



The Mebane City Council held its regular monthly meeting at 6:00 p.m., Monday, May 4, 2020. Due to public health concerns related to COVID-19, the meeting was held virtually via Zoom.

Council Present at City Hall:

Mayor Ed Hooks  
Mayor Pro-Tem Jill Auditori  
Councilmember Everette Greene  
Councilmember Sean Ewing

Council Present via Zoom:

Councilmember Tim Bradley  
Councilmember Patty Philipps

City Staff Present at City Hall:

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

City Staff Present via Zoom:

City Manager David Cheek  
Finance Director Jeanne Tate

Mayor Hooks called the meeting to order. Mr. Bradley gave the invocation. Mr. Hooks went over a few housekeeping items as this was the Council's first virtual meeting. Additionally, he gave a brief overview of the proposed Remote Participation Policy. Mr. Greene made a motion, seconded by Mr. Ewing to approve the Remote Participation Policy as presented. The motion carried unanimously.

**REMOTE PARTICIPATION POLICY FOR MEETINGS  
OF THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF MEBANE, NORTH CAROLINA**

Members of the Mebane City Council may remotely participate in briefings and official meetings of the City Council as outlined below in Section 1 or during times of emergency. Times of emergency happen when the Governor of the State of North Carolina has declared a state of emergency pursuant to N.C.G.S. §166A or the Mayor of the City, or his successor in rank, has declared a state of emergency in the City of Mebane pursuant to N.C.G.S. §166A-19.22 and Mebane City Code Chapter 12, subject to the following rules and procedures:

1. Remote participation may be used only in very limited circumstances. For purposes of this policy, the Mayor, Mayor Pro-tem, and Councilmembers shall be collectively referred as "Councilmember(s)" or the "City Council." A Councilmember desiring to participate in a meeting remotely must assert one or more of the following reasons for being physically unable to attend the meeting:
  - a. Personal illness, disability, or threat thereof; or
  - b. Family or other emergency; or
  - c. Governmental order.
2. Remote participation may be allowed only during open sessions when a quorum of the City Council is physically present at the meeting and the Councilmember participating remotely is not necessary to establish a quorum.
3. Remote participation shall not be allowed during quasi-judicial hearings.
4. Remote participation shall be allowed during closed sessions of the City Council provided that the Councilmember participating remotely is in such a location and environment to assure the confidentiality for which the purpose of the closed session is called pursuant to N.C.G.S. §143-318.11. A Councilmember participating remotely shall participate via simultaneous and/or electronic communication and must be fully heard by other members of the City Council present in the closed session.
5. A Councilmember desiring to participate in a meeting remotely must notify the City Clerk of the need for his or her remote participation at least 24 hours prior to the start of the meeting unless advance notice is impractical.
6. At the start of the meeting, the presiding official, be it the Mayor, or Mayor Pro-tem, or presiding Councilmember, shall announce that a Councilmember is participating remotely. Such Councilmember shall identify himself or herself and state the reason that he or she is participating remotely.

7. A Councilmember participating remotely shall be allowed to participate in all open session discussions and deliberations except for quasi-judicial hearings. A Councilmember participating remotely under the policy shall vote on matters, except where otherwise ethically conflicted and allowed to recuse himself or herself by a vote of the City Council.
8. A Councilmember participating remotely shall be provided with documents to be considered by the City Council during the meeting, i.e. the agenda packet.
9. A Councilmember participating remotely shall participate via simultaneous and/or electronic communication and must be fully heard by other members of the City Council present in the meeting and any other individuals in attendance at the meeting. Use of telephone, internet, or internet enabled audio or video conferencing, or any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another is necessary.
10. A Councilmember participating remotely shall provide a voice vote which can be heard and recorded.
11. A Councilmember participating remotely shall not serve as the presiding official of the City Council meeting.
12. If a City Councilmember participating remotely is disconnected, the presiding official will call for a brief recess for the member to be reconnected via phone or other electronic means.
13. If disconnected member is not reconnected the presiding official will call for a vote from that member to be excused from the meeting. Any Councilmember who does not vote and has not been excused is counted as affirmative.
14. As with all meetings being made available to the public, the City shall always comply with statutory requirements of notice, access and minutes

During the Public Comment Period, City Clerk Stephanie Shaw read into the record a letter submitted via email from Gary Linz, 1514 Saddle Club Road, Mebane, NC 27302.

May 4, 2020

Dear Mebane City Council Member

Re: Proposed Tupelo Junction

*I would like to raise a few concerns I have with the Tupelo Junction proposal as presented. As I'm sure you heard, the Planning Board meeting was rather contentious. I think this was in no small part due to the abruptness that this proposed project was sprung on our community. As far as I know, the developer did not reach out to any of the neighboring property owners until February 24, for a March 4<sup>th</sup> meeting. This left little time to digest the impact this project would have on our lives.*

*It should be mentioned that Montrena, Cy and the Board Members conducted themselves with the utmost professionalism in the face of the considerable frustration on display. I do not want their contributions to the community to be diminished over my/our concerns.*

*The three issues I want to address are wet lands/drainage, preservation and buffer.*

*Starting with a small farm pond below the home at 1708 Saddle Club Rd, this area is designated federal wet lands. A link to the wet land mapper follows:*

<https://www.fws.gov/wetlands/data/mapper.html>

*At the planning board this property was incorrectly identified by a speaker as "in the flood plain", when she meant it was wet lands. As such, the developer correctly said it's not in the flood plain, but it does still need to be addressed as wet lands. If it was addressed with the proper agencies, and given the green light, I would like to know by whom, and what was the justification. I know it's "only" about an acre total, but that's how we are losing our wet lands, one acre at a time. In addition, there are three major drainages flowing from east to west across this property. Below 1708 Saddle Club Rd the flow is substantial after a 1-2-inch rain, and below 1722 Saddle Club Rd and 1812 Saddle Club Rd the flow is significant. With rooftops and driveways, runoff will be increased considerably. Let's hope the engineers have this figured correctly. I believe I heard the impervious surface amounted to about 27% with this design, with a max allowable coverage of*

30%. Although this project might meet the technical requirements, I don't think it meets the spirit of the regulations. Of the land that is not swamp and creek, considerably more land is being covered, likely close to 50%. This is going to lead to the type of runoff and erosion that the law was intended to circumvent.

That "over 50% of this wildlife refuge will be preserved" was a point made numerous times. Well, no. Most of the land the developer is not building on is either in the flood plain or part of the fiber optic Right of Way. The retention ponds are certainly not "preserved" land; those ponds are replacing trees that are finally making a comeback after a clear-cut before I moved here 23 years ago. In addition, there are numerous mature trees in the area of lots 92 through 103, are steps being taken to save these trees?

The proposed 20-foot buffer is my self-serving issue. Mr. Shanklin managed a 100-foot buffer with thick trees and brush separating his rural home from development. The Casey Lane residents were not so lucky, with approximately 45 feet separating them from the new homes going up. So, we get 20 feet from the backs of 13 homes....but not really? Not really if there is no barrier or vegetation. Not really, if they secure a setback variance. These new homes could be built almost to the "buffer zone", in which case that area would surely be used as a back yard by the home owners residing there. The current landowner graciously agreed to deed 12 feet on the west side of our home to us, which is a small help, but not adequate to mitigate the coming disruption to our lives. We have a NC registered, working farm; therefore a more significant buffer would not only be to our advantage, it would also be to the advantage of any new home owner moving in next to us. In fact, a berm with shrubbery (nice ones), along with a wider buffer, on the order of 75 feet, seems to me to be the best solution.

With a heavy heart, I accept that the landowner has the right to cash in this wildlife refuge and convert it into housing. This could have been done much more responsibly in the large field further north, but that was not the landowner's choice. We are just looking for a small measure of what we once had here.

Mayor Hooks gave an overview of the Consent Agenda:

- a. Approval of Minutes – March 2, 2020 – Regular Meeting
- b. Petition for Voluntary Contiguous Annexation- Celine Meador, The White House
- c. Petition for Voluntary Contiguous Annexation- Greg Spears, Mebane Oaks Lot 3
- d. Recombination Plat for Easement Removal on Emerson Drive
- e. Audit Contract for FY 2019-2020

Mr. Bradley questioned if both parties approve of the divided property for the easement removal on Emerson Drive. Mayor Hooks replied, yes. Ms. Philipps made a motion, seconded by Mr. Greene, to approve the consent agenda. The motion carried unanimously.

**Item b.**

RESOLUTION SETTING DATE OF PUBLIC HEARING ON  
QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the area described herein has been received;  
and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mebane, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Mebane Municipal Building at 6:00 p.m. on June 1, 2020.

Section 2. The area proposed for annexation is described as follows:

Beginning at a 1" Flat bar in the Southern R/W of E. Washington Street, the Northwest corner of the Aubrey and Celine Meador property; thence with the western line of said Meador S 01°09'31" W a distance of 726.00' to a point in the northern line of Glenn E. Patterson trustee; thence with

said Petterson S 86°46'22" E a distance of 406.85'to a to a point, the southwest corner of Martin C. Bean; thence with said Bean N 03°01'46" E a distance of 362.46'to a point, the southeast corner of Brent and Carol Dudley in the said Bean line; thence with said Dudley N 75°30'01" W a distance of 150.41'to a point ; thence continuing with said Dudley and crossing the R/W E. Washington Street, Southern Railroad, and US Hwy 70 N 03°15'31" E a distance of 479.78'to a point in the Northern R/W of said US Hwy 70; thence with said US Hwy 70 N 75°15'10" W a distance of 498.54'to a point; thence crossing said US Hwy 70, Southern Railroad, and E. Washington Street S 02°58'04" E a distance of 209.96' to a PK Nail in the southern R/W of E. Washington Street and terminus of Eleventh Street; thence with said E. Washington Street S 75°15'10" E a distance of 185.00'to a point; which is the point of beginning, having an area of 7.85 Acres 0.01226 Square Miles

Section 3. Notice of the public hearing shall be published once in the Mebane Enterprise, a newspaper having general circulation in the City of Mebane, at least ten (10) days prior to the date of the public hearing.

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Ed Hooks, Mayor

ATTEST:

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Stephanie W. Shaw, City Clerk

**Item c.**

RESOLUTION SETTING DATE OF PUBLIC HEARING ON  
QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the area described herein has been received;  
and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mebane, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Mebane Municipal Building at 6:00 p.m. on June 1, 2020.

Section 2. The area proposed for annexation is described as follows:

Beginning at a 5/8" rebar in the western line of Wilson Road, the southeast corner of lot 2 Mebane Oaks Associates, NAD 83 coordinates: Northing:843966.46' Easting:1920498.47'; thence with said Lot 2 and crossing Mebane Oaks Road(SR 1007) S 65°43'41" W a total distance of 344.44'to a point; thence with the Western R/W of said SR 1007 S 27°20'14" E a distance of 186.27'to a point; thence crossing said SR 1007 N 70°14'10" E a distance of 85.08'to a point in the northern property line of Roger Shields; thence with said Roger Shields north line N 70°32'22" E a distance of 327.90'to a point in the eastern R/W of Wilson Road Extension; thence with the eastern R/W of said Wilson Road a curve turning to the right with an arc length of 73.08', with a radius of 270.00', with a chord bearing of N 33°54'46" W, with a chord length of 72.85',to a point; thence continuing with said Wilson Road N 26°09'33" W a distance of 78.10'to a point; thence crossing said Wilson Road S 63°50'27" W a distance of 60.00'to a point in the Western R/W of said Wilson Road; thence with the western R/W of said Wilson Road N 26°09'33" W a distance of 68.54'to a point; thence with a curve turning to the right with an arc length of 3.79', with a radius of 230.00', with a chord bearing of N 25°41'15" W, with a chord length of 3.79', to a point ; which is the point of beginning, having an area 1.78 Acres 0.00278 Square Miles.

Section 3. Notice of the public hearing shall be published once in the Mebane Enterprise, a newspaper having general circulation in the City of Mebane, at least ten (10) days prior to the date of the public hearing.

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Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

Mr. Cheek presented the recommended budget for the 2020-21 Budget Ordinance and 2021-2025 Capital Improvement Plan (CIP). Mr. Cheek stated this year's budget is titled *Staying Positively Charming – A Coronavirus Challenge*. Five principles focused on for this budget are:

- Conservative Budget
- Continue Projects
- Care for Employees
- Citizens in Mind
- Concern for Safety

No tax increase is proposed. Mr. Cheek explained that revenues are down 1.6% due to the economic conditions COVID-19 is creating and therefore staff is recommending the use of \$2.1 million of fund balance saved up over the years. Included in the spending budget are the three capital projects and trucks for the Sanitation Department totaling \$2.1 million, which is causing the 5.5% increase in spending; without those projects, the budget decreases by 4.8%. Mr. Cheek continued by giving an overview of the General Fund, stating that 6 of 8 revenue sources are decreasing with the only moderate increase being property tax revenues. He stated other financing sources such as borrowing and use of fund balance will be increased to compensate for the 1.6% decrease. The following were discussed as proposed General Fund spending:

#### Personnel

- 2% COLA, 1-year freeze on merit pay
- Rate increases on medical & retirement
- Fully funding 2 prior year new positions

#### Operating

- Increase recycling fees
- City-wide space needs study
- Technology upgrades

#### Capital Outlay

- 2 Sanitation trucks & 3 police vehicles
- Continue/expand Cates Farm Park
- Lake Michael dam repair
- Continue MACC to Holt St. Greenway

Mr. Cheek shared what is currently included in the Cates Farm Park budget - a handicap accessible six tower playground, trails, signage and other small items. He discussed the recommendation of expanding the Cates Farm budget by \$375,000 to include a gravel road, paved parking lot, bathrooms and a picnic shelter. Mr. Cheek stated that Impact Alamance donated \$250,000 towards the cost of the tower playground. Council expressed that they like the design, particularly the bathroom addition.

Mr. Cheek gave an overview of the Utility Fund. He explained that in 2018 a Utility Rate Analysis was completed and determined that a 5-year graduated rate increase was needed. In 2019, the City implemented a 5% rate increase. In light of the pandemic, staff is recommending that the needed rate increase be postponed until January 2021. He said hopefully by October the City will have a much clearer picture of how things will be and a decision can be made at that time. A rate increase in sewer will definitely be needed for upgrades to the Water Resources Recovery Facility (WRRF). Mr. Cheek shared a brief overview of the WRRF upgrades over the next 5 years.

Mr. Cheek explained that he received Departmental Requests totaling \$19.6 million and he cut those to a recommended \$2.3 million including the following CIP Projects for 2021:

- Jackson & S. 2nd SW Improvements
- Street Resurfacing
- Foust Road Widening
- Swaploader/ Leaf Truck
- Brush Truck
- Lake Michael Dam Repairs
- Cates Farm Park
- Grass Tractor

Ms. Philipps questioned if the only sidewalks included were Jackson Street and S. Second Street. Mr. Cheek replied, no others were included.

Mr. Cheek stated \$15 million of the \$19.6 million included a request for a new Police Department, and the Fire Department included two additional fire stations in the next five years. The Planning and Inspections department is also in great need for additional space and offices. Mr. Cheek recommended that a Space and Personnel Study be completed to determine the following:

- Identify and assess current space
- Current space, space needs, & deficits
- Assess demographic projections
- Determine workforce needs
- Prioritize needs based on
  - identified space deficit
  - the greatest need
  - functionality, responsibilities, efficiency
- Recommend 10-year plan of action
- Estimate probable costs

Mr. Bradley shared concerns with hiring a company to do a space needs study. He said they would need to have a broad area of expertise as each department would have specific needs, particularly Fire and Police. Mr. Cheek assured Mr. Bradley that the consultant hired would have extensive input from the department heads in regard to each department's needs. Ms. Philipps said it seems that money has been in the budget for the last two years for this kind of study for the Police Department. Mr. Cheek said \$30,000 has been in the budget but the study has not been done. She suggested taking that money and putting it towards a study for the whole City. Mr. Cheek suggested leaving money for the study in the budget but have more discussion later to develop a detailed RFQ. He said Council approval would be needed before moving forward.

Mr. Cheek spoke about Mebane and Graham WWTP Partnership Agreement. He said in 2017 Mebane purchased 22% - 750,000 gpd. Graham is considering an upgrade to its WWTP within the next 2 years and with that upgrade Mebane may want to consider amending the agreement to purchase additional 500,000 gpd, if Graham is open to it. Staff discussions have begun and cost estimates have been requested. No budget impact this year.

Mr. Cheek requested that Council set a date of Public Hearing for June 1, 2020 to adopt the Budget Ordinance and Capital Improvement Plan 2021-2025.

Ms. Philipps and Mr. Ewing mentioned holding a work session in a few weeks to discuss items such as police personnel requests because the budget work sessions were cancelled due to COVID-19. Mr. Bradley said he is not opposed to a work session but everything is so uncertain right now and he is looking at this budget as an "overall spending plan" and suggested waiting until the Fall to revisit the budget and before borrowing any money to complete projects. Mr. Cheek said that is how he put the budget together, hoping that by the end of the Summer we will know more.

Ms. Philipps said putting off projects that are currently already underway like the Greenway project could slow down the economic recovery around the country but she stated she does understand that citizens come first. Mr. Brown talked about the pros and cons of the current lending atmosphere. Mr. Bradley suggested again that waiting seems smartest until more is known in regard to the virus and public perception is to be taken into consideration.

Ms. Auditori asked, specifically related to the \$1.2 million budgeted for the Greenway Trail, how much is currently budgeted for this fiscal year. Ms. Tate replied that the plan for this year was \$1.1 million, which includes the \$250,000 grant from Impact Alamance and \$784,000. She said they have not actually budgeted that because when the City borrows those funds, we will be required to keep the project budget in a separate project fund. What is in the General Fund is the debt service on the \$784,000 that the City plans to borrow.

Mr. Greene said he thinks it is important to pass a budget "just enough to get by", citing the same public perception concerns as Mr. Bradley.

Ms. Philipps said public safety needs to be a priority. She questioned if Council passes the budget

as presented, can Council hold a meeting at a later date to readdress the whole budget again.

Mr. Brown and Mr. Rollins explained that budget amendments increasing and/or decreasing are allowable later in the year but the tax rate cannot be changed in this fiscal year once it is set.

Mr. Ewing and Ms. Auditori are in favor of leaving the Capital Improvements in the budget as presented and revisit them throughout the course of the year as needed or wanted. Mr. Bradley agreed.

Mr. Cheek said the Budget Ordinance could be worded to cover planning for capital purchases vs. making capital purchases.

Ms. Auditori asked about the Downtown Coordinator position and what the affect of not hiring that part-time position would have on the status of the Main Street Program. Mr. Cheek explained that \$30,000 is in the budget for the contracted part-time position and Recreation and Parks has \$20,000 budgeted for contracted Public Information services and if those monies were combined with an additional \$37,000, a PIO/Downtown Coordinator position could be hired. Mr. Ewing talked about the importance of a PIO and how that position could have been strongly utilized during this pandemic. Ms. Philipps agreed that a significant social media presence is very important.

Ms. Philipps made a motion, seconded by Mr. Greene, to set a date of public hearing for approval of the Budget Ordinance for FY 2020-21 for June 1, 2020 at 6:00pm. The motion carried unanimously.

As an additional item, Mr. Greene suggested that after the pandemic is over, the City should have a "coming out" party for the downtown merchants. Also, he feels there should be detailed discussion about the measures in place should a hurricane strike the City. He concluded his comments with thanking David for his hard work on the budget. Mr. Bradley agreed, the budget was very well thought out.

Ms. Auditori said she has received multiple comments from citizens expressing their desire to see Council meetings continue to be streamed live even after the pandemic.

Mr. Ewing thanked all first responders for being on the frontline during these uncertain times. He also commended Mr. Montgomery for all of his hard work in getting the City's IT services where they need to be during this crisis for Councilmembers, city staff and citizens.

Ms. Philipps took a moment to recognize all the acts of kindness throughout the City during this time. She said this has been a terrible time for the whole country but she is proud of the way Mebane has responded to the crisis and she is proud to be a part of this City.

There being no further business, the meeting ended at 8:12pm.

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

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Ed Hooks, Mayor