



The Mebane City Council held its regular monthly meeting at 6:00 p.m., Monday, August 5, 2024, in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 E. Washington Street.

Councilmembers Present:

Mayor Ed Hooks  
Mayor Pro-Tem Tim Bradley  
Councilmember Katie Burkholder  
Councilmember Sean Ewing  
Councilmember Montrena Hadley  
Councilmember Jonathan White

Also Present:

Preston Mitchell, Interim City Manager  
Lawson Brown, City Attorney  
Stephanie Shaw, City Clerk  
Mitch McKinney, Police Chief  
Ashley Ownbey, Development Director  
Daphna Schwartz, Finance Director  
Franz Holt, City Engineer  
Kyle Smith, Utilities Director

Mayor Hooks called the meeting to order. In remembrance of Mebane Fire Department Captain John Schultz who recently passed in a tragic accident, Mayor Hooks read aloud the Resolution Honoring Captain Schultz when he retired in March 2021. He then called for a moment of silence.

Mayor Hooks then called on Mayor Pro-Tem Tim Bradley to come forward as the Council recognized him for his 50 years of service with the Mebane Fire Department. He read aloud the following Resolution:

**Resolution Honoring Mebane Fire Department  
Deputy Chief Tim Bradley for 50 Years of Service**

**WHEREAS**, the City of Mebane honors individuals who have demonstrated exceptional dedication and heroism in the service of our community; and

**WHEREAS**, Tim Bradley has served the Mebane Fire Department and the Mebane community with an unwavering commitment since joining on May 24, 1974; and

**WHEREAS**, Tim Bradley held the esteemed position of Chief from 1984 to 1990, and has held the position of Assistant Chief, and then, Deputy Chief since 1993 during which his leadership and expertise have greatly advanced the capabilities and morale of the department; and

**WHEREAS**, on October 22, 2006, Tim Bradley displayed extraordinary bravery by rescuing a 5-year-old boy from a fully involved house fire without the use of a Self-Contained Breathing Apparatus (SCBA); and

**WHEREAS**, Tim Bradley's heroism and dedication have been recognized through numerous awards, including the Mebane Fire Department's Greg Hinson Firefighter of the Year Award in 1979 and 2006, the Mebane Fire Department's Award of Valor in 2006, and the prestigious 2007 Firehouse Heroism Award and MSA Fireslayer Award for his life-saving rescue efforts; and

**WHEREAS**, Tim Bradley celebrated an extraordinary milestone on May 24, 2024, marking 50 years of distinguished service with the Mebane Fire Department; and

**NOW, THEREFORE**, I, Ed Hooks, Mayor of Mebane, do hereby recognize and commend Tim Bradley for his exemplary service, steadfast commitment, and heroic contributions to the safety and well-being of our community. Tim's actions reflect the highest standards of firefighting and community service, and he stands as a role model for current and future generations of firefighters.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Mebane to be affixed this 5<sup>th</sup> of August 2024.

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Ed Hooks Mayor

Mr. Bradley received a standing ovation from everyone in attendance. Mayor Hooks also presented him with a Mebane Logo brick sculpture, hand sculpted by NC artist Brad Spencer.

North Carolina Insurance Commissioner Mike Causey was a surprise guest and presented Mr. Bradley with the Order of the Guardian Award. The Order of the Guardian Award is the Insurance Department’s highest award and is given to individuals who have demonstrated outstanding service in either the fire or insurance industries.

Mr. Bradley thanked everyone, stating that one of the greatest blessings is one of service. He said that all the sleepless nights, toils, and hardships are worth it to be able to make a difference in the lives of others. He thanked his wife, his daughters, and his grandchildren as they have constantly supported him throughout the years, acknowledging that this life of serving others also takes a toll on them. He stated that the award should go to them.

During the Public Comment Period, Terry Fleitz, 906 S. Third Street, Mebane, shared his concerns with the lack of response by the City regarding dog attacks in his neighborhood. He stated that a petition signed by himself, and 35 other residents of the Fair Oaks Subdivision was submitted in December 2023. The petition outlined three high-level areas of concern, (1) inadequacy of the current animal ordinance, (2) Police/Animal Control response time and follow-up, and (3) Improved communication following an animal event. He gave a detailed overview of concerns with the City’s current ordinance related to dogs and offered recommendations for changes to the ordinance. He thanked Councilmember White and Chief McKinney for their actions on his and the petitioner's behalf.

Also, during the Public Comment Period, Carl Bradley, 4610 Mebane Oaks Road, Mebane, shared concerns with cars speeding through the parking lot at the Mebane Community Park, especially the area adjacent to the dog park. He suggested a speed bump be installed.

Mayor Hooks gave an overview of the Consent Agenda as follows:

- a. Approval of Minutes- July 1, 2024- Regular Meeting
- b. Voluntary Non-Contiguous Annexation Petition- NACC Investment Group, LLC
- c. Final Plat Reapproval- Bowman Place, Ph. S4
- d. State of North Carolina Rural Building Reuse Program Budget Amendment

Mr. White made a motion, seconded by Mr. Ewing to approve the Consent Agenda items as presented. The motion carried unanimously.

Item d.

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year beginning July 1 2024 as duly adopted on June 3, 2024, is hereby amended as follows:

ARTICLE I			
APPROPRIATIONS	Current Budget	Change	Revised Budget
General Fund - Economic Development	\$ 900,214	\$ 500,000	\$ 1,400,214

ARTICLE II			
REVENUES	Current Budget	Change	Revised Budget
General Fund - All Other Revenues	\$ 1,548,866	\$ 500,000	\$ 2,048,866

This the 5th day of August, 2024.

A Public Hearing was held on a request from Morinaga America Foods Inc. for the Council’s consideration to approve a performance agreement as the company is considering an expansion at their existing facility in the Buckhorn Economic Development Zone in the City of Mebane. The

company is evaluating whether it should increase its investment at the Mebane, North Carolina facility to support increased demand for its product instead of investing in one of its other global facilities.

Tony Copeland, an attorney with Brooks Pierce representing Morinaga, gave a few brief remarks and introduced Noriyuki Nishikawa, President of Morinaga American Foods, Inc.

Mr. Nishikawa gave an overview of the request and shared details regarding their proposed planned investment, construction, and production dates. He stated it is more cost-effective for Morinaga to produce in Asia, however, since the Company began operation in Mebane, it has experienced tremendous support from the local community and the Company's reliable employees, therefore they feel expansion in Mebane is the best choice for the second factory.

Steven M. LaSota, an attorney with Brooks Pierce, presented the attached PowerPoint.

Mr. Mitchell presented the attached PowerPoint giving an overview of the performance agreement. The Company is considering new investments in real property and personal property for a total of \$115,399,000. The project will add 204 new jobs with a competitive average wage of \$48,725. The City of Mebane's proposed incentive package for Morinaga America Foods Inc. amounts to \$576,999 included in cash grants and a maximum waiver of building permit and inspection fees of \$500,000. The first payment will be made one year after a final certificate of occupancy has been issued for a maximum of \$115,399 and additional payments made on subsequent one-year anniversaries in accordance with the performance agreement.

No one from the public spoke. Mr. Ewing made a motion, seconded by Ms. Burkholder, to close the public hearing. The motion carried unanimously.

Mr. White made a motion, seconded by Mr. Bradley, to approve the performance agreement based upon findings that the company will be expanding, and will add \$115,399,000 to the tax base, create 204 new jobs, and generally benefit the City's taxpayers. The motion carried unanimously.

A Public Hearing was held on a request from Sandvik Coromant for approval of a State of NC Building Reuse Grant Application & Performance Agreement. The company is considering expansion at its existing facility in the Central Carolina Industrial Center (CCIC) in the City of Mebane. The Company is evaluating whether it should increase its investment at the Mebane, North Carolina facility to support increased demand of its product instead of investing in one of its other facilities.

Kevin Szostak, Alamance Chamber Director of Economic Development Projects, shared brief comments about Sandvik and the company's request. He introduced Sandvik Plant Manager Glenn Nordh and Sandvik Business Controller Tom Humphrey.

Mr. Nordh presented the attached PowerPoint giving an overview of the company's history, and its production line evolution. He stated in 2020 Sandvik Coromant's headquarters relocated from New Jersey to Mebane along with a new Coromant Center. He then spoke about the expansion project, noting that part of the expansion project will allow taking even further volume away from another competing site in Michigan, close the doors of that facility, and bring that volume down to Mebane. Mr. Nordh also spoke about their community involvement, stating that they are heavily involved with ACC scholarships, Mr. Humphrey is involved with the Cone Health Foundation. Also, Sandvik opens its doors to other area partners in manufacturing, allowing them to hold events in their facility. The Company participates in food drives, Toys for Tots, and United Way because they strongly believe in being a good partner to the community. He concluded his presentation with the final slide of the PowerPoint. The expansion would create 18 new full-time jobs paying an average way of \$62,777.

Mr. Mitchell presented the attached PowerPoint. He stated that typically when an industry expands, the building reuse grant is part of the overall performance incentive but in this case, Sandvik Coromant is not asking for additional incentives beyond the building reuse grant. It is a stand-alone grant. The City of Mebane's proposed incentive package for Sandvik Coromant is the 5% required local match for a State of North Carolina Department Building Reuse Grant and subject to award by the State of NC. The Company will create 18 new full-time jobs paying an

average way of \$62,777. The Company is considering new investment in real property for a total investment of \$1,295,207 and personal property investment of \$800,000 that is not part of the Building Reuse grant application local match. The local 5% match would equal \$7,250 for a State grant application request of \$145,000.

No one from the public spoke.

Mr. Bradley made a motion, seconded by Mr. White, to close the public hearing. The motion carried unanimously.

Mr. Bradley made a motion, seconded by Ms. Hadley, to approve the State of NC Department of Commerce Building Reuse Grant application to be submitted, with local match, based upon findings that the company will be expanding and add \$1,295,207 in real property and \$800,000 in personal property to the tax base, create 18 new jobs, and generally benefit the City's taxpayers; along with the performance agreement. The motion carried unanimously.

Ms. Burkholder made a motion, seconded by Mr. Ewing, to adopt a Resolution to apply for the State of NC Building Reuse Program Grant for Sandvik Coromant. The motion carried unanimously.

**City of Mebane Resolution**  
**Application for NC Department of Commerce**  
**Sandvik Coromant Mebane, NC**

**WHEREAS**, Mebane City Council has indicated its desire to assist in economic development efforts for business and industry within Mebane; and,

**WHEREAS**, the Council fully supports the proposed project by Sandvik Coromant which will result in the expansion of an existing facility located in Mebane, North Carolina, and will create eighteen (18) new positions for Mebane; and,

**WHEREAS**, the Council desires to pursue a formal application for Building Reuse funds in the amount of \$145,000 from the NC Department of Commerce; and,

**WHEREAS**, the Council certifies it will provide the 5% match required through Mebane’s additional local incentives package and will meet all other requirements of the North Carolina Department of Commerce,

**NOW, THEREFORE BE IT RESOLVED**, by the Mebane City Council, that the City of Mebane is authorized to submit a formal application to the North Carolina Department of Commerce in order to provide assistance to benefit Sandvik Coromant.

That this Resolution shall take effect immediately upon its adoption.

Adopted this the 5th day of August 2024 in Mebane, North Carolina.

\_\_\_\_\_  
Ed Hooks, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie W. Shaw, City Clerk

A Public Hearing was held on a request from Hendon Tiller Mebane 3.0, LLC for approval to revise the conditions for the +/- 6.19-acre property located on Wilson Road and Forest Oaks Lane zoned B-2 (CD) to allow for a farm supplies and equipment retail use. Ms. Ownbey explained that the Council originally considered this request at a public hearing in April but was continued until the June meeting where it was readvertised and then continued a couple more times. She began an overview stating that the requested conditions reflect that Wilson Road will no longer be extended

southerly and a Traffic Impact Analysis was submitted to address the potential impacts of the proposed development without that connection. The property is located in Alamance County in the Mebane City Limits having been annexed in 2023. The property is currently largely a forested site. There is a stormwater pond on part of the property and also a gravel parking lot that is primarily used by employees of Chick-fil-a. Surrounding uses include restaurants, retail, offices, and a gym, as well as other professional and commercial services, and there is a residential neighborhood to the east. The site is located in the secondary growth strategy area as identified by the City's Comprehensive Land Development Plan Mebane by Design and the growth strategy area supports commercial development. Ms. Ownbey said as previously mentioned the extension of Wilson Road cannot be secured and that is why this request is being made to the Council. It was a condition that if the right-of-way could not be secured, a Traffic Impact Analysis (TIA) would be required. The TIA has been completed and submitted. The City and NCDOT have reviewed it. The developer is required to make the following improvements:

- Provide a westbound left turn lane on Forest Oaks Lane with adequate storage and taper, as required by the NCDOT and the City of Mebane.
- Construction of the three site driveways with one ingress lane and one egress lane striped as a shared left-right turn lane operating under stop-control.
- Compliance of multimodal transportation requirements will be examined by staff to ensure the adequacy of pedestrian, bike, and transit facilities along the property frontage. Additional crosswalks shall be considered at the intersection of Wilson Road and Forest Oak Lane.

In addition to the traffic study and the loss of that connection of Wilson Road to the DOT stub, there have been other modifications to the site-specific plan. The staff has reviewed those changes through the technical review process and wanted to identify them as part of this amendment to the conditional zoning district:

- A reduction in the amount of curb and gutter on Forest Oaks Lane. The new site plan shows curb and gutter on Forest Oaks Lane opposite the site ending at the second commercial driveway on Forest Oaks Lane. The original site plan had curb and gutter extending past the first residential driveway on Forest Oaks Lane.
- The addition of crosswalks at the intersection of Wilson Road and Forest Oaks Lane and a mid-block crossing of Wilson Road.
- A minor modification to the parking lot layout around the entrance to the fenced outdoor display area.
- The 3,827 square-foot Garden Center has been changed to a 2,640 square-foot Live Goods Center. This has increased the outdoor display area from 24,040 square feet (14.58% of the site area) to 26,745 square feet (16.22% of the site area). Of the total outdoor display area, 2,640 square feet will be covered, 19,654 square feet will be fenced, and the remaining 4,451 square feet will be uncovered and unfenced.

Nathan Duggins, Attorney with Tuggle Duggins representing the applicant, stated they wish they had taken the City's initial recommendation to complete a TIA as it could have alleviated a lot of what they have gone through. He thanked the City staff for helping them through the process. There was a discussion regarding the condition of the curb and gutter. Mr. Duggins said as a voluntary condition, if the landowner wants the curb and gutter installed, they will install it but if the landowner does not want the curb and gutter installed, they will not install it. Mr. Duggins gave an overview of the efforts made to obtain the right-of-way prior to seeking the TIA and an overview of the efforts made since the April Council meeting. The acquisition efforts were unsuccessful so that opened up the prospect of what the applicant is offering, a \$200,000 fee in lieu of replacing the condition of having the Wilson Road extension in place.

Mr. Brown questioned if the \$200,000 fee in lieu would be tied to the acquisition of right-of-way for Wilson Road and the construction of Wilson Road. Mr. Duggins replied yes. He stated they would continue their work with Mr. Shields to obtain the parcel. Mr. Brown asked for clarification

on the offer, asking if the offer would be that the applicant would pay \$200,000 fee in lieu of and that the City would hold that for a period not to exceed five (5) years and if in the interim, the \$200,000 is needed for the acquisition and/or construction of the 0.3 acres in the extension of Wilson Road that the City would return that money or apply it to the construction or right-of-way acquisition. Mr. Duggins stated that is correct and as clarification at the end of those 5 years if that money has not been used specifically for the extension of Wilson Road, on the first day of the sixth year, it would be available to the City to use for any other purpose.

Mr. White expressed concern about the applicant's incentive to continue conversations with Mr. Shields. Mr. Duggins stated that to develop another parcel to the right of this site, Mr. Shields's participation will be vital, therefore the applicant is very interested in continuing conversations with Mr. Shields.

Ms. Ownbey said to clarify, even to develop the additional parcel owned by the applicant, those plans would have to come back to the Planning Board and to the Council for any type of development because this is a site-specific plan and that is a condition of the original request.

There was discussion about the NCDOT acquisition of the stub road property "the Garrett Crossing" stub road which has been constructed. Mr. Duggins explained that originally NCDOT offered the landowner, Mr. Shields, \$767,000 for the parcel but ultimately a sliver of a parcel was separated from the larger parcel causing remainderman damage which resulted in a settlement of \$1.5 million paid to Mr. Shields by NCDOT.

There was also discussion regarding how the applicant arrived at the \$200,000 number. Mr. Duggins explained.

Mr. White questioned why NCDOT would spend \$1.5 million on land, plus the cost to build a road that goes nowhere with no actionable plan to connect it to anything. Mr. Mitchell said an important fact to remember is that you can stand at end the of Wilson Road and look at the stub street now or vice versa but when the stub street was built, Wilson Road only went to Chick-fil-a, it actually stopped at Wendy's before Chick-fil-a was built. So, it does seem illogical now but at the time when NCDOT was building the stub street, it was not a short connection it was a longer connection.

Mr. White made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously.

Mr. Bradley made a motion, seconded by Ms. Burkholder, to approve the revised conditions of the B-2(CD) rezoning as presented and a motion to find that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. Specifically, the request is for a property within the City's G-4 Secondary Growth Area and is generally commercial in nature (Mebane CLP, p. 66). The motion carried unanimously.

Mayor Hooks called for a break at 7:32 pm. He called the meeting back to order at 7:42 pm.

Steve Straus, PhD, President, and Co-Founder of Developmental Associates, provided an update on the City Manager search. At the July meeting, the Council voted to re-advertise the City Manager position on September 1, 2024, as the Council and the staff of Developmental Associates were not pleased with the depth of the candidates in the first round. He proposed a new schedule for the reboot. After considerable discussion, the Council decided to have Mr. Strauss propose new dates via email so they could take the best look at their schedules.

Ms. Schwartz presented a request for the Council's final approval of Financing for the Lake Michael Dam Spillway Project. She explained that the City plans to finance the spillway project through installment financing, as provided under State law. In installment financing, the City's repayment obligation is secured by a mortgage-type interest in all or part of the property being acquired or improved, but not by any pledge of the City's taxing power or any specific revenue stream. In this case, the Lake Michael Park property, including the dam and spillway, will serve as the collateral. The City frequently uses the installment financing tool on other projects. Tonight's resolution has three main purposes: (1) to make a final formal approval to move forward with financing up to \$7,500,000 for the project, (2) to approve the substantially final loan documents, and (3) to

authorize staff to complete the closing. Pending the Council's approval, the loan closing is scheduled for August 14<sup>th</sup>. As a reminder, staff is recommending Webster Bank because they have the lowest interest rate and most attractive terms; 4.4% interest rate, 20 years.

Mr. White made a motion, seconded by Mr. Ewing, to adopt the final resolution approving the financing for the Lake Michael Dam spillway project in the form presented. The motion carried unanimously.

**Resolution Providing Final Council Approval for Financing up to \$7,500,000  
for the Lake Michael Dam Spillway Project**

***Introduction --***

The City of Mebane has previously determined to carry out a plan (the "Project") to acquire and construct improvements to the Lake Michael Dam spillway.

The City has also determined to finance Project costs through an installment financing, as authorized under Section 160A-20 of the General Statutes. In an installment financing, the City's repayment obligation is secured by a mortgage-type interest in all or part of the property being financed, but not by any pledge of the City's taxing power or any specific revenue stream. In this case, the Lake Michael Park property will serve as the collateral

The City has solicited competitive proposals from banks and other financial institutions to provide the desired financing, and staff recommends the City accept the proposal from Webster Bank, N.A. (the "Lender").

The City's Finance Officer has made available to this Council the draft agreements listed on Exhibit A (the "Agreements"), which relate to the City's carrying out the financing plan.

In this resolution, the Council formally approves the Lender's proposal and other financing terms, approves substantially final documents, and authorizes City representatives to complete the financing. This is the final required Council action on the financing.

**The City Council of the City of Mebane, North Carolina, RESOLVES as follows:**

**1. *Determination To Proceed with Financing*** – The City confirms its plans to undertake the Project. The City will carry out the Project with financing from the Lender substantially in accordance with a financing proposal dated June 23, 2024.

Under the financing plan, the Lender will make funds available to the City for use on Project costs. The City will repay the amount advanced, with interest, over time. The City will grant to the Lender a mortgage-type interest in the Park (and its associated real property) to secure the City's repayment obligation.

**2. *Approval of Agreements; Direction To Execute Agreements*** – (a) The Council approves the forms of the Agreements submitted to this meeting. The Council authorizes the Mayor and the City Manager, or either of them, to execute and deliver the Agreements in their final forms. The Agreements in their respective final forms must be in substantially the forms presented, with such changes as the Mayor or the City Manager may approve. The execution and delivery of any Agreement by an authorized City officer will be conclusive evidence of that officer's approval of any changes.

(b) The Agreements in final form, however, must be consistent with the financing plan described in this resolution and must provide (a) for the amount financed by the City not to exceed \$7,500,000, (b) for an annual interest rate not to exceed 4.44% (in the absence of default, or a change in tax status, as described in the draft Agreements), and (c) for a financing term not to extend beyond December 31, 2044.

**3. *Officers To Complete Closing*** – The Council authorizes the City Manager, the Finance Officer and all other City officers and employees to take all proper steps to complete the financing in cooperation with the Lender and in accordance with this resolution.

The Council authorizes the City Manager to hold executed copies of all financing documents authorized or permitted by this resolution in escrow on the City's behalf until the conditions for their delivery have been completed to that officer's satisfaction, and then to release the executed copies of the documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Council authorizes the City Manager to approve changes to any documents previously signed by City officers or employees, provided that the changes do not conflict with this resolution or substantially alter the intent from that expressed in the form originally signed. The City Manager's authorization of the release of any document for delivery will constitute conclusive evidence of that officer's approval of any changes.

In addition, the Council authorizes the City Manager and the Finance Officer to take all appropriate steps for the efficient and convenient carrying out of the City's on-going responsibilities with respect to the financing of the Project. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under this resolution or otherwise with respect to the financing, and making appropriate payments prior to the loan closing for costs related to the financing and the Project. Further, this authorization specifically permits the City Manager to make further agreements or covenants on behalf of the City regarding the custody and investment of financing proceeds. The City Manager's authorization of the release of any instrument for delivery will constitute conclusive evidence of his approval of any changes.

**4. *Resolutions as to Tax Matters*** -- The City will not take or omit to take any action the taking or omission of which will cause its obligations to pay principal and interest (the "Obligations") under the Agreements to be "arbitrage bonds," within the meaning of Section 148 of the "Code" (as defined below), or "private activity bonds" within the meaning of Code Section 141, or otherwise cause interest components of the installment payments to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the City will comply with any Code provision that may require the City at any time to pay to the United States any part of the earnings derived from the investment of the financing proceeds. In this resolution, "Code" means the United States Internal Revenue Code of 1986, as amended, and includes applicable Treasury regulations.

**6. *Additional Provisions*** -- The Council authorizes all City officers and employees to take all further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. The Council ratifies all prior actions of City officers and employees to this end. Upon the absence, unavailability or refusal to act of the City Manager, the Mayor or the Finance Officer, any other of those officers may assume any responsibility or carry out any function assigned in this resolution. The Council authorizes the Clerk to apply the City's seal, and to attest to the seal, on any document related to the purposes of this resolution. The Mayor Pro Tem or any Deputy or Assistant City Clerk may in any event assume any responsibility or carry out any function assigned to the Mayor or the Clerk, respectively, in this resolution. All other Council proceedings, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

#### **Exhibit A -- Draft Agreements**

- (a) A draft dated July \_\_\_\_\_, 2024, of an Installment Financing Contract to be dated on or about August 13, 2024 (the "Financing Contract"), between the City and the Lender. The Financing Contract provides for the advance of funds to the City for the City's use on the project, sets out the City's repayment obligation, and sets out the City's obligations regarding care for the collateral and other matters.
- (b) A draft dated July \_\_\_\_\_, 2024, of a Deed of Trust and Security Agreement to be dated on or about August 13, 2024, from the City to a deed of trust trustee for the Lender's benefit. The Deed of Trust provides for a security interest in the proposed Spillway and its associated real property to the Lender to secure the City's repayment obligation.
- (c) A draft dated \_\_\_\_\_, 2024, of an [Escrow Agreement] to be dated on or about August 13, 2024, between the City and the Lender. The [Escrow Agreement] provides for the custody and investment of financing proceeds pending their use to pay project costs.



Chief McKinney presented proposed amendments to the language in Chapter 4, Section 4-76 of the Mebane Code of Ordinances. He explained that a review of the current ordinance was initiated by a Call for Service (CFS) in the Fair Oaks Community involving a Dog-on-Dog Attack on Nov. 6, 2023, to which the Mebane Police Department responded. He presented a detailed report via the attached PowerPoint.

**Need for Ordinance Amendment:** The current City of Mebane Code of Ordinances, Chapter 4 Section 4-76, contains language that aligns with North Carolina General Statutes but is dispersed across different sections. The review identified a need for clearer definitions and alignment with the following statutes:

- NCGS 67-4.1, 67-4.2, 67-4.3, and 67-4.4
- NCGS 19-A (Protections of Animals)
- NCGS 130A-196, 130A-200
- NCGS 153A-123, 160A-175

The current ordinance lacks definitions for “Owner,” “Owner’s Real Property,” and “Severe Injury” and needs clearer provisions for:

- Animal Control Authorities' responsibilities
- Dog owners' notification requirements
- Confinement requirements
- Penalties and enforcement
- Authority to remove or humanely destroy dogs
- Appeals and hearings
- Review Board

The wording for these sections within the code of ordinances needs to be changed to reflect and remain compliant with current NC General Statutes. This would enhance the applicability and enforcement of those City of Mebane Codes of Ordinances.

Staff recommends amending and aligning the ordinance language in Chapter 4, Sections 4-76 of the Mebane Code of Ordinances with the NC General Statutes to enhance the department's ability to respond to animal-related calls effectively, improve enforcement understanding, and make the ordinance easier to compare with state statutes. The proposed changes incorporate consistent language from the NC General Statutes, ensuring compliance and clarity.

There was considerable discussion regarding an online reporting system. Chief McKinley stated that currently, he does not recommend such a system for these types of calls.

There was discussion regarding requiring dog leash length specifications.

Mr. Bradley made a motion, seconded by Ms. Burkholder, to place on the September 9, 2024, Mebane City Council agenda the proposed amendments to the Mebane Code of Ordinances, Chapter 8 Animals, Section 4-76, to incorporate the language presented and recommended by staff and as part of the motion, request that the staff research with other cities leash lengths. The motion carried unanimously.

Mr. Boney inquired if a public hearing would be held. Mr. Brown replied that a public hearing is not required.

Mr. Mitchell presented a request for the Council’s recommendation to the Alamance County Commissioners for Appointment to the Alamance County Library Committee. Three applications were received for the Council’s consideration in making recommendations to the Alamance County Board of Commissioners' appointment for the two (2) vacant Mebane trustee positions:

Matthew Roberts, Kayla Schilke, and Lynn Merrill. The appointed trustees would serve a two-year term.

Ms. Burkholder made a motion, seconded by Mr. Bradley, to recommend Matthew Roberts and Lynn Merrill for appointment by the Alamance County Board of Commissioners to serve as a Mebane trustee on the Alamance County Library Committee. The motion carried unanimously.

Mr. Smith stated that Public Utilities has been looking into the possibility of uplighting the new elevated storage tank at 1420 S. Third Street. Staff has explored uplighting options with the ability to change colors depending on local events and/or seasons and the ability to control remotely. This would give the tank a more aesthetically pleasing appearance at night. Also, the City currently has two City logos in the contract with Landmark. Staff has looked at the best locations in the field for the logos and advises placing one logo that would be visible from 119 S around the interstate interchange, Maple Ln, and Holmes Rd. To make the logo placements uniform staff has looked at the option of placing the second logo on the north side of the tank where it will be visible from NCIC. The tank will be visible from the 119 and Hwy 70 overpass but the logo will likely be illegible from this location. The logos will be approximately 35 feet long and 15 feet high. The estimated cost for the uplighting will be approximately \$25,000 to \$45,000 for design and \$125,000 to \$160,000 for equipment and installation. Currently, there is approximately \$150,000 in contingency and \$40,000 in credits due to change orders. Mr. Smith said the staff is looking for the Council's advice on whether to pursue the lighting on the tank and the logo placement.

Mr. Bradley made a motion, seconded by Ms. Hadley, to have staff move forward and come back to the Council with options. The motion carried unanimously.

Ms. Ownbey presented a request for the Council's consideration to appoint 10-12 (or more should the Council desire which consultant is agreeable to) individuals to serve on the Comprehensive Land Development Plan Community Advisory Committee. She explained that the City has contracted with Green Heron Planning, LLC for updates to the comprehensive land development plan. The process to update the plan began in July 2024 and is expected to be completed within 12 to 18 months. A Community Advisory Committee is being established to assist in the process. The City received 18 applications to the Committee.

Mayor Hooks stated in order to have a broad representation he is recommending that the first for appointments be from established city boards with each Council member each nominating two appointments. Mayor Hooks nominated Katy Jones (BPAC), Tomeka Ward- Satterfield (REAC), David Ferraro (BOA), and Ken Walker (DMDC). Council members made nominations as follows:

Tim Bradley- Brice Moore, Jacob Payne

Sean Ewing- Colin Cannell, Jennifer Mackey

Jonathan White- Charlotte Crone, Kurt Pearson

Montrena Hadley- Jessica Ehrola, William Marsh

Katie Burkholder- Angela Ortiz, Andrea Webber

Mr. Bradley shared a concern with two nominees from the Planning Board. Mr. White stated he would be willing to swap Kurt Pearson and nominate someone south of the interstate since representation from that area is lacking. He then nominated Alex Fowler in lieu of Kurt Pearson.

Mr. Ewing made a motion, seconded by Mr. Bradley, to appoint the applicants as nominated. The motion carried unanimously.

Mr. Boney cautioned the Council that before any changes to the comprehensive long-range plan, all property owners that would be affected by those changes be notified.

Ms. Schwartz gave an update regarding the Water Resource Recovery Facility Expansion project. She explained that The City has worked for several years to develop a plan to expand the Water Resource Recovery Facility, and those plans are coming to fruition. The City advertised for construction bids in June, held a pre-bid conference on July 17, and planned to receive bids on August 15, 2024. Recently, a potential bidder requested that the bid opening be delayed by three weeks to allow them to submit a bid. Having more than one bidder for formally bid projects is important to avoid having to re-bid. Therefore, it is advantageous for the City to accommodate bidders when possible. The City agreed to move the bid opening date from August 15, 2024, to

September 5, 2024. If only one bid is received, the City will re-advertise, and the re-bid opening date will be September 17, 2024. The plan is to provide an update on the bids at the September 9 City Council meeting and to consider awarding a construction contract at the October 7<sup>th</sup> meeting. The change in the bid opening date has not changed the project financing timeline. The City will submit a financing application to the Local Government Commission (LGC) by September 2. At the September 9<sup>th</sup> City Council Meeting, the Council will consider adopting a Preliminary Findings Resolution. The LGC will meet on October 1<sup>st</sup> to consider approving the City's financing. At the October 7<sup>th</sup> City Council meeting, the Council will consider adopting a Final Approving Resolution and a Bond Order and Bond Resolution.

No formal action was taken.

Mr. Mitchell shared that the CDBG Grant application submitted for the Landi Lane area for sewer was not awarded but the City has been informed that it is eligible to apply next round which the City plans to do in partnership with the City's consultant.

Additionally, he shared that Lake Michael Park will be closing on September 9<sup>th</sup> for the Dam Spillway project to be completed. It is estimated that the park will remain closed for approximately a year.

There being no further business, the meeting adjourned at 9:40 p.m.

---

Ed Hooks, Mayor

ATTEST:

---

Stephanie W. Shaw, City Clerk



**City of Mebane**  
**City Council - August 5, 2024**

# Overview:

1. Morinaga Background
2. Morinaga and the City of Mebane
3. Expansion Project
4. Our Future

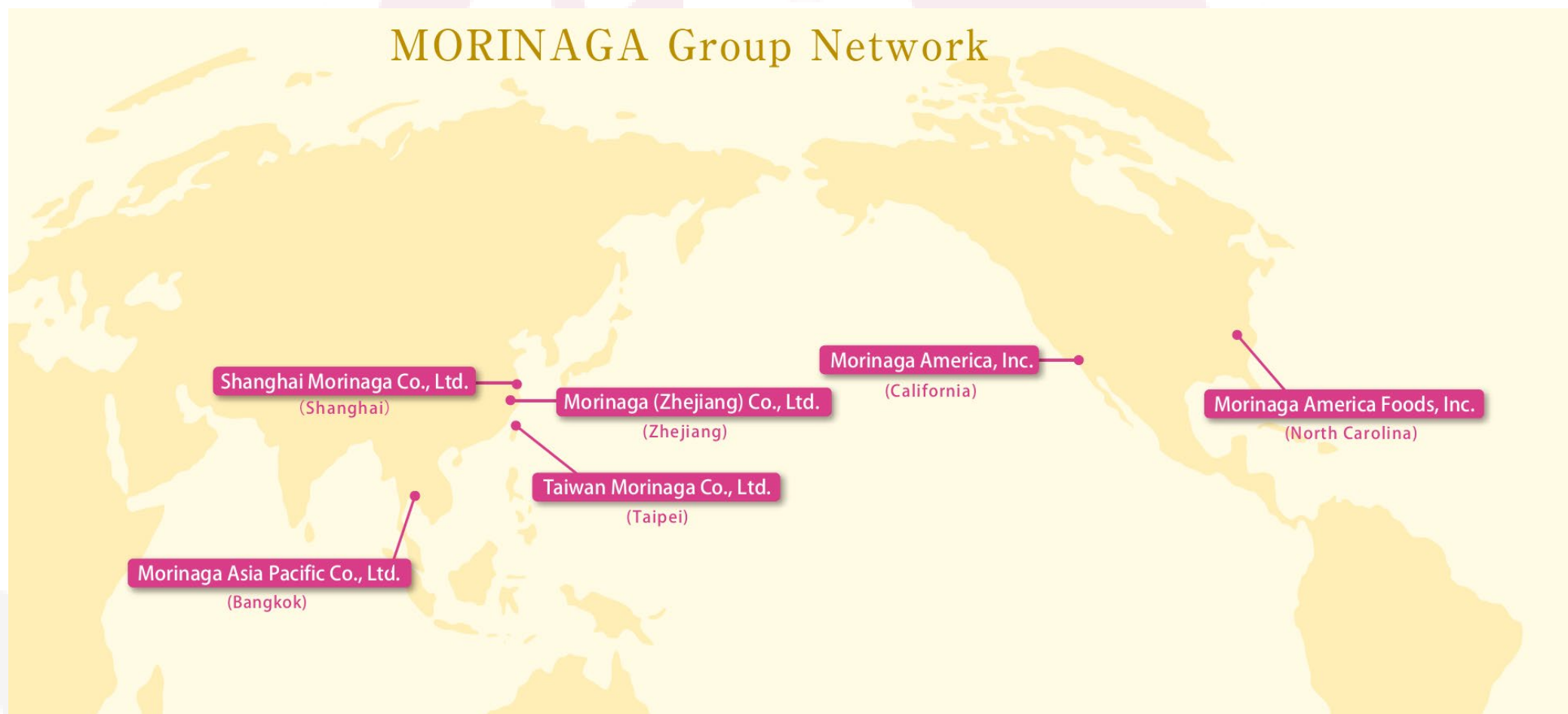
MORINAGA

# Morinaga Background:

- Founder Taichiro Morinaga begins selling candy in 1899!
- Morinaga & Company formally established in 1910.
  - *Japan's first modern candy company and first chocolate producer (1918).*
- Worldwide company with multiple first-in-class confectionary products and wellness snacks.

MORINAGA

# Morinaga Background:





# Morinaga Background:

## The Morinaga Group's Corporate Philosophy

Corporate  
Message

**Delicious, Fun, and Healthy**

Our  
Mission  
(PURPOSE)

The Morinaga Group will continue to create healthy foods that can be enjoyed beyond generations, thereby bringing smiles to the faces of people around the world now and in the future.

Our Visions  
(VISION)

**GOALS**

**Good quality**

Pursue quality  
with integrity

**Only-one value**

Create new value  
and inspiration

**Act globally**

Expand the scope and  
possibilities of activities

**Link together**

Strengthen relations of  
trust with stakeholders

**Sustainable society**

Contribute to  
a sustainable society

Our Commitments  
(VALUE)

**Altruism**

Give first priority to customers

Be a pioneer

Have an indomitable spirit

Value ties between people

Align our business imperatives with social challenges

The Code of Conduct and  
Standards of Behavior



# Morinaga and the City of Mebane:



MORINAGA

# Morinaga and the City of Mebane:

- 2013 - Morinaga America Foods, Inc. established as U.S. subsidiary
- 2014 – MAF, Inc. announces NC manufacturing facility
- 2015 – Hi-Chew production begins!!!!

*Amanda Hoyle*

*By Amanda Hoyle – Staff Writer , Triangle Business Journal*

*Mar 12, 2014*

*Morinaga America Foods Inc., the American affiliate of the Japanese candy maker of Hi-Chew candies, has finalized its purchase of 21 acres of land in western Orange County where it plans to begin construction of a manufacturing plant that will employ 90 people.*

# Morinaga and the City of Mebane:



# Morinaga and the City of Mebane:

- **2024:**
  - *204 Full Time Employees*
  - *Estimated Total NC Investment to date: approximately \$47 Million*
  - *Hi-Chew Demand is Growing!!*
    - *U.S. sales up to \$137 Million last year!*
    - *Due to explosive growth of demand for Hi-Chew, current maximum manufacturing capacity will be reached in under 5 years.*



# Morinaga and the City of Mebane:

- Community Involvement





# Morinaga and the City of Mebane:

- Community Involvement



# Morinaga and the City of Mebane:

- Community Involvement –
  - Elementary School Donations
  - Mebane Christmas Parade
  - Adopt-a-Highway Clean-up
  - Other Charitable Activities

MORINAGA

# Expansion Project

- MAF to **double** the size of current production facility in Mebane.
- **By 2030 –**
  - **204 ADDITIONAL FULL-TIME JOBS**
  - **ANTICIPATED CAPITAL INVESTMENT IN EXCESS OF \$136 MILLION!!**

MORINAGA



# Expansion Project

- *Alternative Considerations –*
  - *Expand existing facilities in China or Taiwan*
  - *Establish new facilities in Vietnam*
    - *Approximately \$1.3 Million in tax abatement incentives available in Hanoi and Ho Chi Minh City*
  - *Establish new facilities in California, United States*

MORINAGA

# Expansion Project

- Primary Considerations –
  - *Project total investment cost / predictability of operating costs*
  - *Lead time for bringing additional capacity online*
  - *Workforce availability / recruiting / reliability*
  - *Geography of consumer demand / support from local community*
- *International Relationships*
- *Corporate Strategy – Wellness Products*

Our Future -



# Public Hearing

Economic Incentive Agreement



# Morinaga America Foods' Expansion and Past Investment in Mebane

- New Employment – 204 full-time jobs
- Average Salary – \$48,725
- Annual Payroll – \$9.9 million plus benefits

Company Investment	January 1, 2024	Expansion	Total
Real Property	\$12,648,800	\$69,358,000	\$93,308,000
Personal Property	\$16,555,477	\$46,041,000	\$70,091,000
Total	\$29,204,277	\$115,399,000	\$163,399,000

# Incentive Agreement Highlights




New capital investment \$115,400,000



204 jobs @ average annual salary \$48,725



Mebane Cash grants Maximum \$576,999



5 annual grants \$115,399 Starts one year after  
Certificate of Occupancy



Inducement cash incentive grant is equal to 0.5%  
total taxable investment.



Incentive adjustments if jobs/investment < 100%



Mebane max waives up to \$500,000 Building &  
Inspection fees

# Direct Fiscal Impact Analysis

5 Years		10 Years	
Property tax	\$ 1,449,368	Property tax	\$ 3,584,249
Incentives	- <u>576,999</u>	Incentives	- <u>576,999</u>
Net	+ <u>\$ 872,369</u>	Net	+ <u>\$ 3,007,250</u>

Manufactured in Mebane





# Production Unit Sandvik Coromant Mebane



Our number 1 priority

# Safety first



Emergency  
exit



Assembly  
point



Protective  
equipment



Emergency  
number



First  
aid kit



In case  
of emergency



Psychological  
safety



Health and  
well-being



Digital  
security



# Sandvik Coromant – Mebane, NC

Tom Humphrey

Business  
Controller

# Mebane Product Portfolio



Indexable  
Milling Cutters



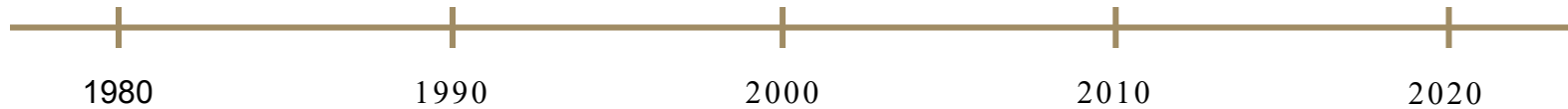
EH Holders



Indexable  
Drills

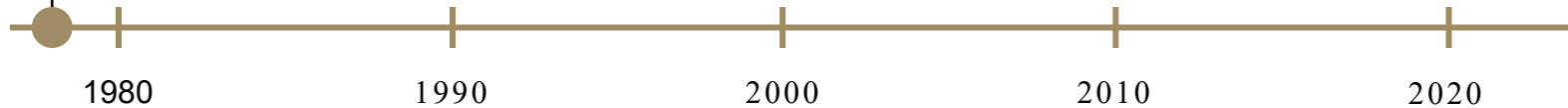


Made-to-order (MTO)  
Special Tools



**1979**

Groundbreaking for new  
production unit in rural  
Mebane, NC



**1980**

Production begins in  
Mebane's 48,000 ft<sup>2</sup> facility  
manufacturing turning tools  
under the brand Sandvik  
Coromant



1980

1990

2000

2010

2020

**1983**

Brazed ejector drills for deep hole machining is introduced as a new product for Mebane



1980

1990

2000

2010

2020



**1988**

Milling products are  
added to the mix of  
products manufactured  
by Mebane



1980

1990

2000

2010

2020

**1996**

Automation makes an entrance into production by eliminating manual tasks and opening the door to unmanned production periods





**2001**

A 24,000 ft<sup>2</sup> expansion and  
engineering offices are completed  
to suit the needs of the PU as  
business grows

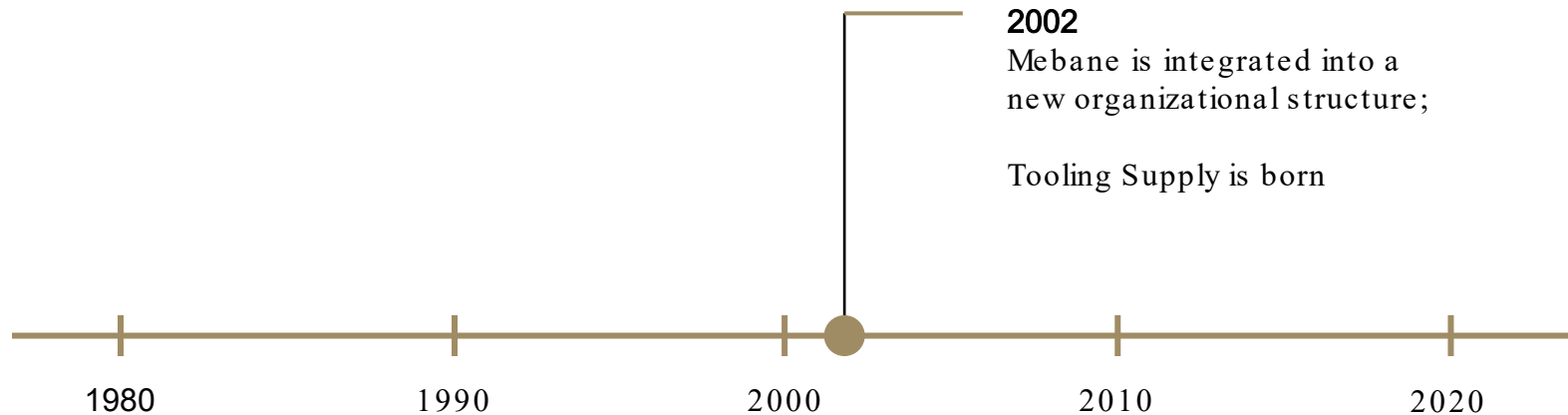
1980

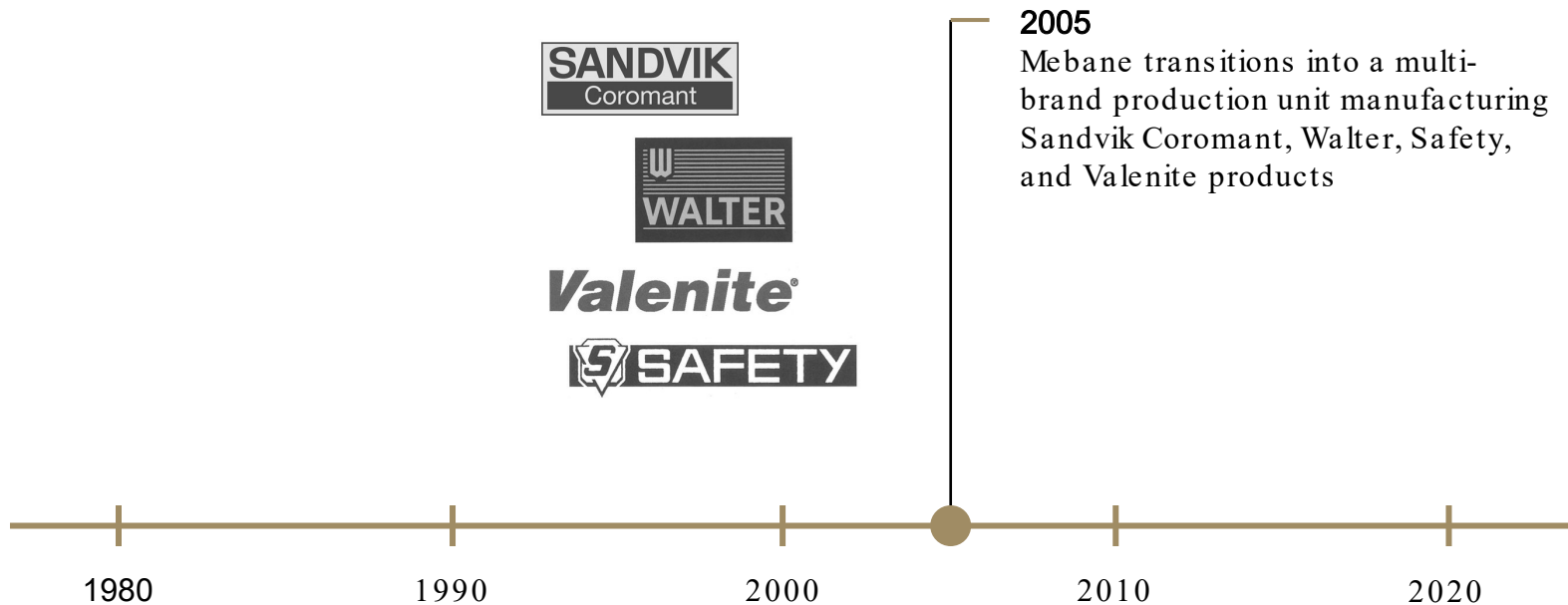
1990

2000

2010

2020

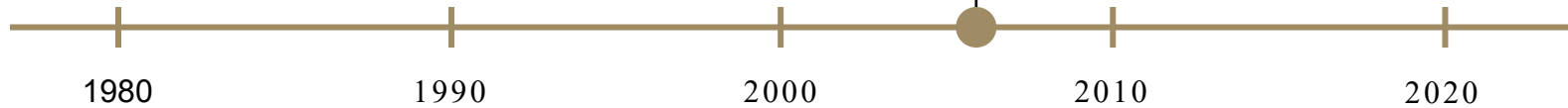






**2006**

Automated cells, loading and unloading workpieces between multiple pieces of equipment, debut in Mebane increasing productivity and unmanned production time





**2008**

With ambition to grow the business in Mebane, a second expansion to increase manufacturing space is completed providing an additional 81,000 ft<sup>2</sup>

1980

1990

2000

2010

2020



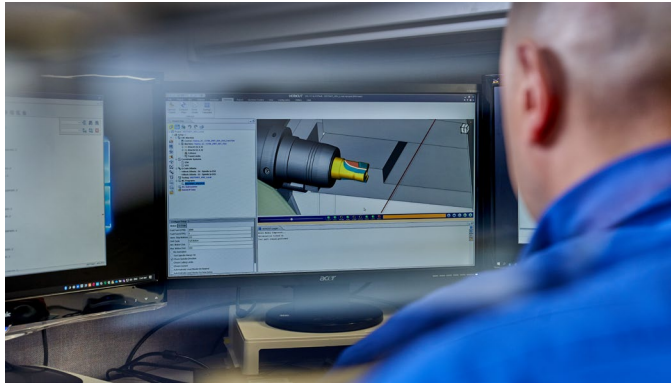
**SECO**



**2014**  
Introducing TDM system,  
Mebane machining  
STD tools from Seco







**2015**

With a robust tooling  
library now developed  
in TDM, Vericut is  
integrated in to the  
CAM generation  
process

1980

1990

2000

2010

2020



**2016**  
After decentralization of  
Tooling Supply, Mebane  
returns to a single branded  
facility manufacturing  
Sandvik Coromant products





**2023**  
New  
Brand  
label

**SANDVIK**  
**coromant**

**2020**  
Sandvik Coromant  
headquarters relocated from  
Fair Lawn, NJ to Mebane along  
with a new Coromant Center





# Habits to improve manufacturing wellness

## 01 Take a holistic perspective

---

- PU Showcase to support Sales
- Restructuring for improved delivery (98% DP YTD)
- Materials change work with R&D on drills (est. 8.9% PK reduction)

## 02 Embrace new technology

---

- Seamless Tooling
- VERICUT Force
- Prime Turning

## 03 Choose the sustainable path

---

- Safety, Wellbeing, Culture Committees
- Green Factory assessments
- Circularity and decarbonization roadmaps

## 04 Eliminate waste

---

- Cross-functional Kaizen committees performing quarterly deep dives
- VERICUT Aircuts

## 05 Unlock potential with data

---

- OEE
- CoroPlus Tool Supply

## 06 Benefit from strong partners

---

- Supporting TDM and CGTech as customer testimony to other potential customers
- Continuous improvement support from Coromant application specialists

## 07 Develop your people

---

- Metal cutting trainings from Coromant specialists
- CAM Training Programs
- State funded training grant

## 08 Automate for success

---

- Automated VERICUT Aircuts/Force on interactive programs
- RPA

# Expansion Projects and community Involvement



## **Benjamin – SECO Troy → Mebane**

- Facility improvements to expand production,
- Targets Mebane as the US production facility of customized tools
- Anticipate orders to start Oct-24
- Anticipate Full transfer by end of Q1-25



## **Compass – PCD servicing**

- Success of Benjamin would lead to future growth.
- PCD Servicing to gain traction in market w/ future expansion capability in US

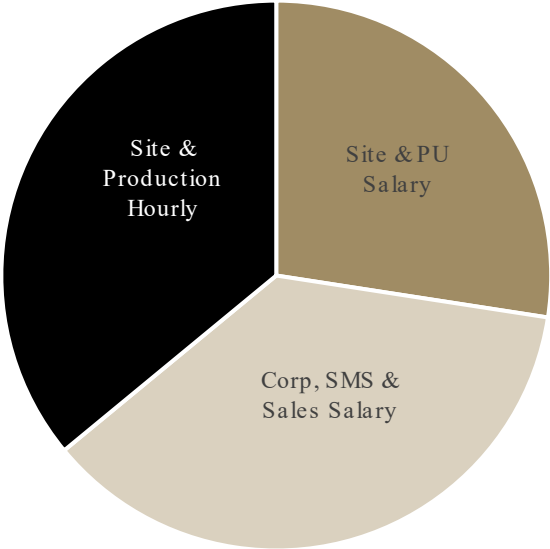
Community involvement and support expands the manufacturing wellness of employees

- ACC scholarships, Board Membership and provide access to Sandvik facilities meeting space
- Conn Health Foundation financial and management support. Board Member
- 2023 Manufactured in Mebane video series
- Upcoming NC chamber manufacturing tour
- Mebane Parade, food drive, toys for totes, Animal Shelter, United Way

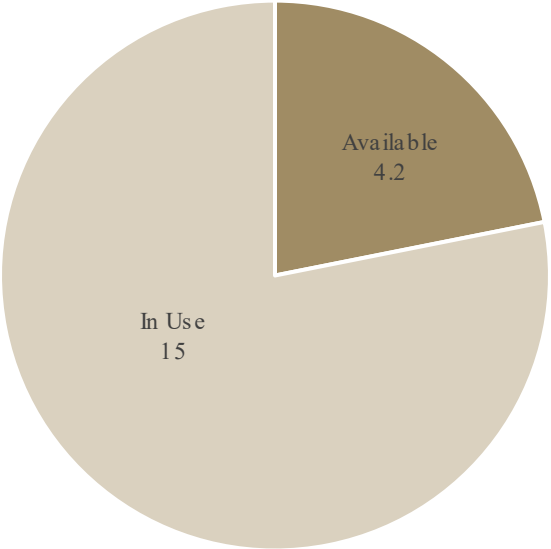


# Current State

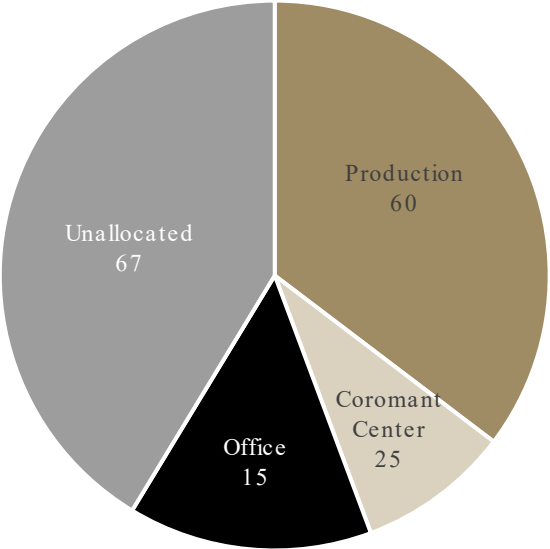
People 181



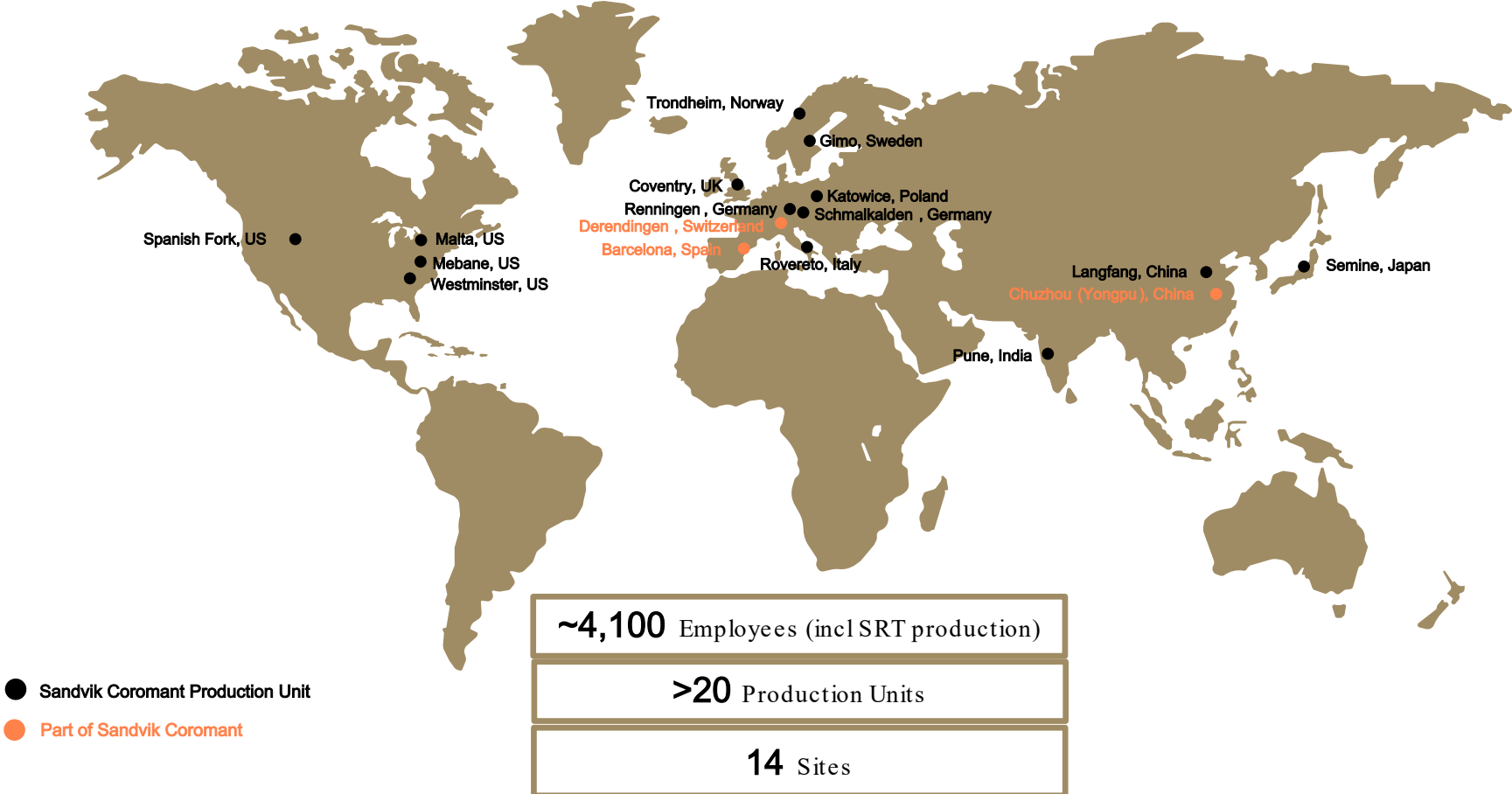
Land 19.2 Acres

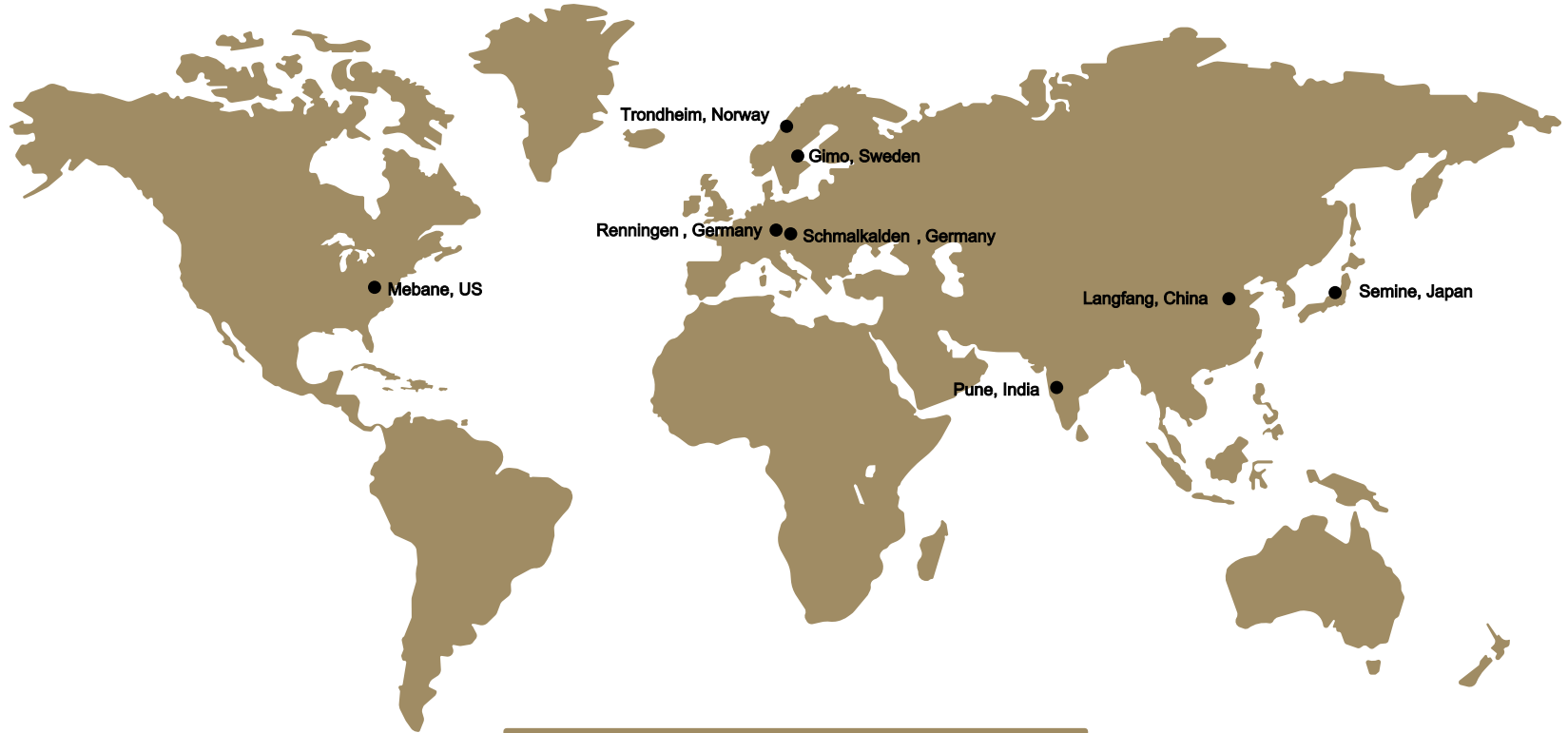


Building 167k sq ft



FOOTPRINT| Supply today has an agile footprint





~1150 Employees

8 Production Units



**SANDVIK**  
**Coromant**



# Public Hearing

Economic Incentive Agreement


**SANDVIK**  
**Coromant**

# Sandvik Coromant's Expansion via Building Reuse Grant and Current Investment in Mebane

- New Employment – 18 full-time jobs.
- Average Salary – \$62,777
- Annual Payroll – \$1.129 million plus benefits

Company Investment	January 1, 2024 Property Valuations	Expansion	Total
Real Property	\$11,410,285	\$1,295,207	\$12,705,492
Personal Property	\$17,422,835	\$800,000	\$18,222,835
Total	\$28,833,120	\$2,095,207	\$30,928,327

# Incentive Agreement Highlights



New capital investment \$1,295,207 for real property plus \$800,000 for personal property




18 jobs @ average annual salary \$62,777




Mebane Cash grant Maximum \$7,250



Cash grant is the required 5% local match for State of NC Building Reuse Grant.



Incentive adjustment of 5% local match to reflect State Grant award (if lower).



Cash Grant is subject to award of State of NC Building Reuse Grant.

# Direct Fiscal Impact Analysis

5 Years		10 Years	
Property tax	\$ 38,761	Property tax	\$ 77,522
Incentives	- <u>7,250</u>	Incentives	- <u>7,250</u>
Net	+ <u>\$ 31,511</u>	Net	+ <u>\$ 70,272</u>

# Manufactured in Mebane



# SANDVIK Coromant



## POLICE DEPARTMENT



PROPOSED AMENDMENTS TO THE MEBANE CODE OF ORDINANCES - CHAPTER 4, ANIMALS  
08-05-2024





# OVERVIEW

## What Initiated This Review?

- **Nov. 6, 2023**  
Mebane Police Department Responded to a Call For Service in the Fair Oaks Community involving a Dog-on-Dog Attack
- **Nov. 7, 2023**  
Mebane Police Department Investigation completed, resulting in:
  - Criminal charges filed
  - Two dogs classified as "dangerous dogs" seized under City of Mebane Code of Ordinances, Chapter 4 Sec. 4-76
  - Court case dismissed by the court after seized dogs were placed in out-of-state rehabilitation program.
  - Second June 21<sup>st</sup> case set for August 2024
- **Dec. 8, 2023**  
City Manager Rollins Responded to Fair Oaks Community Petition





# MPD ACTION STEPS

## Enhancing Our Response to Animal Related Calls for Service & Mebane PD's Goals:

- **Responsive to Our Community Members**
  - Address each concern presented in the petition
- **Support MPD's Strategic Plan Goal of Continuous Improvement**
  - Review of Mebane City Ordinance Chapter 4, Animals Sec. 4-76 "Dangerous Dogs" and associated subsections
- **Constitutionally Based**
  - Support constitutional policing and due process rights of all
  - Consideration of Breed Specific Laws (BSL) with a case review of the impact to cities in three states that implemented BSL's
- **Data Informed the Proposed Changes**
  - Overview of total animal-related calls for service over a 5-year period





# MPD ACTION STEPS

## MPD's Response to the Fair Oaks Community Animal Related Call for Service

- **Direct Contact with All Parties and Correspondence Received**
  - MPD made direct contact with all individuals expressing concerns associated with the attack
- **MPD Investigation**
  - Identified the owners of the dangerous dogs
  - Two dogs were determined to be "dangerous dogs"
  - Second investigation conducted June 21 involving another dog also resulted in criminal charge with court set for Aug. 2024
- **Appropriate Actions Taken**
  - Criminal charges secured for the two separate investigations
    - MPD will request therapeutic support from the court to assist with assessing defendant's ability to safely keep and maintain dogs.
  - MPD is committed to enforcing our ordinances when violations occur





# MPD ACTION STEPS

## MPD's Response to the Fair Oaks Community Animal Related Call for Service

- **Address Concerns in the Fair Oaks Petition**
  - Review of Existing Ordinance
  - Community Questions
  - Perceptions of community members
- **Constitutionally Based**
  - Support constitutional policing and due process rights of all
    - 5<sup>th</sup> Amendment Protections:
      - ✓ Right to a Jury Trial & Right to a Fair Trial
      - ✓ Double Jeopardy Protection & Protection Against Self-Incrimination
      - ✓ Protection Against Taking of Property by the Government without Compensation
- **Data Informed the Proposed Changes**
  - Overview of total animal-related calls for service over a 5-year period







# MPD ACTION STEPS

## Ordinance Review

The existing ordinance needed to align with the provisions of NC General Statute Article 1A Dangerous Dogs

Amended Ordinance Language Submitted for Mebane City Council's Consideration to update and/or include definitions from:

- NCGS 67 - 4.1, NCGS 67 - 4.2, NCGS 67 - 4.3, NCGS 67 - 4.4, and NCGS 4.5
- References NCGS 19-A Protection of Animals
- References NCGS 130A-196 & NCGS 130A-200
- A Dangerous Dog
  - confirmed *Mebane City Ordinance language mirrors NC Dangerous Dog's NCGS 67-4.1*
- Owner & Owner's Real Property
  - added definition for "**Owner**" and "**Real Property**" from NCGS 67-4.1





# MPD ACTION STEPS

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- References NCGS 19-A Protection of Animals
- References NCGS 130A-196 & NCGS 130A-200
- Severe Injury
  - *language amended to mirror the consolidated for "**Severe Injury**" from NCGS 67-4.1*
- Animal Control Authority Responsibilities
  - *language amended to mirror NCGS 67-4.1*
- Owner Notification Requirements & Confinement Requirements
  - *language amended to mirror NCGS 67-4.2*





# MPD ACTION STEPS

## Ordinance Review

The existing ordinance needed to align with the provisions of NC General Statute Article 1A Dangerous Dogs

Amended Ordinance Language Submitted for Mebane City Council's Consideration to update and/or include definitions from:

- NCGS 67- 4.1, NCGS 67 - 4.2, NCGS 67 - 4.3, NCGS 67 - 4.4, and NCGS 4.5
- References NCGS 19-A Protection of Animals
- References NCGS 130A-196 & NCGS 130-200
- Penalties and Enforcement
  - *language amended to mirror NCGS 67-4.3 & NCGS 15A-123*
- Authority to Remove or Humanely Euthanize Dogs
  - *language amended to mirror NCGS 67-4.1*
- Appeals and Hearings
  - *language amended to mirror NCGS 67-4.1*
- Review Board
  - *language amended to mirror NCGS 67-4.1*







# MPD ACTION STEPS

## Community Questions

### What is the precise definition of a dangerous dog?

A Dangerous Dog is a dog that:

- Without provocation, has killed or inflicted severe injury on a person;
- Is determined by the person or Board designated by the county or municipal Animal Control Authority, or pursuant to G.S. 130A-200 local health director, responsible for animal control to be potentially dangerous because the dog has engaged in one or more of the behaviors listed in subdivision (2) of this subsection or,
- Any dog owned or harbored primarily, or in part, for the purpose of dog fighting, or any dog trained for dog fighting.





# MPD ACTION STEPS

## Community Questions

What is the procedure for a resident to report a scary incident with a dog?

- The procedure for Calls For Service requests is the same for any reporting.
- This helps ensure:
  - Assist with Enhancing Public and Officer Safety
  - efficiency and simplicity for community members
  - unified procedure regardless of call type
  - consistent handling of all inquiries and emergencies.
- Community members can contact us through either the non-emergency number (919) 563-9031 or 911.



Can we have that clearly spelled out on our website and have it show up if someone searches for “dog.”

- Yes, we the search capability active on our City of Mebane website.

<https://cityofmebanenc.gov/search-site/?term=Dog>



# MPD ACTION STEPS

## Community Questions

**Can we have this shown on social media maybe once a year?**

- Yes, and we also plan to do so through our social media video series produced by City of Mebane PIO K. Hunter

**Can we have an online incident report form?**

- Yes, we have been reviewing this capability of implementing OIR software
- There are pros and we want to make sure we mitigate the cons to that system
  - Ensures Consistent Services to our Stakeholders
    - ✓ some may lack access to technology
  - Assists with Enhancing Public and Officer Safety
    - ✓ Officer response increases knowledge of the area
    - ✓ Enhances public trust
  - Direct Response Mitigates Concerns of Technology Outages

**If a dog acts in a very aggressive way but is on a leash the entire time, is there anything to report?**

- If a dog is on a leash, the owner is in compliance with our ordinance, and NC general statute. The owner would not be in violation of a law under those circumstances





# MPD ACTION STEPS

## Community Questions

**If a dog acts in a very aggressive way but is on a leash the entire time, is there anything to report?**

- If a dog is on a leash, the owner is in compliance with our ordinance, and NC general statute. The owner would not be in violation of a law under those circumstances

**Is there any way for residents to have a notification of a dangerous dog incident?**

- The City of Mebane utilizes Code Red as an alert system reserved for significant events.
- Frequent notifications similar to what communities experienced with color-coded terrorism alerts post-9/11 or constant COVID-19 updates can result in “alert fatigue” significantly reducing the effectiveness of alerting systems during genuinely critical events.







# MPD ACTION STEPS

## Community Questions

**If a dangerous dog is dealt with and the same owner gets another dog that acts dangerously, what recourse is there?**

- All cases are investigated independently to ensure the integrity of the case. Previous incident history is always a part of the case review and evaluating criteria. MPD applied this process in the most recent case during our second investigation in the Fair Oaks Community.

**Can someone be named a “dangerous dog owner”?**

- Legally, we do not have legal recourse to classify an individual as a “dangerous dog owner.” While we take dangerous dog incidents very seriously, we must balance public safety concerns with individual rights to due process.

**If someone has a dangerous dog incident, is there any way to have their homeowner's insurance be notified?**

- Civil matters require the parties to make the decision to file a claim.
- This would follow a process similar to a motor vehicle crash between parties.





# MPD ACTION STEPS

## Community Questions

### What city's policies were reviewed to double check our policy?

- MPD reviewed the existing policies for six NC cities:
  - Apex, Cary, Durham, Raleigh, Chapel Hill & Charlotte

### Breed-Specific Legislation (BSL) Review

- Additionally, MPD reviewed outcomes of Breed-Specific Legislation (BSL) which refers to laws regulating or banning certain dog breeds believed to pose a danger to humans and other animals. States that enacted that legislation to included
  - Denver Colorado - [Colorado Dog Fanciers v. Denver](#)
  - Lima Ohio - [City of Lima v. McCain](#)
  - Prince George Maryland - [Venero et al v. Prince George's County](#)
- Each of the ordinances created in the cities were determined to violate the due process rights of dog owners. Specifically, the court rulings identified violations of their fifth amendment and fourteenth amendment rights.





# MPD ACTION STEPS

## Community Questions

If, for example, a dog attacked a child and sent it to the hospital, what recourse would that family have?

- The family can, and MPD would encourage them to, submit a report with our department to have the event investigated.
- MPD would conduct the investigation and, if criminal offenses are identified, would pursue equitable application of the law.
- The impacted victim of the incident would have to decide what course they choose to follow.
- MPD cannot provide legal advice regarding potential civil litigation.

Would they have to sue the dog owner?

- MPD cannot provide legal advice regarding potential civil litigation.

What risk does the city have if the family sues the city and we, (City of Mebane) were following our current policy?

- I defer to Mebane City Attorney, Mr. Brown regarding this question.





# MPD ACTION STEPS

Data Review 2019-2024

**Animal Calls Involving Dogs 2019 - Aug. 1, 2024**







**QUESTIONS?**

