



**MINUTES OF THE BURLINGTON  
CITY COUNCIL MEETING  
Tuesday, May 7, 2019**

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, NC, 27215, on May 7, 2019 at 7:00 p.m.

Mayor Ian Baltutis presided.

**Council Members Present:**

Mayor Ian Baltutis  
Mayor Pro Tem Kathy Hykes  
Council Member Robert Ward  
Council Member James Butler  
Council Member Harold Owen

**Staff Present:**

City Manager Hardin Watkins  
City Attorney David Huffman  
Interim City Clerk Beverly Smith

**Council Members Absent:** None

**CALL TO ORDER:** Mayor Ian Baltutis

**INVOCATION:** Mayor Pro Tem Kathy Hykes

**PROCLAMATIONS:**

- Building Safety Month – May  
Inspections Director Jay Mebane received the proclamation on behalf of Inspections Department.
- National Police Week – May 12-18, 2019  
Police Chief Jeff Smythe received the proclamation on behalf of the Burlington Police Department.
- National Public Works Week – May 19-25, 2019  
Public Works Director Al Cablay received the proclamation on behalf of the Public Works Department.

**CODE OF ETHICS DISCLOSING CONFLICTS OF INTEREST:** Interim City Clerk, Beverly Smith  
There were no conflicts reported.

**APPROVAL OF MINUTES:**

- April 1, 2019 – Work Session
- April 2, 2019 – City Council Meeting
- April 16, 2019 – City Council Meeting

Upon a motion by Mayor Pro Tem Hykes, seconded by Council Member Butler, it was resolved unanimously to approve the foregoing minutes.

**ADDITIONS TO CONSENT AGENDA:**

- Item D: Cancel the May 21, 2019 City Council Meeting
- Item E: Set a date of public hearing for June 4, 2019 – FY 19-20 Proposed Budget and Community Development Budget
- Item F: Link Transit Fare Free Week – June 3-June 7, 2019

City Manager Watkins mentioned there will be three Council Members present and two Council Members absent at the May 21, 2019 City Council Meeting. He asked Council to consider this fact and to decide if consensus is to have the meeting as scheduled or to cancel the May 21, 2019 meeting. He stated if the meeting was cancelled, the above additions would need be placed on agenda in order to act on those items.

Upon a motion by Council Member Ward, seconded by Council Member Butler, it was resolved to unanimously approve the additions of Item E, Item E and Item F to the consent agenda.

**ADOPTION OF AGENDA WITH ADDITIONS:**

Upon a motion by Council Member Butler, seconded by Mayor Pro Tem Hykes, it was resolved unanimously to adopt the agenda with the additions to the Consent Agenda.

**CONSENT AGENDA:**

- A. To adopt a Resolution authorizing the donation of a 1999 John Deere 1200A Field Rake as surplus property to Northeast Guilford Middle School pursuant to N.C.G.S. §160A-280.

**Resolution#19-08**

**Resolution Approving Conveyance of Personal Property  
to a Nonprofit Organization Pursuant to N.C.G.S. §160A-280**

WHEREAS, the City of Burlington currently owns a 1999 John Deere 1200A field rake; and

WHEREAS, the City of Burlington has determined said personal property to be surplus, obsolete, or unused; and

WHEREAS, North Carolina General Statute § 160A-280, Donations of personal property to other governmental units, authorizes a municipality to convey personal property for nonmonetary consideration to a nonprofit corporation if the governing board resolves the property to be surplus, obsolete, or unused; and

WHEREAS, the Guilford County School System (“GCSS”) is a school administrative unit as defined by N.C.G.S. §160A-274(a); and

WHEREAS, pursuant to N.C.G.S. §160A-280, the City has properly posted public notice five days prior to the adoption of this Resolution of its intent to donate said surplus equipment to another governmental unit, as required in N.C.G.S. §160A-274(a); and,

WHEREAS, the Director of Athletics at Northeast Guilford Middle School had previously posted in the Burlington Times News a request for such athletic field maintenance as this field rake; and,

WHEREAS, the City Council finds that the public will benefit from the conveyance of the property described above by using said field rake to help maintain their athletic field at Northeast Guilford Middle School.

THEREFORE, THE BURLINGTON CITY COUNCIL RESOLVES THAT the Revenue Collections/Purchasing Manager of the City of Burlington is authorized to execute all documents

necessary to convey ownership of the 1999 John Deere 1200A field rake, serial number MO1200A100404, to the Guilford County School System (“GCSS”) to be utilized at Northeast Guilford Middle School.

Adopted this the 7th day of May 2019.

- B.** To approve Budget Amendment 2019-38 to allow Recreation and Parks Department to use funds donated by Impact Alamance for signage at park facilities.

Increase Revenues:

01004721 30122	Donations – Rec Programs	\$ 1,870.00
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Increase Expenditures:

01072726 41500	Maintenance/Repair	\$ 1,870.00
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- C.** To approve Budget Amendment 2019-39 to allow Burlington Police Department to use RICO funds to purchase general public safety equipment.

Increase Revenues:

01317000-39999	Appropriated Fund Balance	\$ 49,410
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Increase Expenditures:

01354000-43300	Departmental Supplies	\$ 49,410
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- D.** To cancel the May 21, 2019 City Council Meeting.
- E.** To set a date of public hearing for June 4, 2019, to consider adopting the proposed FY 2019-2020 City Budget and Community Development Budget.
- F.** To approve Link Transit Fare Free service days during the week of June 3-7, 2019, in recognition of Link Transit System three-year anniversary.

Upon a motion by Council Member Ward, seconded by Council Member Butler, it was resolved unanimously to approve the foregoing consent agenda.

**NEW BUSINESS:**

- 1.** City Council will consider a request to temporarily close Davis Street from Main Street to Spring Street from 2:00pm until 10:30pm on July 19, 2019, during the “Room at the Table” special event hosted by Healthy Alamance in downtown Burlington. Council will also consider a request to allow beer and wine to be served in a designated area contingent upon meeting all insurance and Special Events Permit Application requirements.

Ms. Ann Meletzke provided an overview of the event and the purpose of the request to temporarily close the requested street as well as a request to serve beer and wine in a designated area.

Ms. Meletzke stated this event is a catalyst farm to table to kick off an annual fundraiser for event Authentically Alamance Farmers’ Network to showcase locally grown foods.

Upon a motion by Mayor Pro Tem Hykes, seconded by Council Member Owen, it was resolved unanimously to approve the request to temporarily close the requested streets and serve beer and

wine in a designated area contingent upon meeting all requirements of the Special Event Permit Application process.

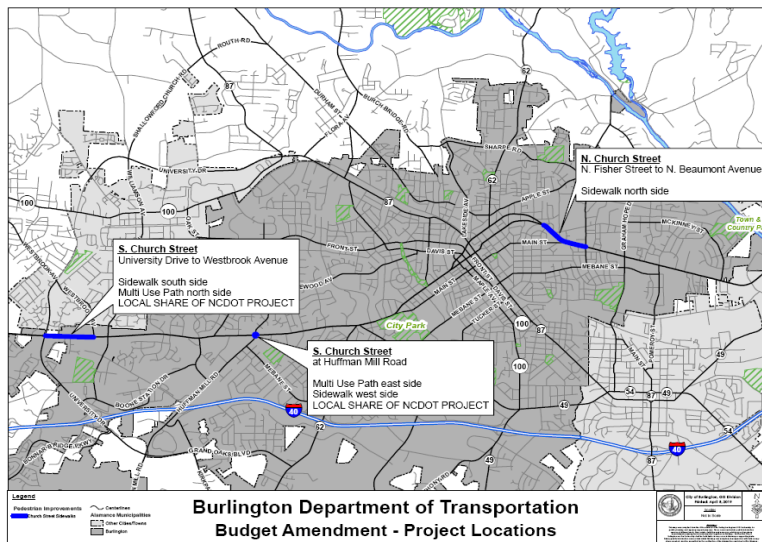
2. City Council will consider approving amendments to the Transportation Sidewalks and Intersection Improvements Capital Project Ordinance BA2019-34.

City Manager Hardin Watkins provided background of the Transportation Sidewalks and Intersection Improvements dedicated to pedestrian safety. He stated the City adopted a Pedestrian Plan in 2013 and a Greenways and Bikeways Plan in 2017 and in order to implement these plans, City staff is bringing forward three projects along the Church Street corridor that will greatly improve mobility and walkability. He stated two of these projects meet the required match to NCDOT projects.

Mr. Watkins provided project details stating two projects include South Church Street from University Drive to Westbrook Avenue providing outstanding connectivity for persons in the Twin Lakes and Elon University communities and both sides of South Church Street at Huffman Mill Road at the extremely busy intersection providing safe options for persons in this busy commercial shopping area. He stated the City has an additional non-NCDOT project has been selected by City staff from the City's priority sidewalk list in the 2013 Pedestrian Plan for funding and implementation. He explained this project will install sidewalks on the north side of N. Church Street from Fisher Avenue to Beaumont Avenue providing much improved access and walkability for neighborhood residents along this busy thoroughfare.

Director of Transportation Mike Nunn provided details of the scope of these recommended projects.

City Manager Watkins stated there is some available funding in the City's assigned fund balance account for pedestrian facilities and is recommended usage of these funds and allocate them to these projects. He noted there has been significant public interest and demand for improved pedestrian facilities and the three projects described provide connectivity improvements in highly visible and highly utilized areas of the City.



City Manager Watkins stated Peggy Reece, Finance Director recommended the following amendments to Capital Project Ordinance BA2019-34 to carry out this project.

Transportation Director Mike Nunn explained the illustration of these projects for consideration upon approval of Capital Project Ordinance BA2019-34.

Following a brief discussion between Council and City staff the following Capital Project Ordinance BA2019-34 was amended.

**Transportation Sidewalks and Intersection Improvements  
Capital Project Ordinance  
BA2019-34**

(Originally established with BA2017-47, amended with BA2018-4, BA2018-36, BA2019-22)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, NORTH CAROLINA, that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby adopted.

Sec. 1. The project authorized is for sidewalks and intersection improvements throughout the City of Burlington. Amendment 1 (BA2018-4) was to bring Forestdale Drive Widening Project up to the lowest bid. Amendment 2 is to cover increased costs due to field conditions and fluctuating asphalt prices (will close out the Forestdale project). Amendment 3: There are two projects (EB-5882 and EB-5885) that have been identified by the NCDOT. **Amendment 4: There are multiple pedestrian improvement paths that have been identified. Two of these are NCDOT projects which require a city match.**

Sec. 2. The officials of the City of Burlington are hereby directed to proceed with this project within the budget outlined in this project ordinance.

Sec. 3. The following revenues are anticipated to be available to the City to complete the project:

42804000-30124	NCDOT grant	377,400
<b>42809000-38390</b>	<b>Transfers In General Fund</b>	<b>675,000</b>
42809000-38392	Transfers In Cap Res. Fund	984,395
42809000-38394	Transfers In Trans. Fund	<u>1,440,000</u>
		<b>3,476,795</b>

Sec. 4. The following amounts are appropriated for the project:

42861000-46033	Transit Ped. Improv. Project	1,540,000
42861000-46034	Graham Hopedale& Mebane Improv.	784,900
42861000-46035	O'Neal/Rockwood/Edgewood Improv.	100,000
42861000-46036	Forestdale Widening Proj.	301,895
42861000-46037	Mebane St & Beaumont Improv.	75,000
<b>42861000-46038</b>	<b>NCDOT Local Match Project</b>	<b>445,000</b>
<b>42861000-46039</b>	<b>City Ped. Improv. Project</b>	<u><b>230,000</b></u>
		<b>3,476,795</b>

Sec. 5. The Finance Director shall report on the financial status of this project as directed by the City Council and shall inform the Council of any unusual occurrences.

Sec. 6. Copies of this Project Ordinance shall be made available to the Budget Officer and the Finance Director for direction in carrying out this project.

Sec. 7. That this ordinance shall take effect upon passage.

Upon a motion by Mayor Pro Tem Hykes, seconded by Council Member Owen, it was resolved unanimously to approve the Transportation Sidewalks and Intersection Improvements Capital Project Ordinance BA2019-34.

3. City Council will consider approving amendments to the Transportation Sidewalks and Intersection Improvements for Capital Project Ordinance BA2019-35 for traffic signal system upgrade.

Director of Transportation Mike Nunn reported this item is a follow up to an agreement with the North Carolina Department of Transportation and represents the City’s local match agreed upon in that agreement. He stated the North Carolina Department of Transportation has funded a complete upgrade of the existing traffic signal system for the City of Burlington. He reported the project will replace over 200 traffic signals and 40 traffic monitoring cameras. The City Council adopted a Resolution on May 2, 2017 to accept the project and provide the 20% local match. Mr. Nunn stated this Capital Project Ordinance allows the City to carry out the funding of this approved project.

Following a brief discussion with Council and City staff the following Capital Project Ordinance BA2019-35 was amended.

**Transportation Sidewalks and Intersection Improvements  
Capital Project Ordinance  
BA2019-35**

(Originally established with BA2017-47, amended with BA2018-4, BA2018-36, BA2019-22,  
BA2019-34)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, NORTH CAROLINA, that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby adopted.

Sec. 1. The project authorized is for sidewalks and intersection improvements throughout the City of Burlington. Amendment 1 (BA2018-4) was to bring Forestdale Drive Widening Project up to the lowest bid. Amendment 2 is to cover increased costs due to field conditions and fluctuating asphalt prices (will close out the Forestdale project). Amendment 3: There are two projects (EB- 5882 and EB-5885) that have been identified by the NCDOT. Amendment 4: There are multiple pedestrian improvement paths that have been identified. Two of these are NCDOT projects which require a city match. **Amendment 5: The replacement of over 200 traffic signals.**

Sec. 2. The officials of the City of Burlington are hereby directed to proceed with this project within the budget outlined in this project ordinance.

Sec. 3. The following revenues are anticipated to be available to the City to complete the project:

42804000-30124	NCDOT grant	377,400
<b>42809000-38390</b>	<b>Transfers In General Fund</b>	<b>1,727,700</b>
42809000-38392	Transfers In Cap Res. Fund	984,395
42809000-38394	Transfers In Trans. Fund	<u>1,440,000</u>

**4,529,495**

Sec. 4. The following amounts are appropriated for the project:

42861000-46033	Transit Ped. Improv. Project	1,540,000
42861000-46034	Graham Hopedale& Mebane Improv.	784,900
42861000-46035	O’Neal/Rockwood/Edgewood Improv.	100,000
42861000-46036	Forestdale Widening Proj.	301,895
42861000-46037	Mebane St & Beaumont Improv.	75,000
42861000-46038	NCDOT Local Match Project	445,000
42861000-46039	City Ped. Improv. Project	230,000
<b>42861000-46041</b>	<b>Traffic Signal Upgrade (City’s portion)</b>	<b><u>1,052,700</u></b>
		<b>4,529,495</b>

Sec. 5. The Finance Director shall report on the financial status of this project as directed by the City Council and shall inform the Council of any unusual occurrences.

Sec. 6. Copies of this Project Ordinance shall be made available to the Budget Officer and the Finance Director for direction in carrying out this project.

Sec. 7. That this ordinance shall take effect upon passage.

Council Member Owen asked for clarification on the traffic signals system upgrade project and if it was an upgrade or replacement of what we currently have.

Mr. Nunn responded it would be a complete replacement pf communication system, hardware, cabling, and everything inside the signal control room. He stated this includes the software, monitors and equipment used with the timing signaling.

Upon a motion by Council Member Butler, seconded by Council Member Owen, it was resolved unanimously to approve the amendments to the Transportation Sidewalks and Intersection Improvements Capital Project Ordinance BA2019-35.

4. City Council will consider approving amendments to the Greenway/Bikeway Capital Project Ordinance BA2019-37.

Director of Transportation Mike Nunn provided a summary and background of the request for the Greenway/Bikeway Capital Project Ordinance and Budget Amendment 2019-37.

Mr. Nunn reported that City Council adopted the Greenway & Bikeway Plan in 2017 and explained as part of the plan continuation, the City has identified its next priority involving the Town and Country Bikeway as described in the Greenway/Bikeway Project Ordinance for consideration.

Mayor Pro Tem Hykes stated this is a lot of progress and these three projects together are what we’ve been waiting for and it’s very exciting so I’m happy to make a motion that we approve the amendments to the Greenway/Bikeway Capital Project Ordinance BA2019-37.

Council Member Owen commented this a good project but realize this is \$900,000.00 being approved.

Council Member Butler commented this project is a significant amount that was unbudgeted coming out of the fund balance.

Mayor Baltutis responded the funds for this project were from the allocated fund balance previously classified to be used for pedestrian greenway improvements.

Council Member Butler stated all fund balances are allocated, but it's still a fund balance allocated for the purpose of identifying what those funds are going to be used for at significant points in time and it doesn't negate the fact that it's not an unlimited source of money to Council Member Owen's point. He asked to see a list of monies that the City has spent from the fund balance towards these projects in the last two years along with the quick hitter projects that we've funded because this is a significant amount of money.

Mayor Pro Tem Hykes stated to that point that we have made these plans, and this is the direction that staff is going in by putting these project ordinances together so that this is possible.

Council Member Butler responded there are other plans that have been made that were identified as priorities and it is key to be sure that we are spreading the monies amongst all of the projects that we have because this is a lot of money going to one specific project at one specific meeting while there are other projects pending that have no monies allocated to them. He elaborated to Council Member Owen's point, when we have a list of these items to be addressed, we need to compare them to other projects that are important to other people when funding is being considered.

Council Member Owen commented these projects are all good projects, but they compete for funding and the public should know how much is being spent. He pointed out that a matrix put together to show what drives those priorities in terms of planning and how we spend the funds, shows how we get the best use of the funds and identifies what part of the city the funds are being used in.

Mayor Baltutis stated Mr. Nunn mentioned the Beaumont section was the next priority on the Pedestrian Plan, which has a full matrix of priority scored projects. He stated we have finally reached a point where we have aligned many of our strategic plans and are now filling the gaps such as the Greenway and Bikeway plan so that we can truly see how these projects come together. He stated this has enabled us to step forward more confidently with large allocations like this knowing where a project falls and its benefit helping residents get to parks, schools, and its helping link all the way across the City.

Council Member Butler responded to Mayor Baltutis' point there are many other projects that are competing for the same funds and we need to look at those also.

Mayor Pro Tem Hykes commented that we are the ones that haven't established those priorities.

Council Member Butler responded, to some degree we have in a work session two years ago where a list of priorities was created, and we identified those again this year. He explained there are still some projects sitting out there that are completely untouched. He indicated there are priorities out there like a new Police Station that we've got to rebuild and there just went a million dollars. He explained I understand and agree conceptually with having a plan and



funding a plan as you go along, and when you can leverage state dollars, but there's a point in time to pause and look in other projects that matter also.

Council Member Owen stated its difficult to make decisions on one area to determine how to prioritize that and warns against going into reserves too much. He stated a total look at the General Fund projects may help determine where these priorities line up.

Mayor Baltutis asked Council if there was a vision of what a presentation from staff to Council Members would look like. He stated Council had a retreat that was full of discussion points and it sounds like there is a need for a discussion sooner than the next retreat in the next year.

Council Member Butler commented when you go into fund balance, we can leverage the conversation behind plans we have adopted, but we have several and maybe we just don't need to adopt anymore plans until we get some of these things prioritized. He elaborated we have plans out there that we've adopted that don't have a dedicated funding source other than the fund balance which is a bag of tricks and something else is suffering if other projects receive this funding when we haven't looked at all of them.

Council Member Owen stated the City should have plans but maybe we need to add a statement to the adopted plans as to whether they are funded or unfunded. He explained people need to realize just because it is adopted doesn't mean it's funded so not to mislead anyone in terms of their expectations.

Council Member Butler commented we have \$1.6 million dollars going into the appropriated fund balance and it's the City Council's role to determine where it's spent. He stated that's exactly what I think is important that we have an unfunded plan identified as such and then we decide how much goes into each category each year of those unfunded plans.

Council Member Owen commented it is being transparent where we show during the year and keep score where these funds are actual going. He stated we have a lot of good plans and cities need to have plans, but we must figure out and make some tough decisions of what we are going to prioritize in terms of funding those plans. He commended Manager Watkins on his work session presentation on funding mechanisms available and stated he did a good job explaining ways to seek funding for various projects.

Mayor Baltutis commented to that point, City Manager Watkins talked about some priority-based budgeting and program-based budgeting. He stated this takes some work and digging deeper into the numbers and some further discussion about how we take all the unfunded plans, pull them together, compare them and start prioritizing them on what's going to get funding. He asked if Council consensus was to have City staff to come back in July or August to bring forward some type of priority-based budgeting proposal to begin that process.

Council Member Owen responded he thinks staff needs ample time to look at this with all areas involved that have project plans. He stated it would be interesting to see what the total picture looks like and perhaps this can be discussed again at the next Council meeting.

Mayor Pro Tem Hykes asked if staff is being asked to prioritize the goals that have already been set over the last several years for the City or is it something more than that where all departments

are getting a fair shot of the monies. She stated it sounds like its two different things and asked for clarification.

Council Member Owen responded the goals that have already been identified are obviously involved in this and my question is with the trails and greenways and asked if this was an identified source of funding and was that project on the priority list. He noted that plans are important and stated are we spending money creating plans and then setting some on the shelf and letting them go by.

Council Member Butler explained there could be a project that costs \$12-\$15 million dollars and its decided that we can't afford it, and two more meetings like tonight's, we could have just afforded twenty percent of it. He stated we need to be sure we are mindful about these and our priorities keeping in mind emerging issues that are going to come up that take precedence.

Mayor Baltutis commented some statements about funding were not fair and mentioned that was evident when City Manager Watkins provided information specifically about funding options and stated that we would continually explore those options. He stated that it is important to note that we didn't go into the work session thinking that we were going to be able to afford all of the projects and that we recognize that each tool, whether it's a police station or economic development project, they all require different funding and not all of these projects are coming out of the general fund. He stated that's one of the tough tasks of Council Member's such as evaluating those projects, prioritizing those projects with the help of staff and other experts to link those to the proper funding mechanism that works for our community at the given economic situation.

Council Member Butler responded most of the comments he's hearing is that the belief of the general public is that we are spending that money and they are asking why we are spending that money on these projects.

With no further comments, Mayor Baltutis concluded there may be more discussion at the June 4<sup>th</sup> meeting. The following capital project ordinance adopted.

**Greenway/Bikeway Project Ordinance**  
**Capital Project Ordinance**  
**BA2019-37**

(Originally established with BA2018-19, BA2019-13)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, NORTH CAROLINA, that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby adopted.

Sec. 1. The project authorized is for creating a greenway and bikeway that connects Downtown Burlington to Elon. The project is being amended to establish a trail that spans from Andrews Elementary to the Haw River Trail and will connect through the Animal Shelter. **This project is being amended in-order to construct a bikeway in the Town and Country area.**

Sec. 2. The officials of the City of Burlington are hereby directed to proceed with this project within the budget outlined in this project ordinance.

Sec. 3. The following revenues are anticipated to be available to the City to complete the project:

42004000-30104	Donations	420,000
42009000-38390	Operating Transfer In	30,000
<b>42009000-38390</b>	<b>Operating Transfer In</b>	<b><u>225,000</u></b>
		<b>675,000</b>

Sec. 4. The following amounts are appropriated for the project:

42072000-47300	Front Street Greenway	400,000
42072000-47301	Ruby Lane Trailhead	50,000
<b>42072000-47302</b>	<b>Town and Country Bikeway Project</b>	<b><u>225,000</u></b>
		<b>675,000</b>

Sec. 5. The Finance Director shall report on the financial status of this project as directed by the City Council and shall inform the Council of any unusual occurrences.

Sec. 6. Copies of this Project Ordinance shall be made available to the Budget Officer and the Finance Director for direction in carrying out this project.

Sec. 7. That this ordinance shall take effect upon passage.

Upon a motion by Mayor Pro Tem Hykes, seconded by Council Member Ward, it was resolved unanimously to approve the Greenway/Bikeway Capital Project Ordinance BA2019-37.

### PUBLIC COMMENT PERIOD

There were no public comments.

### CITY COUNCIL COMMENTS

Mayor Baltutis mentioned the following upcoming events:

- Burlington Post Office –Kick-Off –Letter Carriers’ Food Drive –Saturday, May 11, 2019
- Burlington Police Department –Recruitment Open House – May 11, 2019, from 10am-1pm
- Burlington Maynard Aquatics Center is open, and repairs are complete.
- Link Transit celebrates over 250,000 riders with a special event on May 16, 2019.

### ADJOURN

Upon a motion by Mayor Pro Hykes, seconded by Council Member Butler, it was resolved unanimously to adjourned at 7:58pm.

*Beverly D. Smith*

Beverly D. Smith, Interim City Clerk

May 7, 2019  
City Council Meeting