



The Mebane City Council held its regular monthly meeting at 6:00 p.m., Monday, July 6, 2020. Due to public health concerns related to COVID-19, the meeting was held virtually via Zoom.

Council Present via Zoom:

Mayor Ed Hooks
Mayor Pro-Tem Jill Auditori
Councilmember Tim Bradley
Councilmember Patty Philipps
Councilmember Everette Greene
Councilmember Sean Ewing

City Staff Present at City Hall:

Assistant City Manager Chris Rollins
City Attorney Lawson Brown
City Clerk Stephanie Shaw
IT Director Kirk Montgomery
Planner Ashley Ownbey

City Staff Present via Zoom:

City Manager David Cheek
Finance Director Jeanne Tate
Development Director Cy Stober
HR Director Beatrice Hunter

Mayor Hooks called the virtual meeting to order and gave the invocation. Mr. Tommy Jones registered to speak during the meeting, however at the time Mayor Hooks called for Public Comments, Mr. Jones had not logged on to speak.

Mayor Hooks continued with opening discussion about a proposed Town Hall Meeting/Listening Session. The following are highlights from that discussion.

- Set meeting date for Wednesday, August 5th, directly following after the 6pm voting meeting
- Each speaker allowed 5 minutes
- All registered speakers will be allowed their 5 minutes no matter how long the meeting goes
- Speaker must be registered to participate
 - Registered participants will be brought in to the Zoom call in the order in which they registered
 - Speaking order will be posted on PowerPoint slide at the beginning of the meeting so participants know when they will be up to speak
 - Limit speakers to one time to speak, no repeats
- Council agreed that main objective is to listen

- No back and forth dialog with the speaker
- Need time to hear concerns, then Council will address at a later time, ex. another meeting
- Allow people to speak no matter their residential address
- Opening statement by Mayor to set guidelines for meeting
- David recommended that the meeting topic should be tied to recent national concerns, as those issues are what started the conversation for a Town Hall Meeting/Listening Session
 - Mr. Bradley said he feels setting the topic would “weigh the public discussion in one way or another”
 - Ms. Auditori said that Mr. Bradley makes a good point
 - Mr. Bradley said topic could be listed as “current issues”
 - Ms. Philipps suggested a topic of “we want to hear you”
- All City Department Heads should “attend” virtually but not expected to speak
- Allow speakers to register up until 5pm the day of the meeting
- Should be advertised separate from the regular meeting- ad in paper, Facebook, website, google ads
- Ms. Auditori would like for it to be clear that Council’s lack of response during the meeting is not because they are not listening, they are listening, notes are being taken and Council will follow up to comments at a later time.

Mr. Rollins interrupted the discussion to let Mayor Hooks know that Mr. Jones had joined the meeting remotely via Zoom and was ready to address the Council with comments.

Tommy Jones, 307 E Dogwood Dr Mebane, NC 27302, stated that he recently participated in a healing rally, invited by Councilmember Ewing. He stated he met Mayor Hooks and others that attended. He said after that meeting, they discussed further the needs and concerns of the African-American community which is right now 24.7 percent of the population of Mebane. He said there are various concerns about social inequality, systemic racism, and police brutality and can fairly say he does not necessarily see as much in Mebane in the past five years that he has lived here but the underlying issues still remain. He said he is proposing that Council put together a minority-based, African-American based advisory committee. He said such a committee could provide comments and suggestions that could be recognized by the Council, that way proper decisions and proper acknowledgments can be made. Mr. Jones stated the only way to bridge the gap is to continue the conversation. He said they need more representation and he feels that an Advisory Committee to the Council is essential going forward within our City.

Mayor Hooks and Mr. Ewing thanked Mr. Jones for attending the meeting and for his comments. Mr. Cheek invited Mr. Jones to participate in the upcoming Town Hall/Listening Session meeting. He said mentioning the concerns and ideas he shared tonight at that meeting would be a good idea.

Mr. Jones thanked Mr. Cheek for that invite and shared that he thinks Council should verbally acknowledge speakers during the Listening Session, even if it is a prepared statement read at the end of the meeting.

Ms. Philipps agreed, that during the session, some type of acknowledgment should be made, assuring the speakers that they have been heard but suggested a follow up meeting would be the best time to provide responses, feedback and/or action. Council discussed a follow up meeting but did not set an official date.

Mr. Cheek said his understanding, based on what Mr. Jones said, is that while there may not be a conversation, a statement needs to be given at the end of the meeting acknowledging that Council and staff heard the speakers. Mr. Jones said that is exactly what he meant.

Mr. Jones thanked everyone, said goodbye and left the remote meeting.

Mr. Cheek introduced the City's new Human Resources Director Beatrice Hunter. He spoke highly of Ms. Hunter, her education, experience and training. Mr. Cheek also shared that she is a resident of Mebane. Ms. Hunter shared her excitement with the opportunity to be able to work in Mebane, live in Mebane and play in Mebane.

Mayor Hooks gave an overview of the Consent Agenda:

- a. Approval of Minutes –
 - i. June 1, 2020 – Virtual Regular Meeting
 - ii. June 3, 2020- Continued Public Hearings
- b. Hazard Mitigation Plan Resolution
- c. Final Plat- Townes at Oakwood Square, Phase 1
- d. Recommendation to the Alamance County Commissioners for Reappointment to the Alamance County Library Committee
- e. Odor Control Chemicals Bid Results and Recommendation

Ms. Philipps made a motion, seconded by Ms. Auditori, to approve the consent agenda as presented. The motion carried unanimously.

Mayor Hooks announced that the next item is a public hearing and will not be voted on until the continued meeting which will be held on Wednesday, July 8, 2020.

A virtual Public Hearing was held a request from Dogwood Properties & Development Corporation for approval to rezone five (5) properties totaling +/-3.32 acres located at 1218 and 1228 South Fifth Street, as well as two (2) adjacent, unaddressed properties on South Fifth Street and one (1) unaddressed property on NC 119, from R-20 (Single-Family Residential) to B-2 (General Business). Mr. Stober presented the request. He explained that the properties are currently vacant lots, some with unoccupied dwellings on them. Their property boundaries were redefined through the right of way acquisition process to support the NC 119 Bypass transportation improvement project. The properties are in the G-4 Secondary Growth Area but adjacent to the G-1 Mixed Use (III) Cameron Lane Primary Growth Area. They are also less than 1,000 feet from the Interstate 40/85 interchange and isolated from nearby properties by the NC

119 Bypass and widened S. Third Street. Those properties are single-family residences to the north, east, and south; and commercial to the west and southwest.

Tony Tate, Landscape Architect and Land Planner with TMT Landscaping, Durham, NC, joined the virtual meeting via Zoom and provided a brief overview of the request. He explained that originally, he applied for a B-2(CD) (General Business Conditional Zoning) back in March but the Planning Board denied the request because he did not have a site plan. Since then he revised his application to B2 (General Use) and plans to market the properties as commercial. He stated he spoke with Mayor Hooks and the Mayor shared that the Council has an opportunity to restrict those uses. Mr. Tate presented the following proposed list of B2 uses to be restricted from the properties under consideration for rezoning.

**Dogwood Properties Development Corporation
Mebane City Council Presentation
Exhibit A**

July 6, 2020

The property owner offers the following B2 uses to be restricted from for the rezoned properties at the pleasure of Mebane City Council.

1. Temporary Emergency Shelter
2. Communication Tower under 50' in height
3. Athletic Fields
4. Auditorium, Coliseum or Stadium
5. Batting Cages, Outdoor
6. Batting Cages, Indoor
7. Bingo Parlor
8. Campground/RV Park
9. Coin Operated Amusement
10. Country Club with Golf Course
11. Golf Course
12. Golf Driving Range
13. Automobile Parking (Commercial)
14. Blacksmith
15. Equipment Repair
16. Theater (Outdoor)
17. Boat Sales
18. Building Supply Sales
19. Fuel Oil Sales
20. Manufactured Home Sales
21. Recreational Vehicle Sales
22. Video Tape Rental and Sales
23. Communication or Broadcasting Facility
24. Taxi Terminal
25. Telephone Exchange
26. Transformer Stations
27. Beverage Products
28. Ice
29. Jewelry and Silverware Fabrication, No Plating
30. Printing and Publishing, Incidental to a Newspaper Office
31. Fireworks Stand
32. Video Gaming Arcade

Mr. Bradley asked for clarification about whether Council is considering an B2 Conditional Zoning or a straight B2 General Use zoning. Mr. Rollins explained that the original history was that Mr. Tate was asking for a conditional zoning from the very beginning and staff supported that conditional zoning which restricted the uses however when the request was presented to the Planning Board as part of that review the conditional zoning requires a site plan to be submitted, not just a restriction on the uses. So, when the Planning Board heard that, they were not in support of the conditional zoning. Therefore, Mr. Tate resubmitted for a straight B2 rezoning and the Planning Board approved recommending the straight B2 rezoning to Council. However, Mr. Tate still believes, and staff still believes, that conditional zoning makes the most sense even though he does not have a site plan. All of the proposed uses on the submitted list would be restricted from those properties. Mr. Bradley said if Council has the authority, he is perfectly satisfied with waiving the site plan in lieu of a more restricted zoning. He said there are residential properties facing these properties and he would feel more comfortable with restricted the uses. Mr. Stober said he has spoken with Mr. Rollins and Mr. Brown about the matter and Planning Staff is not empowered to make any recommendation in that regard but he does believe that Council has much more authority in negotiating the agreement with the applicant. Mr. Brown said from a legal stand point, Council can convert this to a conditional rezoning to include the restricted uses. He reminded Council that the City's Unified Development Ordinance (UDO) does include impervious surface limitations and setback requirements and the setbacks are generally enhanced when the business property is adjoining residential property, so there are some safeguards in the UDO. Mr. Ewing questioned if Mr. Tate owns the adjoining property and if the same zoning would apply. Mr. Stober stated that property was not advertised and cannot be considered at tonight's meeting. Ms. Philipps stated, if Council has the legal authority, she supports moving forward with the zoning including the restricted uses. She also requested that if the developer can preserve the mature trees on the properties, it would be ideal. Mr. Tate said he would certainly pass that request along to the developer and hopefully he will be doing the site plan and he would see what he could do about making that happen.

No one from the public spoke concerning the matter. Mayor Hooks asked for a motion to continue the public hearing. Mr. Ewing made a motion, seconded by Ms. Philipps, to continue the public hearing until Wednesday, July 8, 2020 at 6:00pm. The motion carried unanimously per the roll call vote.

Mayor Hooks announced that the City is now accepting applications for vacancies on the Board of Adjustment, one position for the Alamance County ETJ and one position for the Orange County ETJ. He encouraged citizens to apply.

Mayor Hooks also thanked the West End Revitalization Association for their recent donations to the Police Department and Fire Department to help cover COVID-19 related costs. Both departments received \$250 each.

Mr. Ewing thanked Reverend Keisha Bluford and Pastor Sammy Ballard for organizing the Unity March recently held in downtown Mebane. He also thanked Jay Starnes, owner of Fat Man and His Food, for providing barbeque for the event.

There being no further business, the meeting ended at 6:58pm.

Attest: _____
Stephanie W. Shaw, City Clerk

Ed Hooks, Mayor