



Minutes of the Burlington City Council Work Session

5:00pm – Monday, December 6, 2021

Municipal Conference Room, 425 S. Lexington Avenue, Burlington, NC 27215

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, V. Michelle Parker-Evans

Scott Bibler, Jaime Joyner, Nolan Kirkman, Todd Lambert, Tony Laws, Jamie Lawson, Brian Long, Dalton Majors, Jay Mebane, Mike Nunn, Conrad Olmedo, Peggy Reece, Paige Shepard, Beverly Smith

Manager Watkins noted that department heads were watching the meeting from the Manager's Conference Room to allow for social distancing. Staff rotated in and out as their items were presented.

Media Present: Tomas Murawksi, Alamance News

Guest Presenters: Patricia Rhodes, Stout, Stuart, McGowen & King, LLC
Matt Reece, Piedmont Triad Regional Council (PTRC)
Heather Slane, hmw Preservation

A) Auditors Report FY 2020-2021

Peggy Reece, Director of Finance and Risk Management, introduced Patricia Rhodes, auditor with Stout, Stuart, McGowen & King, LLC.

Ms. Reece highlighted the Annual Comprehensive Financial Report for fiscal year 2021. She indicated there were no areas of concern. Ms. Reece congratulated the City on receiving The Certificate of Achievement for Excellence in Financial Reporting for the 22nd consecutive year. The overall tax collection rate for the City was 98.35 percent.

There were no questions from Council.

B) Piedmont Triad Regional Council (PTRC) - Salary Recommendations – Sworn Police Officers and Telecommunicators

Jaime Joyner, Human Resources Director, introduced Matt Reece, Piedmont Triad Regional Council (PTRC) Assistant Director. Mr. Reece joined the meeting via Zoom. He explained that the market review

for officers and telecommunicators was more narrowly defined. The market was expanded to include Wake County since officers were being recruited from a wider geographic area.

The change would mean a \$7,904 increase for the class of telecommunicators and a police officer I salary would start at \$46,500 which would be a \$7,271 increase. Ms. Joyner stated that there were currently 121 police officers who would be affected. The salary increase would cost the City \$1,273,558 for a full fiscal year and \$636,779 for the remainder of this fiscal year. The funds would come from lapsed salaries for the remainder of this fiscal year.

Police Chief Brian Long noted that 28 applicants resulted in one police officer being hired.

After further discussion, the Council concluded that market studies were needed for the remainder of City staff. The Council was concerned about finding the monies to help retain employees through marketable pay. Ms. Joyner and Ms. Reece agreed to bring additional information to the January 3, 2022 Work Session. Mayor Baltutis asked Council to advance questions to staff. Manager Watkins agreed to have additional informational sessions for Council before January.

C) Historic Preservation Fund Certified Local Government Grant Architectural Survey Update

Jamie Lawson, Principal Planner introduced Heather Slane, hmw Preservation, to update Council on the Historic Preservation Fund Certified Local Government Architectural Survey. Ms. Slane highlighted updates and deletions from Historic Preservation districts. The goal of the presentation was to update existing survey data.

Six (6) properties within the Historic District had been demolished. Three (3) properties were recommended for the National Register Study list. She noted that the Walter M. Williams High School was included in the study. If nominated, the projects could move forward through private funding, city funding or grant funding. Individual buildings would not be eligible for the National Register. No action was required by Council.

D) 2022 Proposed Fees and Charges Schedule

Peggy Reece, Director of Finance & Risk Management presented the list of proposed fee and charge changes.

Mayor Pro Tem Hyke expressed concern about increasing afterschool and picnic shelter fees, especially during the pandemic. The Council agreed that it would like to see no increases to afterschool and picnic shelters, and those items would be revisited next year.

Councilmember Butler questioned fees to participate in parades. Tony Laws, Director of Recreation and Parks, clarified that there was no charge for nonprofit entries. A commercial entry in parades would be required to pay a fee for advertising their business vs. decorating for the event.

Ms. Reece agreed to modify the list to remove changes for afterschool and picnic shelters. Once adopted by Council, the new fee schedule would be effective January 1, 2022.

E) Burlington Fire Department – Fire Prevention Skill Based Incentive Program

Jay Mebane, Fire Chief, presented information regarding a Fire Prevention Skills Based Incentive Program. He explained that fire inspectors were required to acquire certifications thorough the NC Department of Insurance to perform the duties of a fire inspector in our jurisdiction. Chief Mebane requested to implement the Incentive Program to retain current inspectors and attract future fire inspectors. The cost of the program

would be approximately \$12,000 for the remainder of this fiscal year and would come from lapsed salaries. The incentive would be based on certification level. The program would be managed by the Assistant Fire Chief.

There were no questions from the Council.

F) Annual Rotation Wrecker Contract

Dalton Majors, Captain, Patrol Division, Burlington Police Department presented the Annual Rotation Wrecker Contract. This contract outlined the rules, responsibilities, and fees associated with these services to provide the citizen with a fair option of removing their vehicles from the roadway. The contract had not been amended since 2013. He added that amendments were made to the contract regarding accountability and billing. Fees increased but were in line with surrounding municipalities. The appeals process for the wrecker contract would be managed by the Police Chief. Captain Majors noted that currently the City contracted with 10 companies for wrecker service. He personally spoke with the contracted companies, and there was no opposition. Each company averaged 150-200 calls per year during the rotation.

G) Boards and Commissions Reports

- Planning and Zoning Commission – 4 Recommendations

Mike Nunn, Director of Planning/Transportation announced that Chad Meadows would present on the UDOTA item:

REZONING-21-0013: an application to rezone a property zoned Conditional Industrial (CI 791) to Light Industrial (LI). The property in question was located at 1453 Industry Dr., easterly from the Tucker St. and Industry Dr. intersection, and consisted of Alamance County Tax Identification Number 122437.

There was a change of business at this site.

REZONING-21-0015: an application to rezone a property zoned Medium Density Residential (MDR) and General Business (GB) to be General Business (GB). The property in question was located at 1620 S. Church St., southeast from the intersection of S. O’Neal St. and S. Church St. and consisted of Alamance County Tax Identification Number 121683.

The property owner desired to have consistent zoning for the site. There was no opposition from the neighborhood.

CONDITIONAL REZONING-21-0002: an application of an amendment to an existing Conditional Business (CB 836) zoned property to allow for “Office, Medical” and “Pharmacy” uses and to eliminate prior square footage limitations of said uses within the existing building. The property in question was located at 378 Harden St., easterly from the Harden St. and Maple Ave. intersection, and consisted of Alamance County Tax Identification Number 133142.

The applicant would like to amend the use permit so the entire building could be used for office space. The zoning would not change, only the permitted use of the building.

UDOTA 1-22: Mr. Chad Meadows, consultant, presented the Unified Development Ordinance Text Amendments. He summarized the reasons for text amendments. The proposed set of amendments would be the sixth round of amendments. Council was reminded that the Unified Development Ordinance was a living document. Approximately 30 amendments were proposed.

Community Prosperity Amendments

- New limited use zoning districts
- Manufactured & mobile home park standards simplified and clarified
- Site plan exemptions broadened
- Reduced side setbacks for duplexes (from 25' to 10')
- Outdoor storage surfacing can be gravel
- Reductions in commercial requirements: fenestration, canopy limitations, parking (indoor seating conversion)
- Reductions in multi-family massing requirements
- More ground sign flexibility
- No open space set-aside for development of five or fewer lots

Increasing Precision Amendments

- Attached residential subject to development standards
- Some signs may only be on lots with principal structures
- Dimensional standards for multi-family in NB
- Fencing requirements by district clarified
- Accessory structure size smaller than principal structure
- Maximum # of axles/length for heavy trucks and trailers in residential
- Commercial roof form standard compliance examples
- Invasive plants and landscaping credit
- No permanent storage on vehicles
- Wall sign measurement
- Porch encroachments
- Greenway maintenance

Legal Requirements Amendments

- Decriminalization of zoning-related violations
- Masonry skirting under manufactured homes located in mobile home parks

Councilmember Butler asked for clarity on the sign amendment. Mr. Meadows stated that ground signs needed to be on lots with principal structures. There was concern that the sign on an empty lot could be used as a billboard. The amendment would be more for private property. A plant nursery was used as an example for a sign being displayed but there was no permanent structure.

Nolan Kirkman, Assistant City Manager for Development Services, responded to Councilmember Butler's concerns. He stated that staff would meet one-on-one with property owners who had concerns about the text amendments. Parking requirements was used as an example of text amendments that assisted property owners. Council was concerned about customer service and an appeal process for property owners.

Mr. Meadows added that the current UDO was silent about ground signs and staff needed clarity. That was the reason for including the item in the text amendments.

Mr. Kirkman stated that the UDO was developed to help balance the quality and standards of development for the City. He indicated that staff would be putting together some UDO workshops before the next round of text amendments. Council thought that would be a good step.

Mr. Meadows concluded that staff would come back with some adjustments to the sign amendments and discuss with Council in January.

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

H) City Manager Report

There were no comments from the Manager.

Mayor Baltutis shared highlights from the City Summit he attended in November. Topics included 5G and the Internet of Things, GIS Solution for Overcoming the Housing Crisis, City Health, Transportation, Racial Equity, NCL Southern Communities Inclusion Project, Electrification of Everything, Recycling, Utilizing Economic Levers, and Ready to Rebuild.

Manager Watkins responded to a question regarding the number of staff vacancies—there were approximately 80 openings. Mayor Pro Tem Hyke reiterated the concern about childcare for City staff. Mr. Watkins offered to come back with some suggestions. He suggested financial assistance may be more desirable.

There being no further business, the meeting was adjourned at 8:05 pm.

Respectfully submitted,

V Michelle Parker-Evans

V. Michelle Parker-Evans
Interim City Clerk