



# Minutes of the Burlington City Council Meeting

Municipal Council Chamber, 425 S. Lexington Avenue, Burlington NC  
7:00pm - Tuesday, January 18, 2022

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The City Council of the City of Burlington held a regularly scheduled meeting in the Municipal Council Chamber, 425 S. Lexington Avenue, Burlington, NC, 27215, on January 18, 2022, at 7:00 p.m.

Mayor Jim Butler presided.

**Council Members Present:**

Mayor Jim Butler  
Mayor Pro Tem Harold Owen  
Councilmember Kathy Hykes  
Councilmember Ronnie Wall  
Councilmember Robert Ward

**Staff Present:**

City Manager Hardin Watkins  
City Attorney David Huffman  
Interim Deputy City Clerk Melanie Hawn  
Interim Assistant City Manager Cheryl Brown  
Assistant City Manager Nolan Kirkman  
Director of Finance and Risk Management Peggy Reece  
Principal Planner Jamie Lawson

**Council Members Absent:** None

**CALL TO ORDER:** Mayor Jim Butler

**INVOCATION:** Mayor Pro Tem Harold Owen

**APPROVAL OF MINUTES:**

A motion was made by Councilmember Ward and seconded by Councilmember Wall to approve the minutes of the January 3, 2022, Work Session and the January 4, 2022, City Council Meeting. The motion was unanimously approved.

**CODE OF ETHICS DISCLOSING CONFLICTS OF INTEREST** – Deputy Interim City Clerk Melanie Hawn read the Code of Ethics Statement. There were no conflicts of interest reported.

**ADOPTION OF AGENDA:**

Councilmember Wall made a motion seconded by Councilmember Mayor Pro Tem Owen to adopt the agenda. The motion was unanimously approved.

**CONSENT AGENDA:**

1. To approve the reclassification of a Firefighter position to Fire Captain – Training Specialist, to increase the staffing capacity in the Fire Department’s Training Division
2. To approve Budget Amendment 2022-17 to accommodate funds recently awarded by the North Carolina Historic Preservation Fund.

Increase Revenues:

01004000-30124      Misc State Grants      \$ 24,000

Increase Expenditures:

01046491-41900      Professional Services      \$ 24,000

A motion was made by Councilmember Hykes and seconded by Councilmember Ward to approve the Consent Agenda. The motion carried unanimously.

**NEW BUSINESS**

3. To approve the nomination request of Aurora Cotton Mills Finishing Plant Baker-Commack Hosier Mills Plant to the National Register of Historic Places.

Mayor Butler recognized Jamie Lawson, Principal Planner to discuss the item.

Ms. Lawson gave an overview of the request by the State Historic Preservation Office for the City of Burlington to consider a recommendation on whether or not the Aurora Cotton Mills Plant, also known as the Pickett Hosiery Mill, should be placed on the National Register of Historic Places.

She shared the history of the project. In July 2021, City Council approved the site located at 741 E. Webb Avenue to be designated as a local landmark. The property owner would like to gain national registry status which would make them eligible for federal funding and tax benefits. There would be no bearing on the local landmark status.

Staff recommended that Council approve the nomination request and authorize the Mayor to sign the Elected Officials page that was included in the packet.

There were no further comments or questions.

Councilmember Hykes made a motion, seconded by Councilmember Ward to approve the nomination request of Aurora Cotton Mills Finishing Plant to the National Register of Historic Places. The motion carried unanimously.

**STAFF REPORTS:**

Mayor Butler recognized Director of Finance and Risk Management Peggy Reece to discuss the **U.S. Treasury Final Rule Update.**

Ms. Reece shared highlights of the Final Rule. The City of Burlington was awarded \$11,516,517. The period for funds to be encumbered was March 3, 2021 – December 31, 2024. Funds must be spent by December 31, 2026.

She highlighted the four expenditure categories:

- Public health and negative economic impacts

- Premium pay
- Revenue Loss
- Water, Sewer & Broadband infrastructure

Last year Council approved the City to spend \$137,441 for Covid related expenses, which left a balance of \$11,379,077. Funds may also be used for worker retention.

She clarified uses not allowed under the Revenue Loss category. The uses included:

- Pension fund contributions
- Borrowing money
- Financial reserves
- For settlement/judgment/consent decree
- Undermines or discourages compliance with CDC
- Violates conflict of interest provisions
- Violates state law or other federal laws and regulations including Uniform Guidance

One of the biggest changes in the interim rule and the final rule broadened was included in the Revenue Loss category. These items included a non-exclusive list of examples of general government services – “Maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software and protection of critical infrastructure, including roads; health services, environmental remediation, school or education services, and the provision of police, fire and other public safety services.”

There was a standard allowance for revenue loss of \$10 million. Staff recommended that Council use the \$10 million for revenue loss. That would leave a balance of \$1,379,000. Those funds could be used for water and sewer and employee retention. The School of Government also suggested supplanting the money by spending the \$10 million on public safety salaries and use the money that would normally be spent on salaries on other projects.

Ms. Reece highlighted upcoming CIP Projects:

- Police Radio Replacement - \$2.5 million (FY23-24)
- Fire Engine 302 - \$1.3 million (FY23-24)
- Fire SCBS/Airpack Replacement - \$95,000 (FY25-26)
- Cemetery Upfit - \$200,000 (FY23-26)

The first report must be filed January 31, 2022. She asked for advice from Council on how it would spend the funds. Once the choice was made, it could not be altered. Mayor Butler assured citizens that all checks and balances would be in place. After further discussion, Council concurred with the recommendation to use the standard allowance of \$10 million for lost revenues.

City Manager Hardin Watkins updated the Council on several projects.

**Highway 62/Alamance Road Widening Project** – Manager Watkins shared the projected timeline for the NCDOT project. ROW Acquisition - planned in FY24 and Construction - planned for FY 25-27. He added that NCDOT was re-evaluating all STIP projects at this time, but this one was presently listed as a committed project unless the state changed it. There was no set timeline from

the Department of Transportation for any information meetings, public involvement, or final maps/plans. Mayor Butler acknowledged that the project was still on, but it would be delayed from the original timeline.

**Carousel House Construction** – Manager Watkins reported that the Carousel Festival had been moved to the Fall. Construction will not be completed until Summer 2022 due to multiple challenges with supply chain problems on products. The carousel animals and machinery to operate the carousel have all been refurbished and completed by an expert refurbishment contractor, Carousel & Carvings, in Ohio. Once completed, the festival could be moved back to the Spring in 2023.

**City Park Creek and City Park Grounds Improvements** – Manager Watkins highlighted details regarding the City’s approach to invasive vegetation along the creek and an ongoing pruning and vegetation management plan would be provided for the buffer. Bob Patterson and Tony Laws were present to answer questions. Work had been done to increase the safety and preserve the ecological effects of the buffer. 136 trees were removed on the greenway to make the paths smoother.

Council applauded the work of the Senate Delegation in having funds allocated for park improvements.

### **PUBLIC COMMENT PERIOD**

Suzanne Schaffner, 611 Westridge Drive, Burlington NC was present to address the Council regarding support for a resolution on the prohibition of nuclear weapons. She requested Council to adopt a resolution to join other cities who had shown their support.

Councilmember Hykes informed the Council that she asked the group to come back to this meeting since they appeared at the ceremonial meeting in December. She proposed that Council sign on to discuss and vote on the item. Council concurred with adding the item to the next Worksession agenda.

### **CITY COUNCIL COMMENTS**

Mayor Butler congratulated the recent graduates of the 109<sup>th</sup> Fire Academy. He applauded the eight new fire recruits who would join the Burlington Fire Department.

Mayor Butler also thanked all the City staff who worked long hours in preparation of winter storm Izzy. A special thanks to the Public Works crew for their efforts.

Councilmember Wall inquired about the number of companies with 20+ employees that had been attracted to the City. He also requested to add the Western Electric item to an upcoming agenda. He requested to have dialogue with Council regarding the homeless challenges downtown. Council concurred with adding the items to the Worksession agenda. Councilmember Hykes spoke about the bigger picture on homelessness and lack of housing. Council agreed to have dialogue among its members before inviting other constituents to a meeting.

Mayor Butler elaborated on the Western Electric property which was privately owned. The City was not involved except for public safety in the City. There were several entities involved in the process, including the federal government.

**CLOSED SESSION**

Council was requested to adjourn to Closed Session pursuant to G.S. 143-318.11(a)(6) to discuss a personnel matter.

Mayor Pro Tem Owen made a motion, seconded by Councilmember Wall to adjourn to Closed Session. The motion carried unanimously.

The Council reconvened open session at 8:47 pm.

There being no further business, Councilmember Wall made a motion seconded by Councilmember Ward to adjourn. The motion carried unanimously,

The meeting was adjourned at 8:48 pm.

Respectfully submitted,

V. Michelle Parker-Evans

V. Michelle Parker-Evans, NCMMC  
Interim City Clerk