



## MINUTES OF THE CITY OF BURLINGTON CITY COUNCIL WORK SESSION

**December 3, 2018**

The City Council of the City of Burlington held a regularly scheduled work session in the Municipal Conference Room, 425 South Lexington Avenue, Burlington, N.C., on December 3, 2018, at 5:00 p.m.

**Councilmembers Present:** Mayor Ian Baltutis and Mayor Pro Tem Kathy Hykes  
Councilmembers Robert Ward, James Butler and Harold Owen

**Councilmembers Absent:** *None*

**City Manager:** Hardin Watkins, *present*

**City Attorney:** David Huffman, *present*

**City Clerk:** Renee Ward, *present*

### **A. Demolitions**

419 Green Street  
414 New Street  
414 Peele Street

**David Beal**  
*Assistant Director*  
*Planning and Community Development*

Assistant Director of Planning and Community Development reported that the Housing Commission had approved the above-listed properties to be demolished. He said that the City Attorney and staff had reviewed each property and recommended adoption of ordinances to allow the City to place liens on the properties for associated demolition costs.

These above listed properties are on the December 4, 2018, City Council consent agenda for approval.

### **B. Tobacco-Free Ordinance in Burlington City Parks**

Presented by: Kacie Lynch, Junior Program Officer  
Impact Alamance and the Wellness Collaborative

**Tony Laws**  
*Director of Recreation and Parks*

Recreation and Parks Director Tony Laws introduced recent graduates from Elon University who were doing a Year's Fellowship Program assigned to different agencies in Burlington. He said that Kacie Lynch from Impact Alamance would make a presentation along with Sally Gordon, Alamance County Health Department and Kelsey Warren with ARMC. He shared that in 2012, the City Council adopted

a No Smoking Ordinance, Chapter 22.32, Sec. 2, for youth-involved activity areas in selected park facilities owned and operated by the City for public use. Mr. Laws said that the ordinance was well received and much appreciated by parents of children using those areas. He said that it had led to many requests from the public to expand that ordinance to other areas of the City's parks.

Mr. Laws said that Impact Alamance and the Wellness Collaborative presented a proposal to the Recreation and Parks Commission at its meeting on November 8, 2018. This proposal was a direct result of the City's Health in All Policies directive adopted by City Council on February 20, 2018. He said that the Recreation and Parks Commission voted unanimously to recommend a Tobacco-Free Ordinance for City-owned parks to the City Council for consideration.

Ms. Kacie Lynch shared a presentation on a Tobacco-Free Parks Initiative for all Burlington City Parks. She shared that the team went to nine different parks in the City and picked up cigarette butts and filled a big plastic container. She suggested signage that would state "Healthy Lungs at Play" in areas of the parks.

Ms. Sally Gordon, Alamance County Health Department shared that the focus was on three main benefits of tobacco-free parks; Health, Beautification and Reputation. She shared that levels of secondhand smoke could be just as dangerous as when smoking inside. She shared that secondhand smoke caused approximately 3,000 deaths per year from lung cancer alone as well as 46,000 deaths a year from heart disease. She said that the second benefit was beautification of the parks. Cigarette butts are the most common forms of litter here in the US and approximately 175 million pounds of cigarette butts, per year, are found in the US alone. These can be toxic to waterways and therefore impairing the water quality and affecting the various aquatic eco-systems that exists in our lakes, ponds and rivers. The final point was the reputation of the City's parks. The City is committed to do everything through the lens of health, and if the City was committed to that, Burlington would provide environments that are tobacco free to the public and promote positive healthy venues.

Mr. Laws asked that Council consider the amended ordinance at the December 4, 2018, City Council meeting.

Councilman Owen asked about enforcement.

Mr. Laws said that it would be voluntary and would be asking for voluntary compliance the same as we did for the current ordinance in the children's areas. He said that it gives our staff the opportunity to educate someone if they are using tobacco and bring their attention to the posted signs. He asked that Council allow staff at least three months to publicize, educate the public and install the signs after the passing of the ordinance.

Councilman Ward suggested holding a public hearing.

Council consensus was to hold a public hearing on the proposed No Smoking Ordinance at the January 15, 2019, City Council meeting.

## **C. Willowbrook Park Stream Restoration Project - Change Order No. 1**

Water Resources Director Bob Patterson shared that due to delays in obtaining environmental permits, the original contract start date was not until May 2, 2018, with a project completion of August 29, 2018. This period did not allow for appropriate seasonal timing to plant trees and shrubs. From the project start, a December tree/shrub planting schedule was discussed and resulted in a 120-day extension.

Additionally, during the course of construction, the contractor requested three additional days to extend a storm drain and five additional days to install extra instream structures to repair areas damaged during heavy rains. In addition, there were approximately 20 days of significant rain during the project. Rains since September have helped to identify several small areas that need additional reinforcement with matting and an instream structure. This will add five additional days. Also, 29 days were added as contingency for the stream repair due to the seasonal weather uncertainty. This total addition of 182 calendar days to the contract will result in a contract completion date of February 28, 2019.

#### **D. Board and Commission Reports**

- Planning and Zoning Commission – 2 Requests:

Planning and Community Development Director Amy Nelson shared information on the following rezoning requests scheduled for the January 15, 2019, City Council meeting:

- 1) Request to rezone from MF-A, Multifamily District, to B-2, General Business District. The properties are located at 409 Stokes Street and are a portion of Alamance County tax identification numbers 133419 and 133425.
- 2) Request to rezone from R-15, Residential District, to CR, Conditional Residential District for the use of a 114-unit townhouse development. The properties are located on the north side of Garden Road between Whitt Avenue and Boone Station Drive, referenced as Alamance County tax identification numbers 112523 and 107226. Ms. Nelson said that there were several who spoke in opposition of the rezoning at the Planning and Zoning meeting. The Planning and Zoning Commission voted 5 – 2 in favor of the rezoning.

- Traffic Commission - *None*
- Public Transit Advisory Commission (PTAC) – *None*

#### **E. North Carolina Metropolitan Mayors Coalition - Membership**

**Ian Baltutis**  
*Mayor*

Mayor Baltutis shared the value of renewing the City's membership with the NC Metropolitan Mayors Coalition and its recent partnership with the NC League of Municipalities.

Council consensus was to renew its membership with the NC Metropolitan Mayors Coalition and place it on the December 4, 2018, City Council consent agenda.



The Coalition is a non-partisan, mayor-driven organization that promotes strategies to advance urban centers.

## Value Proposition

► We provide an unwavering focus on metropolitan North Carolina.

### OUR UNIQUE VALUE:

#### Our Members are NC's Larger Cities

We are a diverse group of large and mid-sized cities with populations of 25,000 and above that share common needs and interests.

Despite our differences in size, we are bound together by our shared interests and recognize we are stronger when we work together.

#### Our Core Shared Interests

- Transportation and infrastructure
- Community and economic development
- Public safety
- Local control, flexibility and revenues

#### Our Unique Why

- Metropolitan NC is driving the economic success of the entire state – urban and rural
- NC cities have unique needs that are not being adequately addressed
- Regional coordination is essential to our state's success

#### Our Unique How

- Our Mayors are uniquely recognized as advocates for urban interests
- We build relationships amongst leaders of member cities to work for common interests
- We identify the pressing needs in metropolitan areas to policy makers
- We are nimble and able to act quickly to emerging issues
- We focus on a few strategic issues

#### Our Unique What

- We are laser focused on promoting the key role cities play in NC's economy
- We share best practices
- We advocate for larger and mid-sized cities
- We communicate with our membership about issues of importance to cities
- We create a unique, small forum for larger city mayors and staff to share and strategize

### OUR PARTNERS:

#### We Partner With:

- The NC League of Municipalities
- Organizations that align with the interests of the Coalition

#### Our Partners Provide:

- Advocacy for shared interests
- Research
- External communications

## F. City Manager Comments:

There were no comments.

## G. Council Comments:

Mayor Baltutis shared information from sessions he attended at the National League of Cities in Los Angeles; Data Driven Cities, Rail Fly Zones – you would be able to request quiet zones; Rec to Tech Design Challenge – Re-design old recreation buildings into technology spaces to enhance successes in students.

Mayor Baltutis asked if staff could be allowed to elevate whether or not the City would want to apply for a grant. He asked to hear from staff at a future work session about what was found and should the City move forward.

Mayor Pro Tem asked to hear more about the Opportunity Zones Program that was the result of the Tax Cuts and Job Act and what that meant for the City. She said that it would be an investment in particularly depressed areas and that each County needed to have a particular zone designated.

City Manager Watkins said that the City did submit a nomination for an Opportunity Zone and it was accepted. A full report would be given at the January 7, 2019, work session.

Mayor Baltutis shared about another session on how to keep small businesses alive when previous owners retire and are unable to find anyone to buy those businesses. The last session was on street vending in relation to entrepreneurship, focusing on decriminalization of street vending or pop-up merchants when creating ordinances.

**ADJOURN**

Meeting adjourned at 6:21 p.m.

Renee M. Ward  
Renee M. Ward, CMC  
City Clerk

December 3, 2018  
Work Session