



# Minutes of the Burlington City Council Meeting

Virtual Meeting  
7:00pm – Tuesday, October 5, 2021

The City Council of the City of Burlington held a regularly scheduled meeting remotely beginning at 7:00pm on October 5, 2021. 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

The meeting was called to order at 7:00pm.

### **INVOCATION** Council Member Bob Ward

The invocation was offered by Council Member Ward.

### **RECOGNITION** Appreciation of Service on Advisory Boards and Commissions

BHA Executive Director, Veronica Revels provided an overview of accomplishments and contributions of Dr. Yarborough.

BHA Board Chair Alise Napp expressed appreciation for Dr. Yarborough's service and guidance.

Dr. Yarborough expressed gratitude to the City Council for the appointment to the Burlington Housing Authority and expressed appreciation to Veronica Revels and the knowledge she brings to the BHA.

### **REPORT TO COUNCIL** Burlington Downtown Corporation Annual Report FY 2020-2021

Executive Director Coleman Rich spoke on the downtown environment, the dedicated service of Sara Beth, the hard-working grant committee, and the downtown merchants. Downtown Manager, Sara Beth Hardy reported on the following 2020-2021 Municipal Service District statistics:

#### Downtown by the Numbers

Business Openings	9
Closings	2

#### Net Jobs Added

Full Time	27
Part Time	24

Public & Private Investment

301K Public Improvements  
134K Grant Dollars Committed  
8M Total Private Investment

MSD Properties

Major Public Improvements 3  
Façade Improvements 3  
Building Rehab Projects 4

BDC Grant Awards

Burlington Food Hall  
G3 LLC (Tanners Wine Bar, 3 Apartment Units  
Carolina Sundries  
Persnickety Books (façade)

Downtown Beautification

Downtown Mural Project  
Holiday Décor & Ambient Lighting  
Street Planter Partnership

Successful Events & Partnerships

Fourth Friday Art Walk Series  
Spring Sidewalk Sale & Artisan Market  
Second Sunday Music Series  
Small Business Saturday, Holiday Promotions

NC Main Street & MSD Contract

Main Street Accreditation 2021  
Main Street Champions: Casey & Emily Lewis  
BDC Awarded Municipal Service District Contract (5 Years)  
Hybrid Structure Transition

BDC Governance

Board of Directors for 2020-2021  
Coleman Rich, President  
Holly Treadwell, Vice President  
Madison Taylor, Secretary  
Howard Hawks, Treasurer  
Ervin Allen  
Sara-Anne Caudle  
Katie Chung  
Allen Gant, III  
Casey Lewis  
Tracy Schmidt  
Michelle Slaton  
Nicole Enoch

Holly Treadwell  
Jeff Wilkins

Advisory Board

Brad Harmon  
Kelly May

Ex-Officio Members

Ian Baltutis, City Council Liaison  
Peter Bishop  
Emily Crowley  
Nolan Kirkman  
Brandon Bruce/Cary Worthy

Business Highlights & What's to Come

Successful Business Openings  
Projects Near Completion  
Grants Program Updates  
Downtown Pitch Deck  
New Promotions  
Pocket Parks Planning

Council Members expressed appreciation for the beautification efforts, addition of lighting for the area, and the commitment to those improvements.

**CODE OF ETHICS DISCLOSING CONFLICTS OF INTEREST** Interim City Clerk, Beverly Smith

There were no conflicts reported.

**APPROVAL OF MINUTES**

- August 16, 2021 Work Session
- August 17, 2021 City Council Meeting

Council Member Ward made a motion, seconded by Council Member Butler, to approve the foregoing minutes. The motion carried unanimously.

**ADOPTION OF AGENDA**

Mayor Pro Tem Hykes made a motion, seconded by Council Member Owen, to adopt the agenda. The motion carried unanimously.

**CONSENT AGENDA**

**A.** To adopt an Ordinance to approve the following Traffic Commission recommendation:

- 1) Install a stop sign on Bow Court at its intersection with Glenkirk Drive

**Ordinance# 21-23**

**AMENDMENT TO THE CITY OF BURLINGTON TRAFFIC ORDINANCE**

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

- 1) Install a Stop Sign on Bow Court at its intersection with Glenkirk Drive.
- 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 5<sup>th</sup> day of October 2021.

**B.** To approve a request to temporarily close a portion of City Parking Lot #1 at the corner of Spring Street and Front Street during the installation of downtown holiday décor from mid-November 2021 to early January 2022.

Council Member Ward made a motion, seconded by Council Member Owen, to approve the foregoing minutes. The motion carried unanimously.

**PUBLIC HEARINGS**

**Item 1 – Rezoning 1700 South Church Street, Burlington:**

Mayor Baltutis announced a public hearing has been set to consider an application to rezone a portion of property from Conditional Business 833 (CB 833) and Neighborhood Business (NB) zoning districts to General Business (GB) zoning district. The portion of property in question is located at 1700 South Church Street, west of South O’Neal Street and north of Sykes Street and consists of Alamance County tax identification number 121669.

Director of Planning and Transportation Mike Nunn provided an overview the of application and reported the Planning and Zoning Commission, at their August 23, 2021, meeting voted to unanimously recommend approval of the request.

Council Member Butler made a motion, seconded by Council Member Owen to close the public hearing. The motion carried unanimously.

Council Member Owen made a motion, seconded by Mayor Pro Tem Hykes, to approve the request to rezone from Conditional Business 833 (CB 833) and Neighborhood Business (NB) zoning districts to General Business (GB) district. The portion of property in question is located at 1700 South Church Street, west of South O’Neal Street and north of Sykes Street and consists of Alamance County tax identification number 121669.

He stated the 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 have general business uses.
- The request is compatible with the adjacent commercial uses.

He stated this action is reasonable and in the public interest in that:

- The Comprehensive Plan calls for commercial uses in the area.
- The request is compatible with the existing zoning and land uses in the area.

The motion carried unanimously, and the following Ordinance was adopted:

**Ordinance# 21-24**

**ORDINANCE TO AMEND OFFICIAL ZONING MAP (Rezone portion of property located on the 1700 South Church Street, west of South O’Neal Street and north of Sykes Street, that consists of Alamance County tax identification number 121669), File Number REZONING-21-0011.**

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 Zoning Ordinance, and the Comprehensive Plan Land Use Map are hereby amended by rezoning from Conditional Business 833 (CB 833) and Neighborhood Business (NB) zoning districts to General Business (GB) district. The area is described as follows:

The property located at 1700 South Church Street, west of South O’Neal Street and north of Sykes Street, that consists of Alamance County tax identification number 121669 (see attached EXHIBIT A).

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.

**Item 2 – Link Transit Fleet Replacement:**

Mayor Baltutis announced a public hearing has been set to consider Link Transit’s Fleet Replacement Plan and pursuing Federal Transit Administration and State of North Carolina funding through the North Carolina Department of Transportation and to consider adopting a Resolution authorizing the filing of the grant application.

Interim Transit Manager, John Andoh provided an overview of the projects for consideration and the following public hearings were held:

**Public Hearing (1)**

**Five (5) replacement gasoline buses in FY 2023 grant cycle for FTA Section 5339**

Mayor Baltutis called for public comments, and none were given.  
Interim City Clerk reported there were no written comments received.

Council Member Ward made a motion, seconded by Mayor Pro Tem Hykes to close the first public hearing, and open the second public hearing. The motion carried unanimously.

**Public Hearing (2)**

**Three (3) new paratransit gasoline buses in FY 2023 grant cycle for FTA Sections 5310 or 5339**

Mayor Baltutis called for public comments, and none were given.  
Interim City Clerk reported there were no written comments received.

Council Member Ward made a motion, seconded by Council Member Butler to close the public hearing. The motion carried unanimously.

Council Member Ward made a motion, seconded by Mayor Pro Tem Hykes, to approve both projects and adopt the following Resolution for the grant application:

**Resolution#21-21**

**FY 2023 RESOLUTION**

**Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.**

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for “purchase-of-service” projects under the Capital Purchase of Service budget, Section 5310 program.

WHEREAS, City of Burlington hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it *resolved* that the City Manager, Director of Planning & Transportation, Transit Manager and/or Finance Director of City of Burlington is hereby authorized to submit grant application (s) for federal and state funding in response to NCDOT's calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

I Beverly Smith, Interim City Clerk do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the City of Burlington duly held on the 5th day of October, 2021.

### **NEW BUSINESS**

#### **Item 3 – Budget Amendment 2022-11 – Automated Meter Installation Project**

Mayor Baltutis announced City Council will consider awarding a contract to US Bronco Services, Inc., and approve Budget Amendment 2022-11 for the Automated Meter Installation Project.

Water Resources Director Bob Patterson recapped the Advanced Metering Program project approved by City Council on August 20, 2018, for Water Resources with support from Finance and Engineering to undertake a new Advanced Metering Infrastructure (AMI) needs assessment project. He reported on the project timeline, communication plans for residents, and results of the RFP with a recommendation to award a contract to US Bronco Services, Inc, and proposed Budget Amendment 2022-11 to implement the automated meter project installation.

Mayor Pro Tem Hykes made a motion, seconded by Council Member Butler to award the contract to US Broncos Services, Inc, and approve Budget Amendment 2022-11 to implement the project installation. The motion carried unanimously.

### **PUBLIC COMMENT PERIOD**

There were no public comments given.

### **CITY COUNCIL COMMENTS**

Mayor Baltutis called for discussion on political signage discussion at the previous meeting.

City Attorney Huffman stated the City Council pursuant to NCGS §136-32, (a-f) and the City of Burlington UDO provides for the adjacent property owner, which for public property owned by the City, would be the City Council to decide as to whether or not to allow political signs on the property.

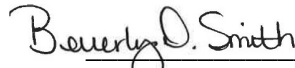
Council Member Butler and Council Member Owen requested additional time to review the materials provided by City Attorney Huffman to discuss at the next meeting.

Mayor Baltutis inquired on the City's contact on signage on City owned properties.

Following a brief discussion, City Council consensus was for the City Attorney to notify any candidates with political signage on any City property or areas outside of ROW to gather the signage until further discussion and City Council has consensus on whether or not to allow this placement of political signage.

**ADJOURN**

Upon a motion by Council Member Ward, the meeting was unanimously resolved to adjourn at 8:11pm.

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

October 5, 2021  
City Council Meeting