



Municipal Building

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

John Andoh, Scott Bibler, Peter Bishop, Alan Idol, Rachel Kelly, Nolan Kirkman, Jamie Lawson, Todd Lambert, Morgan Lasater, Tony Laws, Brian Long, Jay Mebane, Mike Nunn, Conrad Olmedo, Jeff Parsons, Bob Patterson, Peggy Reece, Paige Shepard, John Vernon, and Dave Wright

Media: Alamance News, Tomas Murawski

Mayor Butler called the meeting to order at 5:02pm.

A) Link Transit Update

Transportation Director Mike Nunn introduced

Interim Transit Manager John Andoh provided a Link Transit update, including service history, utilization, ridership, bus shelter implementation, bus procurement, replacement, BGMPO Regional Transit Study, Link Transit Development Plan and Transit Facility Study. He reported on current considerations including the evaluation of potential modification to the blue route to serve Elon, NC. He shared the following data on ridership from 2016 to the present.

<u>Year</u>	<u>Ridership</u>
2016	48,034
2017	85,807
2018	88,520
2019	112,479
2020	57,770
2021	70,013
2022	Projecting 135,000

Mr. Andoh requested City Council consensus to release the “Transit Development Plan & Transit Facility Study” Request for Proposals which will feed in well with the MPO regional transit study.

Councilmember Wall inquired about the decision to make Link Transit Fare-free.

Mr. Andoh responded that the revenue that would be collected would not be worth the effort of collection. He also stated that fares work to create a barrier between the population, specifically the low-income population, and the transit system. The money that riders save on transportation they can use to shop and further stimulate the local economy.

Mayor Butler asked if part of this study would be re-evaluating the possibility of putting a fare in place.

Mr. Andoh confirmed that this would be evaluated in the study.

Following discussion, City Council consensus was to proceed with the RFP as recommended.

B) Link Transit Title VI Program 2023-2025

Interim Transit Manager John Andoh presented the purpose of the advertised public hearing of Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance. He reported the City, as the FTA recipient is required to adopt a Title VI Program to comply with FTA Circular 4702.1B. The purpose of Title VI is to prohibit discrimination on the basis of race, color, or national origin in programs and activities receiving federal funds. The intent of Environmental Justice is to ensure that all people have equal access to transit services/infrastructure and high levels of environmental protection regardless of their race, color, national origin, or income. These circulars provide project evaluation guidance for transit agencies when they are considering changes in services and building new infrastructure. As a result, FTA does require all its recipients to include in their Title VI Program:

- Title VI Notice to Public, Complaint Procedure, and Complaint Form
- Limited English Proficiency (LEP) Plan and a Public Involvement Program
- A list of investigations, lawsuits, and complaints
- Information regarding the location of fixed route facilities
- Table depicting racial composition of membership of non-elected bodies
- Adoption of service standards and policies

Mr. Andoh advised City Council to consider the adoption of a Resolution following the public hearing scheduled for consideration at the December 6, 2022, City Council Meeting.

C) 2023 Proposed Fees & Charges Schedule Changes

Director of Finance & Risk Management Peggy Reece reported the 2023 proposed fees and charges changes are proposed for consideration at the December 6, 2022, City Council Meeting and noted Department Heads with changes are present to address any questions or concerns.

Council Member Hykes inquired about tennis fees at Recreation and Parks and inquired on how they would be administered.

Mr. Laws explained the recommended fees related to the tennis center proposed during high volume play time in late afternoons, early evenings, and weekends will be paid through an online application or through part time staff present during the times of this play. He noted this fee would apply to the tennis courts use during prime times with no charges applied for Fairchild and North Park tennis courts.

Council Member Hykes inquired about the Planning Department Certificate of Appropriateness.

Ms. Lawson responded and explained the fees proposed are related to major COA's in the Historic District which is being proposed due to the staff time associated with review and approvals required for major COA requests with approximately 2-3 requests received per month.

Mayor Butler explained the importance of newly implemented fees and charges changes and asked that if any adjustments need to be made to update City Council in a timely manner to make any necessary adjustments.

Councilmember Owen commented on the recent tragedy in the Raleigh Christmas Parade and asked for consideration by the Recreation and Parks Department to consider walking groups placement in the coming years as it relates to vehicles and professional floats to perhaps prevent an issue like a vehicle hitting any groups in the parade line up.

Mr. Laws briefed City Council on their line up process, guidelines currently utilized for safety of parade lineup, and will continue to have awareness of the professional float operators and methods to ensure those driving in the Burlington Christmas parade including background checks and DMV reports to ensure these drivers are safely operating.

Council Member Hykes, returning to the topic of fees, asked if there was a break point on fees.

Councilmember Owen commented that the fees in recreation have been as high as 38% of the operational cost and have gone down to about 30%.

Mr. Laws commented that the fees for the Tennis Facility are user fees. Not every taxpayer in the city utilizes all of the facilities so it is equitable to charge those who actually use the facilities, such as the Tennis Center.

Following discussion, City Council consensus was to proceed with recommended fees and charges changes as proposed at the December 6, 2022, City Council meeting.

D) Resolution Request – 2444 Maple Avenue Project

City Attorney David Huffman informed City Council of a request that has been received by David Mitchell, president of Good Homes developers. The request is to consider adopting a resolution approving the issuance of essential housing revenue bonds for community finance corporation

Orrick Law Firm representative Cathleen Chang and President, Good Homes, David Mitchell were present via Zoom to explain the purpose of the Resolution and concept involved.

Mayor Butler asked City Attorney if elements of this request are similar to what was created for a previous Burlington Housing project.

City Attorney Huffman advised City Council on the legal obligations associated with this request and advised they not serve on an advisory board as suggested.

City Council discussed the request for appointment of a member on the advisory board.

Following the presentation, City Council consensus was to place an addition on the consent agenda at the December 6, 2022, City Council Meeting to set a date of public hearing for January 3, 2022, to consider adoption of a proposed Resolution at that time.

E) Boards & Commissions Reports – There were no reports from advisory boards and commissions.

F) City Manager Report

City Manager Honeycutt mentioned the Carousel in the Park event is set in motion to be held on December 22, 2022.

Community Engagement Manager, Morgan Lasater provided an overview of the event plans including a ribbon cutting, free rides on the Carousel, speaking opportunities for council, and dedications.

Mr. Honeycutt thanks the staff for all of their hard work and dedication towards the completion of the carousel.

City Manager Honeycutt recognized Police Chief Brian Long to announce the retirement of Assistant Chief Chris Gaddis and recognized his service of 28 years at the Burlington Police Department. He shared the history of Chief Gaddis' career over the years, and highlighted that Chief Gaddis was always a committed and dedicated employee.

Cemetery & Grounds Superintendent, Alan Idol and Tree & Appearance Commission representative, Jeff Parsons on behalf of the Tree & Appearance Commission were in attendance to share the sad news of the passing of recently appointed Tree & Appearance Commission board member, Meredith Smith.

Mr. Parson's shared that Meredith Smith was appointed to the commission last June and was vital in the planning and execution of our annual arbor day celebration back in October. Mr. Parsons went on to read a quote from Ms. Smith's application, "I'm looking forward to a way to give back to the community, and to be involved in the future planning efforts. My hope is that by me getting involved I can have more of my friends and generation involved in the efforts to make Burlington an even better community for our children to grow up in."

Mr. Parson's reported a tree would be dedicated in honor of Meredith Smith for her service to be planted at a city park area as a remembrance for her service to the City of Burlington. She had a heart for service and had applied to be placed on the commission that needed her most.

Mayor Butler commented on her impact, circle of friends, and contributions to the Tree & Appearance Commission and the community during her time.

City Attorney asked for the addition of two reclassifications in the legal department, paralegal and assistant attorney, to the December 6, 2022, City Council consent agenda.

G) Adjourn

The meeting adjourned at 6:08pm.

Beverly D. Smith

Beverly D. Smith, CMC, NCCMC, City Clerk

December 5, 2022, Work Session