



Minutes of the Burlington City Council Work Session

4:00pm – Monday, February 28, 2022

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

Council Members Present:

Mayor Jim Butler
Mayor Pro Tem Harold Owen
Council Member Kathy Hykes
Council Member Ronnie Wall (Virtual)
Council Member Bob Ward

Council Members Absent: None

Staff Present:

City Manager Hardin Watkins	Engineering Director Todd Lambert
City Attorney David Huffman	Principal Planner Jamie Lawson
Interim City Clerk V. Michelle Parker-Evans	Recreation and Parks Director Tony Laws
Human Resources Director Jaime Joyner	Water Resources Director Bob Patterson
Assistant City Manager for Development Services Nolan Kirkman	

Media Present: Alamance News, Tomas Murawski

A) Maynard Aquatic Center (MAC) Study Presentation

Fred Patrick, Capital Projects Manager introduced Matthew McNeely, Mosley Architects, to provide an overview of the MAC Study. Mr. McNeely shared highlights of the study. He presented short term (2-3 years), immediate, and long term (5-7 years) needs for the Facility Administration Building.

Immediate needs included changing the height of the windows to meet ADA requirements, general exterior maintenance, and replacing the pool doors.

Short term needs included replacing the HVAC system, deteriorating stairs, and enhanced maintenance. He noted that the original HVAC system was in place.

Long term needs included installing automatic door openers, replacing the electrical distribution system (costly), upgrading interior/exterior lighting, and replacing phone and security systems.

Swimming Pool Needs

Immediate needs included addressing the plaster shell in the pool, replacing the sand filtration system (end of life), and general maintenance and markers.

The total cost for immediate needs was \$462,922. These prices were good thru the Fall of 2022. The timeline for the project if started immediately would be six months for the project scope, 13 months for the project design and 12+ months for construction. Costs for the entire project would be \$5,114,909. Immediate needs would be deducted from the cost, so they would not be duplicated.

Mr. Patrick reviewed the recommendations. Immediate needs should be considered urgent to keep the pool operational and safe. Short term items should be planned now to allow the facility to operate into the future. Long term items would be an investment into the facility. He reiterated that the pool enclosure represented a potential life safety risk if there was a failure while the pool was occupied.

Mayor Butler inquired about the number of people who utilized the pool. Samantha Karlson, Aquatics Director, responded that five swim teams, 150 high school swimmers, 300 swim lesson participants, 5 water aerobic classes along with summer campers all used the pool.

Mayor Pro Tem Owen questioned the financial feasibility of having two pools close together.

Tony Laws, Director of Rec & Parks, stated that the subject pool was the only indoor pool with no membership fee—the pool had a daily fee.

Mayor Butler stated that there were lots of Recreation and Parks items in need, and it may be appropriate to look at a comprehensive package (bond issue). Mr. Laws noted that he was working on a Master Plan for the Rec and Parks department.

Mayor Pro Tem Owen noted that the pool originally was not designed to be an indoor pool. Mr. McNeely stated that if the pool was not enclosed, the pool wall could be repaired. The electric bonding in the pool would need to be addressed.

Mayor Butler suggested delaying any decisions to have a more comprehensive discussion at the next Worksession on the pool and Moorefield project. Councilmembers concurred.

B) American Rescue Plan Act (ARPA) Potential Projects

Peggy Reece, Director of Finance and Risk Management and Nolan Kirkman, Assistant City Manager, Development Services discussed the unrestricted list of funds based on feedback from the last Worksession.

Ms. Reece reminded Council of the possibility of using ARPA funds for public safety salaries. The \$10 million originally budgeted for public safety salaries could then be used with more flexibility. She added that no decisions had to be made immediately. The recommendation was favored by the School of Government. Decisions would need to be made sooner on the \$1.3 million which could be used for public health, Covid related expenses, and premium pay. The \$1.3 million could be used to reimburse the City for Covid related expenses.

The Council agreed with supplanting the \$10 million for public safety salaries and to reimburse the City for Covid expenses.

Ms. Reece would report by the end of June 30, 2023 that the monies had been spent. She clarified that all timeline obligations would be met. She shared the list of the Council's priority items and capital needs.

\$800,000 of the Covid monies were reimbursed from the County. Ms. Reece indicated that the City was still incurring Covid expenses.

A resolution would be forthcoming on this item.

C) Employee Compensation Package

Jaime Joyner, Human Resources Director, followed up on the conversation from the January 3rd Worksession regarding employee compensation for employees not in the categories of sworn police officers or telecommunicators.

Ms. Joyner indicated that there were several options to consider. External pressures, consumer price index, and general cost of living were all reasons Council was asked to consider the request.

Mayor Butler asked for clarification on the merit increase process as well as Cost of Living Adjustment (COLA), and reclassification studies.

Manager Watkins responded that Water Resources employees and all administrative assistant positions were in the current reclassification study, which was expected to be completed in March. He noted that police were initially in that group but were advanced due to turnover and market pressures. Market pressure was beginning to surface in the Water Resources department and administrative assistant groups. The results of the study would be effective in July.

Ms. Joyner stated that there were 67 unfilled positions. Ms. Reece added that the pressure was being felt in all positions across the City. All the neighboring jurisdictions had provided increases. The City was trying to continue to provide good services as well as keep good employees.

Councilmember Wall asked how many of the unfilled positions were police positions. Ms. Joyner replied that approximately 30 of the positions were in the police department.

Councilmember Ward asked where would the money come from if Council chose to increase compensation early? Ms. Reece responded that vacant positions (excluding police) would cover expenses for the current year.

Mayor Butler was concerned that vacant position funds were being spent on other things. Ms. Reece replied that all budgets were in line.

Ms. Joyner described the 4 percent, 5 percent and 6 percent increases that could be considered. Ms. Reece added that some ARPA funds could be used this year as well as considering the upcoming revaluation for the next year.

Manager Watkins interjected that with the number of applicants, the City would not reach 100 percent staffing by the end of June 2023 because of the lack of quality applicants to fill positions—that would be a savings. He also added that the sales tax was higher than anticipated.

Council discussed the importance of retaining staff and whether the market adjustment would be helpful in recruitment. The annual cost of a 4 percent increase for one year would be approximately \$850,000. Ms. Reece indicated that it would cost \$215,000 for a 4 percent increase effective April 1.

Manager Watkins stated that it was possible to bring the Water Resources and administrative assistant studies forth in July. He added that it was important to move forward with the market rate adjustment because there was an inequity at the present time. Public Works was outpacing because they were not on the same cycle and were performing comparable jobs.

Mayor Butler stated that he would feel better with the option to hold the Water Resources and administrative studies until July.

Councilmember Ward suggested that the City consider across the board reclassifications as it did before changing to the “thirds” process.

The Council discussed the 6 percent adjustment which would cost \$1.3 million.

Mayor Pro Tem Owen favored a market adjustment as well as keeping the merit system. Ms. Joyner stated that it would keep the City in line with other jurisdictions.

Mayor Butler suggested giving the 6 percent market adjustment and consider the merit system at budget time. It would help to get ahead and give time to consider the merit later.

Ms. Reece clarified that she would add to the agenda a 6 percent Cost of Living Adjustment and adjust pay grade levels by 3 percent, excluding sworn police and telecommunicators. This pay would be effective April 1, 2022.

All Council members concurred. It would offer flexibility to look at merit increases and make a determination based on budget.

D) NCDOT U-6014 Graham-Hopedale Road and U-5844 Alamance Road Project Updates

Wright Archer, P.E. Division 7 Engineer introduced Chris Smitherman, P.E. Division Project Team Lead with NCDOT to discuss the road project U-6014 Graham-Hopedale Road. The project was currently out for virtual public input. Comments were due back March 4, 2022. He noted that NCDOT would meet with City staff once the comments were received for possible recommendations.

Plans included transitioning from two lanes to three lanes at the south end of West Hanover with a center left turn lane. The western side would have a multi-purpose path and the east side would have a side 5” sidewalk. NCDOT tried to stick with primary purpose of the project. The project was funded at \$19 million. It would be scheduled for construction in 2025.

Mr. Smitherman discussed the road project U-5844 Alamance Road from Ramada to US 70 and Church Street. Studies and public outreach began in 2017. Numerous interactions with the community resulted in a change in the original plans. From Ramada and Kirkpatrick intersections, crash data showed there were many crashes at that intersection. The purpose of the project included moving traffic flow, relieve pedestrian and increase safety. NCDOT proposed a median division along the corridor to limit number of access points. Rob Weisz, Project Engineer, stated that the crashes in that area were three times higher than the State average.

Mr. Smitherman discussed options for the roadway between Mebane and Church Streets. One option was a single lane with median divider. There would be no direct left turn into the property. A U-turn would be required. The other option was a three-lane section from Mebane to Trail Six. The difference would be the location between Trail Six and the roundabout.

The status of the project was to receive updated estimates and finalize maps before public meetings. NCDOT would meet with local officials before meeting with the public. Changes would include cleaning up access to Church Street. It would take out access at Trail Six. A sidewalk would be installed on one

side and multi-use path on the other side. A single left turn and single right turn would be the difference at Alamance and Church Streets. There would be additional left turn storage.

Mayor Butler expressed concern regarding the median and the negative impact it would have on nearby businesses. Mr. Smitherman responded that the median was needed for safety reasons.

The three lanes vs. median would offer less impact to residents and be more efficient, according to Mr. Smitherman. Both options would be presented to the public, and both options would achieve the goal.

Councilmember Hykes commented that she would like for the changes to be aesthetically pleasing.

Mayor Butler thanked NCDOT for the presentation. It was clarified that additional meetings would take place prior to finalizing the plans.

E) Biosolids Handling Professional Services Agreements

Bob Patterson, Water Resources Director recapped the history of the service agreements for two wastewater plants. The City previously had five-year contracts that had been extended. A Request for Proposal (RFP) was sent out last Fall and three responses were received. He introduced Assistant Director Ben Bani and the Residual Management Coordinator Shane Fletcher who reviewed the proposals to handle the biosolids compost facility at the South Plant.

The City began purchasing wood chips for compost because there became a market for wood chips, so the tree cutters and landscapers stopped giving them to the City. Between the cost and the pandemic, operations ceased.

The contract was structured to give the option for one or multiple contractors. Staff recommended that the City enter into an agreement with Synagro LLC for land application services from the East plant and from the McIntosh Water plant; and to contract with McGill Environmental to provide services to haul dewatered sludge from the South Plant and as a backup for the East plant in the winter when the fields were wet and land application was not an option.

Councilmember Ward asked for clarification on whether spreading near schools was still in existence. He recalled that there was a quarter mile boundary for spreading near schools. Mr. Patterson responded that the policy was still in effect. Staff communicated with schools whenever spraying took place. Staff also attempted to keep trucks away from driving past the schools.

Council concurred with staff recommendations and would add the item to the March 1, 2022 agenda.

F) Council Discussion on Adopting a Resolution of Support: UN Treaty on Prohibition of Nuclear Weapons

This conversation was a continuation from the last Worksession. Mayor Butler commented that he was still concerned about the same issues as before regarding the role of City Council.

Councilmember Wall commented that he was not in favor of proceeding with the resolution request. If individual members wanted to sign a letter, he had no problem with that.

Mayor Butler agreed to support individual Council members who wanted to sign a letter in support of the resolution.

Attorney David Huffman shared an article from Coats Cannon and Frayda Bluestein regarding “Hot Button Political Issues and Resolution Requests.” He noted that it was not uncommon to get requests for resolutions and they were handled on a case-by-case basis. He opined that the Nuclear Weapon resolution would be one that the Council should not be involved with, but individual members could respond.

Councilmember Hykes stated that she believed that education on the issue was worthy and should be understood.

The Council agreed to take a personal stand if desired.

G) Voluntary Non-Contiguous Annexation Requests

Jamie Lawson, Principal Planner, presented two petitions for utility requests and annexations. 0 Timber Trail was located in the medium residential zoning district. The applicant was seeking water and sewer. Staff requested that the item be added to the March 1, 2022 meeting to defer the public hearing and consideration of the Applicant’s petition for annexation at 0 Timber Trail (PID 120430) to a future time pursuant to N.C.G.S. 160D-202, Burlington City Code Section 40.40, and the terms of the Annexation Agreement executed by the Applicant and the City and filed in the Alamance County Register of Deeds.

The second request located at 1718 Burch Bridge Road was within the medium residential zoning district and residential mobile home district. There was a single-family residence on the property. The applicant was seeking water. The signed agreement between the City and the applicant acknowledged that services going to any place other than the residence would be a violation of the agreement. Staff requested to defer the public hearing and consideration of the Applicant’s petition for annexation at 1718 Burch Bridge Road (PID 127783) to a future time pursuant to N.C.G.S. 160D-202, Burlington City Code Section 40.40, and the terms of the Annexation Agreement executed by the Applicant and the City and filed in the Alamance County Register of Deeds.

Council had no questions and agreed to place the items on the March 1, 2022 Consent Agenda.

H) City Manager Report

No Report. He thanked Council for their support on the employee compensation.

I) Closed Session

A motion was made by Mayor Pro Tem Owen and seconded by Councilmember Ward pursuant to G.S. 143-318.11(a)(6) to discuss a personnel matter.

A motion was made by Councilmember Ward and seconded by Councilmember Hykes to reconvene to open session.

There being no further business, Councilmember Hykes made a motion seconded by Mayor Pro Tem Owen to adjourn. The motion carried unanimously,

The meeting was adjourned at 7:05 pm.

Respectfully submitted,



V. Michelle Parker-Evans, NCMC, CMC
Interim City Clerk