



Municipal Building

**Minutes of the Burlington
City Council Work Session**
425 S. Lexington Avenue, Burlington, NC
5:00pm - Monday, October 3, 2022

Mayor Jim Butler presided.

Council Members Present:

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

Council Members Absent: None

Staff Present:

City Manager, Craig Honeycutt
City Attorney, David Huffman
City Clerk, Beverly Smith

Scott Bibler, Peter Bishop, Nolan Kirkman, Jamie Lawson, Todd Lambert, Morgan Lasater, Tony Laws, Brian Long, Jay Mebane, Mike Nunn, Bob Patterson, Peggy Reece, Paige Shepard, and Gary Smith

Media: Alamance News, Tomas Murawski

Mayor Butler called the meeting to order at 5:00pm.

A) City Park Stream Buffer Maintenance

Water Resources Director Bob Patterson presented background, status, and plans moving forward in areas of Little Alamance Creek located in the Burlington City Park stream buffer. He reported on the restoration project that began in 2009 as part of an Ecosystem Enhancement Program project, dissolution in 2021 of the conservation easement, and public safety buffer exemption (Session Law 2017-209).

Stormwater Manager Amy Barber reported on the status of the vegetation maintenance plan approved by NCDEQ with goals of meeting public safety while maintaining health of riparian buffer. The City contracted with Resource Environmental Solutions (RES) to implement maintenance plan, removal of large dead trees, and removal of identified invasive vegetation. This work was completed in three phases including; Phase I – Identify and remove dead/invasive vegetation, Phase II – density control, Phase III – on-going maintenance of undergrowth. She shared examples of maintenance in 2016, 2021, and 2022, including stream clearing and removal of dead trees, limbs, and selective pruning of woody vegetation and long-term ongoing maintenance plans.

Council Member Wall inquired about the expectations of inspections by the NCDEQ as the City conducts this maintenance.

Ms. Barber and Mr. Patterson responded and explained Water Resources has had regular conversations with NCDEQ and they have indicated they are comfortable with the project plans. City staff will remain in contact with the NCDEQ and do not anticipate additional delays for inspections.

Mayor Butler suggested the representatives involved in the process to achieve this initiative, including former Senator Gunn, Representative Riddell and former Representative Ross, be invited to the City Park for staff to share a walk-through tour so they can see the City's progress that they were instrumental in getting resolved.

B) Downtown Water & Sewer Replacement Project & Streetscape Update

City Engineer Todd Lambert reported on \$10M the City received from state funding for proposed water and sewer replacement project in the downtown Burlington area. He shared an overview how the project would impact streets and service laterals in the downtown area. He reported on the construction of the project on a block-by-block basis to reduce overall impacts. He shared several enhancements and improvements that could be performed in conjunction with the water and sewer project, including curb/sidewalk replacements, curb extensions, and other streetscape elements. He shared cost breakdown including state funds, water resources funding, and general fund allocations proposed for the overall project. He asked City Council for guidance on the level of enhancements to define the scope in which to contract with the consultant.

City Council and staff discussed funding options, traffic calming options to consider in high foot traffic zones, and level of enhancements to define the scope of the project.

Following discussion, City Council consensus was to proceed with preliminary designs of an enhancement option "Level C" of installation and streetscaping to provide consultant with the preferred level of design for staff to present those options to City Council at a future meeting for consideration.

C) Discussion of Economic Development Funds

City Manager, Craig Honeycutt updated City Council on conceptual uses including industrial development, commercial development, and existing industries, of the \$10.5 million in surplus funds from the ARPA funding previously reported on by Interim City Manager David Cheek.

Mayor Butler asked that part of the \$5 million that will be put towards economic development be focused on opportunity zones as defined by the federal government. One of the zones mentioned was the area surrounding the vacant Western Electric building.

Mr. Honeycutt suggested that some of the funding could be used to create shovel ready sites for future businesses. This would include purchasing properties and insuring they have access to water, sewer, and are pre-graded, eliminating the uncertainty of property owners who may or may not be willing to sell for industrial recruitment.

Following a brief discussion, City Council consensus was to encourage City Staff to pursue the suggested concepts and frameworks. All resulting project ideas would be further subjected to City Council approval before any action could take place.

D) Economic Development Incentive & Grant Program Update

Economic Development Director Peter Bishop presented on options to consider for updating, modernizing, and creating greater Council flexibility within the City's Economic Development Incentives policy created in 2003-04 and last updated in 2012. He shared trends in NC Economic Development Incentive for other counties and municipalities, including cash grants, water and/or sewer infrastructure improvements, limits on restrictions, and retention incentives. He provided an overview of the City's current policy and in-depth overview of proposed options for City Council to consider. He explained examples of potential corridor grant area programs, industrial and commercial development programs, and matching grants programs. He explained the potential benefits to policy updates and recommends updating the current policy which opens a more comprehensive "toolbox" with a funding mechanism backing it up that will be communicated to companies, partners, and developers.

Mayor Butler inquired about how the city manages economic requests when built in flexibility is in the policy and what legal protections the city has if the policy allows for it.

City Attorney, David Huffman responded that flexibility is necessary to beat the competition and that it is dependent on City Councils level of comfort.

City Manager Honeycutt responded that verbiage could be added to provide more flexibility in the policy, to include the review of each project on a case-by-case basis to determine the viability of the business in the City of Burlington, and then Council would determine if that project received economic incentives from the City.

Mayor Pro Tem Owen inquired about how the city responds internally to various ideas and project requests with an efficient turnaround including a process where weekly meetings are conducted to discuss proposed development plans. He suggested a response from City Manager's office on the process internally that will address the needs for the city.

Mr. Honeycutt responded City staff in Planning Department and Economic Development are regularly meeting to discuss proposed projects to share rezoning requests, upcoming development projects, and communicating internally on a weekly basis.

Mr. Bishop shared the partnership relationship with the Alamance Chamber and Alamance County as it relates to development in the Burlington community and the overall recruitment efforts involving these important partnerships.

Council Member Ward inquired about what is driving the updates to the policy and suggested maintaining the increase in tax value, increase in jobs, as wells as a job retention aspects in the policy development.

Following discussion, City Council consensus was to move forward with the development of the presented concept with legal input from the City Attorney.

E) Annexation Requests

- *Voluntary Non-Contiguous (PID - 149727, 149728, 149729, 149730, 149731, 149732, 149734, 149735, 149745, 149884, 130486, 130512)*
- *Voluntary Contiguous (PID 128108)*

Planning Director, Jamie Lawson reported on twelve outside utility request for the following properties:

- 0 N Graham Hopedale Road (PID 149727)
- 0 N Graham Hopedale Road (PID 149728)
- 0 N Graham Hopedale Road (PID 149729)
- 0 N Graham Hopedale Road (PID 149730)
- 0 N Graham Hopedale Road (PID 149731)
- 0 N Graham Hopedale Road (PID 149732)
- 0 N Graham Hopedale Road (PID 149734)
- 0 N Graham Hopedale Road (PID 149735)
- 0 N Graham Hopedale Road (PID 149745)
- 0 N Graham Hopedale Road (PID 149884)
- 3635 Maple Avenue (PID 130486)
- 1529 Whites Kennel Road (PID 130512)

Ms. Lawson reported all the requests were for water service. She reported for these properties, the City cannot provide all the services required in a cost-efficient manner if annexed. Staff is recommending adding this item to the consent agenda for Tuesday, October 4, 2022, Council Meeting for Council to defer the public hearing and consideration of the Applicants' petition for annexation to a future time pursuant to N.C.G.S. 160D-202, Burlington City Code Section 40.40, and the terms of the Annexation Agreements executed by the Applicants and the City and filed in the Alamance County Register of Deeds.

City Council consensus was to defer as recommended by City staff with placement of an addition to the October 4, 2022, City Council Meeting consent agenda.

Ms. Lawson reported on a voluntary Annexation Petition that was received and certified as part of a utility request for 626 W. Old Glencoe Road. She reported the parcel is approximately 10 acres in size, is located on the south side of Old West Glencoe Road, just east of the intersection with Lakeside Avenue, and consists of Alamance County tax identification number 128108. The applicant is seeking water service, and the since the property is contiguous to existing City limits, the City Council can consider annexing the property. She asked City Council to consider placement on the October 4, 2022, City Council Meeting agenda to set a date of public hearing for November 1, 2022, for consideration of annexation.

City Council consensus was to place an addition to the October 4, 2022, City Council Meeting agenda to adopt a Resolution to set a date of public hearing for November 1, 2022, for consideration of the request for annexation for property located at 626 W. Old Glencoe Road.

F) GREAT Grant Award Announcement & North State's Buildout of Internet Connectivity in Burlington

Information Technologies Director Scott Bibler provided an update on the announcement from Governor Cooper for the Growing Rural Economies with Access to Technology (GREAT) grant award, what it means for Burlington, and what steps are being taken to help ensure smooth implementation of service with Lumos/North State, who was awarded the GREAT grant for Alamance County and will be broadly self-funding expansion of their network covering a large portion of the City.

He explained with this latest announcement, North State operating through its parent company Lumos, was awarded over \$7 million to serve more than 2600 households and businesses in Alamance and Randolph counties. Unfortunately, no areas within the Burlington city limits qualified for the GREAT grant; however, residents may still qualify for the Federal Communications Commission's Affordable Connectivity Program (ACP), which provides eligible low-income household monthly discounts on high-speed internet service or access to a comparable low-cost program. North State offers plans that would allow ACP recipients to subscribe to a service for no cost. Additional information on the ACP can be found at <https://www.fcc.gov/acp>

He reported North State's self-funded network expansion will cover significant portions of Burlington. This expansion is a continuation of the TRI-GIG initiative from 2016, of which Lumos/North State was designated as the winner and in which Burlington will be entering into a lease of non-used City property from which North State will set up a Point of Presence (POP) site. This POP site will connect their existing network in Greensboro to the Alamance County area and allow North State to build out high-speed internet services for Burlington and the surrounding communities.

G) Police Department Retention/Recruitment

Police Chief Brian Long reported on trends the police department is seeing in the annual averages of resignations versus new hires. He provided data on projected separations anticipated by the department by mid-November and challenges it poses with staffing. He shared an overview of staffing impacts and goals to flip this trend. He explained the hiring timeline for an officer process, training of new officers, and training for lateral officers, and total investment for each police officer. He briefed Council on retention and recruitment goals including adjustments to salaries, creative new benefits to retain officers, and areas of need in recruitment for this profession.

Chief Long shared current and future scenarios, projections for 2023, and recommended bringing proposed policies/programs using current budgets (FY22-23) and projected lapsed salary dollars. He recommended bringing to City Council proposed changes that will help with the retention of our current workforce, attract new officers, and help sustain current operations.

City Manager Honeycutt expressed appreciation to Finance Director, Police Chief, and staff for policy review and options to be more creative and unique in recruitment, benefits, and offers to help with retention.

City Manager Honeycutt shared with council that police department staff were not being lost due to departmental disfunction, but due to the increasingly generous benefits of other North Carolina counties and municipalities, according to exit interviews.

Councilmember Wall shared that workload for BPD has also increased due to staffing shortages, adding more stress and less flexibility to the current officers.

Following discussion, City Council consensus was to have Chief Long present proposed policies/programs using current budget at the October 18, 2022, City Council Meeting.

H) Boards & Commissions Reports

Planning Director Jamie Lawson provided a staff report on the following items heard by the Planning and Zoning Commission at the September 26, 2022, meeting:

ITEM 1: REZONING-22-015: Mr. Darren Lucas, applicant, to present a request to rezone property from Medium Density Residential (MDR) to General Business – Limited Use (GB-LU). The property is located at the terminus of Whitesell Dr., west of the intersection of Whitesell Dr. and Huffman Mill Rd., addressed as 0 Whitesell Dr. and consisting of Alamance County Tax Identification Number 107165.

This item was continued to a special meeting scheduled for October 10, 2022.

ITEM 2: REZONING-22-016: Mr. Frank Longest, applicant, to present a request to rezone property from Light Industrial (LI) to Mixed Use – Limited Use (MX-LU). The property is located north of the intersection of Interstate 40 and Maple Ave., addressed as 2444 Maple Ave. and consisting of Alamance County Tax Identification Number 132806.

This item was continued to a special meeting scheduled for October 10, 2022.

ITEM 3: REZONING-22-017: Mr. Oliver Kaija, applicant, to present a request to rezone properties from Medium Density Residential (MDR) and Medium Industrial (MI) to Medium Industrial – Limited Use (MI-LU). The properties are located at the terminus of S. Anthony Ct. and on the westerly side of Keck Dr., south of Anthony Rd., addressed as 2347 Keck Rd., 0 Anthony Rd., 0 S. Anthony Ct., and 0 Keck Dr., and consisting of Alamance County Tax Identification Numbers 120225, 120226, 120240, 120241, 120242, 120245, 120259 and 120277.

This item was continued to the October 24, 2022, meeting.

ITEM 4: UDOTA 4-22: On behalf of the City of Burlington, Ms. Jamie Lawson, Planning Director, to present Unified Development Ordinance Text Amendments.

The Planning & Zoning Commission voted to recommend *approval* of this request (4-2 votes in favor).

A public hearing will be scheduled for October 18, 2022, for City Council consideration of the UDOTA 4-22 text amendments.

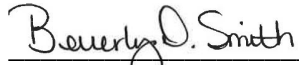
I) City Manager Report

City Manager Honeycutt expressed appreciation to city staff involved in the service provided during the recent tropical storm event.

Public Works Director, Gary Smith provided an overview of the clearing efforts by Public Works for collection of storm debris, cleanup efforts, solid waste and yard waste collection. He reported the streets division will work with solid waste to collect the remaining debris hopeful to complete debris clean up promptly.

J) Adjourn

The meeting adjourned at 7:43pm.



Beverly D. Smith, CMC, NCCMC, City Clerk

October 3, 2022, Work Session