



**Municipal Building**

**Minutes of the Burlington  
City Council Work Session  
425 S. Lexington Avenue, Burlington, NC  
5:00pm - Monday, November 14, 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, Sharisse Fuller, Chris Gaddis, Jamie Lawson, Todd Lambert, Morgan Lasater, Tony Laws, Brian Long, Jay Mebane, Mike Nunn, Conrad Olmedo, Bob Patterson, Fred Patrick, Peggy Reece via Zoom, Paige Shepard, and John Vernon

**Guests Present:** Anderson Rathbun, Bobbitt Construction Project Team, and Chad Meadows

**Media:** Alamance News, Tomas Murawski

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

**A) Project Update: Entertainment Venue at the Burlington Athletic Stadium**

Assistant City Manager Nolan Kirkman introduced the design team in attendance at the meeting and involved in the design of the entertainment venue including staff from Bobbitt construction team, City Engineer, Todd Lambert, Sock Puppets GM, Anderson Rathbun, Recreation and Parks Director, Tony Laws, and City Projects Manager, Fred Patrick.

Mr. Kirkman presented background on project plans, including site visits, and issuance of Request for Qualifications (RFQ) on September 6, 2022, to solicit interest from design-build firms for the project. He reported the submittals from interested firms were due October 3, 2022, staff then vetted submittals, conducted interviews, and brought a recommendation at the October 18, 2022, Council Meeting to award the design-build contract to Bobbit Construction, Inc. and to approve the associated budget amendment. Council approved moving forward with Bobbit and approved a budget amendment (\$1.95M) at that meeting. Since then, staff has worked with Bobbit to develop a concept and estimate for the venue for the presentation of a concept seeking City Council direction on preferred scope of work to move forward with

project plans with a proposed completion date of summer of 2023. He shared the aggressive schedule of the Design Build process to meet the opening deadlines.

City Council discussed the features including the kitchen space, accessibility to the venue, and walkability of the space in and around the venue.

Mr. Kirkman shared the full, mid, and base scopes of construction of the project and recommended the full scope concept estimated at \$2.6M to get the best overall design that includes the features for shading, branded furniture, landscaping, and a pleasing aesthetic view.

Councilmember Owen inquired about the possibility of corporate sponsorships for the additional funding needs.

City Council and staff discussed the value of sponsorship and marketing of materials with consensus for Sock Puppets staff to explore possible sponsors utilizing their experience in marketing.

Following discussion, City Council consensus was to proceed with full scope design concept, seek potential corporate sponsorships, and create a marketing concept to recruit sponsorships.

### **B) Annexation Request – 0 Hallie Hill Road (PID 140996) – Voluntary Contiguous**

Planning Director Jamie Lawson reported on an application the City received and certified as part of a utility request for 0 Hallie Hill Road. The parcel is approximately 17 acres in size, is located at the end of Hallie Hill Road, and consists of Alamance County tax identification number 140996. The applicant is seeking water and sewer service, and since the property is contiguous to existing City limits, the City Council can consider annexing the property. She asked City Council to consider an addition to the November 15, 2022, City Council Meeting agenda to set a date of public hearing for December 6, 2022.

City Council consensus was to proceed as recommended for consideration at the December 6, 2022, City Council Meeting.

### **C) 2023 City of Burlington Legislative and Advocacy Goals, State & Federal**

Economic Development Director Peter Bishop presented an overview the following proposed goals;

#### **2022-23 City of Burlington NC Legislative Advocacy Goals**

NC League of Municipalities Legislative Goal Statements, City of Burlington Submittals:

- A. Grant local governments the authority to build broadband infrastructure in order to partner with private providers and provide additional funding to help close the digital divide within cities.
- B. Expand incentives and funding for local economic development, to include local site development funding, NC Commerce Building Reuse Grant funding and funding targeting economic development activities in low-to-moderate income areas.
- C. Assist the revitalization of vacant and abandoned properties with enhanced legal tools and funding.
- D. Increase state and federal funding for affordable housing, including supplements for Community Development Block Grants (CDBG) and HOME funds, especially for smaller entitlement communities like Burlington

- E. Create a permanent and adequate funding stream for local infrastructure needs.
- F. Ensure state funding for any new, state-mandated benefits for municipal employees.
- G. Improve state-wide funding and support for Law Enforcement Officer training focused on use of force, mental health and de-escalation skills.
- H. Extend notification timeline for any changes to sales tax revenue disbursement.
- I. Reduce pressure on property taxpayers by expanding locally controlled options for revenue generation.
- J. Increase in state funding to support public transportation development and operations.
- K. Explore establishing new resources, programs or laws that support municipalities in handling unsheltered populations, mental health and emergency housing.

Mr. Bishop provided a brief overview of the following City-Specific Goal Items:

- A. **More responsive Transportation Funding** – High priority City road-widening and congestion relief projects continue to languish in the NCDOT SPOT prioritization system. The City supports more annual funding of SPOT projects as well as modifications that provide points for economic development-related projects, high priority local or regional projects and more Powell Bill funds.
- B. **Municipal Annexation:** The proliferation of local bills restricting municipal annexation paints a troubling picture for growing cities like Burlington that are interested in continuing to extend water and sewer services and thereby expanding city limits. Restricting municipal expansion by circumventing traditional annexation petitions tied to water and sewer service, as evidenced in these local acts, further stifles logical and orderly growth opportunities for municipalities. Furthermore, it undervalues the significant investments that municipalities have made in their utility infrastructure and disincentives municipalities to offer such extensions and connections to their systems. The City opposes further restriction of annexation through both local acts or other legislative means.
- C. **PFAS/PFOS Regulation** – Burlington is very concerned with the US EPA’s recent adjustments to the allowable PFAS in water and sewer systems. Municipalities need funding support to make considerable investments in our treatment plants to further remove these contaminants to the new benchmark levels. Burlington supports consistency in regulation and application at the State and Federal level.
- D. **City Occupancy Tax** – The City requests local permission to increase tax the local tax by 3% in line with other communities along I-85 corridor to help fund tourism-related improvements in Burlington. Burlington is willing to work cooperatively with other Alamance County cities but would like to establish a separate TDA to ensure funding that aligns with city goals and priorities.
- E. **Burlington-Alamance Airport Master Plan Development** – As BUY airport continues to grow with a new terminal area, additional funding is needed to realize this growth potential for business and general aviation.
- F. **Economic Development Site Readiness** – Burlington seeks funding sources to identify and prepare large land tracts for further industrial development. This request is in addition to already funded and programmed mega site funding and identification, to support smaller sites that can capture medium-sized investments and suppliers to other regional mega sites.

- G. **Citywide Greenway** – Walkability/ bicycling improvements are a priority throughout the City. Whether through additional NCDOT funding, more competitive recreation grant structures or direct appropriations, the City is seeking additional support for trails, sidewalks and bike paths.
  
- H. **Broadband Improvements** – Burlington supports further policies and programs that help underserved areas within municipalities, whether through vouchers or other incentives, will fill the holes left by current rural-focused policies.

**Law Enforcement Items:**

These items represent efforts to recruit and retain officers in Burlington and other municipalities in North Carolina

1. College Reimbursement at the State level as an incentive for hiring. If you sign with a municipal agency and obtain certification, create a path to eliminate current debt over time.
2. Create a plan that would allow retirement and collection of benefits, continued work after 30 years (via contract) without further contributions to the system and limit pension spiking.
3. Get creative with offsetting state taxes, vehicle registration fees and county property taxes for law enforcement officers. This would expand a current State program where a portion of state taxes are rescinded for LEOs.
4. Health Benefits expansion via State owned hospitals to provide more options for LEOs

**Burlington Fire Department Items**

- o Support passing of H944, Edition 1, Firefighter & RSW Sep. Allowance & Trust Fund
  - o This bill is the equivalent of our police officer's separation plan upon retirement but only for firefighters and rescue squad workers (RSW). A few municipalities have taken it upon themselves to create, fund, and initiate a separation allowance on their own. Specifically, the City of Mebane, Gastonia, and Rocky Mount are underway. This is a huge recruitment tool and the right thing to do due to the wear and tear firefighters subject their bodies to over the course of their careers.
    - <https://www.ncleg.gov/BillLookup/2021/H944>
  
- o Support passing H846, Edition 1, 25-Year Retirement for Fire Responders
  - o This is an inclusive bill for Fire, Police, and EMS. As you can tell by the title it is an approach to allow 25-year retirement for emergency services personnel/fire responders. I would like to see us support this bill or take a strong approach locally for our members serving at BPD and BFD.
    - <https://www.ncleg.gov/BillLookup/2021/H846>

Councilmember Hykes asked Mr. Bishop to watch HR-6448 – Invest to Protect Act. This is a bipartisan bill that directs the Office of Community Oriented Policing Services within the Department of Justice to award grants to local and tribal governments that employ fewer than 125 law enforcement officers. Grant funds may be used for various activities, including to provide de-escalation training and improve recruitment and retention. This bill was introduced in January 2022.

City Manager, Craig Honeycutt, asked City Council if they would like to invite representatives to a breakfast meeting in January before the sessions begin to present the City’s needs and concerns.

Following brief discussion, City Council consensus was to proceed with plans to formally invite representatives as well as Rose Williams from NCLM for a conversation with City of Burlington prior to beginning of session.

#### **D) Police Department Retention/Recruitment**

City Manager Craig Honeycutt presented areas the city needs to address related to Burlington Police Department salary/benefits that will not only encourage retention of existing officers but make the City attractive to new hires as well. He briefed City Council on the proposed recommendations to use existing lapse salary funding for different options with salary/benefits that would help reverse or at least stabilize this trend proposed City of Burlington employee benefits for all city employees including the following recommendations:

##### Paid Parental Leave

- Available to all City of Burlington Employees
- 6 weeks of paid parental leave for regular full-time employees who have been in pay status for the prior twelve (12) month period
- Granted following the birth of an employee's child or the placement of a child with an employee in connection with legal adoption or foster care
- This leave is not charged against any other leave, if the employee is eligible for FMLA, the paid parental leave is included in the total FMLA period
- Implementation in nearby communities: Chapel Hill, Hillsborough, Greensboro, and Winston-Salem, State of NC Cabinet Agencies

##### Additional Sick Leave

- Available to all City of Burlington employees
- Grant additional sick leave at employment milestones
- Employee receives additional sick leave at the 8,15, and 25-year milestone
- Implementation based on years of service with City of Burlington
- Objective is to provide an increased benefit acknowledging the continuation of service
- Implementation in nearby communities: Apex, Raleigh, Cary

Mr. Honeycutt proceeded with police department specific benefits and presented the following proposed recommendations:

##### Wellness Leave

- Available to Sworn Police Officers
- Offer a block of leave on employment milestone for a supplemental vacation to be used within 1 year
- Leave of 4 weeks given out at 7, 14, and 21 years of service
- Officers on approved wellness leave will receive pay and continued benefits during the period of leave
- Objective is to provide work/life balance and consider officer health

Chief Long explained further that the wellness Leave is an opt in benefit. The officer will have to use this benefit within a year time frame. Once the leave is taken, the 4 weeks must be used consecutively to use all the allotted time off. If only 2 of the weeks are utilized, the other 2 weeks will no longer be available.

##### Salary: Adjustment

- Available to Sworn Police Officers
- Increase base salary minimum from minimum from \$46,500 to \$55,411
- Existing employees, increase salary \$8,911

### Salary: Raise

- Available to Sworn Police Officers
- Biannual 2% raise, and if eligible, continue current performance-based pay plan for a possible total of up to 6.3% per year
- Biannual raise would pay out in November and March, current performance-based raise continues distribution in July
- Benefit sunsets when police officer staffing is 85% deployable fully trained for a sustained period of 4 months.

Manager Honeycutt shared the following proposed funding needs for the additional benefits;

- For current fiscal year 22/23, \$1.6 million in Police Department budget lapse salary will be reallocated.
- At full staff of 145 the city will need to budget \$1.6 million for the pay increase
- An additional \$500,000 (sunsets if 85% deployable, fully trained staff) for the twice a year 2% increase
- To continue the salary, increase and raise structure, a total of \$2.1 million is needed for future budget years. This could potentially require an increase of 4 cents on the property tax rate

Councilmember Wall inquired about the number of staff the police department has currently.

Chief Long replied that he has 104 deployable, fully trained staff. A fully functional, full-service staff would be 135 deployable officers. The Police Department is allotted for 145 officers.

Councilmember Owen inquires about the estimated time frame to reach a fully staffed department.

Chief Long highlights the importance of maintaining current employees and hiring lateral employees to help shorten the time it will take to reach a full staff.

Councilmember Wall asks about the cost of training and hiring a brand-new officer.

Chief Long replies that it is approximately \$86,000 between, equipment, training, and salary. Further discussion is had on the difference in cost and time of training a brand-new officer and an officer that is hired laterally.

Mr. Honeycutt requested an addition to the November 15, 2022, City Council Meeting for Council consideration of proposed policy/Ordinance changes.

Mr. Honeycutt emphasized that if the new policies were to be implemented, council will be receiving periodic updates on the effectiveness of the policies.

City Attorney Huffman will provide a draft Ordinance for consideration.

Following discussion, City Council consensus was to proceed as recommended by staff and place an addition to the November 15, 2022, to consider adoption of proposed policy/Ordinance changes as recommended by City staff.

### **E) Boards & Commissions Reports**

Planning Director Jamie Lawson provided a staff report on the following items heard by the Planning and Zoning Commission at the October 24, 2022, meeting:

**ITEM 1: 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.

At its October 24, 2022, meeting, the Planning & Zoning Commission voted to recommend *approval* of this request (7 votes in favor and 0 votes against).

**ITEM 2: REZONING-22-018:** Mr. Brad Moore, applicant, to present a request to rezone properties from Medium Density Residential (MDR), Light Industrial (LI), and Office Institutional (OI) to Office Institutional – Limited Use (OI-LU). The properties are located on the north side of W. Front St., between Paris St. and Saddle Club Rd., addressed as 2635 W. Front St., and consisting of Alamance County Tax Identification Numbers 115754, 115864, and 115865.

At its October 24, 2022, meeting, the Planning & Zoning Commission voted to recommend *approval* of this request (7 votes in favor and 0 votes against).

**ITEM 3: REZONING-22-019: (Application Withdrawn 11/14/22)** Mr. Darrell Gauthier, applicant, to present a request to rezone property from Office Institutional (OI) to Light Industrial (LI). The property is located on the west side of Huffman Mill Rd., southwest from the intersection of Grand Oaks Blvd. and Huffman Mill Rd., addressed as 1559 Huffman Mill Rd., and consisting of Alamance County Tax Identification Number 107153.

At its October 24, 2022, meeting, the Planning & Zoning Commission voted to recommend *approval* of this request (7 votes in favor and 0 votes against).

Ms. Lawson informed City Council the applicant for the foregoing request has formally asked in writing to withdraw their request therefore this item will not be scheduled at this time for a public hearing and will be tabled at this time.

**ITEM 4: REZONING-22-020:** Ms. Joyce Padmos, applicant, to present a request to rezone property from Medium Density Residential (MDR) to Light Industrial (LI). The property is located on the south side of Anthony Rd., south from the intersection of Hanford Rd. and Anthony Rd., addressed as 1208 Anthony Rd., and consisting of Alamance County Tax Identification Number 132180.

At its October 24, 2022, meeting, the Planning & Zoning Commission voted to recommend *approval* of this request (7 votes in favor and 0 votes against).

**ITEM 5: REZONING-22-021:** Mr. Ryan Moffitt, applicant, to present a request to rezone properties from Office Institutional (OI) and Medium Density Residential (MDR) to High Density Residential (HDR). The properties are located on the southeast corner of the intersection of Grand Oaks Blvd. and Kirkpatrick Rd., addressed as 0 Kirkpatrick Rd. and 0 Grand Oaks Blvd., and consisting of Alamance County Tax Identification Numbers 112931 and 113189.

At its October 24, 2022, meeting, the Planning & Zoning Commission voted to recommend *approval* of this request (6 votes in favor and 1 vote against).

**ITEM 6: UDOTA 5-22:** On behalf of the City of Burlington, Mr. Chad Meadows, to present Unified Development Ordinance Text Amendments.

Mr. Chad Meadows provided a comprehensive overview of the tenth round of amendments to the UDO and explained the proposed changes involved in UDOTA-5-22 schedule for public hearing and consideration at the December 6, 2022, City Council Meeting. He reported an overhaul of zoning district tables will be addressed in February 2023 in UDOTA1-23.

At its October 24, 2022, meeting, the Planning & Zoning Commission voted to recommend *approval* of this request – with addition to increase flag size to 60 square feet and flagpole height to 40 feet (7 votes in favor and 0 votes against).

City Council will consider the foregoing requests at public hearings held during the December 6, 2022, City Council Meeting.

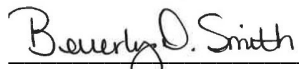
#### **F) City Manager Report**

City Manager Honeycutt expressed appreciation for the benefits discussion that will be useful city wide and help with recruitment and retention of Burlington Police Department officers.

Mr. Honeycutt announced the return of Rachel Kelly to the City of Burlington as Assistant City Manager of Administrative Services.

#### **G) Adjourn**

The meeting adjourned at 7:13pm.



Beverly D. Smith, CMC, NCCMC, City Clerk

November 14, 2022, Work Session