to receive Council input before addressing funding for these proposed improvements.

Council Member Butler stated he would like to see if there's a need for subordinate funding from the City to make this happen and would like to see this move forward and for the City to determine what that looks like.

Council Member Owen concurred with Council Member Butler and mentioned infrastructure costs that the City may could do better on as far as costs are concerned and for the City to be involved in that process in order to help with costs savings.

Mayor Baltutis inquired on this investment and the trend for these improvements' lifetime.

Ms. Hardy responded the concepts proposed are classic, simple, and updated to be used long term just as past décor has stood the test of time, it is hoped these proposed concepts last just as long or longer.

Economic Development Director Peter Bishop commented doing more initially and less incomplete improvements would be much and these improvements add a ton of value to the tenants and merchants downtown and makes it more worth while for them to be a part of the MSD. He expressed excitement for Council's reaction and staff looks forward to moving forward and providing some exacts soon.

City Manager Watkins explained City staff has a budget amendment for consideration coming to the February 16, 2021, City Council Meeting that includes the transfers needed to allocate the BDC funds and

whatever City funds needed to supplement. He explained the holiday décor includes a 33% discount which would make purchasing those items at this time ideal.

D) Downtown Grants Program

Economic Development Director Peter Bishop briefed Council on a proposed budget amendment to allocate an additional \$50,000 to the Downtown Grants program of the Burlington Downtown Corporation (BDC). He stated this request is being recommended because, despite the pandemic in early 2020, there's been a lot of development activity in the downtown area. He explained several projects tapped into the grant funds and the BDC has received more grant requests than money allocated to the program which is a sign of a growing and strong market for new business investment. He explained in response to this demand, the BDC Board of Directors passed a motion at their January 7, 2021, meeting requesting a budget amendment for more grant funds. He reported City staff and the BDC are recommending City Council reallocate funds from the MSD balance and place an additional \$50,000 into the Downtown Grants program of the BDC to allow \$20,000 to apply to requests already received with the additional \$30,000 for new applications in that cycle.

Council Member Owen inquired on the MSD fund balance and would there be enough funds to allocate.

Mr. Bishop responded in conversation with Finance, there is sufficient funds available to allocate this request leaving enough to the MSD fund for the holiday décor and lighting improvements with those funds.

Director of Finance & Risk Management Peggy Reece commented the BDC's fund balance has gotten high and believes this is appropriate use of those monies to get it to a level that it should be.

Council Consensus was to move forward with placement of an addition to the February 2, 2021, Consent Agenda for consideration of approval.

E) Boards and Commissions Reports

- Planning and Zoning Commission – 4 Items

Director of Planning and Transportation Mike Nunn reported on a request to rezone from MDR Medium Density Residential District to CI Conditional Industrial District for the use of a Cemetery. He reported the property is located on the north side of Hanford Road and north of Old Coach Road and being a portion of Alamance County tax identification number 131303. He pointed out key items on the site plan of the actual location of the rezoning request. He stated both parcels and the area to be rezoned would be annexed into the City of Burlington as a condition of the request. He reported a public hearing will be held at the March 16, 2021, City Council Meeting.

Mr. Nunn reported on a request to amend a Conditional Rezoning that was approved by the Burlington City Council on September 18, 2018. He reported the property is located at 1722 Shamrock Drive (formally Shamrock Golf Course), referenced as Alamance County tax identification number 130754. He reported this property was annexed into the City limits in December 2018. He stated this request is to increase the number of single family lots from 219 to 241. He reported this request is inconsistent with the Land Use Plan, however, City staff supports this request due to the compatible adjacent residential uses. He reported this request was considered at the January 5, 2021, Planning and Zoning Commission Meeting and received a four to two on a motion to deny the request and due to this vote the Planning and Zoning Commission does not recommend approval of the amendment to the conditional

rezoning. He stated this request is on appeal and City Council will need to set a date of public hearing for this item as an addition to the February 2, 2021, City Council Meeting for a public hearing to be held on February 16, 2021. He stated Mr. Lawson Brown submitted a letter regarding the appeal.

City Attorney Huffman addressed the requirements to set a date of public hearing and noted it is the discretion of the City Council to set a date of public hearing for rezoning requests on appeal.

Following a brief discussion, City Council consensus was to place an addition to the February 2, 2021, City Council Meeting as a New Business item to allow Mr. Lawson Brown to formally appeal to Council on a request to set a date of public hearing for February 16, 2021 to hear public comments on this request.

Mayor Baltutis called for a five-minute break at 7:11pm. Mayor Baltutis called the meeting back to order at 7:18pm.

Planning Manager Conrad Olmedo reported on text proposed for the Unified Development Ordinance to allow backyard chickens in City limits. He provided a summary of the background of this item and shared the following highlights:

- August 17, 2020 City Council asks staff to research backyard chickens
- October 5, 2020 staff presented research findings and survey results
- December 7, 2020 City Council asks staff to prepare draft Ordinance for public hearing
- Code of Ordinances, Section 6-13
- UDO Changes: Definitions, Accessory Use, and Standards
- Discuss and provide comment for consideration
- On 12/7/20, the City Council revision of the proposed text which includes the revision to a 5-foot property line setback vs. 25 foot
- On 1/25/21, the Planning and Zoning Commission recommended unanimously to support the proposed Chicken Ordinance text as proposed with the suggestion to include a process to confirm code compliance after permit issuance

Mr. Olmedo stated City staff is asking City Council to set a date of public hearing on the consent agenda at the February 2, 2021, City Council Meeting for the City Code of Ordinances, Sec. 6-13.

Council Member Ward commented on previous discussions about hearing more about this in March to receive a report on the budget implications which at that time a public hearing would be discussed for a future meeting and asked for clarification.

Mayor Baltutis responded staff report includes the Planning and Zoning Commission recommendation to proceed and noted there is a budget concern with staffing and recalls that being mentioned.

Council Member Butler concurred with Council Member Ward that he was also under the impression a comprehensive budget impact would be reported to look at this from both perspectives and stated he would like budgetary feedback prior to a public hearing.

City Manager Watkins stated there is some preliminary data now and any numbers needed could be ready for a March Work Session presentation.

Council Member Owen commented on the budget impact and inquired how would this affect the next fiscal year since we're still being challenged in this pandemic situation work to determine if this is a priority item to budget for at this time.

Mayor Baltutis commented to his recollection per Director Jessica Arias, there is currently a bottleneck and demand on staffing in Animal Services and prefers to move forward with having an Ordinance public hearing and if the Ordinance passes see if it develops a staffing constraint related to the chicken piece and then determine the staffing need. He stated he doesn't think it's reasonable to put the staffing need in at this time and is hesitant to say it's related to the approval of the Ordinance.

Council Member Butler responded he understands what the Mayor is saying but there is still a fiduciary responsibility to this and if we're talking about priority-based budgeting, this is obviously going to have a monetary element to it which goes against what we were going to be doing with this.

Mayor Baltutis stated he's in favor of having more staffing discussion and determine next steps from there.

City Attorney Huffman addressed the requirements under the new UDO and wanted to be sure the process is set properly.

City Manager Watkins responded this item is on the Consent Agenda for consideration to set a date of public hearing and can be adjusted as needed with Council direction.

Mayor Baltutis stated normally the City tries to move things along quickly instead of bureaucratically delaying things, so this is a new one for us.

Mr. Nunn responded to the Mayor's point and noted he's correct and City staff will be sure to check the procedural requirements of the UDO process and be prepared to proceed with more direction for Council that aligns with those procedural requirements.

Codewright Planners, Chad Meadows commented on the text amendment recommendation and stated the that item can be acted on once public notice is made but there is no requirement to hold a public hearing until that notice has been determined to do so.

Following a brief discussion, Council consensus was to hear about the budget implications at the March 1, 2021, City Council Work Session and proceed with plans to set a date of public hearing per City staff's recommendation to determine how to proceed.

Mr. Nunn reported on a request for proposed amendments to the Unified Development Ordinance adopted November 1, 2019 and last amended October 20, 2020. He stated City staff recommends adopting the amendments and introduced Chad Meadows of Codewright Planners to provide an overview of the amendments.

Codewright Planners, Chad Meadows presented on the following proposed changes:

- Update the Central Business District (CBD) District Dimensional Standards to allow for unlimited density, exempt minimum open space and setback requirements, permit fewer than 3

units in Mixed Use project, and allow for existing buildings on a lot of record to reduce the minimum lot width requirement to existing conditions;

- Correct allowed density, lot area, and lot coverage for Mixed Use in the High Density Residential (HDR) District Dimensional Standards;
- Provide clarifying language that allows residential and non-residential uses to share the same floor and that when doing so, the non-residential use occupies the front façade;
- Revise the Mixed Use and Multi-Family Residential Design Standards to exempt renovation of existing structures in the Central Business District (CBD);
- Change the methodology when calculating density based on allowable units per acre to round upwards rather than downwards when there is a fraction;
- Update of the “Family” definition to strike out a reference to household servants and to update the total number of unrelated persons from 2 to 3;
- Revision of the Mixed Use Development definition and removal of the Vertically-Integrated-Mixed-Use Building definition;
- Modify the definition of a Single Lot of Record in a Non-Residential District; and

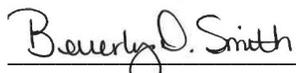
Mr. Meadows reported the Planning and Zoning unanimously recommended these amendments at their January 25, 2021, meeting. He explained a public hearing would be held at the February 16, 2021, City Council meeting to consider adopting the amendments.

- Traffic Commission – None
- Public Transit Advisory Commission (PTAC) - None

F) City Manager Report

There were no reports provided by the City Manager.

The meeting adjourned at 7:56pm



Beverly D. Smith
Beverly D. Smith, NCCMC
Interim City Clerk

February 1, 2021
Work Session