

1.	Call to Order and Invocation Mayor Ed Hooks
2.	Public Comments Mayor
3.	Consent Agenda Mayor
	<ul> <li>Approval of Minutes <ul> <li>December 2, 2019 – Special Meeting</li> <li>December 2, 2019 – Regular Meeting</li> </ul> </li> <li>Final Subdivision Plat –Recombination of Lot 24 in NCIC</li> <li>Petition for Voluntary Non-Contiguous Annexation – Airgas USA, LLC</li> <li>Petition for Voluntary Contiguous Annexation – TRG Capital, LLC</li> <li>Interlocal Agreement and Budget – City of Burlington (BGMPO)</li> <li>Insurance Proceeds – Budget Amendment</li> <li>Municipal Agreement for NCDOT Mebane-Oaks Interchange Project I-5711 <ul> <li>Utility Construction Agreement</li> <li>Sidewalk Construction Agreement</li> </ul> </li> </ul>
4.	Public Hearings
	<ul> <li>Rezoning from B-3 to M-1(CD) to Allow Equipment</li> <li>Rental &amp; Leasing from Robert &amp; Carmen Giggey</li> <li>Requested to be continued per the applicant Cy Stober, Development Director</li> </ul>
	<ul> <li>b. Zoning – South of West Ten Road – MRE MNC, LLC (Medline) (Continued from December meeting) Mr. Stober</li> </ul>
5.	Preliminary Subdivision Plat – Summerhaven
6.	2018-19 Financial Statements and Auditor Report Jeanne Tate, Finance Director
7.	Informational Item – Allowance of U-Hauls in B-2 District Mr. Stober
8.	Pay Plan Amendment & Request for New Position David Cheek, City Manager
9.	Adjournment Mayor



The Mebane City Council met for a Special Meeting at 4:30 p.m. on Monday, December 2, 2019 at the Municipal Building located at 106 E. Washington Street to recognize and hold a reception honoring outgoing Mayor Glendel Stephenson.

Councilmembers Present:

Mayor Glendel Stephenson Mayor Pro-Tem Ed Hooks Councilmember Tim Bradley Councilmember Patty Philipps Councilmember Jill Auditori Councilmember Everette Greene

# Others Present:

David Cheek, City Manager Chris Rollins, Assistant City Manger Lawson Brown, City Attorney Stephanie Shaw, City Clerk

The Mayor's wife, Pat Stephenson was present, along with several family members and friends. Various elected officials representing the state, city and county government and numerous residents and members of the Mebane community were also in attendance.

Mayor Pro-Tem Hooks called the meeting to order, then City Manager David Cheek preceded with welcoming everyone to the reception honoring Glendel Stephenson for 35 years of dedicated service the City of Mebane as Mayor.

Mayor Pro-Tem Hooks read aloud the following Resolution which was adopted by unanimous vote of the Council:

# RESOLUTION HONORING GLENDEL STEPHENSON FOR THIRTY-FIVE YEARS OF DISTINGUISHED SERVICE AS MAYOR OF THE CITY OF MEBANE, NORTH CAROLINA BY NAMING CITY HALL THE "GLENDEL STEPHENSON MUNICIPAL BUILDING"

**WHEREAS**, Glendel Stephenson announced his intention to retire as Mayor of the City of Mebane effective December 2, 2019, the date of the last City Council meeting at which he will preside as Mayor; and

WHEREAS, Glendel Stephenson came to Mebane in 1963, and has been a good neighbor, trusted businessman, active citizen and faithful friend to the people of Mebane for fifty-six years; and

WHEREAS, Mayor Stephenson, having served with nine City Councils, from 1975 to 1983, and 1993 to 2019, has been a diplomatic leader in guiding the business meetings of the City Council with proper decorum and skill; and

WHEREAS, Mayor Stephenson has served with twenty-four different council members, lending a guiding hand, giving an attentive ear, offering a voice of reason and exhibiting diplomacy and statesmanship; and

WHEREAS, during his thirty-five years as Mayor, he oversaw the growth of Mebane from 1975 to 2019, in population from 2,600 citizens to 16,000 citizens, in land area from 926 acres to 6,683 acres, in the property tax base from \$24.7 million to \$2.2 billion and in the city budget from \$1.1 million to \$30.5 million, all while the property tax rate decreased from ninety cents to forty-seven cents; and

WHEREAS, Mayor Stephenson has brought respect, honor, and integrity to the office of Mayor, exhibiting the highest level of ethics and maintaining a superior moral character; and

WHEREAS, Glendel Stephenson volunteered numerous hours, incurred personal sacrifice, and exhibited outstanding community spirit in his service with the Alamance County Chamber of Commerce, the Alamance Regional Medical Center Foundation, the Alamance County Library Board, the Alamance Community College Foundation, the Alamance Community College Board of Trustees, the First Baptist Church of Mebane and the Mebane Exchange Club; and

WHEREAS, Mayor Stephenson faithfully attended countless numbers of ribbon cuttings, grand openings, and groundbreakings for new and expanding businesses, always displaying a distinguished demeanor,

articulating eloquently, and reminding those in attendance that, "It's a great day to be in Mebane, Alamance (or Orange) County, North Carolina, United States of America"; and

**WHEREAS**, Mayor Stephenson's unwavering commitment, willingness and ability to understand and respond to the concerns of the people of Mebane, has made a substantial contribution to the betterment of the City of Mebane;

**NOW**, **THEREFORE**, **BE IT RESOLVED**, on behalf of the citizens of Mebane, that the City Council expresses to Glendel Stephenson their sincere appreciation for his loyal and distinguished service, both as citizen and Mayor, in making Mebane a "Positively Charming" place to live, work and play over the last half century; and

**BE IT FURTHER RESOLVED** that the City Council hereby honors Mayor Stephenson by naming the Mebane City Hall, from this day forward, the Glendel Stephenson Municipal Building.

Adopted this second day of the month of December, in the year 2019.

Ed Hooks, Mayor Pro Tem

Tim Bradley, Councilmember

Patty Philipps, Councilmember

Everette Greene, Councilmember

Jill Auditori, Councilmember

Mr. Hooks then revealed the lettering on the wall, along with a portrait of Mayor Stephenson naming the Mebane City Hall as the Glendel Stephenson Municipal Building. New signage in front of the building was also revealed.

Mayor Stephenson thanked everyone for allowing him to serve the great City of Mebane for so many years. He thanked Council and staff for the great honor of having City Hall carry his name.

The meeting was adjourned and everyone continued with celebrating.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, December 2, 2019 in the Council Chambers of the Municipal Building located at 106 East Washington Street.

<u>Councilmembers Present:</u> Mayor Glendel Stephenson (Outgoing Mayor) Ed Hooks (Outgoing Member/Incoming Mayor) Councilmember Jill Auditori Councilmember Patty Philipps Councilmember Tim Bradley Councilmember Everette Greene Councilmember Sean Ewing (Incoming Member) <u>Also Present:</u>

David Cheek, City Manager Chris Rollins, Assistant City Manager Lawson Brown, City Attorney Stephanie Shaw, City Clerk Cy Stober, Development Director

Mayor Stephenson called the meeting to order. Mr. Bradley gave the invocation.

City Clerk Stephanie Shaw reported the results of the municipal election held on November 5, 2019, as certified by Alamance County and Orange County Board of Elections, to be as follows:

FOR THE OFFICE OF MAYOR:

Alamance County:	Ed Hooks	998 votes
	Write Ins	
Orange County:	Ed Hooks	103 votes
	Write Ins	9 votes

FOR THE OFFICE OF CITY COUNCIL:

	Alamance County:	Patty Philipps	.617	votes
		Sean Ewing	.600	votes
		Everette Greene	.481	votes
		Shelby Dent	.383	votes
		Jim Harding	.203	votes
		Write Ins	10	votes
	Orange County:	Sean Ewing	87	votes
		Shelby Dent	65	votes
		Patty Philipps	51	votes
		Everette Greene	22	votes
		Jim Harding	11	votes
		Write Ins	4	votes

Therefore, pursuant to such tabulation, it has been determined that: Ed Hooks, having received 1,101 total votes from both counties, has been duly elected as Mayor of the City of Mebane, pursuant to law, for a term of four years. Additionally, Sean C. Ewing having received 687 total votes from both counties and Patty Philipps having received 668 total votes from both counties, have been duly elected members of the City Council of the City of Mebane, pursuant to law, for a term of four years. Ms. Auditori made a motion, seconded by Mr. Bradley, to accept the election results as presented. The motion carried unanimously.

Mayor Glendel Stephenson administered the oath of office to Ed Hooks. Ed Hooks administered the oath of office to Patty Philipps. District Court Judge Larry Brown, Jr. administered the oath of office to Sean Ewing. They then took their seats at the Council table.

Mayor Stephenson shared parting comments. He shared that serving as Mayor for 35 years has been one of the greatest highlights and privileges of his life. He said he knows the City will continue to do well. He again thanked the Council, administration and all of the City employees for doing a fantastic job each and every day. He took a moment to thank City Clerk Stephanie Shaw for helping him with countless letters, proclamations, resolutions, etc. throughout the years. He bid everyone a sincere farewell and left from the meeting with his wife, Pat.

Mayor Hooks called for nominations for Mayor Pro-Tempore. Ms. Philipps made a motion to nominate Jill Auditori, seconded by Mr. Bradley. The motion carried unanimously.

Ms. Shaw then administered the Mayor Pro-Tempore Oath of Office to Jill Auditori and she returned to her seat.

Mayor Hooks stated as he has taken seat as the Mayor, his Councilmember seat is now vacant and Council has a duty to fill that vacant seat. Mr. Cheek said now that the election results have been certified and accepted by Council, there is indeed a vacant seat and that the NC General Statute that allows for such a replacement is NCGS 160A- 63 which describes the authority of the Council to make that appointment. Mayor Hooks asked Council for its thoughts on the matter. Mr. Bradley said that an election was just completed and those election results showed Everette Greene coming in third place with the third highest votes. He made a motion to appoint Mr. Greene to fill the vacant seat for the remaining two-year term. Ms. Philipps seconded Mr. Bradley's motion. The motion carried unanimously. Ms. Shaw administered the oath of office to Mr. Greene.

Mr. Cheek recognized Fire Chief Bob Louis and Fire Captain John Schultz for 25 years of service with the City of Mebane. He presented them both with service awards.

During the Public Comment period, Local business owners since 2009, Shannon Long and Curtis Bass, Beyond Measure Barbering Institute, 524 W. Center Street, Mebane, shared that recently they opened an additional business of U-Haul services but they were contacted by City staff informing them that a U-Haul business is against the zoning for that property. He stated that he has since learned that the property is zoned for storage and for car lots. He said they are requesting that the City modify the zoning restrictions to allow for a U-Haul business.

Mr. Rollins stated he just learned of the request just prior to the start of tonight's meeting but if he understands correctly, they are requesting a text amendment, not a zoning amendment. Mr. Stober replied yes. He said their property is zoned B-2 which prohibits that type of business and the simplest solution would be an amendment to the City of Mebane's Unified Development Ordinance to allow that type of use in all B-2 zoning districts should Council wish to do so as opposed to a site-specific amendment. Mr. Rollins continued by saying state law requires that any zoning amendments must be investigated by staff, then go before Planning Board and then a public hearing at a Council meeting for Council consideration. An amendment to the UDO is a 2-3-month process. Council directed staff to review the matter in detail and bring back a recommendation next month. Several Councilmembers agreed that they feel the recommendation should be site specific.

Also, during the Public Comment period, Colin Cannell, 717 S. Fifth Street, said he was prepared to offer a public comment about the filling of the vacant seat but he now finds that comment is moot. He stated he feels the decision was made without enough discussion. He said there is a perception "out there" that this Council is not interested in transparency, however he doesn't believe as he knows some members of the Council but he feels they erred in making the decision without open discussion or public input.

Mr. Cheek gave an overview of the Consent Agenda:

- a. Approval of Minutes- November 4, 2019 Regular Meeting
- b. Proposed 2020 Regular Meetings and FY 2020-21 Budget Calendar
- c. Alamance County Library Committee Appointment- Kristen Whitlow
- d. Final Subdivision Plat Cambridge Park, Phase 1B
- e. Final Subdivision Plat Havenstone, Phase 2B
- f. Final Subdivision Plat The Villas On 5th, Phase 2A
- g. NCDOT Municipal Agreement Mebane Oak Interchange

Mr. Bradley made a motion, seconded by Mr. Ewing, to approve the consent agenda as presented. The motion carried unanimously. Mayor Hooks announced that the public hearing for *Item 10a. Rezoning from B-3 to M-1(CD) to Allow Equipment Rental & Leasing from Robert & Carmen Giggey* has been requested to be continued until the next per the applicant. Ms. Philipps made a motion, seconded by Ms. Auditori to continue the public hearing at the next month's meeting. The motion carried unanimously.

A Public Hearing was held on a request from Medline Industries for voluntary non-contiguous satellite annexation containing approximately 47.89 acres located on the southern portion of West Ten Road in Orange County. Mr. Brown stated Council previously annexed 176 acres across the street on the northern portion of West Ten Road.

Patty O'Connor stated she lives off of West Ten Road on Squires Road. She shared concerns with industrial development on West Ten Road and how it might affect the residents and school in that area. She also shared concerns with the possibility of decreasing property values. She said she as a nurse she likes Medline and their products and she is not opposed to their warehouse being built on one side of West Ten but they have not had a chance to prove themselves to be good neighbors yet so why should they be allowed to annex more property on the other side of the road. She questioned what will they be doing with the southern portion. She requested that Council be thoughtful and considerate of the residents that live in that area.

Steve Brantley, Director of Orange County Economic Development, shared a few brief comments in regard to Medline's timeline of the project thus far. He shared that NCDOT has extended up to \$1 million dollars to improve West Ten Road westward to Buckhorn Road which will be the designated truck route for Medline's trucks, not eastward. He further shared that if negotiations with the Flea Market/Jockey Lot property owners are successful, Medline will acquire easements through that property to build a road which would allow for all their truck traffic to travel on Buckhorn Road to and from the interstate and not on West Ten Road.

Austin Watts, P.E., Vice President, with Kimley-Horn, 200 South Tryon Street, Suite 200, Charlotte, NC 28202, shared that Medline does not have an "intended use" for the southern property at this time other than to clean it up as currently the property is in disrepair. On the northern property Medline will be building a medical distribution site and they wish to present a clean product to their vendors as well as to the outparcels in front of their site. As for the future, he suspects they will sell that lot for a compatible use, likely industrial. Mr. Watts spoke briefly about being in contact with NCDOT about the possible improvements on West Ten Road. He also spoke briefly about the possibility of a road through the Flea Market/Jockey Lot as spoken about earlier. Council requested that Mr. Watts speak to the types of trucks Medline will be using. Mr. Watts said Medline takes their environmental impact very seriously, always keeping up-to-date trucks. They go above and beyond what is required of them in order to minimize their impact.

Tom Boney said in conjunction with the next item, if the property is annexed and zoned, would the City have any input in terms of approval or not of what might come in behind. Mr. Brown said if the property is zoned industrial, then all of the permitted uses under the industrial classification would be available. There are special setbacks when an industrial site abuts residential property so there would be setbacks that are greater. Mr. Bradley clarified that the permitted uses would be for light manufacturing which would be consistent with uses such warehousing, storage and shipping. Mr. Brown said that is correct, M-1 and M-2.

Mr. Brown said Council needs to make a decision as to the annexing then the zoning can be taken under consideration.

Mr. Ewing questioned if Council has any plans moving forward with Orange County to understand the development in this area. Mr. Brantley shared that City staff and Orange County staff are in constant contact with one another keeping up to date on all the development. He stated that this property was designated by Orange County as the Buckhorn Economic Development District (BEDD) in 1994 which included all the property north of West Ten Road and eastward to Mt. Willing Road. Mr. Ewing stated he does not have an issue with this development but it is not consistent with the City's Comprehensive Development Plan therefore moving forwar, he would like the City and Orange County be reanalyzing that plan. Mr. Rollins spoke of the utility extension that was carried out by Orange County per agreements in 2004 and 2012 and if the City does annex tonight, that would trigger planning staff to quickly move forward to reevaluate the change in the long-range plan.

Cheryl Kelly and Hunter Landon, 1217 Squires Road, shared that they have some of the same concerns as Ms. O'Connor. They shared concerns with truck traffic, noise and disruption. They

also requested that Council be thoughtful and considerate with their decisions.

Mr. Greene made a motion, seconded by Ms. Philipps to close the Public Hearing. The motion carried unanimously.

Ms. Auditori requested that Mr. Stober speak to the buffer requirements between R-1 and M-2 if this were to move forward to an M-2. Mr. Stober said the front yard setback would be 50 feet and the side and rear setbacks would be 20 feet, however the landscape buffer required for abutting residential properties is 70 feet of opaque landscaping.

Mr. Bradley made a motion, seconded by Ms. Philipps, to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the 47.89 acres. The motion carried unanimously.

A Public Hearing was held on a request from MRE MNC, LLC, for approval to establish M-2 (Light Manufacturing) on two properties it owns with a total area of +/-48.51 ac, at 5504, 5510, 5512, & 5514 West Ten Road, located outside of the Extra-Territorial Jurisdiction (ETJ) in Orange County and currently Orange County zoned R-1 (Rural Residential . Mr. Stober gave a brief overview of the review of the request, citing that most details were covered during the annexation hearing. Now that the property has been annexed, Council may take action on the zoning request. He said, as previously discussed, the properties lie outside the scope of the City's adopted Comprehensive Land Development Plan (CLP) Mebane By Design and is adjacent to the BEDD which is dedicated for industrial development, both light and heavy but primarily light. Mr. Stober stated that the Planning Department finds that this request is outside the scope of Mebane By Design and therefore cannot make a recommendation. Staff also finds that the request will introduce nonresidential uses south of West Ten Road but is consistent with the uses recommended within the BEDD and Growth Strategy Management Goal 1.7. Planning Board recommended (7-0) to approve the project, but stated that this action should be "...reflect[ed] in Mebane By Design through a planning effort to evaluate the future land use and development potential of properties served by utilities that lie adjacent to Primary Growth Area V."

Mr. Bradley asked Mr. Stober to give a couple of generic examples of what types of businesses would be able to operate under this zoning. Mr. Stober said the zoning requested could support such businesses as animal shelter, soaps and cosmetics production facility, machine shop, bakery products, beverage products, dairy products, recycling collection station, moving and storage service, bulk mail and packaging, warehouse and distribution, restaurants with or without drive-ins, office supplies and equipment, convenience stores, farm supplies and equipment, food stores, veterinary clinics, animal kennel, etc.

Mr. Stober stated any development on this property would require compliance with the State's laws regarding stream buffering. The creek hugs the southern perimeter of the properties.

Council questioned if any feedback had been received from residents. Mr. Stober said letters were sent to four (4) addresses on Squires Road and a P.O. Box. Approximately seventeen (17) letters total were sent, per the UDO, staff is required to notify all property owners within 300 feet of the requested zoning area. No one provided feedback at the Planning Board meeting and one (1) email from resident that provided comments earlier in the meeting.

Mr. Landon stated not many people would want to live near a kennel. He cited concerns with the potential of more industrial businesses creeping towards the residential areas. Mr. Watts said Medline purchased the southern property mainly to clean it up but by the same token the intent is that they want compatible uses. With their investment of nearly \$100 million dollars for the facility that will be located on the northern property, it is not their intent to have something unsightly across the street. Even if they never sale the property, it was worth the purchase to control the look of the southern property and if they were ever to sale it would only be to a compatible use.

Mr. Bradley said one valid concern with changing the zoning is the potential effect on property values. He asked would it be very difficult for Medline to have a real estate appraiser give Council an opinion on the effect to the property values of surrounding property owners. Mr. Watts said it may be possible but he cannot answer on their behalf he would have to get their approval. Mr. Bradley suggested tabling a decision until such opinion is provided.

Mr. Ewing questioned if Medline has any other properties with a similar strategy where they are purchasing additional property beyond the site property. Mr. Watts said if Medline does not have

enough room on their site, they may purchase additional property to account for future growth but he could not speak to how many other sites they have with that similar approach.

Ms. Auditori asked if Medline has no plans to develop the southern portion at this time, why request zoning change now. Mr. Watts replied to piggyback on the same public hearing process, they are trying to handle everything concurrently. The only reason it was not requested at the same time as the northern property is because there was a delay in getting the southern property under contract by a couple of months.

Ms. O'Connor said prior to tonight's meeting she contacted the man that did a refinance appraisal on her home back in May to get his opinion on what the industrialization would do to her property value. His reply was that there is no way to tell how it will affect the value until the development is up and running, if there is over development, people with a lot of equity in their homes may decide they want to "get the heck out of here" and may sale their homes at a lower price just to be gone which would mean property values would be negatively impacted. If they choose to stay because the development is not as bad which is what they are hoping, then property values might remain stable.

Mr. Greene made a motion, seconded by Mr. Ewing to close the Public Hearing. The motion carried unanimously. Mr. Brown provided options for Council, with a preference for Council to take action tonight but they have the authority to defer their decision if they wish to do so.

Mr. Rollins briefly spoke about the future land use for that area and any changes to the City's land plan will require several months work which will include for public input even though it is not required by state law.

Mr. Bradley made a motion, seconded by Mr. Ewing, to table a decision until the January 6, 2020 meeting at which time they would like to hear a real estate appraisers' opinion. The motion carried unanimously. Mr. Brown stated that he recommends that Council reopen the Public Hearing next month to allow for acceptance of the additional facts to be provided by the appraiser's review.

A Public Hearing was held on a request from Vernon Clapp, St. Barts Place, for a non-contiguous satellite annexation containing approximately 6.74 acres located on Old Hillsborough Road in Alamance County. No one from the public spoke. Ms. Phillips made a motion, seconded by Mr. Greene to close the Public Hearing. The motion carried unanimously. Ms. Philipps made a motion, seconded by Ms. Auditori to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the 6.74 acres. The motion carried unanimously.

A Public Hearing was held on a request from Keystone Group, LLC, Mebane Towne Center, for a voluntary contiguous annexation containing approximately 20.140 acres located on Cameron Lane in Alamance County. Townhomes will be built on this property. No one from the public spoke. Mr. Greene made a motion, seconded by Ms. Philipps to close the Public Hearing. The motion carried unanimously. Ms. Philipps made a motion, seconded by Mr. Ewing to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the 20.140 acres. The motion carried unanimously.

A Public Hearing was held on a request from Lebanon Road 2, LLC, The Retreat at Lake Michael, for a voluntary contiguous annexation containing approximately 18.74 acres located on Lebanon Road in Orange County. Single Family homes will be built on this property. No one from the public spoke. Mr. Greene made a motion, seconded by Ms. Philipps to close the Public Hearing. The motion carried unanimously. Ms. Auditori made a motion, seconded by Mr. Greene to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the 18.74 acres. The motion carried unanimously.

Mr. Greene made a motion, seconded by Mr. Ewing, to continue *item #11- Preliminary Subdivision Plat-Summerhaven- Continued Pending Review of the Transportation Impact Analysis (TIA) by NCDOT and City Transportation Consultant* until the January 6, 2020 meeting. The motion carried unanimously.

Mr. Cheek presented a request for Council to appoint a member to the Orange County Transit Plan Steering Committee. Mr. Stober presented a brief overview. Mr. Greene made a motion, seconded by Ms. Auditori, to appoint Ms. Philipps to serve in that capacity. The motion carried unanimously.

There being no further business, the meeting adjourned at 7:45pm.

ATTEST:

Ed Hooks, Mayor

Stephanie W. Shaw, City Clerk



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# AGENDA ITEM #3B

Final Subdivision Plat – For The Recombination of Lot 24 in the North Carolina Industrial Center

# Presenter

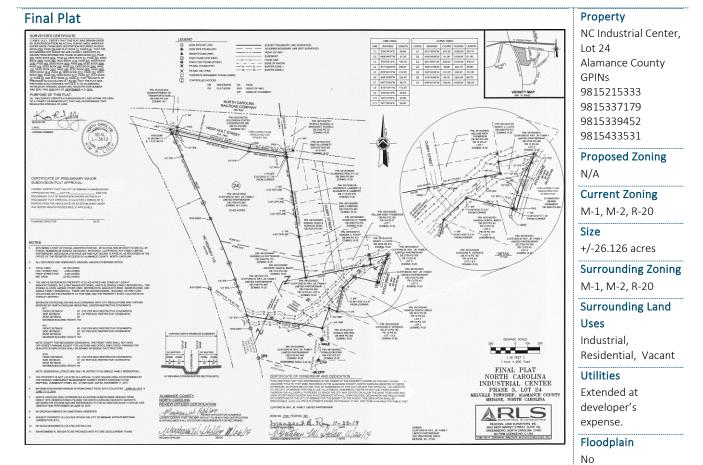
Cy Stober, Development Director

# Applicant

Clifford M. Ray, Jr., Family Limited Partnership 3402 Bentridge Drive Mebane, NC 27302

# **Public Hearing**

Yes 🗆 No 🗵



# Watershed

- No
- City Limits
- No

#### Summary

The Clifford M. Ray, Jr., Family Limited Partnership, is requesting approval of the Final Plat for the NC Industrial Center, Lot 24, which will result from the recombination and subdivision of parts or all of four current properties, all owned by the Ray Family Limited Partnership. This action would be exempt from the City's Subdivision standards and City Council action except that it is dedicating a total of +/-0.724 acres in Right Of Way (ROW).

The Technical Review Committee (TRC) has reviewed the Final Plat and the applicant has revised the plan to reflect comments. No improvements to the property have been proposed to the City at this time.

Financial Impact N/A

#### Recommendation

Staff recommends approval of the Final Plat.

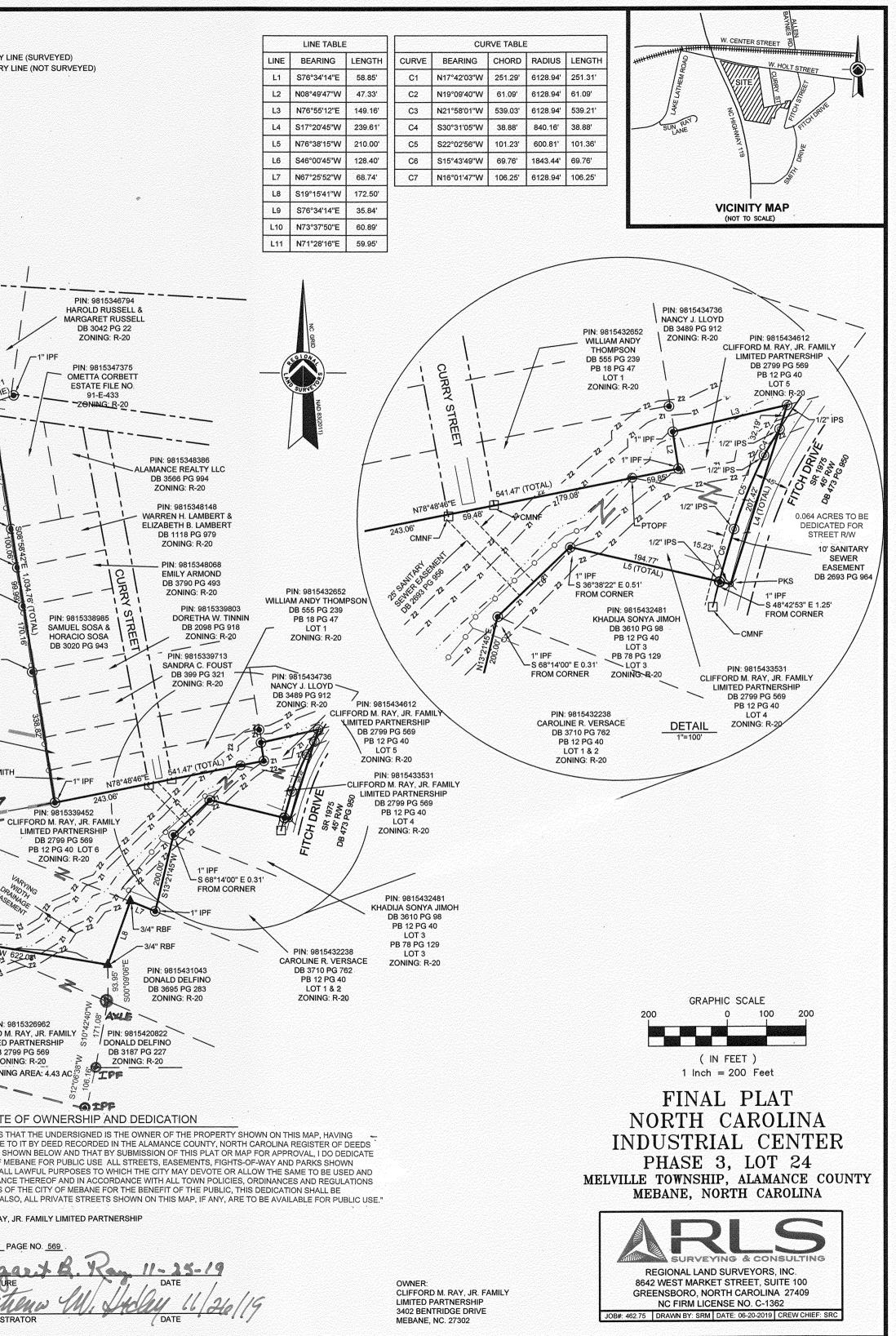
#### Suggested Motion

Motion to approve the final plat as presented.

#### Attachments

1. Final Plat

SURVEYOR'S CERTIFICATE "I, KIM R. LILLY, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, FROM DEED DESCRIPTION RECORDED IN DEED BOOK 2799, PAGE 569 AND PLAT BOOK 12, PAGES 40; THAT THE, BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEED BOOK 510, PAGE 826, DEED BOOK 3042, PAGE 22, DEED BOOK 91, PAGE 433, DEED BOOK 2566, PAGE 994, DEED BOOK 1118, PAGE 979 DEED BOOK 3790, PAGE 493, DEED BOOK 3020, PAGE 943, DEED BOOK 2098, PAGE 918, DEED BOOK 399, PAGE 321, DEED BOOK 3340, PAGE	IEGEND         IRON PIPE SET (IPS)         IRON PIPE FOUND (IPF)         REBAR FOUND (RBF)         DISK FOUND (RW DSKF)         PINCH TOP FOUND (PTOPF)         PK-NAIL FOUND (PKF)
PURPOSE OF THIS PLAT:       NCDE         (A). THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA       DB         OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT       ZI	PK-NAIL SET (PKS) - Z2 - Z2 - BUFFER ZONE 2 CONCRETE MONUMENT FOUND (CMNF) CONTROLLED ACCESS DB DEED BOOK PG PAGE PB PLAT BOOK R/W RIGHT-OF-WAY E/P EDGE OF PAVEMENT S580 PG 434 ONING: M-1
REGULATES PARCELS OF LAND.	NAILROAD COMPANY         200' R/W         200' R/W         IN: 9815342796         SOUTHERN STATES         OPERATIVE INC         DB 510 PG 826         COOPERATIVE INC         DB 510 PG 826         ZONING: M-1         0.660 ACRES TO BE         DEDICATED FOR         ST6°43'32''E 606.95'         PKS         ST6°42''20''         PKS         ST6°42''20''         PKS         ST6°42''20''
CERTIFICATE OF PRELIMINARY MAJOR SUBDIVISION PLAT APPROVAL: I HEREBY CERTIFY THAT THE CITY OF MEBANE PLANNING BOARD APPROVED ON THEDAY OF, 2020 THE PRELIMINARY PLAT OF SUBDIVISION SHOWN ON THIS PLAT.	1/2" IPS         1/2" IPS         S81°59'08"E 310.55'           1/2" IPS         1/2" IPS         34"E           1/2" IPS         1/2" IPS         1/2" IPS           1/2" IPS         1/2" IPS         1/2" IPS           1/2" IPS         1/2" IPS         34"E           1/2" IPS         1/2" IPS         1/2" IPS           1/2" IPS         1" PTOPF         5 05°25'42" E 7.25'           FROM CORNER         24         1" IPF           0.32' OFFLINE         0.32' OFFLINE           PIN: 9815215333         CLIFFORD M. RAY, JR. FAMILY         1" IPF           LIMITED PARTNERSHIP         1" IPF
PRELIMINARY PLAT APPROVAL IS VALID FOR A PERIOD OF 12 MONTHS FROM THE ABOVE DATE OR AS ESTABLISHED UNDER THE VESTED RIGHTS PROCEDURES, IF APPLICABLE. PLANNING DIRECTOR DATE NOTES: 1. SITE BEING A PART OF PARCEL IDENTIFICATION NO.: 9815215333 AND 98155337179 AND ALL OF	220 DB 2799 PG 569 ZONING: M-1 & M-2 25.402 ACRES
<ul> <li>PARCEL NUMBERS 9815339452, 9815434612, 9815433531; CLIFFORD M. RAY FAMILY LIMITED PARTNERSHIP; DEED BOOK 2799 PAGE 569 AND PLAT BOOKS 12 PAGE 40; AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF ALAMANCE COUNTY, NORTH CAROLINA.</li> <li>ALL DISTANCES ARE HORIZONTAL GROUND, UNLESS OTHERWISE NOTED.</li> <li>TOTAL AREA: 26.126 ACRES HOLT STREET RW: 0.660 ACRES FINCH STREET RW: 0.064 ACRES NET AREA: 25.402 ACRES</li> <li>THE ABOVE REFERENCED PROPERTY IS 25.402 ACRES AND ZONED M-1 (HEAVY MANUFACTURING), M-2 (LIGHT MANUFACTURING), AND R-20 (SINGLE FAMILY RESIDENTIAL). THIS ZONING ALLOWS, AMONG OTHER USES, DISTRIBUTION, MANUFACTURING, WAREHOUSING, AND SINGLE FAMILY RESIDENTIAL, THERE ARE NO KNOWN ZONING , BUILDING, OR FIRE CODE VIOLATIONS ON THIS PROPERTY AT THIS TIME AND THE PROPERTY IS NOT LOCATED IN AN OVERLAY DISTRICT.</li> </ul>	PIN: 9815339635 SHERRELLE PATTERSON DB 3340 PG 123 ZONING: R-20 PIN: 98153395 ANTHONY GARCIA DB 1918 PG 33 ZONING: R-2 PIN: 9815337179 CLIFFORD M. RAY, JR. FAMILY LIMITED PARTNERSHIP DB 2799 PG 569 ZONING: R-20
SETBACKS STATED BELOW ARE IN ACCORDANCE WITH CITY REGULATIONS AND FURTHER MODIFIED BY NORTH CAROLINA INDUSTRIAL CENTER RESTRICTIVE COVENANTS. M-1 FRONT SETBACK: 30' (100' PER NCIC RESTRICTIVE COVENANTS) SIDE SETBACK: 25' (30' PER NCIC RESTRICTIVE COVENANTS) REAR SETBACK: 20' MAXIMUM BUILDING HEIGHT: 150' M-2 FRONT SETBACK: 50' (100' PER NCIC RESTRICTIVE COVENANTS) SIDE SETBACK: 50' (100' PER NCIC RESTRICTIVE COVENANTS) SIDE SETBACK: 20' MAXIMUM BUILDING HEIGHT: 150' NOTE: EXCEPT FOR NECESSARY DRIVEWAYS, THE FRONT YARD SHALL NOT HAVE	VARYING WIDTH DRAINAGE EASEMENT
OFF-STREET PARKING EXCEPT FOR VISITORS AND OFFICE EMPLOYEES. PARKING FOR NON-OFFICE EMPLOYEES SHALL BE BEHIND OR BESIDE THE STRUCTURE. R-20 FRONT SETBACK: 30' (100' PER NCIC RESTRICTIVE COVENANTS) SIDE SETBACK: 10' (30' PER NCIC RESTRICTIVE COVENANTS) REAR SETBACK: 25' MAXIMUM BUILDING HEIGHT: 40' NOTE: RESIDENTIAL STRUCTURE ONLY IN DISTRICT R-20 (SINGLE FAMILY RESIDENTIAL) 5. THE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (NORTH CAROLINA FLOOD MAPPING). COMMUNITY PANEL NO.: 3710981500K, DATED: NOVEMBER 17, 2017. 6. INFORMATION SHOWN HEREON IS FROM DIRECT FIELD DATA COLLECTED JUNE 06, 2019 &	So' BUFFER     So' BUFFER       ZONE     ZONE       20     30'       30'     20'       30'     20'       423.11'       N75'31'33''W       50' RIPARIAN STREAM BUFFER SECTION (NTS)       CERTIFIC       "THIS CERTI       ACQUIRED T       OTHERWISE       TO THE CITY
JUNE 11-13, 2019.         7.       NORTH CAROLINA GRID COORDINATES AS SHOWN HEREON WERE DERIVED FROM DIRECT GPS OBSERVATIONS UTILIZING THE NORTH CAROLINA GEODETIC SURVEY'S NETWORK RTK SYSTEM AND ARE REFERENCED TO THE NC GRID NAD 83(2011) DATUM. GPS OBSERVATION PERFORMED ON JUNE 06, 2019.         8.       NO ENCROACHMENTS OR CEMETERIES OBSERVED.         9.       SUBJECT PROPERTY IS LOCATED WITHIN THE CITY OF MEBANE EXTRATERRITORIAL JURISDICTION (ETJ).         10.       NO NCGS MONUMENTS LOCATED WITHIN 2,000'         11.       ENVIRONMENTAL REVIEW TO BE PROVIDED WITH FUTURE DEVELOPMENT PLANS	ALAMANCE COUNTY NORTH CAROLINA REVIEW OFFICER CERTIFICATION 





# AGENDA ITEM #3C

Petition for Voluntary Non-Contiguous Satellite Annexation – Airgas USA, LLC Meeting Date January 6, 2020

Presenter Lawson Brown, City Attorney

Public Hearing Yes □ No ⊠

# Summary

Staff received a petition requesting voluntary non-contiguous satellite annexation from Airgas USA, LLC.

# Background

The applicant is requesting the described property to be annexed into Mebane's Corporate Limits. This is a non-contiguous satellite annexation containing approximately 0.069 acres abutting their initial annexation that was annexed in July.

# **Financial Impact**

The property will be added to the ad valorem tax base for the City once the property is annexed.

# Recommendation

Staff recommends Council's acceptance of the petition, the Clerk's Certificate of Sufficiency and adoption of a Resolution setting a date of public hearing for February 3, 2020.

#### Suggested Motion

I make a motion to accept the petition, the Clerk's Certificate of Sufficiency and to adopt the resolution setting a date of public hearing for February 3, 2020.

# Attachments

- **1**. Petition
- 2. Clerk's Certificate of Sufficiency
- 3. Map
- 4. Resolution



# PETITION REQUESTING A NON-CONTIGUOUS ANNEXATION

#### Annexation Process – Approximately a 2 Month Process

1<sup>st</sup> Month- Submit a Petition for Annexation to the City Council, the Clerk reports to City Council the Sufficiency of the Annexation and the City Council adopts a Resolution to set a Public Hearing

2<sup>nd</sup> Month- A Public Hearing is held and normally that same night, the City Council will adopt an Ordinance to set the effective date as the same or the Council will deny the request

Date: 8/28/19

To the City Council of the City of Mebane:

- 1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Mebane.
- 2. The area to be annexed is non-contiguous to the City of Mebane and the boundaries of such territory are as follows:

\*Please include a Description of Boundaries (Metes and Bounds) on a separate paper.

\*\*3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

Name	Addr	ess Do you decla vested right	Ū Ū
		(Yes or No	
1. Airgas USA, L	LC. 259 North Radnor- Radnor, PA 19087		Hed Autoba
2.			1 and spin
3.			

\*Municipality may wish to require metes and bounds description or map. (Provide 2 paper copies, an electronic copy and 3 mylars)

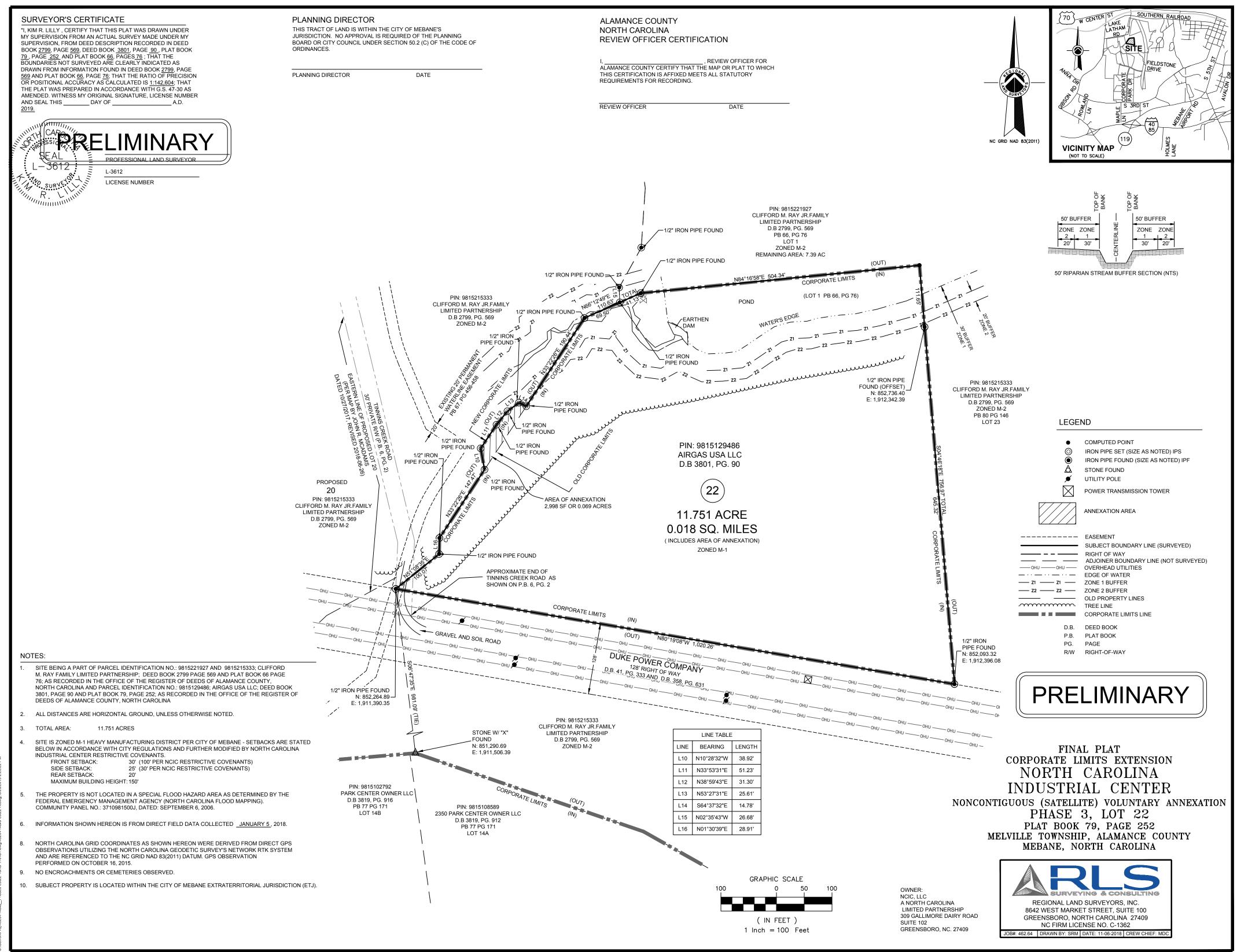
\*\*This is one possible format for zoning vested rights declaration. This language may require modification to reflect the requirements of the municipal zoning vested rights ordinance, if any.

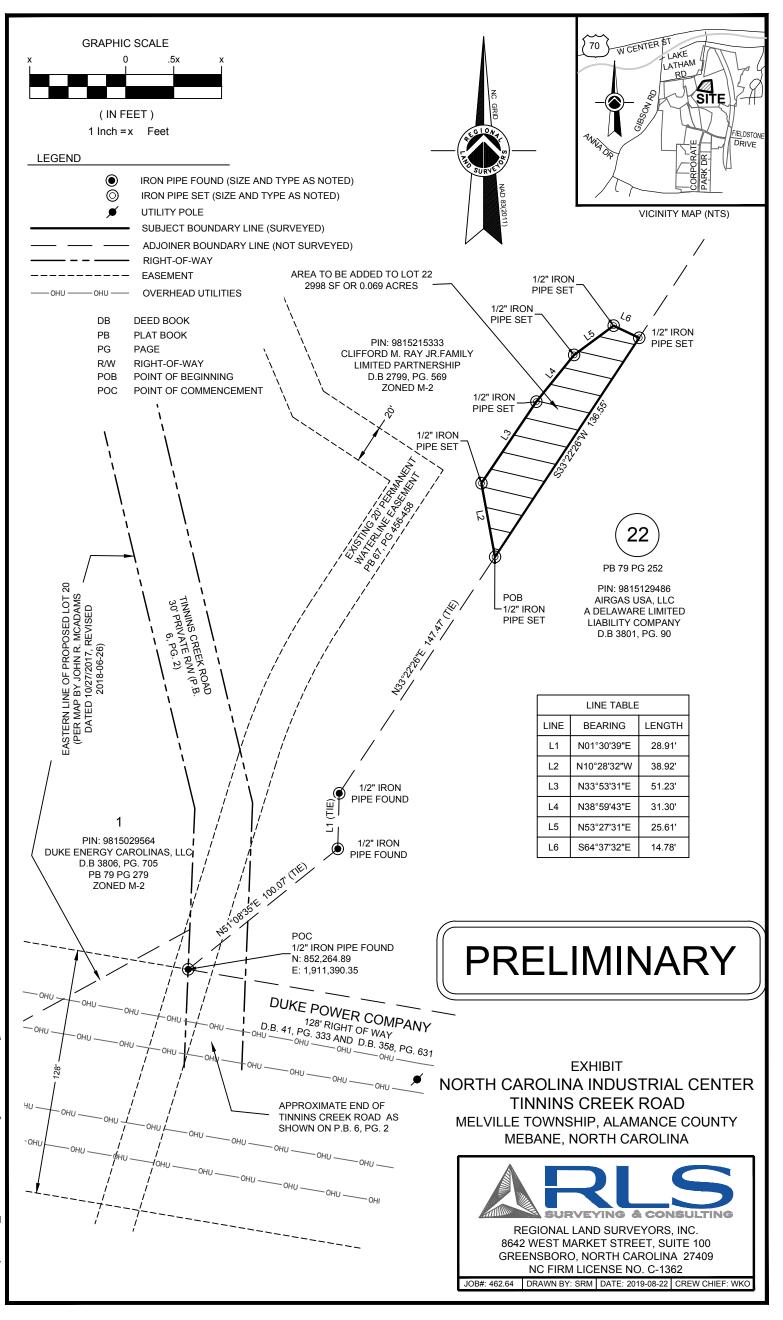
# EXHIBIT A

#### **Description of Property**

BEING A PARCEL OF LAND LOCATED IN MELVILLE TOWNSHIP, ALAMANCE COUNTY, MEBANE, NORTH CAROLINA AND BEING MORE PECULIARLY DESCRIBED AS FOLLOWS:

COMMENCE FROM A 1/2" IRON PIPE FOUND IN THE NORTHERN LINE OF THE DUKE POWER COMPANY 128' RIGHT OF WAY AS RECORDED IN DEED BOOK 41, PAGE 333 AND DEED BOOK 358, PAGE 631, ALAMANCE COUNTY REGISTRY AND THE WESTERN LINE OF TINNINS CREEK ROAD 30' PRIVATE RIGHT OF WAY AS SHOWN ON PLAT BOOK 6, PAGE 2, ALAMANCE COUNTY REGISTRY, SAID IRON PIPE FOUND HAVING A NC GRID NAD83 COORDINATE OF N:852,264.89 E:1,911,390.35, SAID IRON PIPE ALSO BEING THE SOUTHWESTERN MOST CORNER OF LOT 22 AS SHOWN ON PLAT BOOK 79, PAGE 252, ALAMANCE COUNTY REGISTRY: THENCE ALONG THE WESTERN BOUNDARY OF SAID LOT 22 THE FOLLOWING THREE (3) COURSES: 1) N 51°08'35" E A DISTANCE OF 100.07 FEET TO A 1/2" IRON PIPE FOUND; THENCE 2) N 01°30'39" E A DISTANCE OF 28.91 FEET TO A 1/2" IRON PIPE FOUND; THENCE 3) N 33°22'26" E A DISTANCE OF 147.47 FEET TO A 1/2" IRON PIPE SET AND BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING A NEW LINE THROUGH THE CLIFFORD M. RAY, JR. FAMILY LIMITED PARTNERSHIP AS RECORDED IN DEED BOOK 2799, PAGE 569, ALAMANCE COUNTY REGISTRY THE FOLLOWING SIX (6) COURSES: 1) N 10°28'32" W A DISTANCE OF 38.92 FEET TO A 1/2" IRON PIPE SET; THENCE 2) N 33°53'31" E A DISTANCE OF 51.23 FEET TO A 1/2" IRON PIPE SET; THENCE 3) N 38°59'43" E A DISTANCE OF 31.30 FEET TO A 1/2" IRON PIPE SET; THENCE 4) N 53°27'31" E A DISTANCE OF 25.61 FEET TO A 1/2" IRON PIPE SET; THENCE 5) S 64°37'32" E A DISTANCE OF 14.78 FEET TO A 1/2" IRON PIPE SET; THENCE 6) S 33°22'26" W A DISTANCE OF 136.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,998 SF OR 0.069 ACRES.



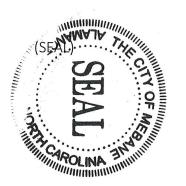


#### CERTIFICATE OF SUFFICIENCY

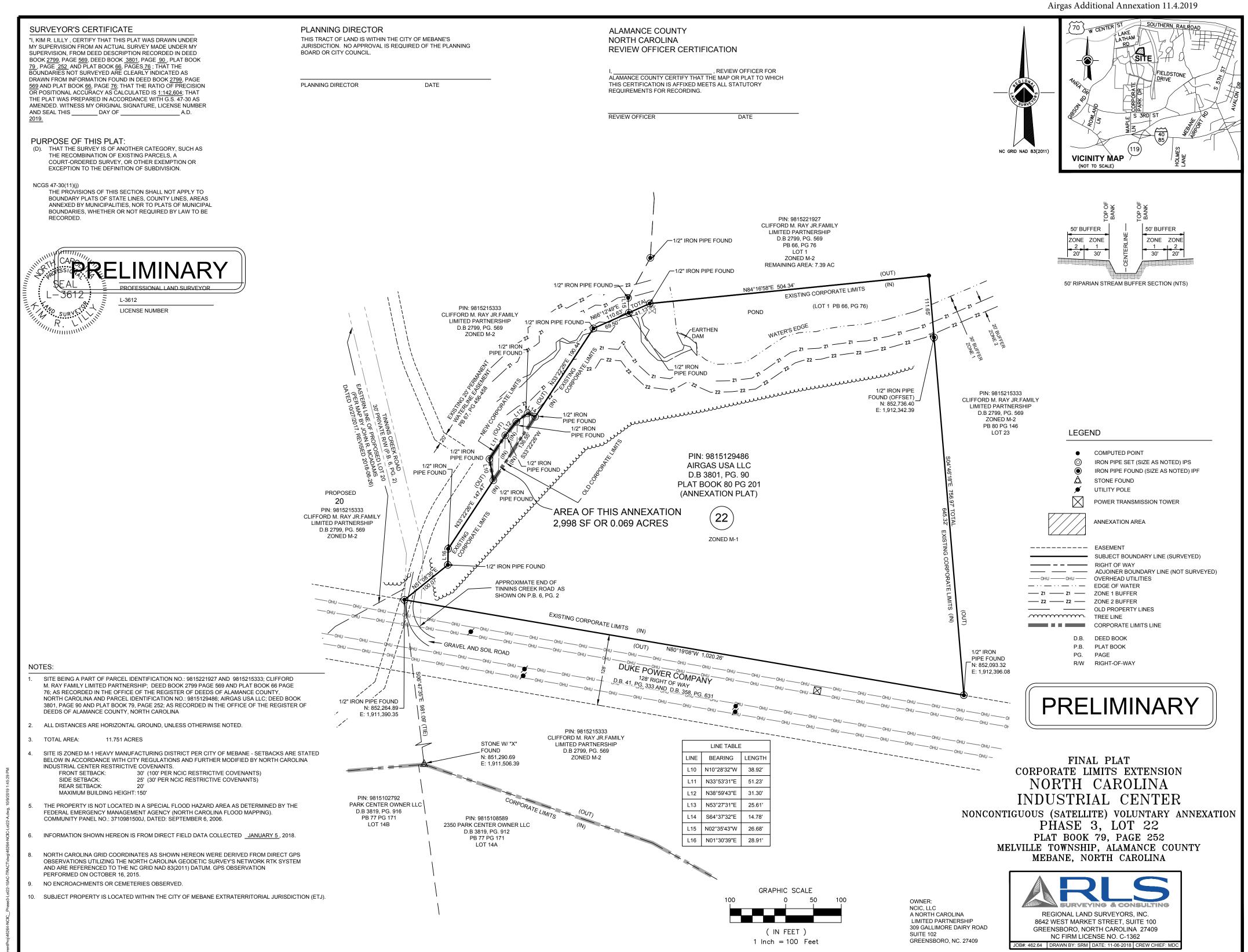
To the City Council of the City of Mebane, North Carolina:

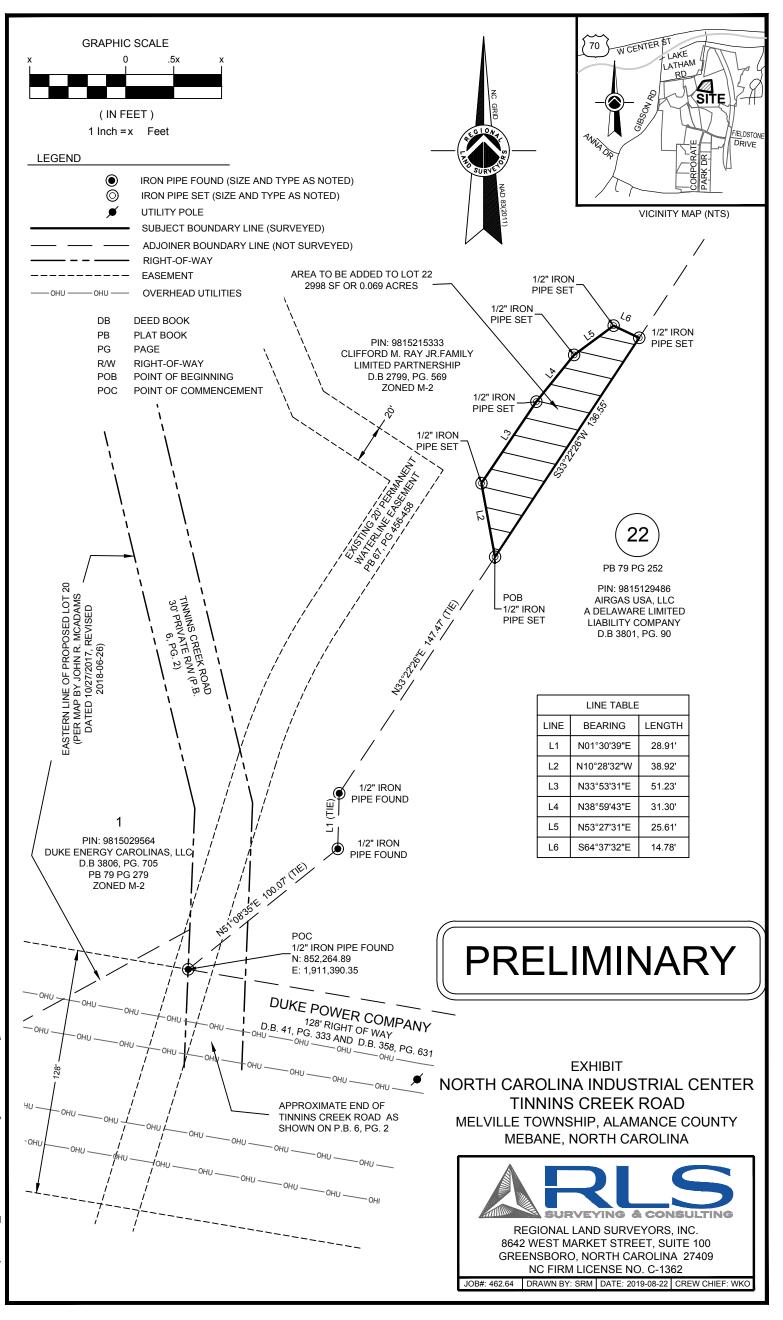
I, Stephanie W. Shaw, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition has been signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.2.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Mebane, this 6<sup>th</sup> day of January, 2020



Stephanie W. Shaw, City Clerk





#### RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

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

WHEREAS, the Mebane City Council directed the City Clerk to investigate the sufficiency of the petition; and

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

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

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at the Mebane Municipal Building at 6:00 p.m. on February 3, 2020.

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

COMMENCE FROM A 1/2" IRON PIPE FOUND IN THE NORTHERN LINE OF THE DUKE POWER COMPANY 128' RIGHT OF WAY AS RECORDED IN DEED BOOK 41, PAGE 333 AND DEED BOOK 358, PAGE 631, ALAMANCE COUNTY REGISTRY AND THE WESTERN LINE OF TINNIN\$ CREEK ROAD 30' PRIVATE RIGHT OF WAY AS SHOWN ON PLAT BOOK 6, PAGE 2, ALAMANCE COUNTY REGISTRY, SAID IRON PIPE FOUND HAVING A NC GRID NAD83 COORDINATE OF N:852,264.89 E:1,911,390.35, SAID IRON PIPE ALSO BEING THE SOUTHWESTERN MOST CORNER OF LOT 22 AS SHOWN ON PLAT BOOK 79, PAGE 252, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE WESTERN BOUNDARY OF SAID LOT 22 THE FOLLOWING THREE (3) COURSES: 1) N 51°08'35" EA DISTANCE OF 100.07 FEET TO A 1/2" IRON PIPE FOUND; THENCE 2) N 01°30'39" EA DISTANCE OF 28.91 FEET TO A 1/2" IRON PIPE FOUND; THENCE 3) N 33°22'26" EA DISTANCE OF 147.47 FEET TO A 1/2" IRON PIPE SET AND BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING A NEW LINE THROUGH THE CLIFFORD M. RAY, JR. FAMILY LIMITED PARTNERSHIP AS RECORDED IN DEED BOOK 2799, PAGE 569, ALAMANCE COUNTY REGISTRY THE FOLLOWING SIX (6) COURSES: 1) N 10°28'32" WA DISTANCE OF 38.92 FEET TO A 1/2" IRON PIPE SET; THENCE 2) N 33°53'31" EA DISTANCE OF 51.23 FEET TO A 1/2" IRON PIPE SET; THENCE 3) N 38°59'43" EA DISTANCE OF 31.30 FEET TO A 1/2" IRON PIPE SET; THENCE 4) N 53°27'31" E A DISTANCE OF 25.61 FEET TO A 1/2" IRON PIPE SET; THENCE 5) S 64°37'32" EA DISTANCE OF 14.78 FEET TO A 1/2" IRON PIPE SET; THENCE 6) S 33°22'26" WA DISTANCE OF 136.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,998 SF OR 0.069 ACRES.

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.

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk



# AGENDA ITEM #3D

Petition for Voluntary Contiguous Satellite Annexation – TRG Capital, LLC Meeting Date January 6, 2020

Presenter Lawson Brown, City Attorney

Public Hearing Yes □ No ⊠

### Summary

Staff received a petition requesting voluntary contiguous satellite annexation from TRG Capital, LLC.

# Background

The applicant is requesting the described property to be annexed into Mebane's Corporate Limits. This is a contiguous satellite annexation containing approximately 0.92 acres abutting the City limits, extending eastward at intersection of East Washington and South Eleventh Streets.

# **Financial Impact**

The property will be added to the ad valorem tax base for the City once the property is annexed.

# Recommendation

Staff recommends Council's acceptance of the petition, the Clerk's Certificate of Sufficiency and adoption of a Resolution setting a date of public hearing for February 3, 2020.

# Suggested Motion

I make a motion to accept the petition, the Clerk's Certificate of Sufficiency and to adopt the resolution setting a date of public hearing for February 3, 2020.

# Attachments

- **1**. Petition
- 2. Clerk's Certificate of Sufficiency
- 3. Map
- 4. Resolution



PETITION REQUESTING A CONTIGUOUS ANNEXATION

# Annexation Process – Approximately a 2 Month Process

1<sup>st</sup> Month- Submit a Petition for Annexation to the City Council, the Clerk reports to City Council the Sufficiency of the Annexation and the City Council adopts a Resolution to set a Public Hearing

2<sup>nd</sup> Month- A Public Hearing is held and normally that same night, the City Council will adopt an Ordinance to set the effective date as the same or the Council will deny the request

Date: 12/16/19

To the City Council of the City of Mebane:

- 1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Mebane.
- 2. The area to be annexed is contiguous to the City of Mebane and the boundaries of such territory are as follows:

\*Please include a Description of Boundaries (Metes and Bounds) on a separate paper.

\*\*3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

Name	Address	Do you declare vested rights (Yes or No)	Signature
1. TRG CAPITAL, LLC 2.	7928 E. WAShington St.	NO	Sallintt-
3.			

\*Municipality may wish to require metes and bounds description or map. (Provide 2 paper copies, an electronic copy and 3 mylars)

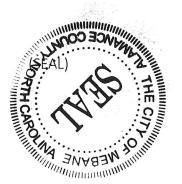
\*\*This is one possible format for zoning vested rights declaration. This language may require modification to reflect the requirements of the municipal zoning vested rights ordinance, if any.

#### CERTIFICATE OF SUFFICIENCY

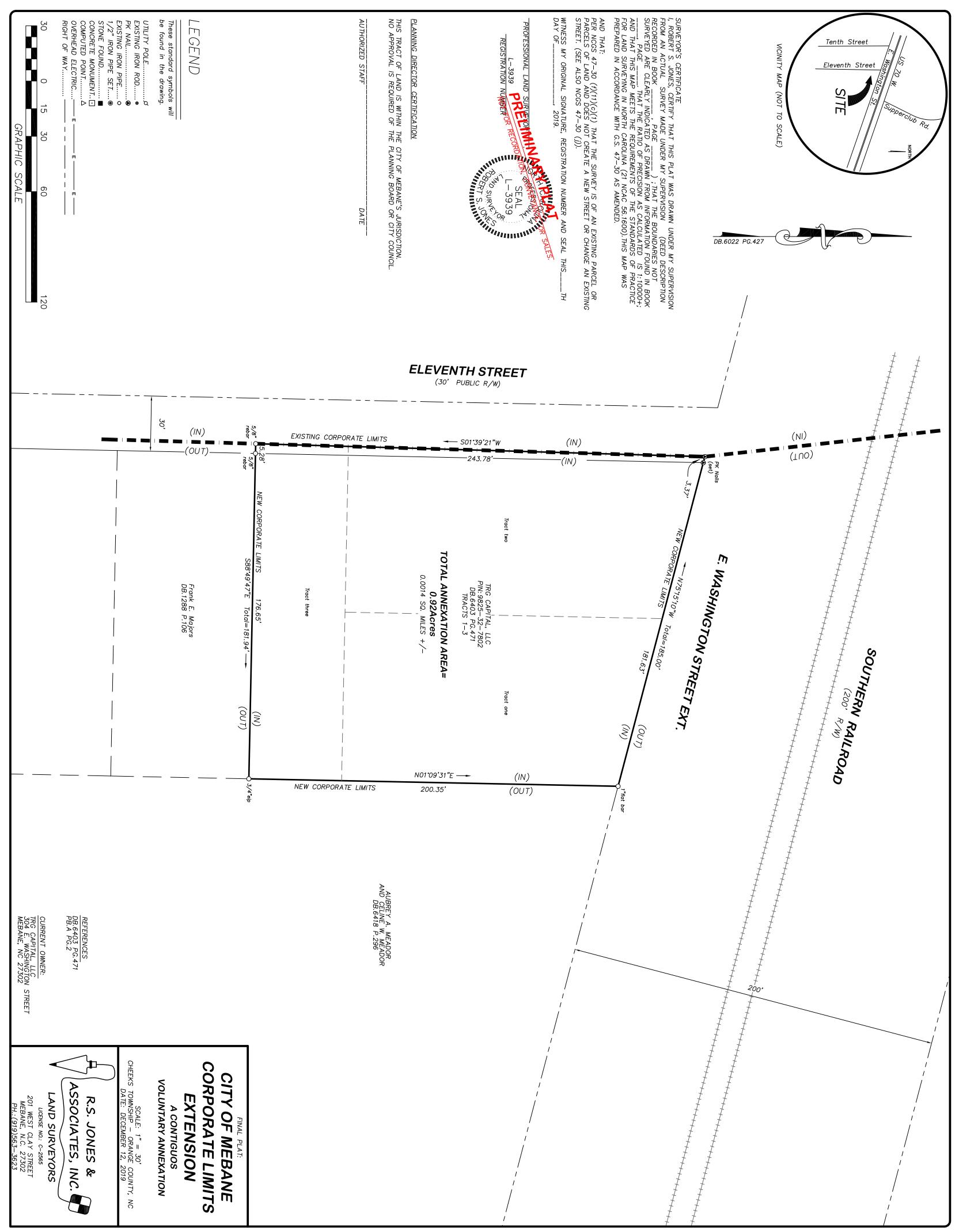
To the City Council of the City of Mebane, North Carolina:

I, Stephanie W. Shaw, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Mebane, this 6<sup>th</sup> day of January, 2020.



Stephanie W. Shaw Stephanie W. Shaw, City Clerk



# RESOLUTION FIXING 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 February 3, 2020.

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

A certain tract or parcel of land located in Cheeks Township, Orange County, North Carolina, and being more particularly described as follows:

Beginning at a 1" flat bar in the southern R/W of E. Washington Street; thence with the southern R/W of said E Washington St. N 75°15'10" W a distance of 185.00'to a PK Nail set in Eleventh Street; thence with said Eleventh Street S 01°39'21" W a distance of 243.78'to a 5/8" rebar in said Eleventh Street; thence S 88°49'47" E a distance of 181.94'to a 3/4"EIP, (5/8" rebar on R/W of said Eleventh St. (5.28' from corner inside the R/W) ; thence N 01°09'31" E a distance of 200.35'to a 1" Flat Bar; which is the point of beginning, having an area of 0.92 Acres, and 0.0014 Sq. 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.

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk



# AGENDA ITEM #3E

Agreement with City of Burlington for Lowe's Boulevard Corridor Plan

Meeting Date January 6, 2020

Presenter

Cy Stober, Development Director

Public Hearing Yes 🗋 No 🔀

# Summary

The Council will consider an agreement for a grant award from the City of Burlington, in its role as the Burlington-Graham Metropolitan Planning Organization (BGMPO) to conduct the Lowe's Boulevard Corridor Plan.

# Background

In March 2019, the City of Mebane was awarded a \$50,000 Unified Planning Work Program (UPWP) award from the BGMPO, the lead regional transportation planning entity that works to manage federal and state transportation programs and funds on behalf of the City of Mebane. The BGMPO is housed within and completely supported by the City of Burlington. The award was for a Corridor Plan for NC 119 between NC 54 and the intersection with Trollngwood Hawfields Road/Old Hillsborough Road. It included an analysis of new routes to connect Trollingwood Hawfields Road and NC 119 to relieve congestion at this intersection, which currently has a level of service F from the NCDOT. The award requires a 20% match from the City – the City Council committed \$10,000 (20%) to this project in the FY20 budget.

Since March 2019, the NCDOT responded to requests from the City of Mebane, among others, to conduct a fast-track feasibility analysis to improve the level of service on NC 119 between NC 54 and the Trollngwood Hawfields Road/Old Hillsborough Road intersection. This study eliminates the need for the City to conduct the awarded corridor plan, except for studying connections between Trollingwood Hawfields Road and NC 119, including the likely extension of Lowe's Boulevard. The City staff has reduced the original scope of work and budget (see attached) to \$25,000. The City's 20% match requirement is \$5,000. The scope of work will now focus solely on creating new connections between Trollingwood Hawfields Road and NC 119. Per the terms of the agreement, the City will be reimbursed for all claimed costs from the City of Burlington.

# **Financial Impact**

\$5,000, already approved by the City Council in the FY20 budget. The City will be reimbursed for all other related costs, per the Agreement.

#### Recommendation

Recommend that the Council approve that the City enters into the Agreement with the City of Burlington to support the "Lowe's Boulevard Corridor Plan" and amend its Budget Ordinance accordingly.

# Suggested Motion

Motion to authorize staff to execute the Agreement with the City of Burlington to support the "Lowe's Boulevard Corridor Plan" and amend the current Budget Ordinance accordingly.

# Attachments

- 1. Agreement between the City of Mebane and the City of Burlington
- 2. Budget Ordinance Amendment



# AGREEMENT BETWEEN THE CITY OF BURLINGTON AND THE CITY OF MEBANE

THIS AGREEMENT entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ between the City of Burlington, a North Carolina municipal corporation (hereinafter "Burlington") and the City of Mebane, a North Carolina municipal corporation (hereinafter "Mebane"); and

# WITNESSETH:

- Whereas, The City of Burlington entered into a Memorandum of Understanding for Cooperative, Comprehensive, and Continuing Transportation Planning (hereinafter, "Memorandum") with the Burlington-Graham Metropolitan Planning Organization (BGMPO) which was last amended on April 14, 2014; and,
- Whereas, the City of Burlington as the Lead Planning Agency for the Burlington-Graham Urban Area, serves as the fiscal agent of the BGMPO, performing fiscal, administrative, and technical functions including the distribution of federal transportation planning (PL) funds for the BGMPO; and
- Whereas, the BGMPO, carrying out the directives of the Transportation Advisory Committee (TAC) organized and existing under the laws of the State of North Carolina and the United States Department of Transportation, is responsible for carrying out the transportation planning process in the Burlington-Graham Urban Area; and
- Whereas, the City of Mebane, a local government participates in a continuing transportation planning process within the BGMPO as required by Section 134 (a), Title 23, United States Code in conformance with the general operating procedures and responsibilities by which short-range and long-range transportation plans are developed and continuously evaluated; and
- Whereas, Utilizing 40 USC §5303 funds and metropolitan planning funds, the federal share payable to MPO member agencies for authorized transportation planning activities is eighty percent (80%) of allowable costs while local governments, that being the MPO member agencies, provide the remaining twenty percent (20%) of the total cost ("the local match"); and
- Whereas, the City of Mebane applied for \$50,000 in federal planning funds that require a 20% local match to conduct the *Lowe's Boulevard Corridor Plan*; and

Now, therefore it is agreed as follows:

**PURPOSE**: This Agreement will allow the reimbursement of planning funds expended by the City of Mebane authorized by the BGMPO TAC. The City of Mebane is required to abide by all pertinent NCDOT, State, and Federal regulations regarding the expenditure of federal funds.

**<u>REIMBURSEMENT</u>**: The City of Mebane shall ensure that the work described in Appendix A is completed in accordance with all plans, specifications and other contract documents for the project known as the Lowe's Boulevard Corridor Plan.



### NORTH CAROLINA ALAMANCE COUNTY

The City of Burlington shall pay to the City of Mebane the PL #104 Planning Grant Award the less of \$50,000 or 80% of the total project costs provided the City of Mebane meets the following reimbursement requirements:

- 1. Proof of incurred expenses and payments made of valid reimbursable expenses to include:
  - a. Paid invoice (or proof of payment) for direct payment to the Vendor(s).
  - b. Description of work conducted during the invoiced time period.
  - c. One (1) copy of all final project deliverables.
- 2. The City of Mebane shall invoice the City of Burlington at least quarterly. Payment shall be made upon presentation of a written request noting that the contract for the named project has been completed, or that stages of the contract have been completed, and requesting the approved amount from the City of Burlington.
- 3. The City of Burlington shall have a reasonable time to make reimbursement payment to the City of Mebane. "Reasonable time" shall be determined according to the relevant circumstances, but in no event shall be more than 30 calendar days.

<u>Appointment of Personnel</u>. It is agreed that the City of Burlington shall designate the BGMPO to carry out the City's obligations under this Agreement.

<u>Notice to Proceed</u> – The City of Mebane will not execute or award contract with Vendor(s) until the City of Burlington, BGMPO and North Carolina Department of Transportation (NCDOT) has completed their review of the bid documents, Vendor(s) selection process, and contract in compliance with NCDOT Procurement Procedures.

<u>Scope Changes</u> – The City of Mebane shall make no changes in the Scope of Work covered by this Agreement without written direction from the City of Burlington. The City of Mebane shall not be reimbursed by the City of Burlington for any scope changes which exceed the amount of the original PL grant award.

<u>Indemnification</u> - To the fullest extent permitted by law, the City of Mebane shall indemnify and hold harmless the City of Burlington and their agents and employees from claims, demands, causes of actions and liabilities of every kind and nature whatsoever arising out of or in connection with the City of Burlington operations performed under this Agreement. This indemnification shall extend to claims occurring after this Agreement is terminated as well as while it is in force.

IN WITNESS WHEREOF, this Agreement has been executed by their duly authorized officers.

Date:	Ву:	
		City of Burlington
Date:	Ву:	
		City of Mebane
ATTEST:	ATTEST:	
City of Mebane City Clerk	City of B	Burlington City Clerk

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year Beginning July 1, 2019 as duly adopted on June 3, 2019, is hereby amended as follows:

# ARTICLE I

APPROPRIATIONS	Current E	Budget	Revised Budget	
<b>GENERAL FUND</b> Planning	\$ 47	76,029	\$ 20,000	\$ 496,029
	ARTICLE I	I		
REVENUES	Current E	Budget	Change	Revised Budget
<b>GENERAL FUND</b> Federal Planning Grant	\$	0	\$ 20,000	\$ 20,000

This the 6th day of January, 2020.



# AGENDA ITEM #3F

# Insurance Proceeds – Budget Amendment

# Meeting Date

January 6, 2020

# Presenter

Jeanne Tate, Finance Director Terrence Caldwell, Police Chief

# Public Hearing

Yes 🗆 No 🗵

# Summary

The City has received insurance proceeds, and Council approval is needed to budget the funds for use.

# Background

This fiscal year the City has received proceeds from insurance companies totaling \$47,528.63. In order to

make repairs to the City's vehicles, the attached budget	Description	Amount
amendment would recognize revenues of \$47,528 and		
budget them for use by the Police and Public Works	2007 Dodge Pickup - PW 5500	\$ 4,231.39
Departments.	Subtotal Public Works	4,231.39
Financial Impact	2013 Ford Taurus - Police	891.69
None.	2013 Ford Taurus - Police	2,241.94
	2013 Ford Taurus - Police	1,182.58
Recommendation	2019 Dodge Durango M50 - Police	172.80
Staff recommends that Council enact the attached budget	2019 Dodge Durango M50 - Police	475.00
ordinance amendment.	2019 Dodge Durango M50 - Police	111.02
	2013 Ford Taurus - Police	900.00
Suggested Motion	M20 - Police	692.59
Motion to enact the budget ordinance amendment and	2018 Dodge Durango - Police M45	27,706.00
increase the budget for Police and Public Works.	2011 Chevy Tahoe - Police	8,923.62
increase the sudget for Fonce and Fublic Works.	Subtotal Police	43,297.24
Attachments		
1 Dudget Ordinance Amendment	Totals	\$ 47,528.63

**1.** Budget Ordinance Amendment

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year Beginning July 1, 2019 as duly adopted on June 3, 2019, is hereby amended as follows:

# ARTICLE I

APPROPRIATIONS Current Bud		rent Budget	(	Change	Revised Budget
<b>GENERAL FUND</b> Public Works Police	\$	1,798,618 4,145,821	•	4,231 43,297	\$ 1,802,849 4,189,118

	ARTICLE II				
REVENUES	Current Bu	udget	Change	Revised Budget	
GENERAL FUND					
Insurance Proceeds	\$	0	\$ 47,528	\$ 47,528	

This the 6th day of January, 2020.



# AGENDA ITEM #3G

Municipal Agreement for NCDOT Project I-5711 (Utility Construction Agreement)

# **Presenter** Franz Holt, City Engineer

Public Hearing Yes □ No ⊠

# Summary

The Council will consider a Utility Construction Agreement with the NC Department of Transportation (NCDOT) for the Mebane Oaks Road/Interchange Improvements project identified as I-5711. Several proposed storm drainage improvements conflict with existing City of Mebane water and sewer lines located in NCDOT right-of-way. The required utility relocations will be completed by NCDOT (see attached exhibits plans and special project provisions). Total costs are estimated at \$207,000. NCDOT's 75% share will amount to \$155,250 and the City of Mebane's 25% share is \$51,750. The Agreement requires approval by Council for the I-5711 project to remain on schedule. The project is planned for bid in March 2020 and is expected to take 18-24 months to construct.

# Background

NCDOT Transportation Project I-5711 includes improvements to the interchange and along Mebane Oaks Road from Arrowhead Blvd. to just south of the Wal-Mart entrance signal at Zaxby's. NCDOT construction plans for the project improvements were reviewed by City staff for possible conflicts with City of Mebane owned/operated water and sewer lines. The conflicts were reduced with the recommended redesign of storm drainage improvements. Remaining utility conflicts were designed for relocation and are now a part of NCDOT's construction plans. Provided under NCDOT cover letter is the Utility Construction Agreement which speaks to how these conflicts are to be addressed.

# **Financial Impact**

Per the NCDOT Utility Construction Agreement the cost to the City for Mebane for water and sewer line relocation conflicting with NCDOT improvements is estimated at \$51,750, which will be a reimbursement to NCDOT when the project is completed, and final costs are known. No budget amendment is necessary for the current year; however, the match will likely be included in the 2020-2021 budget.

# Recommendation

Staff recommends City Council approve the Utility Construction Agreement for the I-5711 NCDOT Transportation Improvement Project addressing utility conflicts and related cost sharing responsibilities.

# Suggested Motion

Move to approve the Utility Construction Agreement for the I-5711 NCDOT Transportation Improvement Project addressing utility conflicts and related cost sharing responsibilities.

### Attachments

- 1. NCDOT Cover Letter
- 2. Utility Construction Agreement (UCA)
- **3.** Exhibits
  - a. Utility Construction Plans
  - b. Cost Estimate
  - c. Project Special Provisions



### STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER GOVERNOR JAMES H. TROGDON, III Secretary

STATE PROJECT: COUNTY: DESCRIPTION:	I-5711, WBS Element; 50401.3.GV1 Alamance Interchange Improvement at I-40/I-85 and SR 1007 (Mebane Oaks Road) in Mebane.
DATE:	October 21, 2019
SUBJECT:	Utility Construction Agreement- City of Mebane
Mr. Chris Rollins City of Mebane	

City of Mebane Assistant City Manager 106 East Washington Street Mebane, NC 27302

Enclosed is the Utility Construction Agreement to adjust and relocate water / sewer lines owned by City of Mebane.

After you have reviewed this agreement, please have the appropriate authority approve and execute the agreement. Once signed, three originals should be returned to the Utility Engineer for Departmental execution. One fully executed agreement will be returned to you for your file.

In order to keep the project on schedule, please approve and return the signed agreement back to this office no later than 01/15/2020. Should this office not receive the signed agreement by the requested date, the project is subject to be delayed.

If revisions are necessary, please email Ali Koucheki, Utilities Engineer, akoucheki@ncdot.gov or call (919) 707- 6699 to make the appropriate changes. I will promptly return the revised agreement to you for review and execution.

Sincerely,

DocuSigned by:

Jucker Martin 0D4AC803DE5D43B.

Tucker Martin, PE Central Utilities Manager TRM: ark Enclosures cc: Mr. Mike Mills, PE Ms. Patty Eason, PE Ms. Lee Ann Billington

Mailing Address: NC DEPARTMENT OF TRANSPORTATION 1555 MAIL SERVICE CENTER RALEIGH, NC 27699-1555 Telephone: (919) 707-6690 Fax: (919) 250-4151 Customer Service: 1-877-368-4968

*Location:* 1020 BIRCH RIDGE DRIVE RALEIGH, NC 27610

Website: www.ncdot.gov

#### NORTH CAROLINA

#### UTILITY CONSTRUCTION AGREEMENT (UCA)

#### ALAMANCE COUNTY

DATE: 10/25/2019

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

AND

Project: I-5711 WBS Elements: 50401.3.GV1

CITY OF MEBANE

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the City of Mebane, hereinafter referred to as the "Municipality."

#### WITNESSETH:

WHEREAS, the Department has prepared and adopted plans to make certain street and highway improvements under Project I-5711, in Alamance County, said plans consists of Interchange Improvements at I-40/I-85 and SR 1007 (Mebane Oaks Road); said project having a right-of-way width as shown on the project plans on file with the Department's office in Raleigh, North Carolina; and,

WHEREAS, the parties hereto wish to enter into an agreement for certain utility work to be performed by the Department's construction contractor with full reimbursement by the Municipality for the costs thereof as hereinafter set out.

NOW, THEREFORE, it is agreed as follows:

- The Department shall place provisions in the construction contract for Project I-5711 Alamance County, for the contractor to adjust and relocate water and sewer lines. Said work shall be accomplished in accordance with plan sheets, attached hereto as Exhibit "A", cost estimates attached hereto as Exhibit "B", and project specific provisions, if applicable, attached hereto as Exhibit "C".
- The Municipality shall be responsible for water and sewer lines cost as shown on the attached Exhibit "A". The estimated cost to the Municipality is \$51,750 as shown on the attached Exhibit "B". It is understood by both parties that this is an estimated cost and is subject to change.

#### **REIMBURSEMENT TO THE DEPARTMENT – FINAL BILLING**

- 3. The Municipality shall reimburse the Department upon completion of the highway construction work. The total estimated cost to the Municipality is \$51,750. Billing will be based upon the actual bid prices and actual quantities shown on an itemized invoice. Reimbursement shall be made by the Municipality in one final payment within sixty (60) days of invoice.
  - A. the Department shall submit an itemized invoice to the Municipality for costs incurred. If the Municipality does not pay said invoice within sixty (60) days of the date of the invoice, the Department shall charge interest on any unpaid balance at a variable rate of the prime plus (1%) in accordance with G.S. 136-27.3.
  - B. Said interest rate shall be set upon final execution of the Agreement by the Department. The Municipality will be notified of the set interest rate by the Department's approval letter upon receipt of the fully executed agreement.
  - C. Any cost incurred due to additional utility work requested by the Municipality after award of the construction contract, shall be solely the responsibility of the Municipality. The Municipality shall reimburse the Department 100% of the additional utility cost.
  - D. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment hereinabove provided, North Carolina General Statute 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by North Carolina General Statute, Section 136-41.1, until such time as the Department has received payment in full.
  - E. At any time prior to final billing by the Department, the Municipality may prepay any portion of the estimated cost by sending a check with the WBS Element noted to the below address. The Department will provide a final billing based on actual costs, less any previous payments that have been made.

#### REMITTANCE ADDRESS:

NC Department of Transportation ATTN: Accounts Receivable 1514 Mail Service Center Raleigh, NC 27699-1514

#### MAINTENANCE

- 4. Upon the satisfactory completion of the relocations and adjustments of the utility lines covered under this Agreement, the Municipality shall assume normal maintenance operations to the said utility lines. Upon completion of the construction of the highway project, the Municipality shall release the Department from any and all claims for damages in connection with adjustments made to its utility lines; and, further, the Municipality shall release the Department of any future responsibility for the cost of maintenance to said utility lines. Said releases shall be deemed to be given by the Municipality upon completion of construction of the project and its acceptance by the Department from its contractor unless the Municipality notifies the Department, in writing, to the contrary prior to the Department's acceptance of the project.
- 5. It is further agreed that the following provisions shall apply regarding the utilities covered in this Agreement.
  - A. The Municipality obligates itself to service and to maintain its facilities to be retained and installed over and along the highway within the Department's right-of-way limits in accordance with the mandate of the North Carolina General Statutes and such other laws, rules, and regulations as have been or may be validly enacted or adopted, now or hereafter.
  - B. If at any time the Department shall require the removal of or changes in the location of the encroaching facilities which are being relocated at the Municipality's expense, the Municipality binds itself, its successors and assigns, to promptly remove or alter said facilities, in order to conform to the said requirement (if applicable per G.S. 136-27.1), without any cost to the Department.
- 6. The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.
- 7. A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.
- 8. By Executive Order 24, issued by Governor Perdue, and N.C. G.S.§ 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give

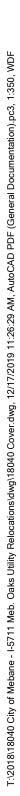
Agreement ID # 9004

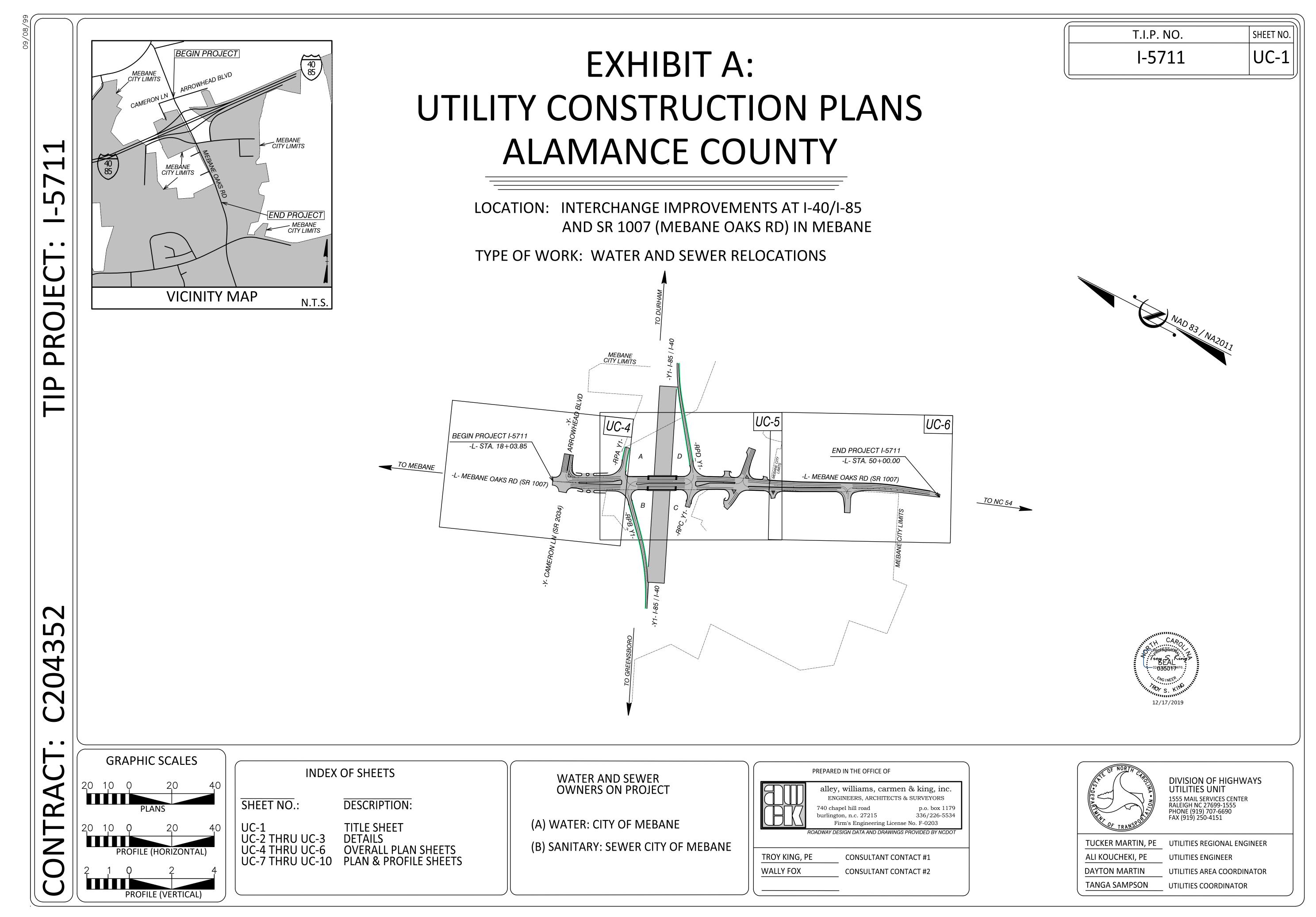
favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor). IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:	CITY OF MEBANE
BY:	BY:
TITLE:	TITLE:
	DATE:

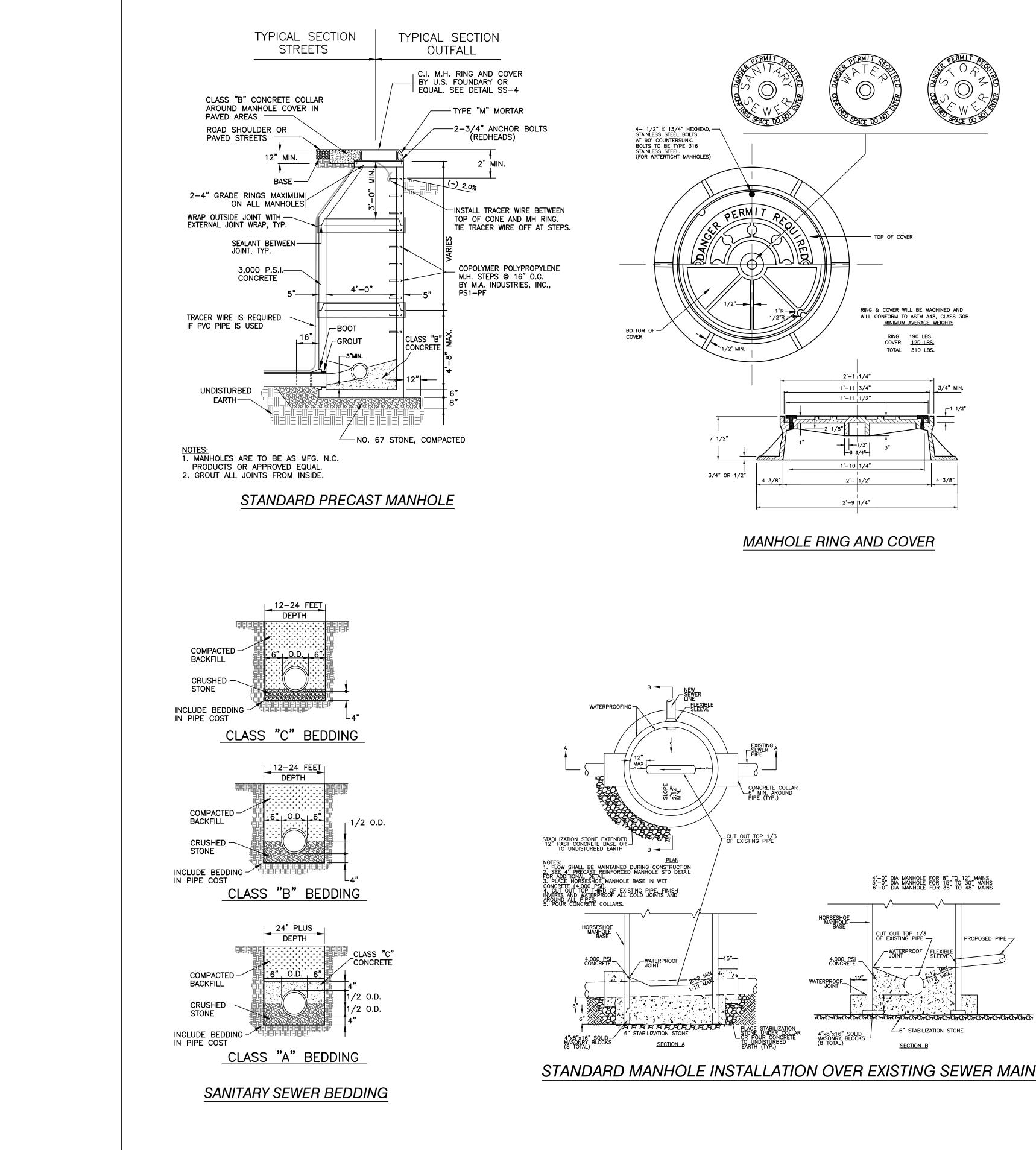
N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

	This instrument has been pre-audited in the m required by the Local Government Budget and Fiscal Control Act.	
(SEAL)	(FINANCE OFFICER)	
	Federal Tax Identification Number	
	Remittance Address:	
	City of Mebane	
	DEPARTMENT OF TRANSPORTATION	
	BY:(CHIEF ENGINEER)	
	DATE:	
APPROVED BY BOARD OF TRANSPORTATIO	DN ITEM O:	(Date)



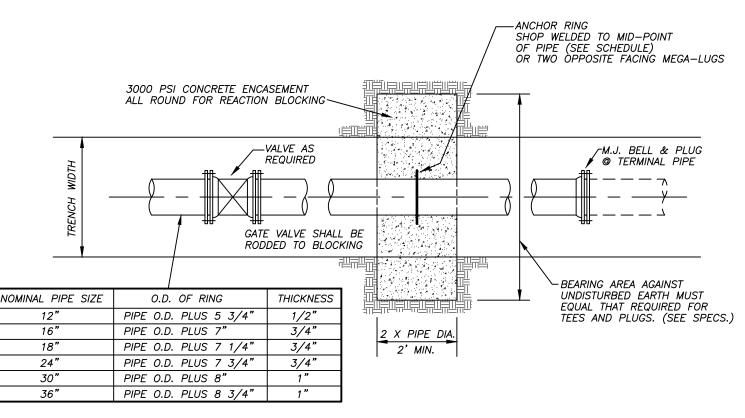


	WATER AND SEWER		PREPARED IN THE OFFICE OF
	OWNERS ON PROJECT		alley, williams, carmen & king, in ENGINEERS, ARCHITECTS & SURVEYORS
	(A) WATER: CITY OF MEBANE		740 chapel hill roadp.o. boxburlington, n.c. 27215336/226-Firm's Engineering License No. F-0203
		R	OADWAY DESIGN DATA AND DRAWINGS PROVIDED BY N
I SHEETS	(B) SANITARY: SEWER CITY OF MEBANE		
LE SHEETS		TROY KING, PE	
		WALLY FOX	CONSULTANT CONTACT #2
)			

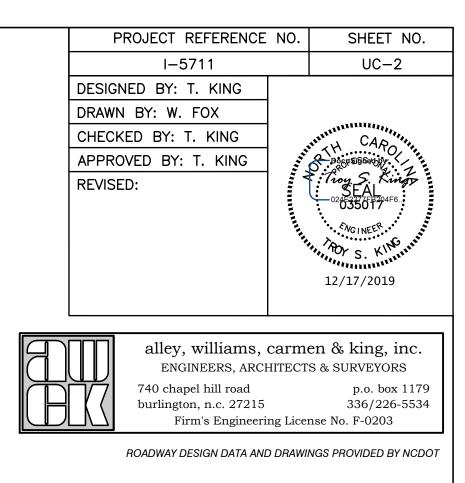


GENERAL UTILITY NOTES (APPLICABLE TO ALL SHEETS):

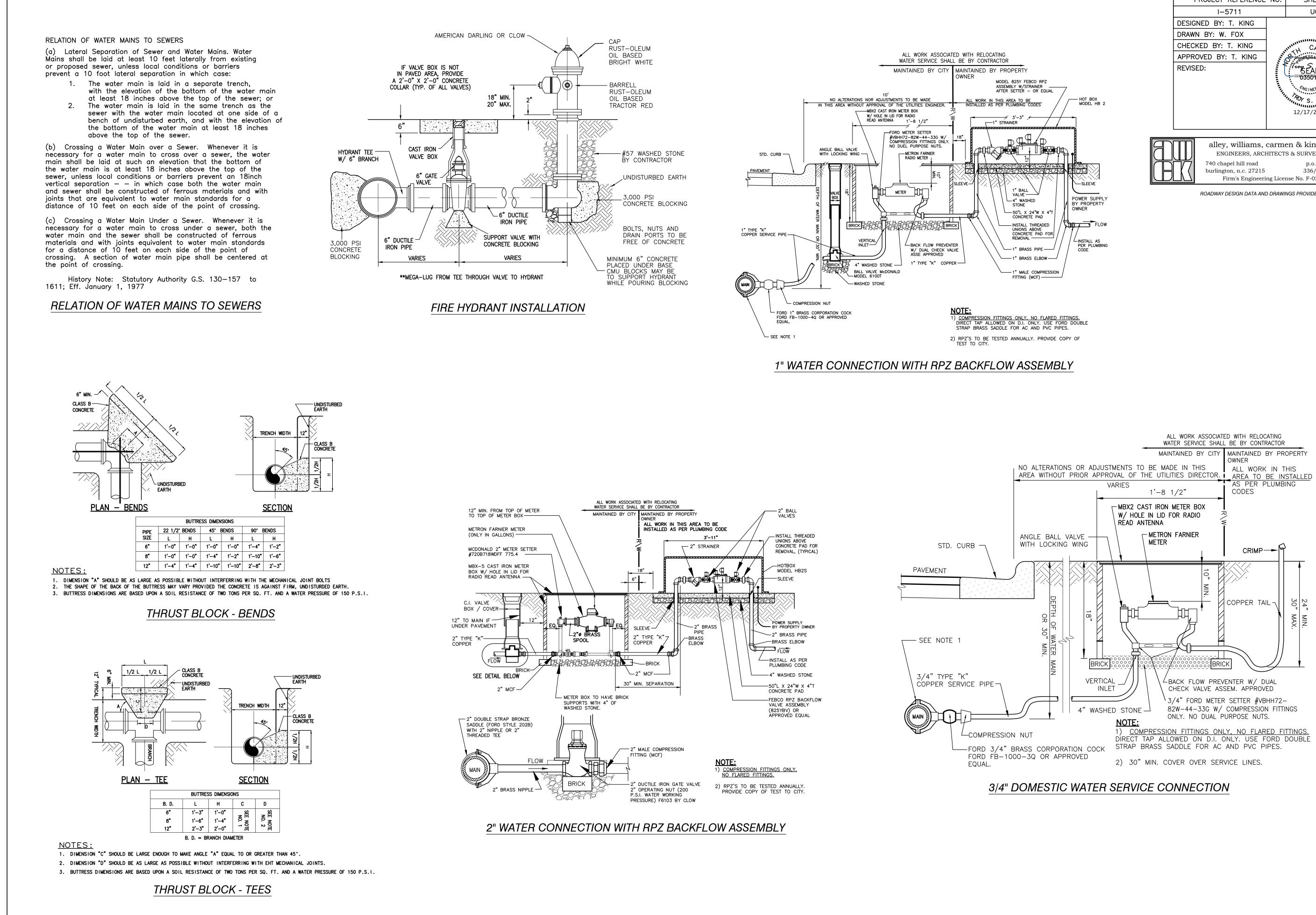
- 1. CONTRACTOR SHALL INSTALL TEST CORPS AS NECESSARY FOR PRESSURE TESTING AND CHLORINATION. NO DIRECT PAYMENT WILL BE MADE FOR THIS ITEM AND WILL BE INCIDENTAL TO PIPE INSTALLATION.
- EROSION CONTROL SHALL BE COORDINATED WITH NCDOT ROADWAY PLANS. 3. CONTRACTOR SHALL FIELD LOCATE ALL EXISTING UTILITIES AT PROPOSED WATER AND SEWER CROSSINGS PRIOR TO BEGINNING
- WORK AND CONFLICTS BROUGHT TO THE ATTENTION OF THE ENGINEER. ENGINEER, CONTRACTOR AND UTILITY COMPANIES WILL RESOLVE CONFLICTS PRIOR OR DETERMINE METHOD TO RESOLVE PRIOR TO PROCEEDING WITH THE WORK.
- 4. FIELDWORK, LOCATIONS, ETC. PER NCDOT. CONTRACTOR TO FIELD VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL CONTACT NC ONE CALL (811) PRIOR TO ANY EXCAVATION.
- 5. THE CONTRACTOR SHALL CONTACT THE APPROPRIATE UTILITY COMPANY SHOULD IT BE NECESSARY FOR THE UTILITY TO HOLD OR RELOCATE POLES, GROUND BOXES, ETC. WHEN INSTALLING THE UTILITY LINE NEAR POLES, BOXES, ETC. NO EXTRA PAYMENT
- WILL BE MADE FOR THIS AS THE COST SHALL BE INCLUDED IN THE VARIOUS BID ITEMS. THE CONTRACTOR SHALL WORK ON EXISTING RIGHT-OF-WAY AND ON EASEMENTS AS PROVIDED. STAGING AREAS FOR MATERIALS AND EQUIPMENT ARE THE RESPONSIBILITY OF THE CONTRACTOR. ANY AGREEMENTS WITH PRIVATE PROPERTY OWNERS SHALL BE IN WRITING AND WILL HOLD HARMLESS THE CITY AND ENGINEER. COPIES OF ANY AGREEMENTS SHALL BE PROVIDED TO THE CITY AND ENGINEER.
- 7. THE CONTRACTOR SHALL ANTICIPATE TEMPORARY LANE/ROAD CLOSURES AS NECESSARY TO COMPLETE THE WORK AND SHALL INCLUDE ALL COSTS WITH THESE CLOSURES IN THE BID FORM. ALL NECESSARY LANE CLOSURES AND/OR STREET CLOSURES HAVE NOT BEEN DEPICTED WITHIN THESE CONTRACT DOCUMENTS.
- 8. THE CONTRACTOR SHALL REPAIR AND/OR REPLACE ALL LANDSCAPED AREAS, EXISTING STEPS, EXISTING WALKS AND EXISTING FENCES THAT ARE DISTURBED. THE CONTRACTOR SHALL RESTORE SAID ITEMS TO A CONDITION AS GOOD OR BETTER THAN THEY EXISTED PRIOR TO CONSTRUCTION EVEN IF SAID ITEMS ARE BEYOND REPAIR. THE CONTRACTOR SHALL INCLUDE ALL COSTS FOR REPAIR AND REPLACEMENT IN THE CONTRACT UNIT PRICES FOR THE VARIOUS SIZES OF WATER/SEWER LINE. NO DIRECT COSTS FOR REPAIR AND/OR REPLACEMENT WILL BE MADE.
- 9. THE CONTRACTOR SHALL REPLACE REGULATORY, WARNING & OTHER SIGNS BY THE END OF EACH WORK DAY. 10. THE CONTRACTOR SHALL RELOCATE STOP OR YIELD SIGNS, PROVIDE TEMPORARY STOP OR YIELD SIGNS, OR PROVIDE
- FLAGGERS IF IT IS NECESSARY TO REMOVE A STOP OR YIELD SIGN. 11. FIRE HYDRANTS WILL BE STAKED. FIELD ADJUST LOCATION IF REQUIRED BY CITY, NCDOT, OR PROJECT INSPECTOR.
- 12. ALL FITTINGS, VALVES, HYDRANTS, ETC. SHALL HAVE A WORKING PRESSURE RATING OF AT LEAST 350 PSI. 13. ALL PIPE SHALL BE DUCTILE IRON CLASS 50.
- 14. FIRE HYDRANTS INSTALLED ON WATER MAINS LESS THAN 12" IN SIZE, MAIN VALVE OPENING SHALL BE 4 1/2" WITH 3'-6" BURY, FOR WATER MAINS 12" AND GREATER IN SIZE, FIRE HYDRANTS SHALL HAVE MAIN VALVE OPENING OF 5 1/4" WITH 4'-6" BURY.
- 15. ALL EXISTING FIRE HYDRANTS SHALL BE REUSED UNLESS DAMAGED. THE CITY WILL PROVIDE A NEW FIRE HYDRANT, IF REQUIRED.
- WILL BE MADE AND TO CONFIRM ELEVATIONS OF PROPOSED CONNECTIONS WITH ENGINEER. 17. CONTRACTOR SHALL COORDINATE WITH KYLE SMITH WITH THE CITY OF MEBANE REGARDING PUBLIC NOTIFICATION THAT WATER SERVICE WILL BE TEMPORARILY INTERRUPTED. PROVIDE ONE WEEK NOTICE PRIOR TO PLANNED SHUT OFF TO PROVIDE
- NOTIFICATION. 18. CONTRACTOR SHALL NOT OPERATE GATE VALVES, CONTRACTOR SHALL COORDINATE WITH CITY PERSONNEL TO SCHEDULE
- VALVE OPENING/CLOSURE. ONLY CITY PERSONNEL SHALL OPEN/CLOSE EXISTING GATE VALVES. 19. CONTRACTOR SHALL INSTALL CONCRETE THRUST COLLARS (CONNECT THREADED RODS FROM THRUST COLLAR TO VALVE &
- BEND) AS SHOWN ON PLANS A MINIMUM OF 24 HOURS PRIOR TO INSTALLING ADJACENT FITTINGS. 20. CONTRACTOR SHALL BAG ANY FIRE HYDRANT DURING TIME WHEN WATER TO FIRE HYDRANT IS OFF. CONTRACTOR SHALL NOTIFY
- KYLE SMITH 48 HOURS IN ADVANCE OF SHUTTING DOWN FIRE HYDRANTS FOR NOTIFICATION OF FIRE DEPARTMENT. 21. ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE CITY OF MEBANE'S STANDARD SPECIFICATIONS AND
- DETAIL DRAWINGS. 22. CONTRACTOR SHALL PROVIDE A DEWATERING PUMP FOR UTILITY TRENCHES AND DISCHARGE EFFLUENT INTO A SILT BAG, AS
- NECESSARY
- 23. THE CONTRACTOR SHALL PLACE CONCRETE OR PRECAST DONUT AROUND ALL GATE VALVE BOXES LOCATED IN OPEN SPACE. NO DIRECT PAYMENT SHALL BE MADE FOR THIS ITEM (SEE FIRE HYDRANT INSTALLATION DETAIL). 24. CONTRACTOR SHALL REMOVE EXISTING HIGHWAY SIGNS, STREET SIGNS, MAILBOXES, FENCES, LANDSCAPE BLOCKS, ETC. WHICH INTERFERE WITH UTILITY LINE RELOCATIONS. STORE AT LOCATION TO PREVENT DAMAGE AND REINSTALL TO PRIOR LOCATION INCLUDING HEIGHT IMMEDIATELY AFTER UTILITY LINE RELOCATIONS IN VICINITY OF SIGN IS COMPLETE. PROVIDE TEMPORARY STOP SIGNS AT INTERSECTIONS, IF NECESSARY.
- 25. THE CONTRACTOR SHALL INSPECT THE ENTIRE PROJECT WITH THE OWNER AND PROJECT ENGINEER'S INSPECTOR PRIOR TO BEGINNING ANY WORK. ANY DAMAGED AREAS SHALL BE PHOTOGRAPHED AND DOCUMENTED BY THE CONTRACTOR AND INSPECTOR.
- 26. EXISTING SEWER MAIN SHALL BE ABANDONED BETWEEN POINTS OF CONNECTION. CONTRACTOR SHALL FOLLOW NCDOT PROCEDURES FOR ALL UTILITY ABANDONMENT.
- 27. ALL EXISTING WATER LINE PERMANENTLY DISCONTINUED FROM SERVICE SHALL BE REMOVED UNLESS OTHERWISE AUTHORIZED BY NCDOT 28. EXISTING UTILITIES TO BE ABANDONED IN PLACE SHALL BE FILLED SOLID WITH CONCRETE, FLOWABLE FILL OR NON-SHRINK
- GROUT. ALL CONTENTS SHALL BE REMOVED & DISPOSED OF ACCORDING TO LOCAL REGULATIONS. 29. WATER METERS AND SERVICE LINES THAT MUST BE RELOCATED DUE TO UTILITY RELOCATIONS SHALL BE RELOCATED WHERE THE R/W LINE HAS BEEN MODIFIED AS A RESULT OF THE NCDOT I-5711 PROJECT. REFER TO DETAILS FOR PROPER PLACEMENT
- OF METER 30. TEMPORARY WATER SERVICE SHALL BE PROVIDED FOR ANY SERVICE THAT IS LOCATED ON A SECTION OF WATER LINE TO BE RELOCATED. TEMPORARY WATER SERVICE SHALL BE CHLORINATED AND HAVE A CLEAN BACTERIOLOGICAL SAMPLE PRIOR TO
- CONNECTING TO EXISTING SERVICE. 31. ALL LOCATIONS WHERE A PLUG IS TO BE INSTALLED ON AN EXISTING WATER LINE, THE PLUG SHALL BE RODDED BACK TO AN ADJACENT VALVE OR TEE. IF THERE IS NOT AN EXISTING VALVE OR TEE IN THE VICINITY, A DEADMAN SHALL BE INSTALLED WITH RODDING TO THE PLUG. CONCRETE BLOCKING SHALL ALSO BE INSTALLED AT ALL PLUG LOCATIONS.
- 32. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PUMP & HAUL AND/OR BYPASS PUMPING OPERATIONS DURING ALL SANITARY SEWER RELOCATIONS 33. CONTRACTOR SHALL PROVIDE THE CITY OF MEBANE WITH A DETAILED SCHEDULE OF PROPOSED WATER OUTAGES FOR UTILITY RELOCATIONS. THE CITY OF MEBANE AND/OR THE ENGINEER OF RECORD WILL ASSIST THE CONTRACTOR WITH LOCATING AND
- IDENTIFYING EXISTING WATER VALVES FOR WATER OUTAGES. CONTRACTOR WILL BE RESPONSIBLE FOR NOTIFYING PARTIES AFFECTED BY WATER OUTAGES. 34. STREET AND STORM DRAINAGE IMPROVEMENTS SHOWN ON PLANS INDICATE PROPOSED/FUTURE IMPROVEMENTS BY OTHERS.
- 35. CONTRACTOR SHALL COORDINATE POTENTIAL METER REPLACEMENT WITH CITY OF MEBANE. CITY WILL FURNISH METER SHOULD THEY CHOOSE TO REPLACE METER.

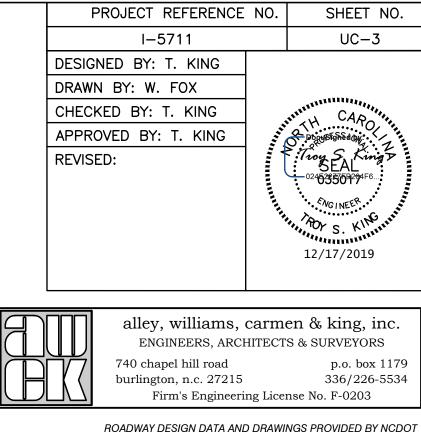


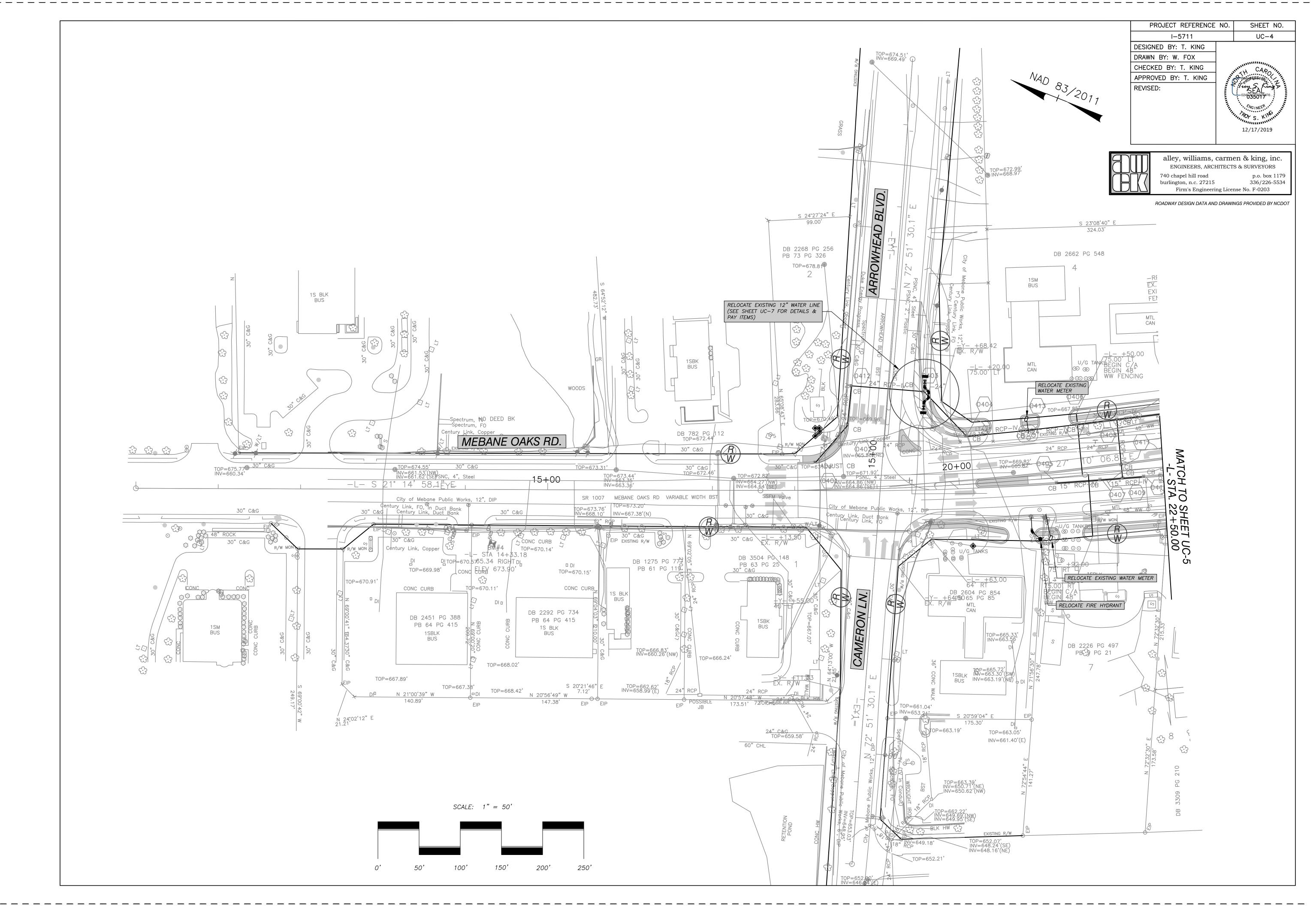
- 16. CONTRACTOR SHALL FIELD LOCATE ELEVATION OF WATER MAIN WHERE THRUST COLLARS AND CONNECTION TO EXISTING MAIN



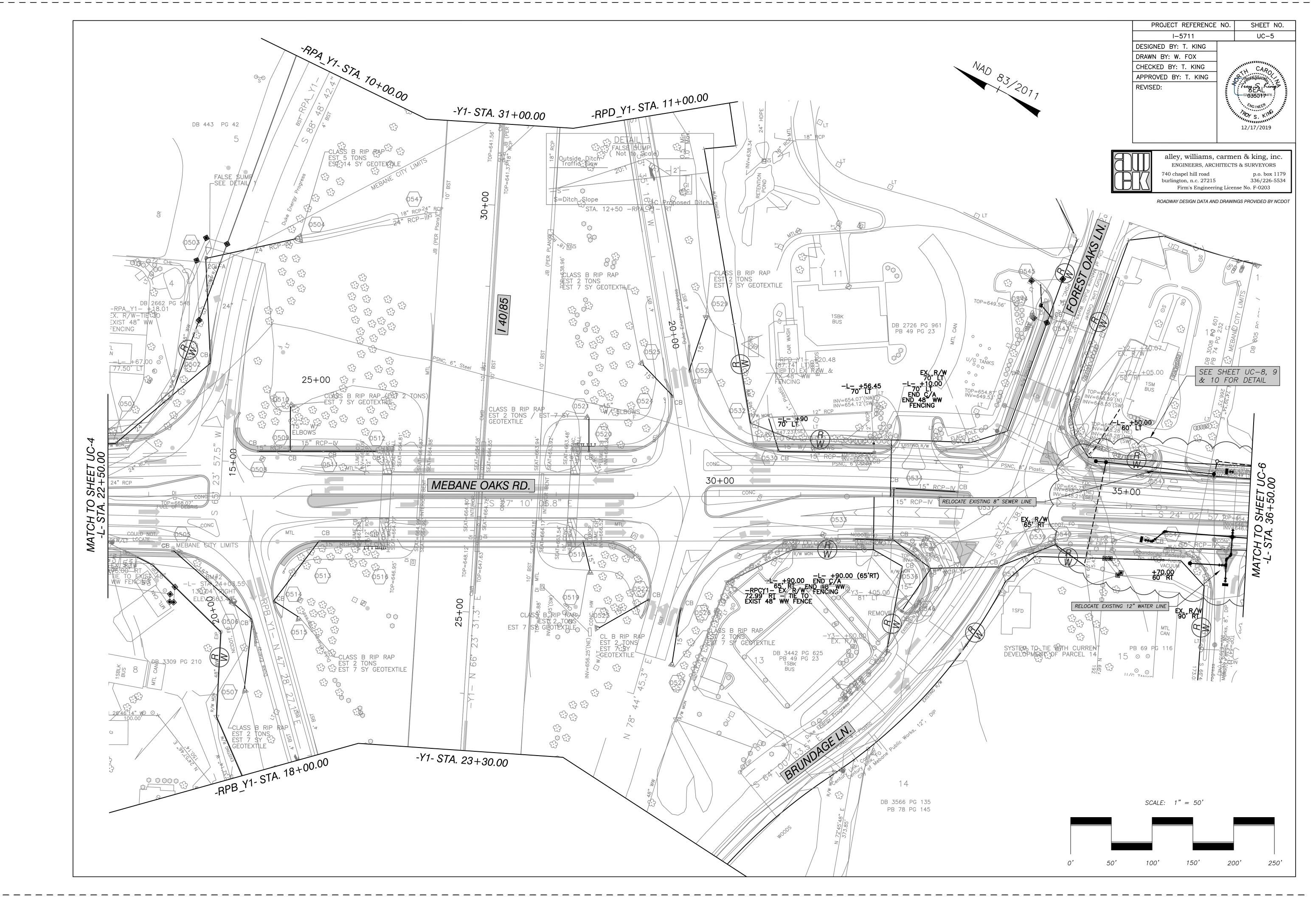
THRUST RESTRAINT WITH ANCHOR RING DETAIL



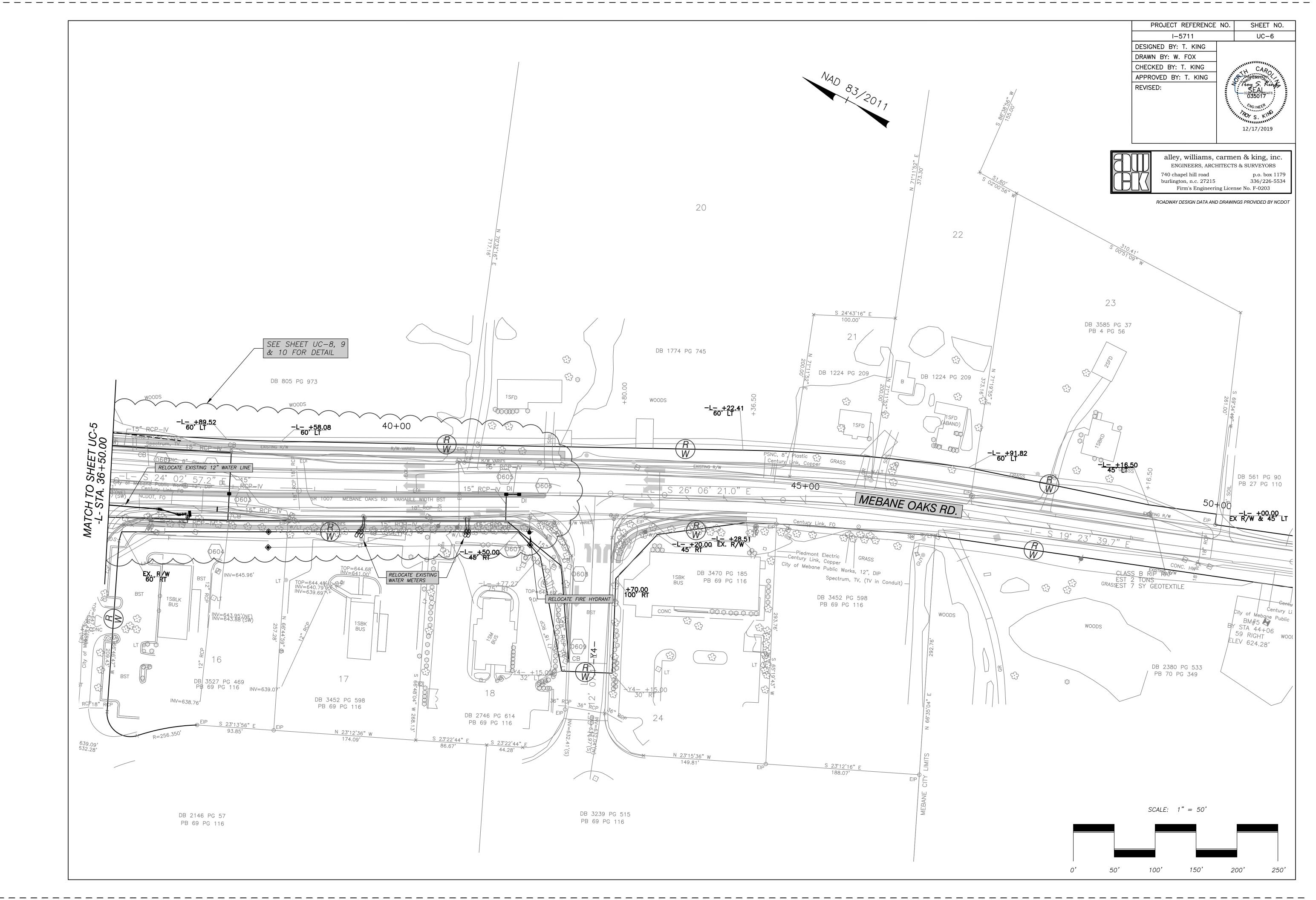




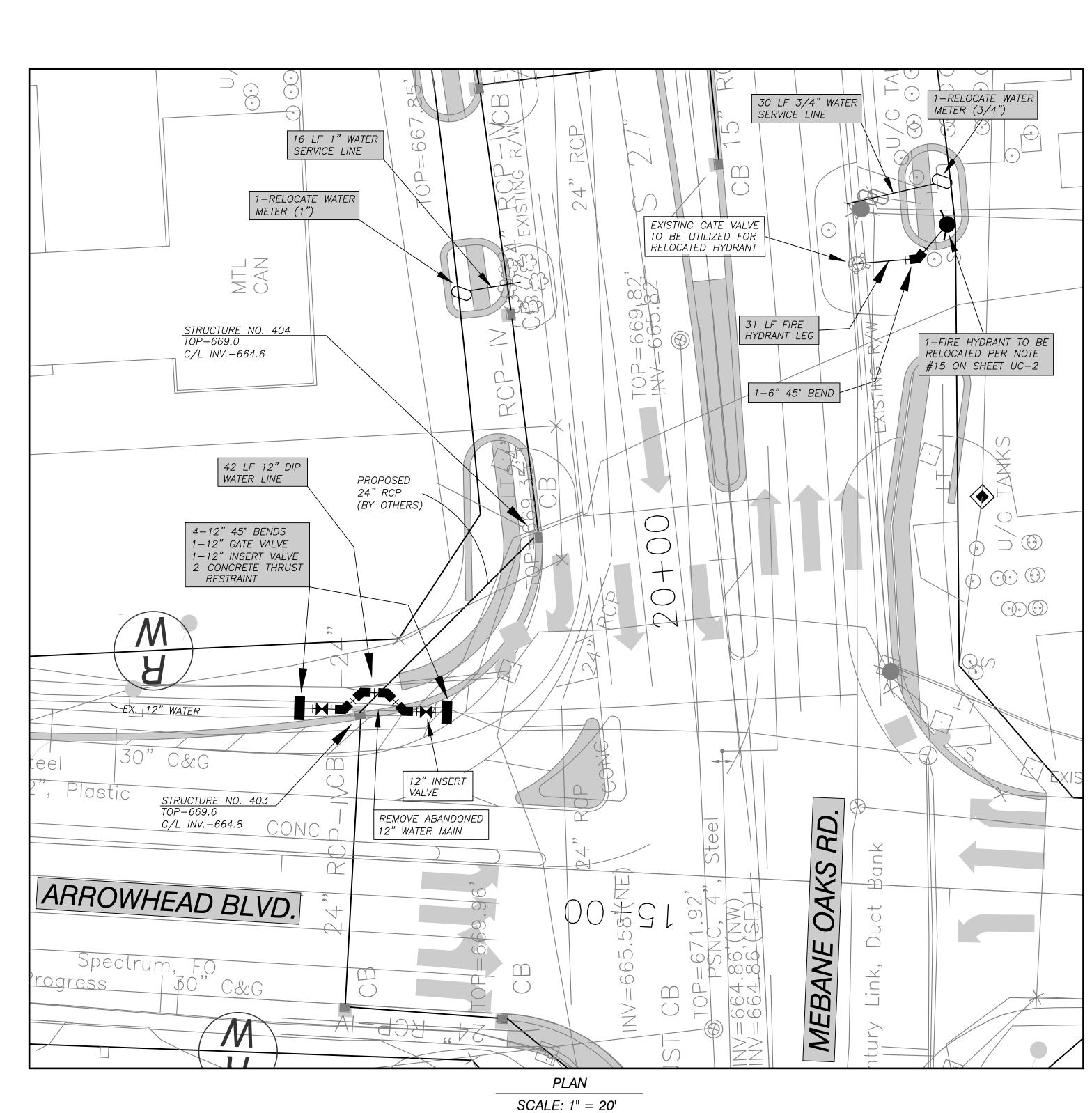
-:/2018/18040 City of Mebane - I-5711 Meb. Oaks Utility Relocations/dwg/18040 City of Mebane Relocations.dwg, 12/17/2019 11:13:50 AM, AutoCAD PDF (General Documentation).pc3, 1:1, WDF



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T:/2018/18040 City of Mebane - I-5711 Meb. Oaks Utility Relocations/dwg/18040 City of Mebane Relocations.dwg, 12/17/2019 11:16:14 AM, AutoCAD PDF (General Documentation).pc3, 1:1, WDF



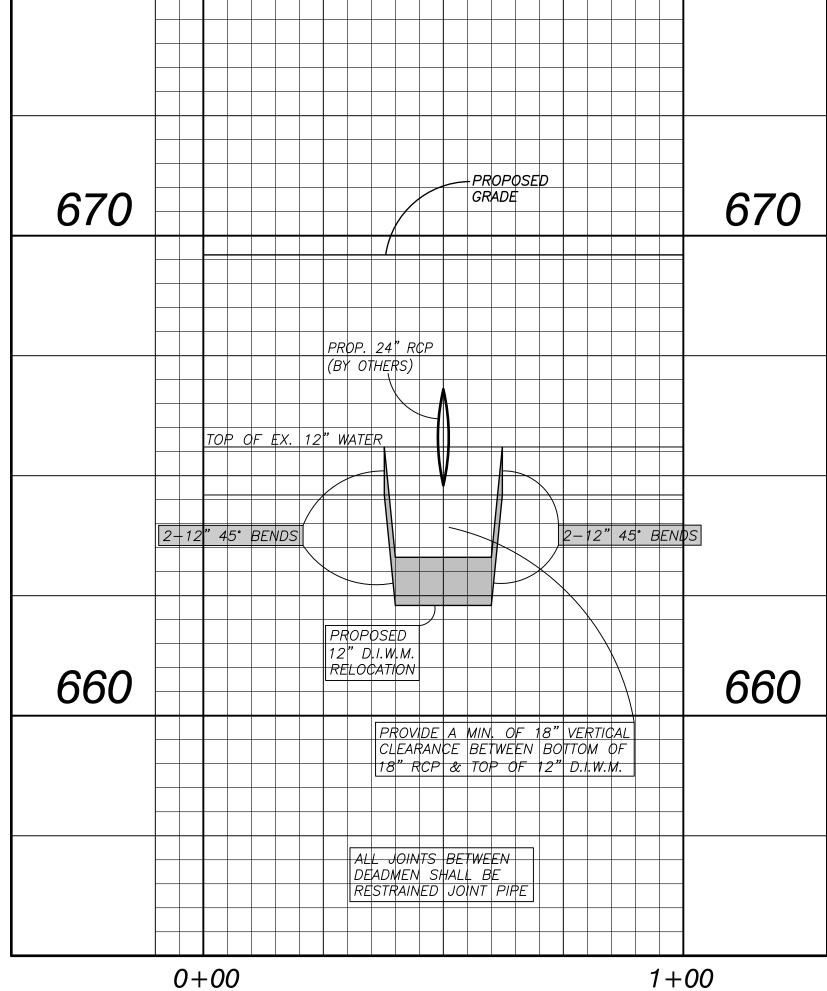
WATERLINE CONSTRUCTION NOTES:

PRIOR TO INSTALLATION OF VALVES.

SHADED BOXES INDICATE PAY ITEMS IN BID FORM

UNSHADED BOXES ARE ITEMS TO IDENTIFY WORK/INSTRUCTIONS RELATED TO THE WORK AND COST CONSIDERED INCIDENTAL TO THE WORK.



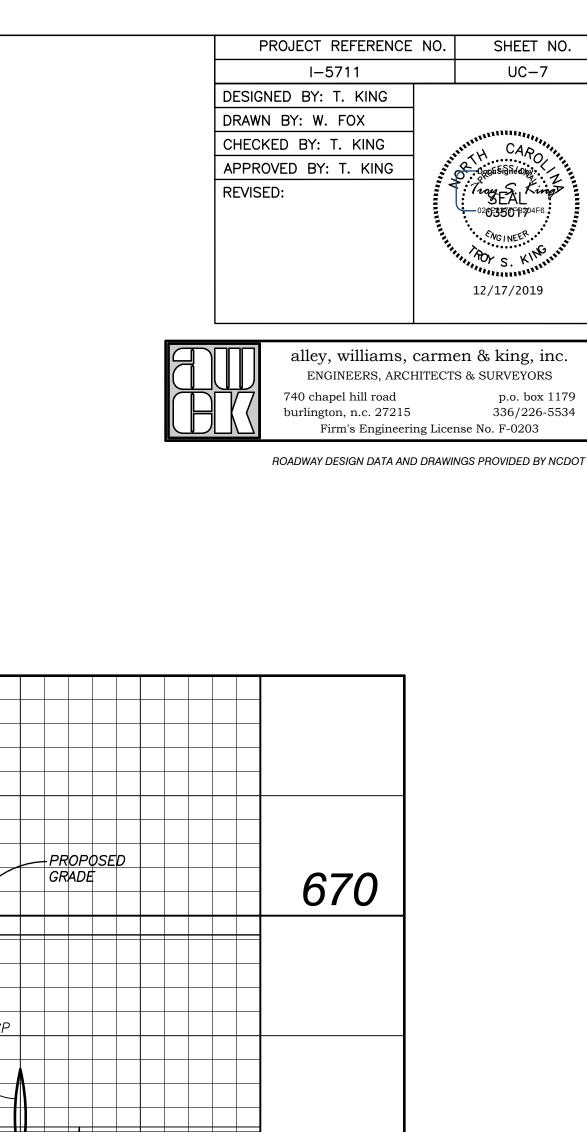




PUBLIC WORKS DEPARTMENT. VALVE INSTALLATION WILL REQUIRE TEMPORARY DISRUPTION OF WATER SERVICE AND/OR NIGHT WORK. CONTRACTOR SHALL PROVIDE CITY OF MEBANE WITH ONE WEEKS NOTICE PRIOR TO INSTALLATION IN ORDER TO COORDINATE SERVICE DISRUPTION WITH WATER CUSTOMERS. 3. DEMO OR ABANDON (?? WATER LINE TAKEN OUT OF SERVICE). 4. INSTALL NEW WATER MAIN AND TIE INTO VALVES INSTALLED IN STEP #2. PRESSURE TEST NEW WATER MAIN, CHLORINATE AND PULL SAMPLE. 5. ONCE CERTIFICATION HAS BEEN COMPLETED, PLACE LINE IN SERVICE.

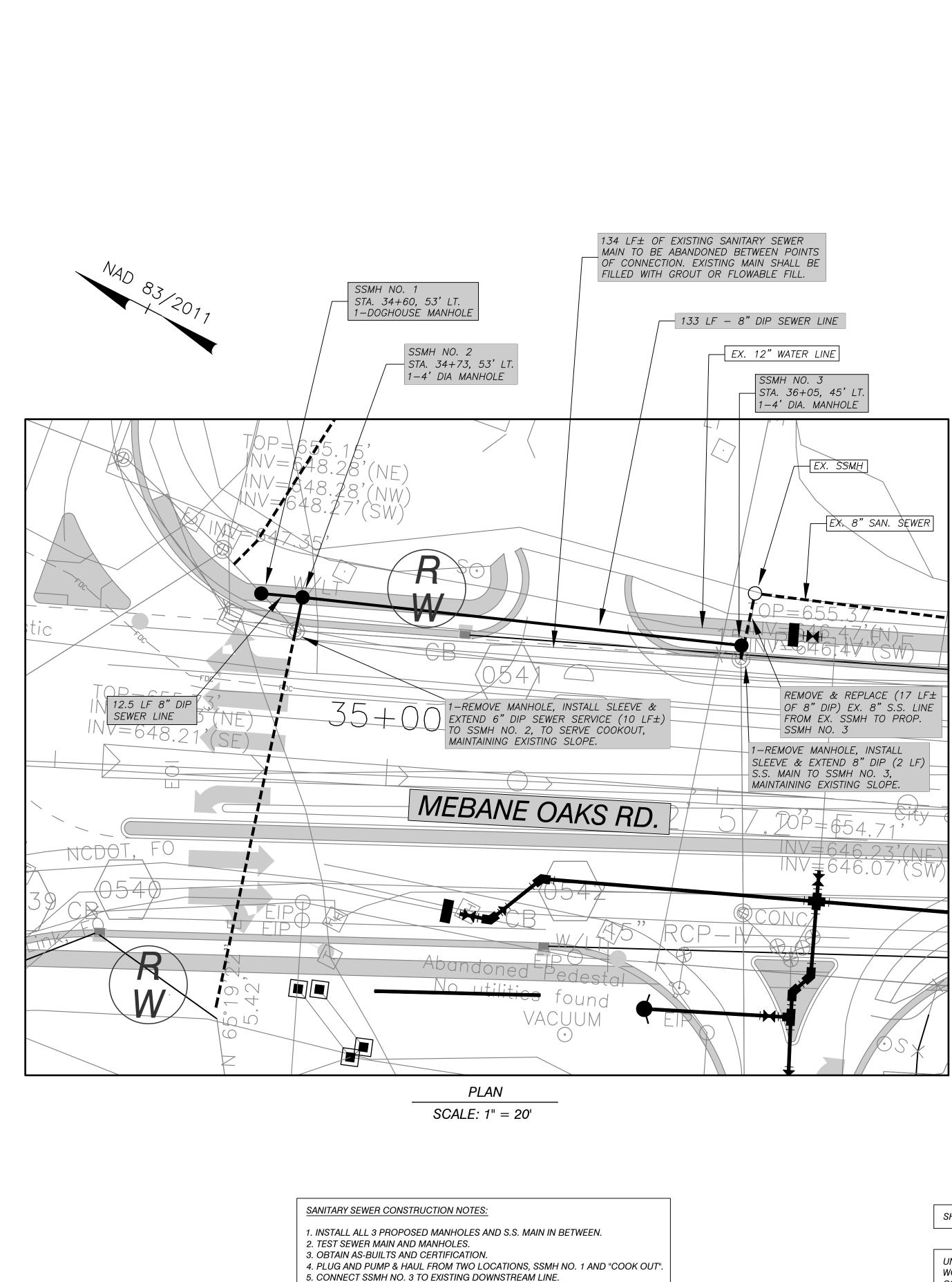
PROJE	ECT WA	ATER FITTINGS C	HART:
DESCRIPTION	NO.	WEIGHT (EA.)	WEIGHT (TOTAL)
12" 45° BEND	7	215	1505
8" 45° BEND	1	110	110
6" 45° BEND	1	75	75
12" 22.5° BEND	1	220	220
12" 11.25° BEND	1	220	220
12" X 6" TEE	1	325	325
12" X 8" REDUCER	1	165	165
12" X 12" CROSS	1	495	495
TOTAL			3115 LBS.

COST OF MEGALUGS ARE CONSIDERED INCIDENTAL TO THE WORK BEING PAID FOR AT THE CONTRACT UNIT PRICE FOR FITTINGS AND/OR WATER LINE PIPE.



0+00

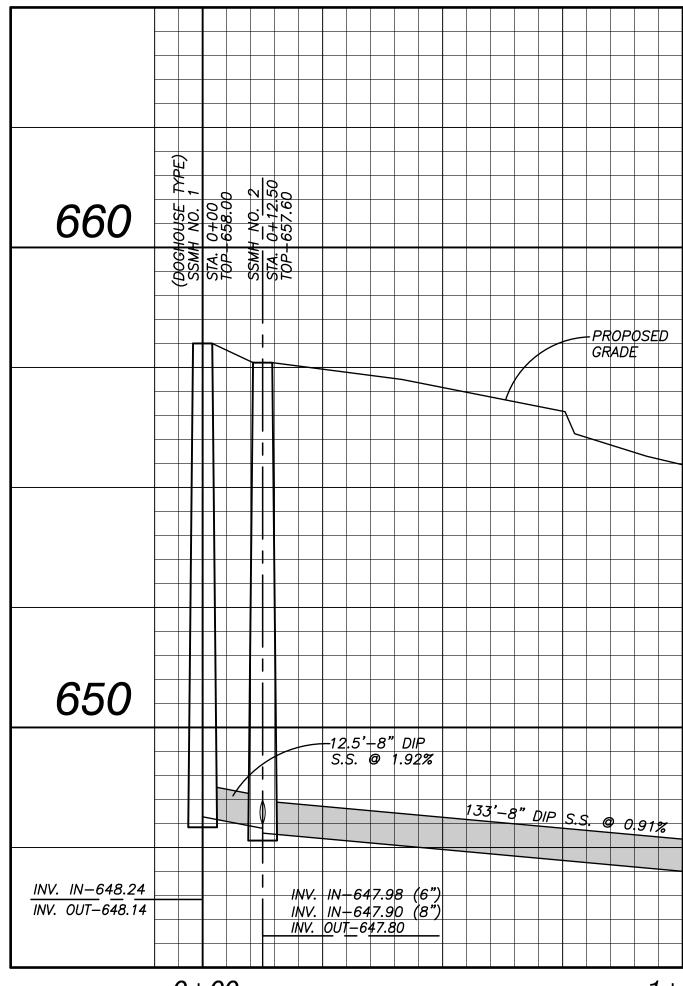
PROFILE SCALE: 1" = 20' HOR. 1" = 2' VERT.



6. EXTEND "COOK OUT" SERVICE TO SSMH NO. 2.

7. TURN FLOW TO NEW LINE.

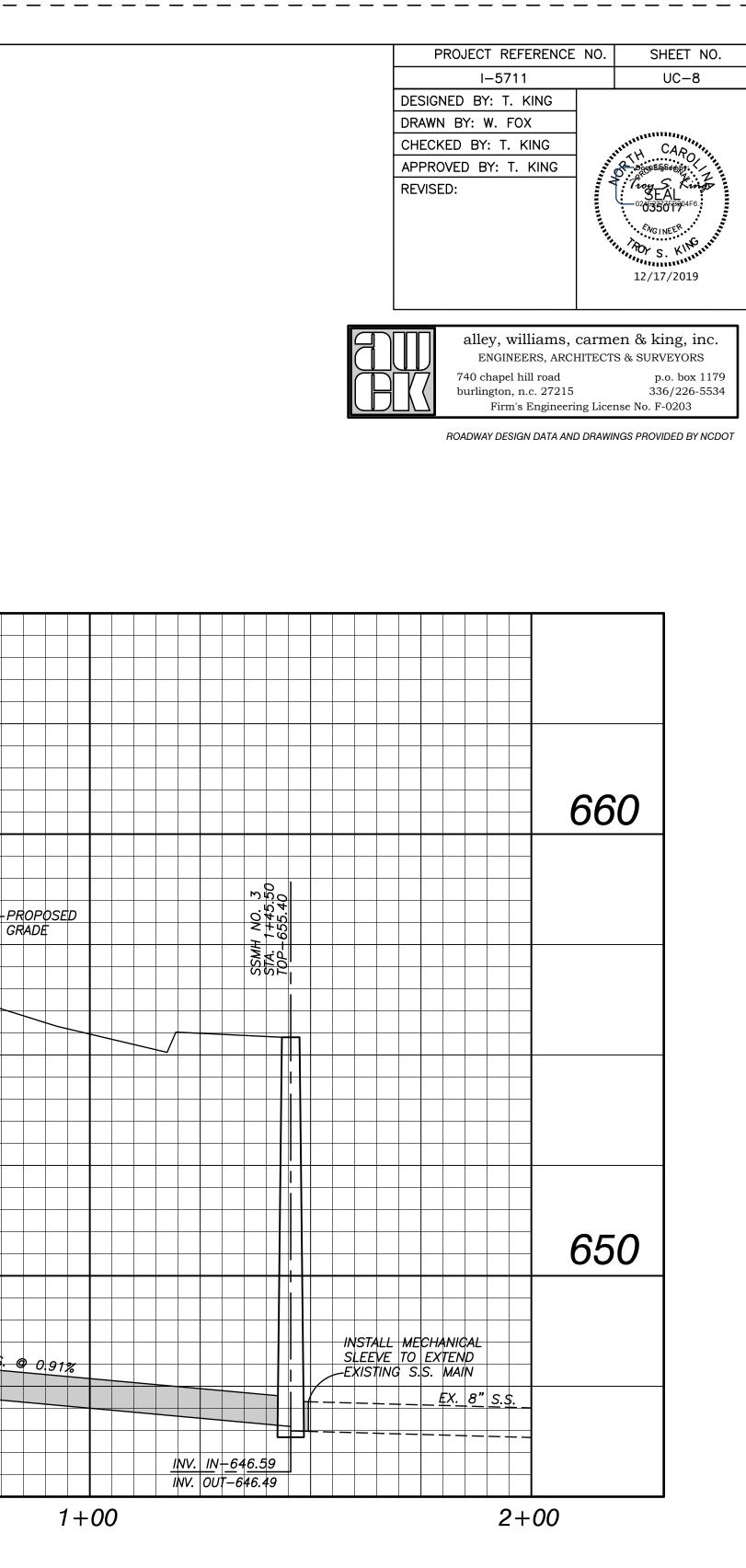
8. DEMO/ABANDON SEWER MAIN TAKEN OUT OF SERVICE, INCLUDING MANHOLES.



0+00

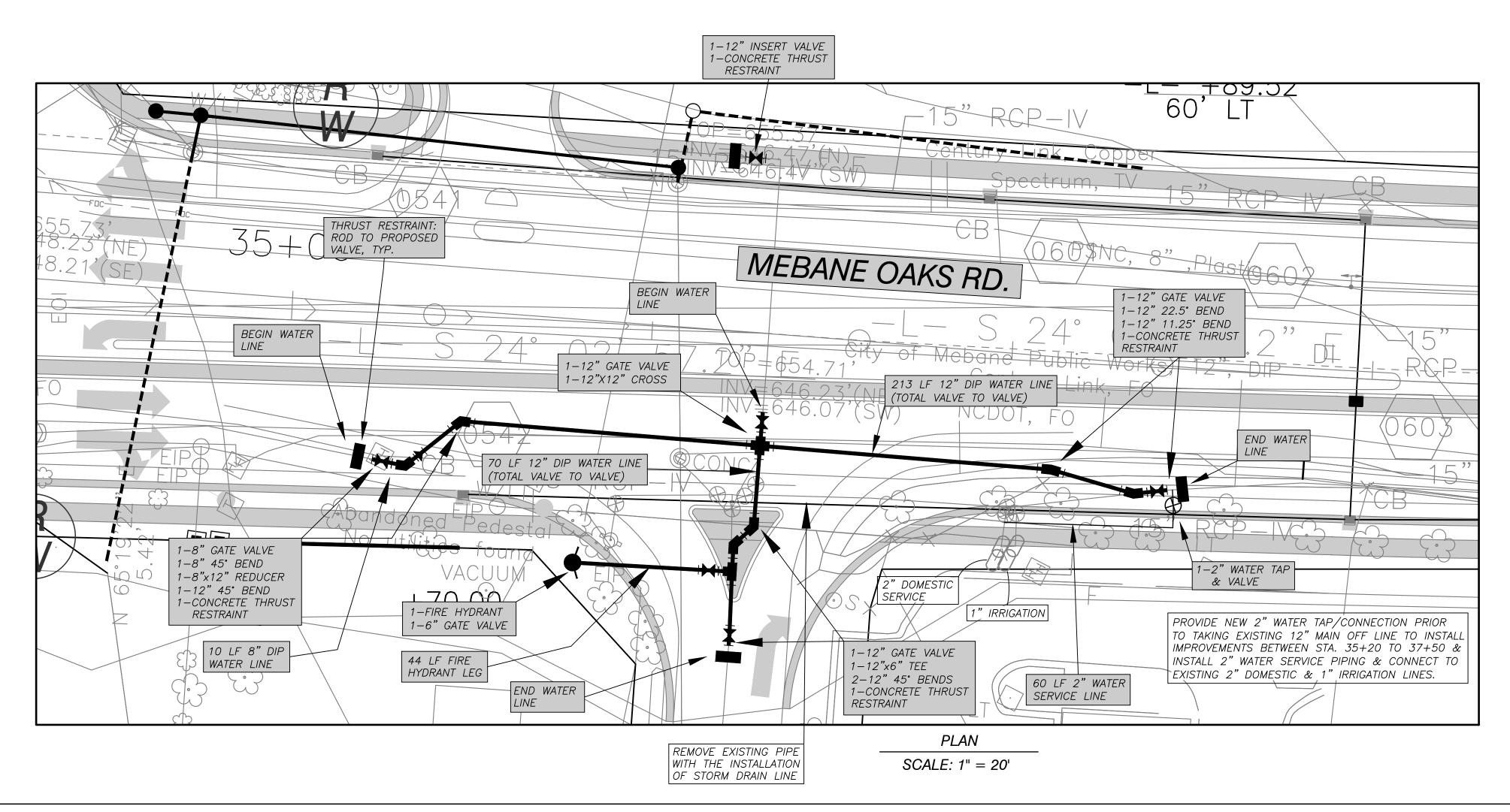
SHADED BOXES INDICATE PAY ITEMS IN BID FORM

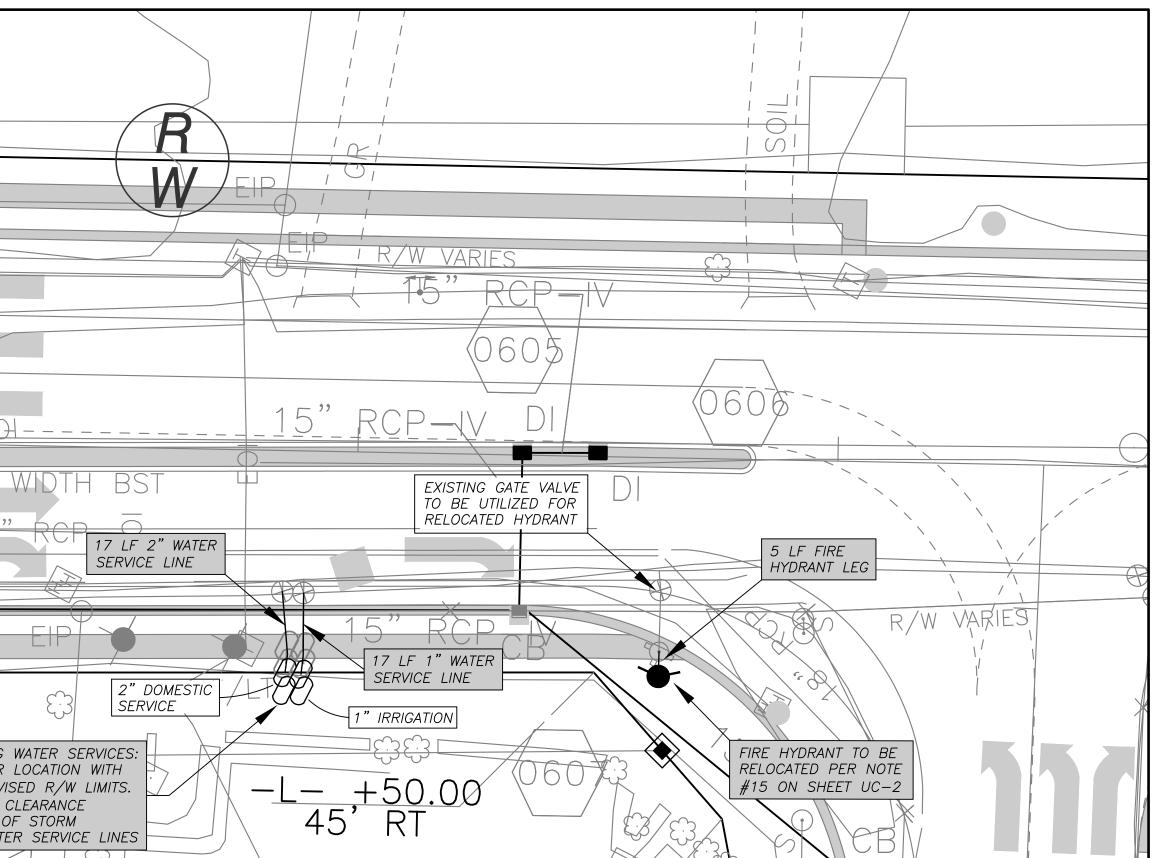
UNSHADED BOXES ARE ITEMS TO IDENTIFY WORK/INSTRUCTIONS RELATED TO THE WORK AND COST CONSIDERED INCIDENTAL TO THE WORK.



PROFILE SCALE: 1" = 20' HOR. 1" = 2' VERT.

40+00 -L- +58.08 60 LT R/W VARIES  $\bigcirc$ Ŕ --00- $\overline{}$ MEBANE OAKS RD. ()-F-M--00-SR 1007 MEBANE OAKS RD VARIABLE WIDTH BST 5 O <sup>11</sup> -1021 LF 1" WATER 18 LF 2" WATER SERVICE LINE SERVICE LINE ROP-IV EIPT 5" R W  $\mathcal{Y}\mathcal{A}$ 2" DOMESTIC SERVICE ΝГ 1" IRRIGATION RELOCATE EXISTING WATER SERVICES: COORDINATE METER LOCATION WITH SIDEWALK AND REVISED R/W LIMITS. PROVIDE MIN. 12" CLEARANCE BETWEEN BOTTOM OF STORM DRAINAGE AND WATER SERVICE LINES





	PROJECT REFERENCE	NO.	SHEET NO.
	I—5711		UC-9
	DESIGNED BY: T. KING		
	DRAWN BY: W. FOX		
	CHECKED BY: T. KING		ANTELL CAR
	APPROVED BY: T. KING		Doch Sight oppy
	REVISED:	- Trinit V	Troy S. Kings
			020350FP704F6
			ENGINEER.
			MANNA S. KING HANNER
			12/17/2019
	alley, williams,	carm	en & king, inc.
	ENGINEERS, ARCI	HITECT	S & SURVEYORS
$\square$	740 chapel hill road		p.o. box 1179
$\square$	Firm's Engineeri	ng Lice:	
	ROADWAY DESIGN DATA ANL	D DRAWI	NGS PROVIDED BY NCDOT
	APPROVED BY: T. KING REVISED: alley, williams, ENGINEERS, ARCH 740 chapel hill road burlington, n.c. 27215 Firm's Engineeri	HITECT	12/17/2019 en & king, inc. S & SURVEYORS p.o. box 1179 336/226-5534 nse No. F-0203



WATERLINE CONSTRUCTION NOTES:

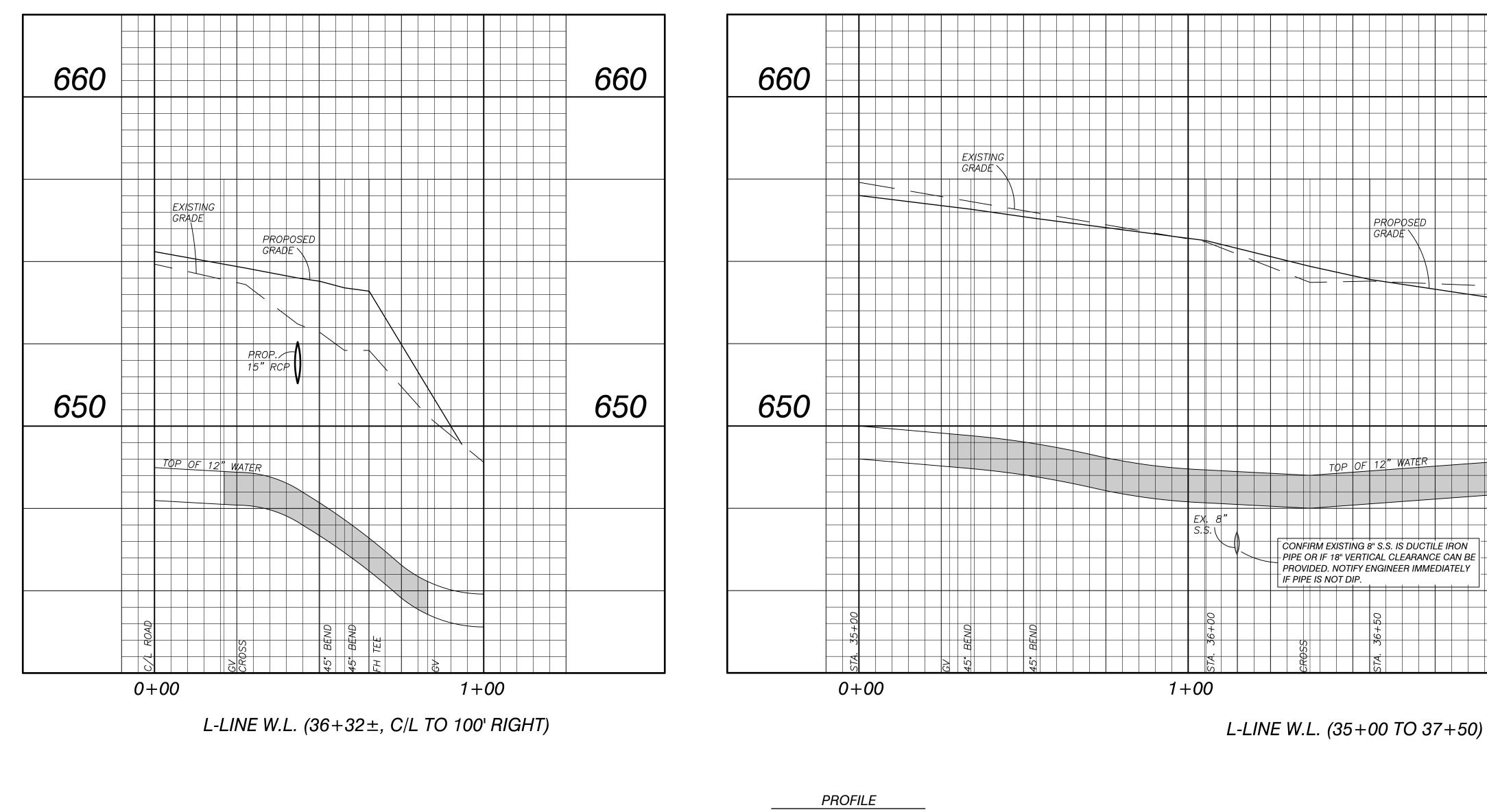
 CONTRACTOR TO INSTALL CONCRETE THRUST RESTRAINT AND ALLOW CURING PRIOR TO INSTALLATION OF VALVES (3 LOCATIONS).
 INSTALL HOT TAP VALVE.

3. INSTALL TEMPORARY SERVICE TO TACO BELL. CONTRACTOR TO COORDINATE CUT-IN VALVE INSTALLATION WITH CITY OF MEBANE PUBLIC WORKS DEPARTMENT. VALVE INSTALLATION WILL REQUIRE TEMPORARY DISRUPTION OF WATER SERVICE AND/OR NIGHT WORK. CONTRACTOR SHALL PROVIDE CITY OF MEBANE WITH ONE WEEKS NOTICE PRIOR TO INSTALLATION IN ORDER TO COORDINATE SERVICE DISRUPTION WITH WATER CUSTOMERS.

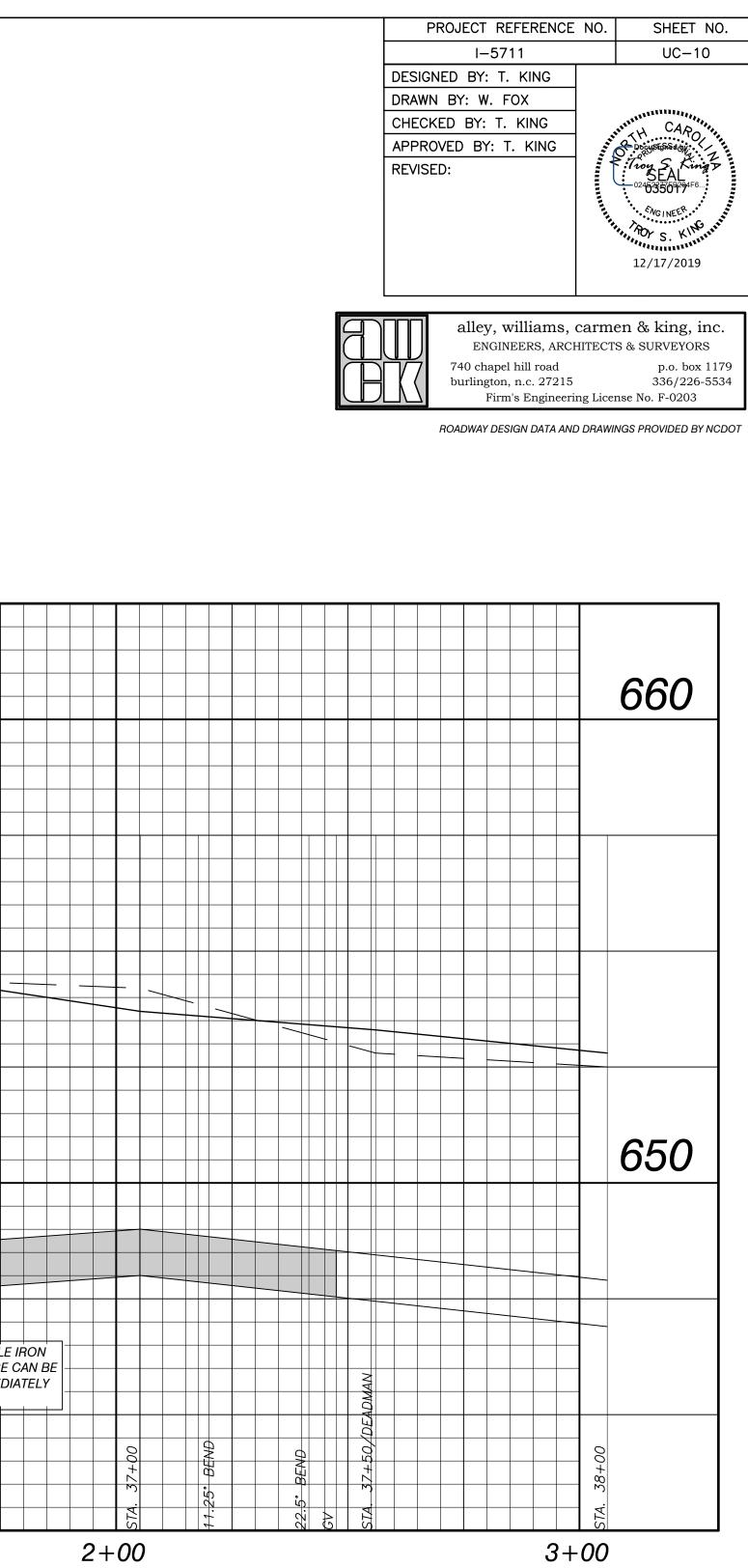
 DEMO OR ABANDON (?? WATER LINE TAKEN OUT OF SERVICE).
 INSTALL NEW WATER MAIN AND TIE INTO VALVES INSTALLED IN STEPS #2 & #3. PRESSURE TEST NEW WATER MAIN, CHLORINATE AND PULL SAMPLE.
 ONCE CERTIFICATION HAS BEEN COMPLETED, PLACE LINE IN SERVICE.

SHADED BOXES INDICATE PAY ITEMS IN BID FORM

UNSHADED BOXES ARE ITEMS TO IDENTIFY WORK/INSTRUCTIONS RELATED TO THE WORK AND COST CONSIDERED INCIDENTAL TO THE WORK.



SCALE: 1" = 20' HOR. 1" = 2' VERT.



### EXHIBIT B

ltem No.	Description	Estimated Quantity	Unit	Estimated Unit Price	Estimated Amount
4	•			Flice	LStimuteu Amount
1	12" DIP Water Line	300	LF		
2	12"x12" Tapping Sleeve and Valve	1	EA		
3	12" Hot Tap Insert Valve	1	EA		
4	12" GV w/Valve Box	3	EA		
5	6" DIP Water Line	60	LF		
6	6" GV w/Valve Box	1	EA		
7	Hydrant Relocations	3	EA		
8	8" GV w/Valve Box	1	EA		
9	2" Water Tap	1	EA		
10	Water Service Adjust/Re-Connects	9	EA		
11	Concrete Thrust Restraint	7	EA		
12	8" DIP Sewer Line (8-10' D)	200	LF		
13	4" Sewer Service Re-Connect	2	EA		
14	4' Diam Sewer Manhole (8-10' D)	2	EA		
15	4' Diam Doghouse Manhole (8-10' D)	1	EA		
16	Existing Utility Abandonment	400	LF		
17	Demo Existing SS Manholes	2	EA		
	•		Tota	Construction Costs	\$ 188,000.00

### City of Mebane I-5711 Utility Relocation Project— Estimate of Probable Costs

Estim	ated Non-Construction Costs	
Contingency		\$ 19,000.00
Sub-Total of Construction Costs		\$ 207,000.00
	Land Surveying Costs	\$ -
	Total Estimated Project Budget	\$ 207,000.00

NCDOT Costs (75%)	\$ 155,250.00
City of Mebane Costs (25%)	\$ 51,750.00
Total	\$ 207,000.00

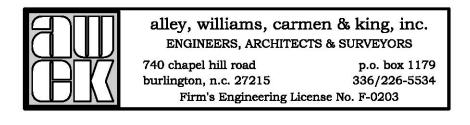
\* Construction Staking by NCDOT

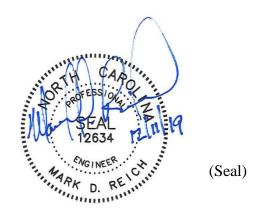
\* Construction Administration/Inspections are not included in this estimate.

\* This estimate assumes portions of the water line work takes place during night hours to minimize service disruptions to existing water customers.

**Exhibit** C

PROJECT SPECIAL PROVISIONS Utility Construction





The proposed utility construction shall meet the applicable requirements of the NCDOT Department of Transportation's "Standard Specifications for Roads and Structures" dated January 2018 as well as the City of Mebane Standard Specifications. In the event the two specifications conflict, the more restrictive specification shall rule.

#### **Revise the 2018 Standard Specifications as follows:**

#### Page 15-1; Sub-article 1500-2, Cooperation with the Utility Owner, paragraph 2:

The utility owner is the City of Mebane. The contact person is Kyle Smith and he can be reached by phone at 336-213-2746.

#### Page 15-2; Sub-article 1500-9, Placing pipelines into service, paragraph 1:

The contractor shall have NCDOT improvements field located prior to making taps to the existing water line. Tapping sleeve, insert valve, and concrete thrust restraint locations shall be evaluated with proposed finished grade to verify no conflicts exist prior to making taps. Field adjustment of taps may be required to provide a minimum of three feet of cover over existing/proposed water line.

Project: I-5711

## Exhibit C

**Page 15-8; Section 1515-3(A).** The Contractor's attention is directed to this section. The 12" ductile iron Insert Valve shall be an epoxy coated (min 8 mils) Resilient Wedge Gate Valve designed for use in potable water systems and shall have a maximum working pressure of 250 psi. The design will allow the valve to be installed into an existing pressurized pipeline while maintaining constant pressure and normal water service. The ductile iron body, bonnet and wedge provide strength and a pressure rating that meets or exceeds the requirements of AWWA C515.

The resilient wedge shall seat on the valve body and not the pipe to obtain the optimum seating and flow control results. The resilient wedge shall be totally independent of the carrier pipe and shall not come into contact with the carrier pipe or depend on the carrier pipe to create a seal. Pressure equalization on the down or upstream side of the closed wedge shall not be necessary to open the valve. The wedge shall be symmetrical and seal equally well with flow in either direction. The resilient wedge must ride inside the body channels to maintain wedge alignment throughout its travel to achieve maximum fluid control regardless of high or low flow pressure or velocity.

The valve shall have a Non-Rising Stem (NRS) with AWWA standard turns and shall be operated by a 2" square wrench nut and shall open by turning counter clockwise. All parts and components to be exclusively and completely assembled, manufactured, machined and costed in the USA.

#### **Measurement and Payment:**

Payment for 12" Insert Valve shall be per each 12" Insert Valve installed, and paid for under the contract price for "12" Insert Valve". Such price and payments will be full compensation for all labor, materials, excavation, backfilling, concrete thrust blocking and any incidentals necessary to complete the work, as required.

#### Pay Item:

12" Insert Valve

Pay Unit Each

#### GENERIC UTILITY ITEM, CONCRETETHRUST RESTRAINT

#### **Scope of Work:**

Contractor shall install Concrete Thrust Restraints at locations shown on the Construction Drawings and in accordance detail entitled "Thrust Restraint with Anchor Ring Detail". All materials and workmanship shall be in compliance with NCDOT Standard Specifications and shall be installed a minimum of 24 hours prior to pressure of water main being appled to restraint.

## Exhibit C

#### **Measurement and Payment:**

Payment for Concrete Thrust Restraint will be based on the actual number of concrete thrust restraint installed and accepted into the Work and will be paid for at the contract unit price for each "Concrete Thrust Restraint" installed. Payment will be full compensation for all labor, materials, excavation, backfilling and any other incidentals necessary to complete the Work as required.

#### Pay Item:

Concrete Thrust Restraint

#### Pay Unit Each

### **GENERIC UTILITY ITEM, 2" WATER TAP AND VALVE**

#### **Scope of Work:**

Contractor shall install a 2" tap and 2" gate valve, near station 37+50. The purpose of the tap, valve and 2" water service line is to allow the 2" domestic and 1" irrigation service lines to maintain service to Zaxby's during construction. The saddle for the tap and gate valve shall be the same as noted on the detail sheet for the 2" Water Service Connection. The 2" water service line shall be type K copper. This work shall be done prior to shutting off the water supply to install the water improvements as shown on the plans.

The work later required to relocate the domestic and irrigation services will be paid for at the contract unit prices for relocating the water services and backflow preventers.

#### **Measurement and Payment:**

Payment for 2" tap and 2" gate valve will be based on the on the actual number of taps and valves incorporated and accepted into the Work and will be paid for at the contract unit price for each "2" Water Tap and Valve" installed. Payment will be full compensation for all labor, materials, excavation, backfilling and any other incidentals necessary to complete the Work as required.

#### Pay Item:

2" Water Tap and Valve

Pay Unit Each



## AGENDA ITEM #3G

Transportation Improvement Project- Municipal Agreement with Sidewalk Meeting Date January 6, 2020

Presenter

Franz Holt, City Engineer

Public Hearing Yes □ No ⊠

#### Summary

The Council will consider a NCDOT Municipal Agreement with Sidewalk for the Mebane Oaks Road/Interchange Improvements project identified as I-5711. The anticipated sidewalk charges to the City are 30% or \$18,475 with NCDOT being responsible for 70% or \$43,108 of the estimated construction costs at \$61,583. The agreement requires approval by Council for the I-5711 project to remain on schedule and will allow for continued sidewalks on both sides of Mebane Oaks Road from Arrowhead Blvd. to the Wal-Mart entrance signal at Zaxby's.

#### Background

NCDOT Transportation Project I-5711 includes improvements to the interchange and along Mebane Oaks Road from Arrowhead Blvd. to just south of the Wal-Mart entrance signal at Zaxby's. NCDOT construction plans provide for new City requested sidewalk improvements where none currently exist and the replacement of existing sidewalks. The City will only be responsible for 30% of the new sidewalk costs per NCDOT policy. In addition, the City has previously collected funds from the Cook Out and Chick-fil-a restaurants offsetting the associated costs along their frontage.

#### **Financial Impact**

Per the Municipal Agreement with Sidewalk the cost to the City for Mebane is estimated to be \$18,475, which will be a reimbursement to NCDOT when the project is completed and final costs are known. No budget amendment is necessary for the current year; however, the match will likely be included in the 2020-2021 budget.

#### Recommendation

Staff recommends City Council approve the Municipal Agreement with Sidewalk for the I-5711 NCDOT Transportation Improvement Project addressing sidewalk improvements and cost sharing responsibilities.

#### Suggested Motion

Move to approve the Municipal Agreement with Sidewalk for the I-5711 NCDOT Transportation Improvement Project addressing sidewalk improvements and related cost sharing responsibilities.

#### Attachments

1. Agreement

#### NORTH CAROLINA

#### TRANSPORTATION IMPROVEMENT PROJECT – MUNICIPAL AGREEMENT WITH SIDEWALK

#### ALAMANCE COUNTY

#### DATE: 1/2/2020

## NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

AND

TIP #: I-5711 WBS Elements: 50401.3.GV1

#### CITY OF MEBANE

THIS MUNICIPAL AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the City of Mebane, a local government entity, hereinafter referred to as the "Municipality".

#### WITNESSETH:

WHEREAS, the Department has plans to make certain street and highway constructions and improvements within the Municipality under Project I-5711 in Alamance County; and,

WHEREAS, the Department and the Municipality have agreed that the municipal limits, as of the date of the awarding of the contract for the construction of the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly, including but not limited to, the following legislation: General Statutes of North Carolina (NCGS), Section 136-66.1, Section 160A-296 and 297, Section 136-18, and Section 20-169, to participate in the planning and construction of a Project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

#### SCOPE OF THE PROJECT

1. The Project consists of Interchange improvements at I-40/I-85 and SR 1007 (Mebane Oaks Road).

Agreement ID # 9033

At the request of the Municipality, and in accordance with the Department's *Pedestrian Policy Guidelines*, the Department shall include provisions in its construction contract for the new sidewalk where none currently exists. Said work shall be performed in accordance with the Department's policies, procedures, standards, and specifications, and the provisions of this Agreement.

#### PLANNING AND DESIGN

 The Department shall prepare the environmental and/or planning documents, and obtain any environmental permits needed, to construct the Project and prepare the plans and specifications for the Project. All work shall be done in accordance with departmental standards, policies and procedures.

#### **RIGHT OF WAY**

- 4. The Department shall be responsible for acquiring any needed right of way required for the Project. Acquisition of right of way shall be accomplished in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.
- 5. It is understood by both parties that all work shall be performed within the existing right of way. However, should it become necessary, the Municipality, at no expense or liability whatsoever to the Department, shall provide any needed right of way and or construction easements for the construction of the sidewalk, and remove from said rights of way all obstructions and encroachments of any kind or character. Acquisition of any needed right of way shall be performed in accordance with the following state and federal policies and procedures. The Department shall be indemnified and held harmless from any and all damages and claims for damages associated with the acquisition of any construction easements and/or right of way.

### UTILITIES

#### RESPONSIBILITIES

6. The Municipality shall be responsible for the relocation and adjustment of all municipally-owned utilities in conflict with the Project and shall exercise any rights that it may have under any franchise to effect all necessary changes, adjustments, and relocations of communications and electric power lines; underground cables, gas lines, and, and other pipelines or conduits; or any privately- or publicly-owned utilities.

- A. Said work shall be performed in a manner satisfactory to the Department prior to the Department beginning construction of the Project. The Municipality shall make every effort to promptly relocate said utilities in order that the Department will not be delayed in the construction of the Project.
- B. The Municipality shall make all necessary adjustments to house or lot connections or services lying within the right of way or construction limits, whichever is greater, of the Project.
- C. The Department, where necessitated by construction, will make vertical adjustments of two (2) feet or less to the existing manholes, meter boxes, and valve boxes at no expense to the Municipality.
- D. The Department shall not be liable for any work that the Municipality undertakes with respect to said utility relocation.

#### UTILITY RELOCATION BY DEPARTMENT

7. If the Municipality requests the Department to include the relocation and/or adjustment of municipally owned utilities in its construction contract provisions, and the Department agrees, then a separate utility agreement will be prepared to state the cost estimate and the reimbursement terms. The Municipality shall reimburse the Department all or a portion of the costs associated with said relocation, in accordance with NCGS 136-27.1. Reimbursement will be based on final project plans and actual costs of relocation.

#### CONSTRUCTION

8. The Department shall construct, or cause to be constructed, the Project in accordance with the plans and specifications of said Project as filed with, and approved by, the Department. The Department shall administer the construction contract for said Project.

#### MAINTENANCE

- Upon completion of the Project, only those improvements within the state owned right of way shall be considered on the State Highway System and owned and maintained by the Department.
- 10. The Municipality, at no expense to the Department, shall assume all maintenance responsibilities for the sidewalk and release the Department from all liability relating to such maintenance.

#### **COSTS AND FUNDING**

- 11. The Municipality shall participate in the cost of the new sidewalk. In accordance with the *Pedestrian Policy Guidelines*, the Municipality shall reimburse the Department 30% of the actual cost, including administrative costs, of the work associated with construction of the new sidewalk. The estimated cost to the Municipality is \$18,475. The Department shall participate in 70% of the actual costs for that portion of the project within the corporate limits where the new sidewalk will be installed. The estimated cost for the Department is \$43,108. The total estimated cost is \$61,583 (see attached). Both parties understand that these are estimated costs subject to change.
  - A. Upon completion of the Project, the Department will invoice the Municipality for their share of the actual costs. Reimbursement to the Department shall be made in one final payment within sixty days of invoicing by the Department. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with NCGS § 147-86.23.
  - B. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment herein above provided, NCGS § 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by NCGS § 136-41.1 until such time as the Department has received payment in full under the reimbursement terms set forth in this Agreement..

#### ADDITIONAL PROVISIONS

- 12. It is the policy of the Department not to enter into any agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Department or Agency.
- 13. To the extent authorized by state and federal claims statutes, each party shall be responsible for its respective actions under the terms of this agreement and save harmless the other party from any claims arising as a result of such actions.
- 14. The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

- 15. All terms of this Agreement are subject to available departmental funding and fiscal constraints.
- 16. This Agreement contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this Agreement except as expressly set forth herein.
- 17. The parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.
- 18. A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.
- 19. By Executive Order 24, issued by Governor Perdue, and N.C. G.S.§ 133-32, it is unlawful for any vendor or contractor ( i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

IT IS UNDERSTOOD AND AGREED upon that the approval of the Project by the Department is subject to the conditions of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:	CITY OF MEBANE
BY:	BY:
TITLE:	_TITLE:
DATE:	DATE:

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

> This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

BY: (FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of Mebane

DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_\_(CHIEF ENGINEER)

DATE: \_\_\_\_\_

APPROVED BY BOARD OF TRANSPORTATION ITEM O: \_\_\_\_\_\_(Date)

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TIP Project I-5711 in the (			an Ir	nproven	nen	ts on
	City of Mebane					
		•				
		110)				
Description	Quantity	Units		Price		Amour
1" Concrete Sidewalk	1,020	SY	\$	50.00	\$	51,000.00
Mobilization (5 %)	1	LS			\$	2,550.00
Contract Cost					\$	53,550.00
E. & C. Cost (15%)					\$	8,033.00
Construction Cost					\$	61,583.00
NC-DOT Participation		70%			\$	(43,108.00
City of Mebane		30%			\$	18,475.00
	4" Concrete Sidewalk Mobilization (5 %) Contract Cost E. & C. Cost (15%) Construction Cost	Cost Shate         Description       Quantity         4" Concrete Sidewalk       1,020         4" Concrete Sidewalk       1,020         Mobilization (5 %)       1         Contract Cost       1         E. & C. Cost (15%)       1         Construction Cost       1         NC-DOT Participation       1	4" Concrete Sidewalk       1,020       SY         Mobilization (5 %)       1       LS         Contract Cost	(Cost Share)         Description       Quantity       Units         4" Concrete Sidewalk       1,020       SY       \$         4" Concrete Sidewalk       1,020       SY       \$         Mobilization (5 %)       1       LS       1         Contract Cost       1       LS       1         E. & C. Cost (15%)       1       1       1         Construction Cost       1       1       1         NC-DOT Participation       70%       1       1	(Cost Share)         Description       Quantity       Units       Price         4" Concrete Sidewalk       1,020       SY       \$ 50.00         4" Concrete Sidewalk       1,020       SY       \$ 50.00         Mobilization (5 %)       1       LS       1         Contract Cost       1       LS       1         E. & C. Cost (15%)       1       1       1         Construction Cost       1       1       1         NC-DOT Participation       70%       1       1	(Cost Share)         Description       Quantity       Units       Price         4" Concrete Sidewalk       1,020       SY       \$ 50.00       \$         4" Concrete Sidewalk       1,020       SY       \$ 50.00       \$         Mobilization (5 %)       1       LS       \$         Contract Cost       5       \$       \$         E. & C. Cost (15%)       \$       \$       \$         NC-DOT Participation       70%       \$       \$



Watershed Yes (Falls Lake) City Limits No

## AGENDA ITEM #4B

Zoning – West Ten Road (Request Amended to M-2(CD))

#### Presenter

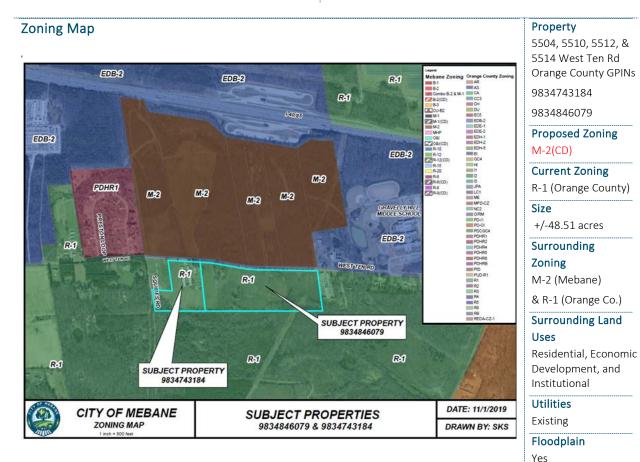
Cy Stober, Development Director

#### Applicant

MRE MNC, LLC 23623 N. Scottsdale Road, Suite D-3250 Scottsdale, AZ 85255

#### **Public Hearing**

Yes 🗵 No 🗆



#### Summary

At the December 2, 2019, Mebane City Council meeting, MRE MNC, LLC, requested approval to establish M-2 (Light Manufacturing) on two properties it owns with a total area of +/-48.51 ac, at 5504, 5510, 5512, & 5514 West Ten Road, located outside of the Extra-Territorial Jurisdiction (ETJ) in Orange County. At that public hearing, neighboring residents and the City Council expressed concerns about the broad variety of uses permitted in a M-2 zoning district. The applicant offered to amend the request to a conditional zoning request to restrict the number of uses and conduct an appraisal of the zoning request to determine what the impacts upon surrounding property values may be. The applicant is providing those relevant documents and may speak to the conditions being offered. The properties lie outside the geographic scope of the City's adopted Comprehensive Land Development Plan (CLP) *Mebane By Design*, providing staff with no guidance regarding the consistency of the request with the CLP or other plans adopted by the City.

The properties lie outside the City of Mebane's ETJ and will require annexation in order for action to be taken by the City Council.

Financial Impact

N/A

#### Recommendation

The Mebane Planning Board voted 7-0 to recommend zoning the property as requested (M-2 (light Manufacturing)) at their November 12, 2019, meeting.

The Planning Staff has no recommendation regarding this request, due its location outside the geographic scope of the City's adopted Comprehensive Land Development Plan *Mebane By Design*.

#### Suggested Motion

- 1. Motion to <u>approve</u> the M-2(CD) zoning as presented.
- Motion to find that <u>the application is consistent</u> with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design <u>but</u>* is beyond the geographic scope of the adopted plan. The request:
  - □ Serves Mebane CLP Growth Management Goal 1.7 through the support [*of*] industrial development at existing industrial parks near I-40/85 (pp.17, 59 & 82); and
  - □ Is for a property adjacent to the City's G-2 Industrial Primary (V) Growth Area "Part of BEDD and North of US-70", an "...area [*that*] is intended for more robust growth, primarily for light industrial purposes... [with] areas immediately outside of these corridors, though, [*that*] are rural residential lots... (Mebane CLP, p.72).

Therefore, the project will serve the City's economic development interests immediately outside of the City's industrial primary growth area and is not inconsistent with *Mebane By Design*. The plan is thereby amended to reflect this intention of Council, though it should be reflected in *Mebane By Design* through a planning effort to reevaluate the future land use and development potential of properties served by utilities that lie adjacent to Primary Growth Area V.

- 3. Motion to <u>deny</u> the M-2(CD) zoning as presented due to a lack of
  - Harmony with the surrounding zoning or land use

OR

• Consistency with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*.

#### Attachments

- 1. Zoning Amendment Applications
- 2. Zoning Map
- 3. Planning Project Report
- 4. Conditional Zoning Request Letter from MRE MNC, LLC
- 5. Appraisal Findings Regarding M-2(CD) Properties Adjacent to Residentially-Used and -Zoned Properties



### APPLICATION FOR A ZONING AMENDMENT

Application is hereby made for an amendment to the Mebane Zoning Ordinance as follows:
Name of Applicant: MRE MNC, LLC, a North Carolina limited liability company
Address of Applicant: 23623 N. Scottsdale Road, Suite D-3250 Scottsdale, AZ 85255
Address and brief description of property to be rezoned: 5414 West Ten Road
Approximately 34.37 acres south of West Ten Road PIN9834846079
Applicant's interest in property: (Owned, leased or otherwise) <u>Owned</u>
*Do you have any conflicts of interest with: Elected/Appointed Officials, Staff, etc.?
Yes Explain: No X
Type of re-zoning requested: M-2
Sketch attached: Yes X No
Reason for the requested re-zoning: To allow for future industrial development
Signed: <u>Amalla</u>
Date: 10-31-19
Action by Planning Board:
Public Hearing Date:Action:
Zoning Map Corrected:

The following items should be included with the application for rezoning when it is returned:

- 1. Tax Map showing the area that is to be considered for rezoning.
- 2. Names and addresses of all adjoining property owners within a 300' radius (Include those that are across the street).
- 3. \$300.00 Fee to cover administrative costs.
- 4. The information is due 15 working days prior to the Planning Board meeting. The Planning Board meets the 2<sup>nd</sup> Monday of each month at 6:30 p.m. Then the request goes to the City Council for a Public Hearing the following month. The City Council meets the 1<sup>st</sup> Monday of each month at 6:00 p.m.



### APPLICATION FOR A ZONING AMENDMENT

Application is hereby made for an amendment to the Mebane Zoning Ordinance as follows:

Name of Applicant: MRE MNC, LLC, a North Carolina limited liability company

Address of Applicant: <u>23623 N. Scottsdale Road, Suite D-3250 Scottsdale, AZ 85255</u> Address and brief description of property to be rezoned: <u>N/S 1144</u>

Approximately 14.14 acres south of West Ten Road PIN 9834743184

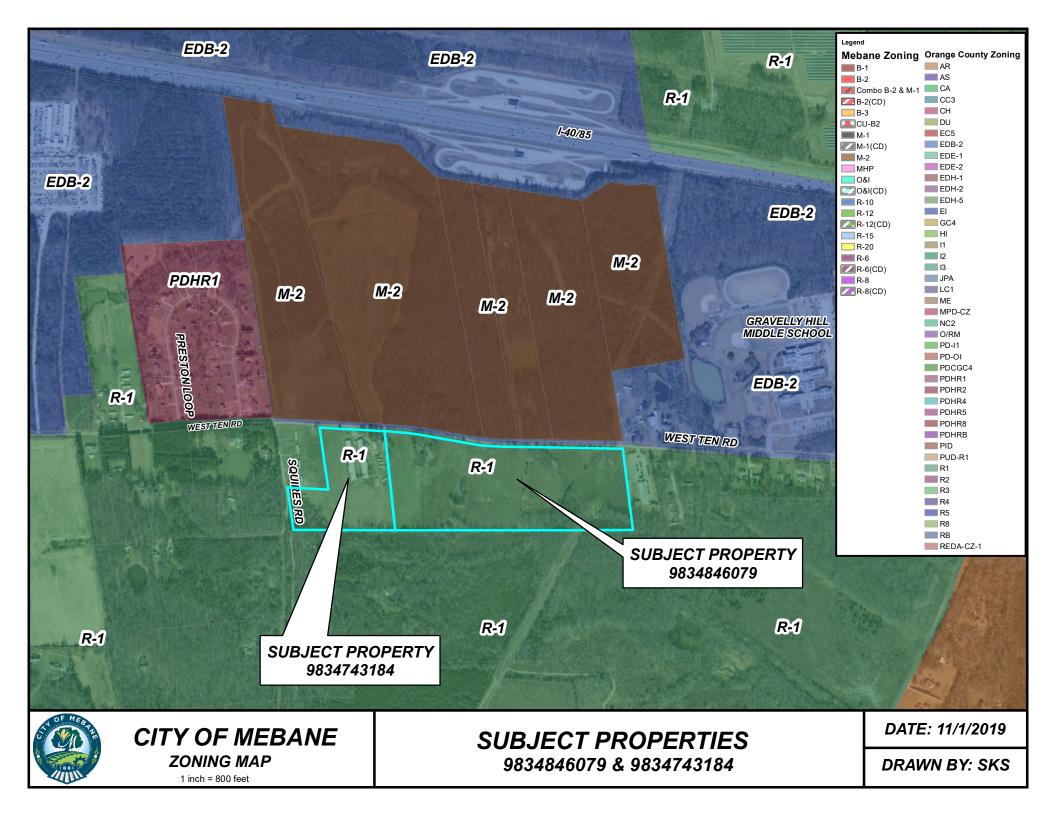
Applicant's interest in property: (Owned, leased or otherwise) Owned

\*Do you have any conflicts of interest with: Elected/Appointed Officials, Staff, etc.?

Yes Explain:			No	<u>X</u>
Type of re-zoning requested: <u>M-2</u>				
Sketch attached: Yes <u>X</u>	No			
Reason for the requested re-zoning: $\underline{T}$	o allow for fu	ture industrial develo	pment	
	Signed:	Danalle	to	
	Date:	10-31-19		
Action by Planning Board:			1999 - 2018	
Public Hearing Date:	Action:			
Zoning Map Corrected:				

The following items should be included with the application for rezoning when it is returned:

- 1. Tax Map showing the area that is to be considered for rezoning.
- 2. Names and addresses of all adjoining property owners within a 300' radius (Include those that are across the street).
- 3. \$300.00 Fee to cover administrative costs.
- 4. The information is due 15 working days prior to the Planning Board meeting. The Planning Board meets the 2<sup>nd</sup> Monday of each month at 6:30 p.m. Then the request goes to the City Council for a Public Hearing the following month. The City Council meets the 1<sup>st</sup> Monday of each month at 6:00 p.m.





# PLANNING PROJECT REPORT

DATE	11/04/19
PROJECT NAME	South West Ten Road Zoning
	MRE MNC, LCC
	23623 N. Scottsdale Road,
APPLICANTS	Suite D-3250
	Scottsdale, AZ
	85255

# CONTENTS

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STAFF ZONING REQUEST RECOMMENDATION	PAGE 8
STAFF SPECIAL USE PERMIT CONSISTENCY FINDINGS	PAGE 8



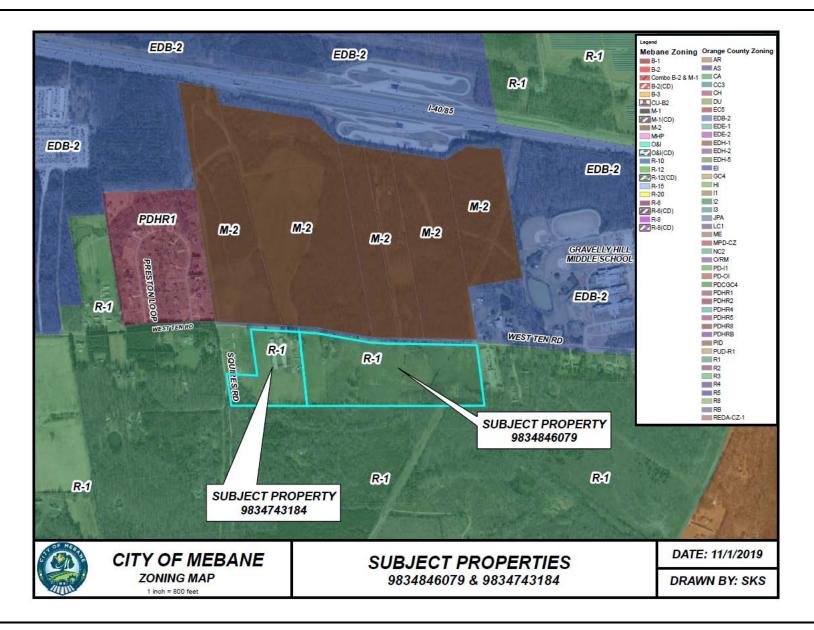
### **ZONING REPORT**

EXISTING ZONE	R-1 (Rural Residential – Orange County zoning)
REQUESTED ACTION	Zoning to M-2
CONDITIONAL ZONE?	TYES INO
CURRENT LAND USE	Vacant, Agriculture
PARCEL SIZE	+/-48.51 ac total: +/-34.37 ac, +/-14.14 ac
PROPERTY OWNERS	MRE MNC, LCC 23623 N. Scottsdale Road, Suite D-3250 Scottsdale, AZ 85255 GPIN 9834743184 GPIN 9834846079
LEGAL DESCRIPTION	Two parcels totaling +/-48.51 ac fronting West Ten Road are petitioning the City of Mebane for annexation and requesting municipal zoning to the City's M-2 (Light Manufacturing) district. It is currently zoned R-1 (Rural Residential), per the Orange County Unified Development Ordinance (UDO).
AREA ZONING & DISTRICTS	<ul> <li>With the exception of the properties north of West Ten Road, all immediately surrounding zoning are within Orange County's planning and zoning jurisdiction.</li> <li>Nearly all properties south of West Ten Road are zoned R-1 (Rural Residential), which is intended to "provide locations for rural non-farm residential development, at very low intensities, in areas where the short and long-term solutions to domestic water supply and sewage disposal shall be individual wells and ground absorption system", with a 40,000 square-foot minimum lot size, unless open space is dedicated for permanent protection. The properties north of the subject properties were recently annexed into the City's limits and zoned M-2 by the City Council, with municipal water and sewer service to support the long-range economic development goals of the Buckhorn Economic Development District.</li> </ul>
SITE HISTORY	Properties historically vacant or used for agriculture.



STAFF ANALYSIS						
CITY LIMITS?	□YES INO – Requires annexation for City action					
PROPOSED USE BY-RIGHT?	□YES □NO – N/A					
SPECIAL USE?	TYES XNO					
EXISTING UTILITIES?	⊠YES □NO					
POTENTIAL IMPACT OF PROPOSED ZONE	The potential developer is requesting a M-2 zoning for the properties. The properties are outside the BEDD, as designated by Orange County. Granting this zoning request will introduce a heavy commercial and/or light industrial presence in a rural residential area, though it will match much of the zoning north of West Ten Road, which is within the BEDD. The two properties are beyond the scope of <i>Mebane By Design</i> Future Growth Area, providing staff with no guidance on whether or not the request serves the defined goals found in <i>Mebane By Design</i> . Should this zoning request be granted, it presents a model for municipal utility use south of West Ten Road, which is not currently a goal of the utility agreement between Orange County and the City of Mebane. A planning study of future land use for the potential utility service area could identify similar properties that could be zoned for non-residential purposes and best support the economic development use of the available utilities.					

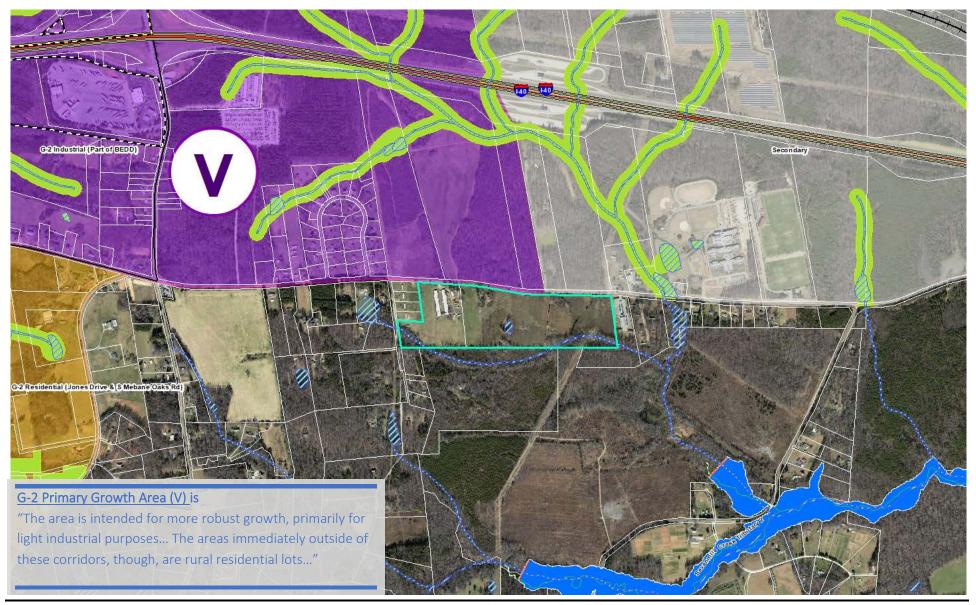






EXISTING LAND USE	Vacant, Agriculture
PROPOSED LAND USE & REQUESTED ACTION	Two properties totaling +/-48.51 ac fronting West Ten Road are requesting annexation and zoning to M-2 ("Light Manufacturing"). They are currently under the jurisdiction of Orange County and zoned R-1 ("Rural Residential"). No specific land use is proposed at this time.
PROPOSED ZONING	M-2
PARCEL SIZE	+/-48.51 ac total: +/-34.37 ac, +/-14.14 ac
AREA LAND USE	The properties immediately to the west are mobile home residences on +/- 1-ac lots. The properties to the east are owned by the Faith Baptist Church, and are the location of the church and several mobile homes. The two properties to the south are large wooded lots. The properties north, across West Ten Road, are proposed for a 1.2-million square-foot distribution center for Medline. The 1-ac lot residential subdivision Preston Loop is immediately to the northwest and Gravelly Hill Middle School is immediately to the northeast.
ONSITE AMENITIES & DEDICATIONS	No use is proposed at this time but any utility extensions and ROW and easement dedications will be private development responsibilities.
WAIVER REQUESTED	TYES INO
DESCRIPTION OF REQUESTED WAIVER(S)	
CONS	ISTENCY WITH MEBANE BY DESIGN STRATEGY
LAND USE GROWTH STRATEGY DESIGNATION(S)	Property is beyond the geographic scope of the Future Growth Area delineated in <i>Mebane By Design</i> but is adjacent to the G-2 Industrial Primary (V) Growth Area "Part of BEDD and North of US-70".
OTHER LAND USE CONSIDERATIONS	Upper Eno River Protected Watershed II The Falls Reservoir Water Supply Nutrient Strategy
MEBANE BY DESIGN GOALS & OBJECTIVES SUPPORTED	GROWTH MANAGEMENT 1.7 Continue to support industrial development at existing industrial parks near I-40/85.
MEBANE BY DESIGN GOALS & OBJECTIVES <u>NOT</u> SUPPORTED	







### UTILITIES REPORT

AVAILABLE UTILITIES	⊠YES □NO
PROPOSED UTILITY NEEDS	The water and sewer utility lines are present and available along West Ten Road. Any improvements will be made and paid for by a developer.
UTILITIES PROVIDED BY APPLICANT	N/A
MUNICIPAL CAPACITY TO ABSORB PROJECT	N/A
CONSISTENCY WITH MEBANE LONG RANGE UTILITY PLAN?	□YES □NO N/A
ADEQUATE STORMWATER CONTROL?	□YES □NO N/A
INNOVATIVE STORMWATER MANAGEMENT?	☑YES □NO Nutrient management controls complying with the Falls Lake Nutrient Strategy will be required
IT	RANSPORTATION NETWORK STATUS
CURRENT CONDITIONS	West Ten Road is a NCDOT major thoroughfare that hosts 1,700 average daily trips. It has a Level Of Service C. It directly intersects with Buckhorn Road, which is approximately 0.5 miles from the Interstate 40/85 interchange. As part of the incentives package provided to Medline by the State of North Carolina, the Department of Transportation will provide \$1 million in road improvements on West Ten Road, including at the intersection with Buckhorn Road.
TRAFFIC IMPACT ANALYSIS REQUIRED?	□YES ⊠NO
DESCRIPTION OR RECOMMENDED IMPROVEMENTS	N/A
CONSISTENCY WITH THE MEBANE BICYCLE AND PEDESTRIAN TRANSPORTATION PLAN?	□YES □NO
MULTIMODAL IMPROVEMENTS PROVIDED BY APPLICANT?	□YES □NO
DESCRIPTION OF MULTIMODAL IMPROVEMENTS	N/A



### 

STAFF ZONING RECOMMENDATION	APPROVE DISAPPROVE					
STAFF SPECIAL USE FINDING	CONSISTENT NOT CONSISTENTWITH MEBANE BY DESIGN					
RATIONALE	The proposed development "South West Ten Road Zoning" lies outside the geographic scope of the Future Growth Area delineated within <i>Mebane E</i> <i>Design</i> , the Mebane Comprehensive Land Development Plan. Therefore, staff has no guidance from the relevant adopted plans regarding this request and cannot recommend a statement of consistency, nor a recommendation regarding the rezoning request, to the City Council. The project is consistent with Growth Management Goal 1.7 in <i>Mebane By</i> <i>Design</i> and will be consistent with the delineated industrial primary grow area immediately to its north.					
	PUBLIC INTEREST CONFORMANCE?					
ENDANGER PUBLIC HEALTH OR SAFETY?	TYES NO					
SUBSTANTIALLY INJURE THE VALUE OF ADJOINING OR ABUTTING PROPERTY?	■YES ■NO					
HARMONIOUS WITH THE AREA IN WHICH IT IS LOCATED?	TYES NO					
CONSISTENT WITH <i>MEBANE BY DESIGN</i> , THE MUNICIPAL COMPREHENSIVE LAND DEVELOPMENT PLAN?	<ul> <li>The application is consistent with the objectives and policies for growth and development contained in the City of Mebane Comprehensive Land Development Plan, <i>Mebane By Design</i>, and, as such, has been recommended for approval.</li> <li>The application is not fully consistent with the objectives and policies for growth and development of the City of Mebane Comprehensive Land Development Plan, <i>Mebane By Design</i>, but is otherwise in the public interest and has been recommended for approval. The Comprehensive Land Development Plan must be amended to reflect this approval and ensure consistency for the City of Mebane's long-range planning objectives and policies.</li> <li>The application is not consistent with the objectives and policies for growth and development of the City of Mebane Comprehensive Land Development Plan, <i>Mebane By Design</i>, and, as such, has been recommended for approval.</li> </ul>					



December 31, 2019

### RE: Conditions Offered to the City of Mebane for the "South West Ten" Zoning Request

Mebane City Council members,

Medline looks forward to being a part of the growing Mebane community, both with its warehousing and distribution site and, hopefully, with the Light Manufacturing zoning request being granted for the two properties south of that site. At the December 2, 2019, public hearing for this request, the public and Council expressed concerns regarding the broad variety of uses permitted in a M-2 zoning district. In response to those concerns, particularly about negative impacts to surrounding properties from noise, light, or vapor or exhaust emissions, MRE MNC, LLC, ("Medline"), is offering to restrict the properties to the following uses:

- Accessory Uses and Structures (customary)
- Apparel and Finish Fabric Products
- Bakery Products
- Beverage Products
- Bulk Mail and Packaging
- Cabinet and Woodworking Shops
- Communication Tower Under 50' in Height
- Computer and Office Equipment
- Courier Service
- Dairy Products
- Drugs and Pharmaceuticals
- Fence, Wall
- Food Preparation and Related Products, Miscellaneous
- Office Supplies and Equipment
- Outside Storage
- Public Works and Public Utility Facilities Essential to the Immediate Area
- Research, Development or Testing Services
- Signs
- Solar Farms
- Small Wireless Facility
- Temporary Portable Storage Containers
- Temporary Construction, Storage or Office
- Warehouse (general storage, enclosed)
- Warehouse (self-storage)



Medline feels that these uses shall have little to no impact(s) upon surrounding properties, particularly regarding the noise and pollution concerns spoken about at the public hearing. Medline is also requesting that Council allow staff to approve any submitted plans that comply with the design and development standards required in the City of Mebane Unified Development Ordinance.

Medline looks forward to continuing what is already a good relationship with the City of Mebane. We hope that these offered conditions will be taken as good faith by the City and the area's residents to that end.

Sincerely,

Dmitry Dukhan Vice President of Real Estate Operations



Richard C. Kirkland, Jr., MAI 9408 Northfield Court Raleigh, North Carolina 27603 Phone (919) 414-8142 <u>rkirkland2@gmail.com</u> www.kirklandappraisals.com

December 13, 2019

Mr. Austin Watts, Kimley - Horn 200 S Tryon Street, Ste 200 Charlotte, NC 28202

Mr. Watts:

I have considered the likely impact of the proposed zoning change from AG to M-2 located along West Ten Road, Mebane, North Carolina.

The scope of this assignment is to address the likely impact this may have on adjoining properties. To this end I have reviewed other M-2 zonings within Mebane and researched adjoining home sales next to these existing M-2 zoned properties. I have not been asked to assign any value to any specific property.

This letter is a limited report of a real property appraisal consulting assignment. My client is Kimley – Horn represented to me by Mr. Austin Watts. The intended use is to assist in the Special Use Permit application. The effective date of this consultation is December 13, 2019.

#### **Proposed Use Description**

The subject property is currently a 224.41-acre vacant parcel zoned Agricultural (Ag).

The proposed zoning will be M-2, light manufacturing. I spoke with Cy Stober, Development Director for Mebane, who indicated that the property would be limited in its uses after rezoning to maintain harmony with the neighborhood. He specifically mentioned that uses such as an animal shelter, or a recycling center would *not* be permitted as a condition to be brought before the board at in an effort to be courteous to existing neighbors.

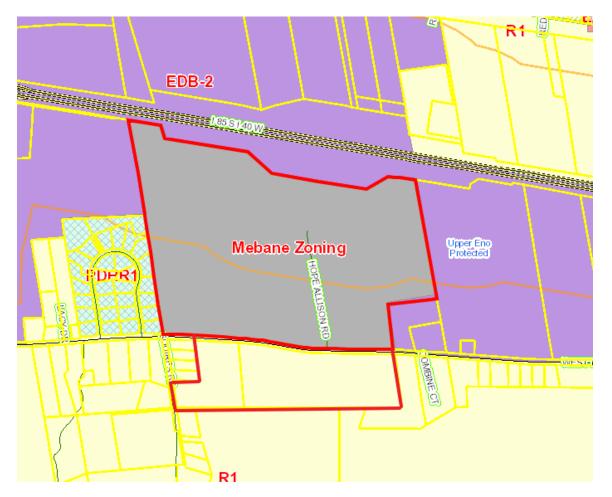
As shown on the breakdown of adjoining uses on the next page, most of the adjoining uses are residential and agricultural and some industrial uses. I considered the distance from the property line to each of the adjoining buildings. I have used these measurements as a unit of comparison for other residential uses adjoining M-2 zoning in the Mebane zoning jurisdiction.



As can be seen from the aerial photo, the uses around the property are predominately residential with a flea market to the west and a school to the east. The dwellings to the southeast are 85 feet from the property line of the subject property.

The dwellings to the southwest are 30 feet from the property line of the subject property at the closest point.

The dwellings to the west are 55 feet from the property line of the subject property at the closest point.



The zoning map above shows that to the north, east and west are Economic Development Buckhorn Higher Intensity, which is intended for commercial and industrial growth. A portion of the subject and the areas to the west and south are zoned for residential use.

#### Market Data – Area Specific

I have considered the proximity of the nearby homes to other nearby M-2 zoned parcels.

#### **Ben Wilson Road**



The portions outlined in red are zoned M-2. Mr. Cy Stober with Mebane planning indicated there has been no recent rezonings to M-2 and existing M-2 zoning has been so zoned for nearly two decades. These parcels are adjacent to Collington Farms Subdivision to the west. I have identified two sales adjoining the M-2 parcel and have found other homes within Collington Farms Subdivision to compare them to. These matched pairs indicate no significant impact for adjacency to an M-2 parcel.

The first chart shows the adjoining parcel identified as 14 that sold and 4 similar properties that sold in order to compare. I have adjusted the sales prices in the second chart. I adjusted by 2% per year, \$5,000 per bathroom and for the difference in living area.

#### **Matched** Pairs

	TAX ID	Grantor	Grantee	Acres	Date Sold	Price
14	9824357642	Lloyd	Brown	0.2	5/1/2019	\$200,000
<b>MP Below</b>						
210 Collington	9824353629	Mountain	Wanke	0.14	7/11/2017	\$177,000
210 Collington	9824353629	Wanke	Pierce	0.14	12/21/2018	\$197,500
208 Collington	9824353770	Khunsri	Munoz	0.14	11/19/2019	\$190,000
202 Collington	9824355723	Holliday	Wilson	0.14	7/25/2018	\$206,000

	Date	Garage	Bathroom	GLA	
Adj 14	-	2 Car	-	-	\$137.55
210 Colli	4%	0%	-3%	9%	\$116.58
210 Colli	1%	0%	-3%	9%	\$126.90
208 Colli	-1%	0%	-3%	15%	\$114.17
202 Colli	2%	0%	-2%	21%	\$118.94

The first chart below shows the adjoining parcel identified as 11 that sold and 3 similar properties that sold in order to compare. I have adjusted the sales prices in the second chart. I adjusted by 2% per year, \$5,000 per bathroom and for the difference in living area.

<b>Matched Pairs</b>							
	TAX ID	Grantor	Gı	antee	Acres	Date Sold	Price
11	9824357464	Lee		Elliott	0.21	8/29/2017	\$233,000
MP Below							
200 Collington	9824355774	Bichsel		Manuel	0.15	11/20/2018	\$222,000
105 Crawley	9824353820	James		Pulver	0.32	5/22/2017	\$190,000
100 Crawley	9824351967	Abata		Romero	0.25	5/18/2018	\$220,000
104 Crawley	9824351822	Nazworth	h	Olivares	0.19	2/14/2017	\$205,000
	Dat	e Ga	rage	YB	GLA		
Ad	j 11	-	2 Car	-	-	\$88.9	0
200	) Colli	-2%	0%	2%	-7%	\$86.8	2
105	5 Crawl	0%	0%	3%	-9%	\$76.6	7
100	O Crawl	-1%	0%	2%	0%	\$85.0	4
104	4 Crawl	1%	0%	2%	1%	\$80.4	4

For both of these, the price per s.f. after adjusting is similar to the other homes within Collington Farms Subdivision. I consider this support for no impact to adjoining residential uses.

#### **S** Third Street



The portions outlined in blue are zoned M-2. In addition, adjoining use 1 and 30 are also M-2 zoned. These parcels are adjacent to Governors Green Subdivision to the east. I have identified five sales adjoining the M-2 parcel. One of these is adjoining parcel 27 to the south. This is an older home and I have not attempted to identify any matched pairs from this. Adjoining parcel 2 sold within Governors Green Subdivision, however it is a much more recent construction than the other homes in Governors Green and I have not attempted to identify and matched pairs from this sale. Adjoining parcels 9, 15 and 18 sold and I have compared these to other similar home sales within Governors Green Subdivision, this is shown below. These matched pairs indicate no significant impact for adjacency to an M-2 parcel.

The first chart shows the adjoining parcel identified as 9, 15 and 18 that sold and 4 similar properties that sold in order to compare. I have adjusted the sales prices in the second chart specifically for adjoining parcels 9 and 18 as they sold in a very similar time frame. I have included a third chart showing the adjustments for adjoining parcel 15. I adjusted by 2% per year, \$5,000 per bathroom and for the difference in living area.

#### **Matched** Pairs

	TAX ID	Grantor	Grantee	Acres	Date Sold	Price
9	170206	Kilgore	Height	0.24	8/22/2016	\$220,000
15	170215	Johnson	Hoover	0.38	10/16/2015	\$204,000
18	170218	Dupont	Perry	0.74	11/1/2016	\$210,000
MP Below						
1109 Torrey Pin	es 170219	Bruce	Obie	0.32	6/28/2017	\$211,000
1202 Castle Pir	ie: 160544	Herpel	Eynon	0.29	1/26/2017	\$213,000
1202 Olympic	160566	Laureano	Schild	0.31	10/28/2015	\$213,000
1112 Montreu	x 160572	Whitehead	Macomson	0.4	9/13/2017	\$210,000

	Date	Garage	Bathroom	GLA	
Adj 9	-	2 Car	-	-	\$80.15
Adj 18	-	2 Car	-	-	\$76.50
1109 Torr	-1%	0%	5%	-12%	\$82.64
1202 Castl	0%	0%	0%	-15%	\$80.09
1202 Olym	2%	0%	5%	-21%	\$86.45
1112 Mont	-2%	0%	0%	0%	\$74.84

	Date	Garage	Bathroom	GLA	
Adj 15	-	2 Car	-	-	\$74.32
1109 Torr	-3%	0%	5%	-12%	\$80.83
1202 Castl	-2%	0%	0%	-15%	\$78.20
1202 Olym	0%	0%	5%	-21%	\$84.43
1112 Mont	-2%	0%	0%	0%	\$74.84

Adjoining sales 9 and 18 are within the typical range of the other nearby sales after adjustments. Adjoining sale 15 is just below the low end of the range. I consider this to be within typical market friction and indicate no significant impact on adjoining property values.

#### Conclusion

The proposed zoning is consistent with the area and is from talks with the Cy Stober with Mebane, will remain consistent with the area through limited potential uses post rezoning. The matched pairs indicate no significant impact to adjoining property values. Adjacency to M-2 zoning appears to not be a significant factor in purchase price for homes within the same subdivision and I consider this strong support for the proposed rezoning to have no negative impact on the adjoining properties.

Furthermore, the surrounding zoning to the north, east and west is primarily zoned Economic Development Buckhorn Higher Intensity, which is intended for commercial and industrial growth. This is a natural addition to that area along the north side of West Ten Road with the homes on Preston Loop and Lacy Drive being the only residential uses north of West Ten Road in that area. This area is therefore already impacted by surrounding similar zoning to M-2.

I therefore conclude that the proposed project is harmonious with the location and surrounding uses and further that it will have no negative impact on those adjoining properties.

If you have any further questions please call me any time.

Sincerely,

Bill Child Jr

Richard C. Kirkland, Jr., MAI State Certified General Appraiser

Nicholas & Kithland

Nicholas D. Kirkland Trainee Appraiser



#### Certification – Richard C. Kirkland, Jr., MAI

I certify that, to the best of my knowledge and belief:

- 1. The statements of fact contained in this report are true and correct;
- 2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions;
- 3. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved;
- 4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
- 5. My engagement in this assignment was not contingent upon developing or reporting predetermined results;
- 6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of the appraisal;
- 7. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute;
- 8. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- 9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;
- 10. I have not made a personal inspection of the property that is the subject of this report, and;
- 11. No one provided significant real property appraisal assistance to the person signing this certification.
- 12. As of the date of this report I have completed the requirements of the continuing education program of the Appraisal Institute;
- 13. I have not completed any appraisal or appraisal related work on this tract within the last three years.

Disclosure of the contents of this appraisal report is governed by the bylaws and regulations of the Appraisal Institute and the National Association of Realtors.

Neither all nor any part of the contents of this appraisal report shall be disseminated to the public through advertising media, public relations media, news media, or any other public means of communications without the prior written consent and approval of the undersigned.

Bille Child fr

Richard C. Kirkland, Jr., MAI State Certified General Appraiser

cholas D Kirbland

Nicholas D. Kirkland Trainee Appraiser





Agenda It			Meeting Date January 6, 2020
2018-19 I and Audit	Financial	Statements	Presenter         Jeanne Tate, Finance Director         Patricia Rhodes, Stout Stuart McGowen & King         LLP         Public Hearing         Yes □ No ⊠

#### Summary

The Finance Officer and City auditors will present the financial statements and audit for the previous fiscal year.

#### Background

As required by General Statute §159-34, each year the City undergoes an independent audit of the financial records. In accordance with recommended best practices, the City employs two audit teams - Cobb Ezekiel & Loy continued to assist with the preparation of financial statements, and Stout Stuart McGowen & King performed the required audit of the statements. The City received an unmodified or "clean" audit opinion for the 2018-19 fiscal year.

The General Fund added \$1,194,284 to Fund Balance, with unassigned fund balance totaling \$9,098,856 at June 30. Tax collections were at 99.46%, and the tax base increased to \$2,181,876,039. The only new debt was for Police radios and vehicles. The increase in debt for these items was \$735,468, which nets with debt paid off for an overall reduction in General Fund debt of \$612,178.

The Utility Fund's net position increased by \$655,821, including contributed capital of \$226,820. The operating fund transferred \$583,000 to the WRRF Upgrade Project, \$500,000 to the Utility Capital Fund, and \$567,932 to the City Park Capital Project Fund for the extension of water and sewer lines to the park. The Utility Fund made \$744,542 in payments of existing debt in FY19 and had no new issuance in FY19.

#### Financial Impact None.

None.

#### Recommendation

Staff recommends acceptance of the report.

#### Suggested Motion

Motion to accept the report.

#### Attachments

1. Comprehensive Annual Financial Report for the Year Ended June 30, 2019

# City of Mebane

2018-19 COMPREHENSIVE ANNUAL FINANCIAL REPORT



### The Financial Statements

Comprehensive Annual Financial Report - CAFR

Prepared by Finance staff with assistance of Cobb Ezekiel Loy & Company

Audited by Stout, Stuart, Mcgowen & King, LLP

Governmental Funds	Proprietary Funds
General Fund	Utility Fund
Capital Funds	Capital Funds
City Park Project	WRRF Plant Upgrade
Grant Funds	
CDBG Mebane Mills Loft	
Impact Alamance Grant	

### General Fund Summary

- Revenues exceeded budget by \$708,336
- Expenditures under budget by \$2,680,908, with \$646,417 carried forward to new year
- Transferred \$1,500,000 to the Capital Improvements Fund
- Added \$1,194,284 to Fund Balance

### General Fund Revenues 2018-19

### General Fund Revenues

**Property Taxes** 

Tax Base = \$2,181,876,039 Collections of \$10,413,402 = 5.7% growth Collection rate of 99.46% Tax collection fees \$75,131

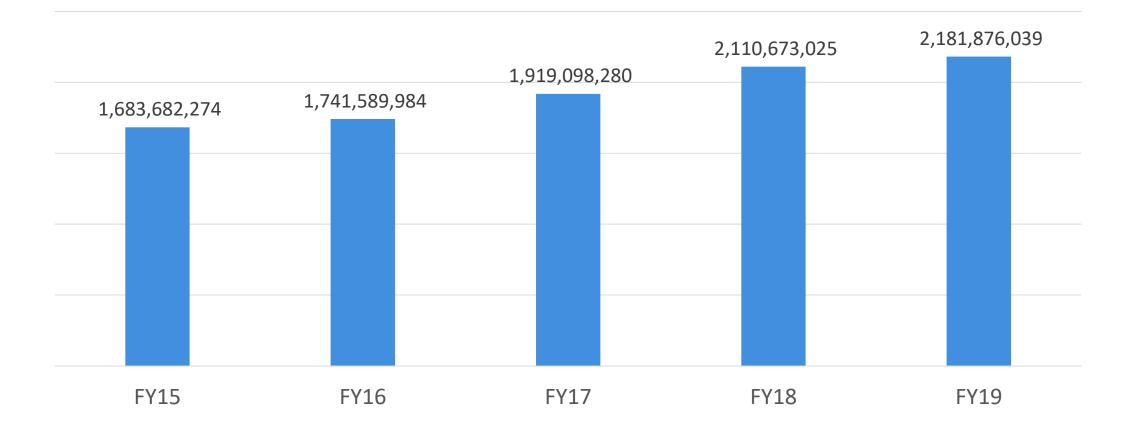
Sales Taxes – 8.4% increase over prior year

Intergovernmental includes:

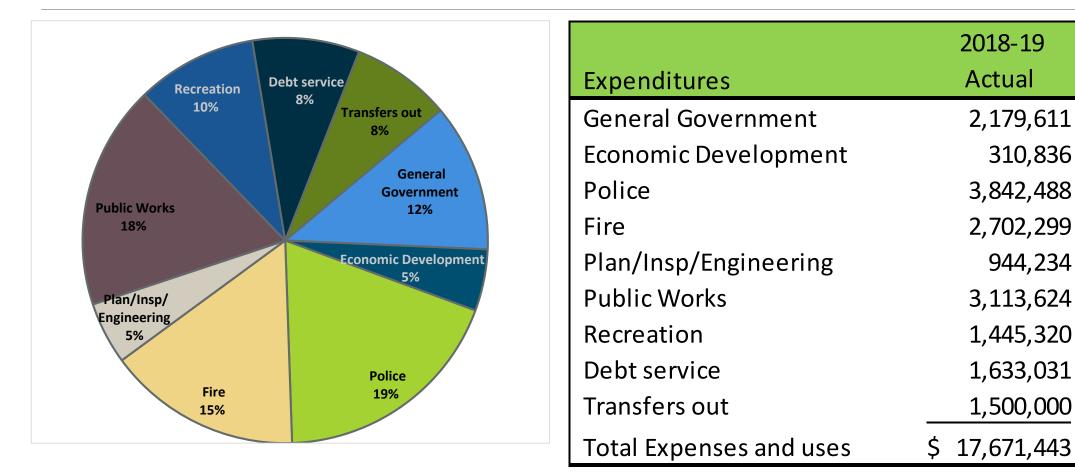
Utility Taxes \$1,169,399 Incentive-related Tax Sharing \$198,593 Powell Bill \$351,935 Federal Equitable Sharing \$82,049



### Assessed Value, net of exemptions



### General Fund Expenses and Transfers



### General Fund Capital Outlay

Police Vehicles \$170,154

Car Cameras \$25,100

Fire Brush Truck \$88,438

Amphitheater \$23,117

Mowers for new Park \$21,789

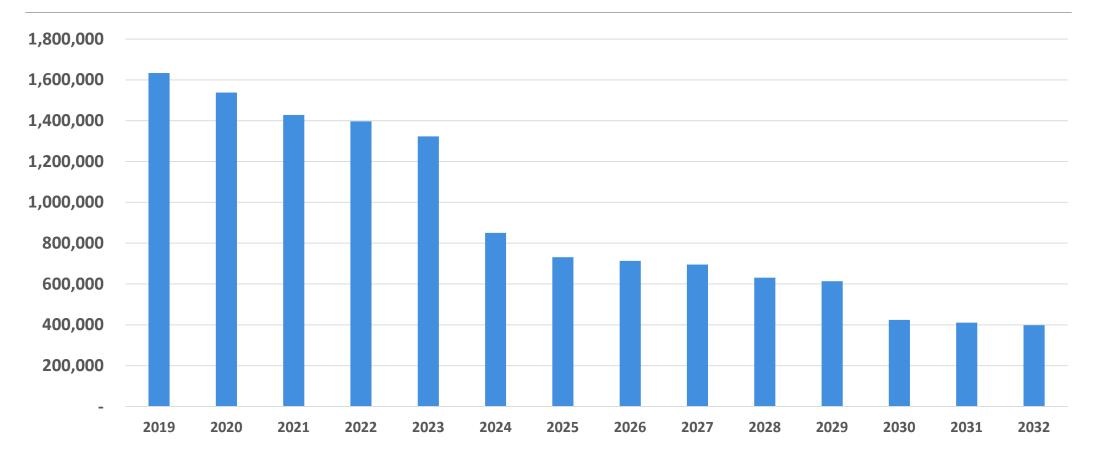
Police Smartboard and copier \$20,913 FY19 Spent on CIP projects: Financial System \$23,325 City Park \$3,005,702

### Other General Funds

Capital Fund	
Revenues	
Impact Alamance Grant	\$ 250,000
Transfer from General Fund	 1,500,000
Total Available	\$ 1,750,000
Expenses	
Police Radios	469,430
Sidewalk Construction	151,536
CIP - Art	4,270
CIP - Cates Farm Park	 2,640
Total Expenses	\$ 627,876
Net Surplus	\$ 1,122,124

Grant Funds	
Revenues	
Balance - Impact Ala Holt St	\$ 19,138
CDBG - Mebane Mills Loft	14,554
Total Revenues	\$ 33,692
Expenses	
Park Playground	19,138
CDBG Expenses	-
Total Expenses	\$ 19,138
Net Surplus	\$ 14,554

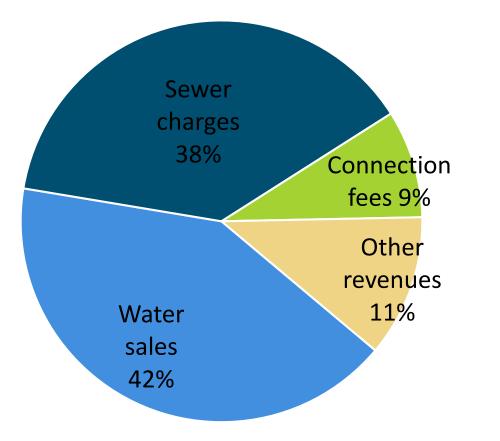
### General Fund Debt Payments – Next 14 Yrs



## Utility Fund Summary

- Revenues under expenses by \$1,399,552
- Transferred \$500,000 to capital fund
- Transferred \$567,932 to City Park Project
- Transferred \$583,000 to WRRF Upgrade Project
- Use of fund balance \$128,374
- \$226,820 in contributed capital

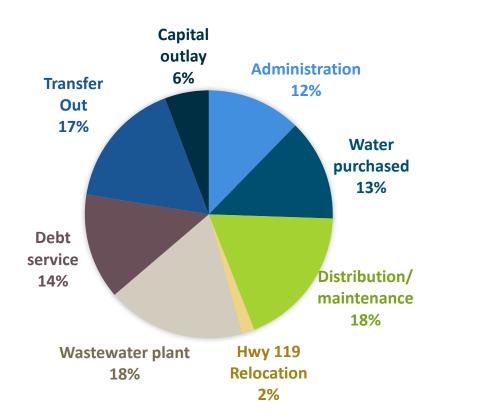
### Utility Fund Revenues



Water sales	\$ 2,848,670
Sewer charges	2,632,477
Connection fees	596,140
Other revenues	784,562
Total Sources of Funds	\$ 6,861,849

### Utility Fund Expenses

Expenses	2017-18
Administration	\$ 859,251
Water purchased	925,632
Distribution/maintenance	1,292,289
Hwy 119 Relocation	117,351
Wastewater plant	1,261,770
Debt service	965,719
Transfer Out	1,166,294
Capital outlay	401,917
Total Expenses	\$6,990,223

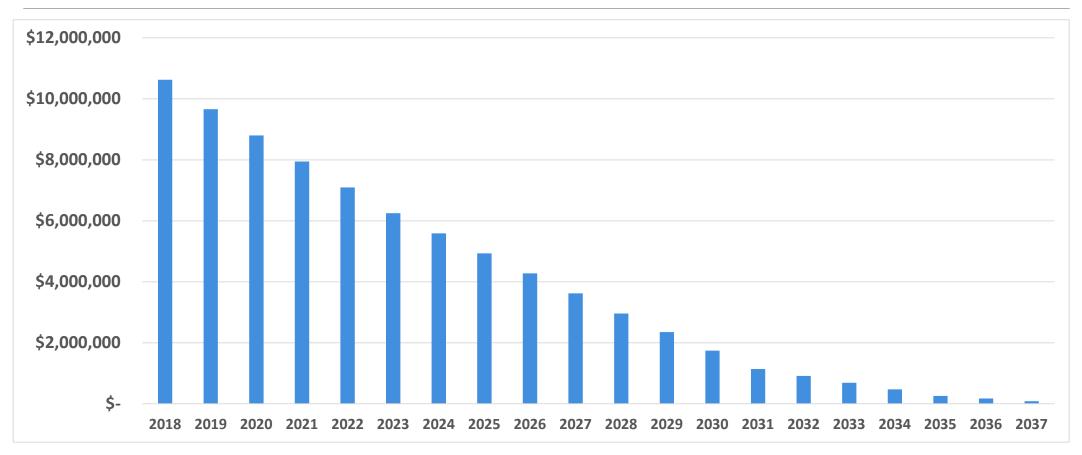


### Utility Fund Capital

Farrar Lane Pump Station \$315,175 Arrowhead Force Main \$249,533 SCADA at 14 pump stations \$125,500 Effluent Outfall \$399,466

Ongoing Meter Replacement Project - \$206,563

### Utility Fund Debt



### Other Funds

Capital Funds closed in June:

- White Furniture project
- WWTP Upgrade Phase II
- Walmart Utility Extensions
- Water Treatment Plant Upgrade

Other Funds carried forward to FY19:

- Mebane Mill Lofts Fund (remains open for collection of loan repayment) \$83,628 balance
- Impact Alamance (Holt St) Grant \$19,138 balance to be spent on City Park
- City Park Project Balance of \$3,157,987 at June 30, 2018

Governmental Funds

	.22,124
Capital Fund 1,1	
City Park Project (2	.37,310)
CDBG Fund	98,182
Total Governmental \$10,0	81,852

cte	d
\$	6,145,430
	891 <i>,</i> 488
_	583,000
\$	7,619,918

Enterprise Funds - Restricted Utility Capital Reserve \$ 586,608

# Fund Balance

### Thanks

Many thanks to my staff for their hard work on the financials while simultaneously implementing the new accounting system.

Karen Louis – Payroll, Budget and General Ledger

Misty Stewart – General Ledger and Budget

Dana Glenn – Utility Billing

Lauren Capps – Accounts Payable

Jan Woodruff – Utility and Customer Service

Special thanks to Ray Smith for IT help, and to the other department heads for their patience.



# AUDIT PRESENTATION TO THE CITY COUNCIL

For Year Ended June 30, 2019

January 6, 2020



## AUDIT HIGHLIGHTS

- Mebane's 9<sup>th</sup> Comprehensive Annual Financial Report (CAFR)
- Unmodified Opinion
- An Audit is:
  - $\rightarrow$  Consideration of the system used to capture financial data
  - $\rightarrow$  Consideration of the Internal Controls
  - → Testing of Internal Controls
- Internal Control No Findings



## **COMPARATIVE INFORMATION**

## A Comparison of Fund Balance to Similar Municipalities (based on most recently available statistics)

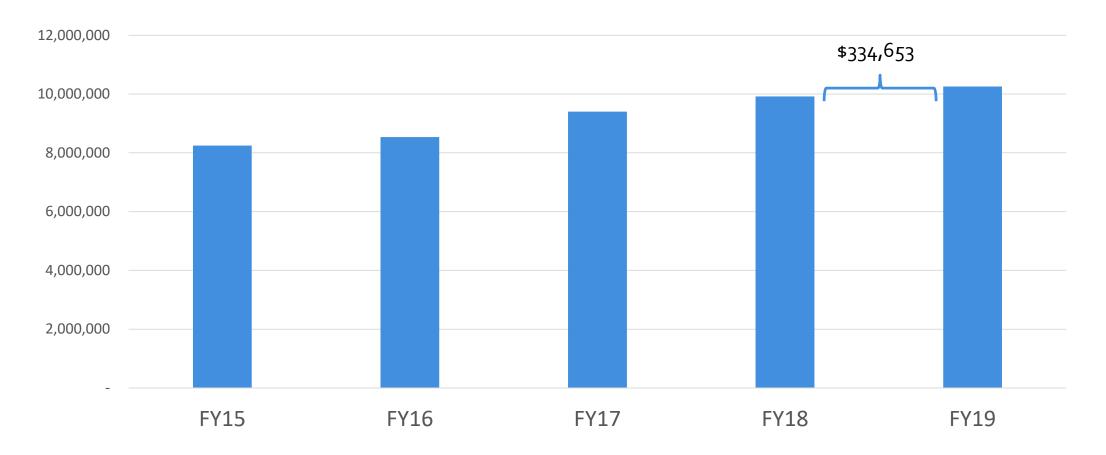
			% of General Fund Net	
		Unassigned Fund	Expenditures ed Fund to Fund	
	Population	Balance	Balance	
City of Mebane	15,198	9,098,856	63.30%	
Belmont	11,768	3,565,460	29.16%	
Elon	11,008	4,841,063	72.20%	
Graham	14,670	8,866,165	71,18%	
Fuquay Varina	25,932	18,452,852	61.60%	
Hillsborough	7,083	4,090,432	39,27%	



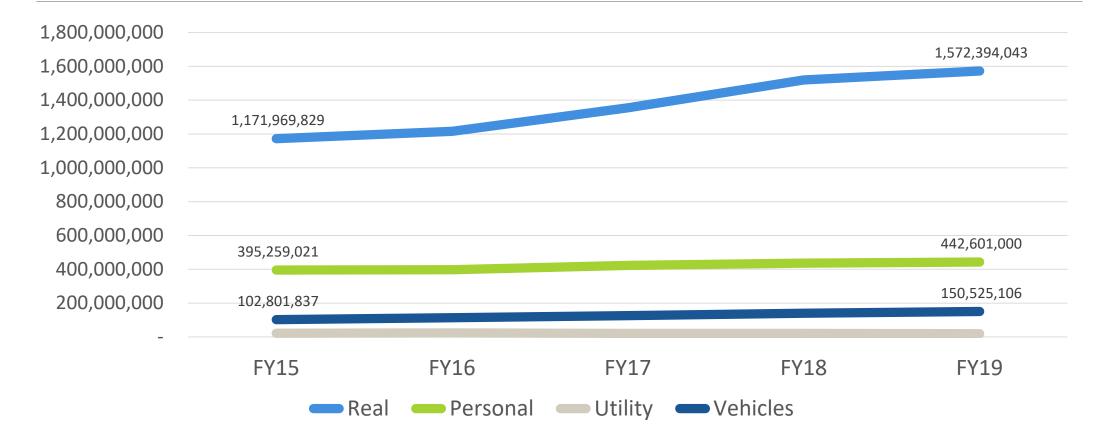
Thank You to the Mebane City Council, David Cheek, Jeanne Tate, and their staff



# Property Tax Levy



# Assessed Values





## AGENDA ITEM #7

Informational Item – Allowance of Truck & Utility Trailer Rental Businesses in B-2 (General Business) Districts

#### Presenter

Cy Stober, Development Director

Public Hearing Yes□ No⊠

#### Summary

FOR DISCUSSION ONLY

The City of Mebane has several property owners expressing interest in having permitted Truck and Utility Trailer Rental and Leasing businesses (e.g. U-Haul) on their properties. This use is not defined in the Mebane Unified Development Ordinance (UDO), nor are the other two uses listed in Table 4-1-1 (Table of Permitted Uses): Equipment Rental and Leasing (no outside storage) and Moving and Storage Service. Furthermore, the three uses are not regulated consistently, though they all are allowed by right in M-1 (Heavy Manufacturing) zoning districts. A request was made to the City Council to consider allowing these as a use in B-2 (General Business) zoning districts. Staff was directed to research how other communities regulate this use.

Many – if not most – communities do not have multiple uses that could fit the description of a U-Haul-type business, indicating that the City's UDO needs to be amended to eliminate one or more of these uses and/or define them in Article 12 in order to distinguish their differences. Many of these communities do not permit such businesses by-right in a General Business zoning district, opting instead to allow them in Industrial/Manufacturing or Highway Business zoning districts. The City does not have a Highway Business zoning district. The Towns of Holly Springs and Fuquay-Varina allow such businesses in their General Business zoning districts, provided it complies with all setback and development requirements (e.g. 3-ac minimum lot size), including architectural and landscaping compliance. The Town of Waxhaw has a very similar UDO to the City of Mebane's and allows "Truck and Utility Trailer Rental and Leasing" businesses as a "Conditional Use" in Light Industrial zoning districts and as a permitted use in Heavy Manufacturing zoning districts; and "Equipment Rental and Leasing (no outside storage)" as a permitted use in its Commercial zoning districts.

#### Financial Impact N/A

**Recommendation** N/A – for information only



### AGENDA ITEM #

Amendment to Pay Plan & Request for New IT Position

#### Presenter

David Cheek, City Manager Esther Bennett, HR Director

Public Hearing Yes □ No ⊠

#### Summary

In order to retain current employees, reduce turnover and improve recruiting for positions within the City, the following changes are recommended to the Position Classification and Pay Plan. Changes to the pay plan require Council approval.

#### Background

In 2014, the City conducted a market study and adopted a compensation plan that indicates the rates at which all the city's full-time positions are paid. This plan is adopted each year with the budget but is intended to be amended as needed to recognize changes in both the city's needs and in market rates for positions. Below is a summary of the proposed changes:

- Police Cadet is a part time position with no benefits that's used when we are sending a cadet through Basic Law Enforcement Training (BLET) at Alamance Community College.
- Utilities Location Technician is not a new position, but the rewrite and renaming of a Utilities Crew Leader position. Utility location has become this employee's full-time job.
- Information Technology Specialist is a proposed new position. This position is being created because of the workload in the IT Department as the City now has over 200 devices on the network compared to half that many 5 years ago. A more detailed justification of this request is attached.
- After reviewing Information Technology Director salaries across the State and interviewing six candidates for the IT Director position, we found that our salary classification needs to be advanced to a Grade 24 in order to remain competitive. A more detailed justification of this request is attached.
- We are also removing two positions from the pay plan that are no longer needed Telecommunicator and Tax Collector.

After a review of current positions and a study of prevailing labor markets for each classification, the City Manager recommends the changes to the City of Mebane Position Classification and Pay Plan listed below.

#### Financial Impact

There is no financial impact for the Police Cadet and Utilities Location Technician. The Information Technology Specialist would be funded from lapsed salaries and reduced IT contracted services and will have small impact on the current year budget depending on when we would get someone hired. The IT Director reclassification may or may not have a financial impact depending on the candidates we interview

during the hiring process. We had planned for an overlap of three months for the new position to shadow Ray Smith before he retires on February 1.

#### Recommendation

Staff recommends adoption of the amendment to the City of Mebane Position Classification and Pay Plan and the addition of the new IT Specialist.

#### **Suggested Motion**

Motion to adopt the resolution to amend the 2019-20 Position Classification and Pay Plan.

#### Attachments

- 1. Resolution to amend the 2019-20 Position Classification and Pay Plan
- 2. Request for IT Director Reclassification
- 3. Request for IT Specialist
- 4. Supporting Documentation
  - a. Police Cadet
  - b. Utilities Location Technician
  - c. IT Specialist



#### Resolution to Amend the 2019-20 Position Classification and Pay Plan:

The 2019-20 Position Classification and Pay Plan as adopted by City Council of the City of Mebane on June 3, 2019 is hereby amended as follows:

#### New positions added:

- Grade 7 Police Cadet (Part-time)
- Grade 10 Utilities Location Technician
- Grade 17 Information Technology Specialist

#### Former positions removed:

- Grade 8 Telecommunicator
- Grade 16 Tax Collector

#### Reclassification:

Grade 19 Information Technology Director to Grade 24

This the 2<sup>nd</sup> day of December 2019.

By: \_\_\_\_\_

By: \_\_\_\_\_

City Clerk City of Mebane, North Carolina Mayor City of Mebane, North Carolina

# Request to Reclassify IT Director from Grade 19 to Grade 24

January 2020 Regular City Council Meeting

#### Background

The City began advertising for a new IT Director in October and received six applications. After interviewing five candidates, we offered the job to our top candidate. He declined our offer at the top of the range. We offered the position to our second candidate who we hired at the top of the range. After one week in the position, she has resigned. Now, we have a critical need to move forward with hiring the new IT Director as soon as possible. I believe this is a critical situation and the changes suggested below will draw a greater number of qualified candidates and be able to assure them that they are going to have some assistance.

#### Request

I am requesting a reclassification of the IT Director position from Grade 19 (\$57,147-\$71,000-\$88,579) to Grade 24 (\$72,936-\$90,615-\$113,051). For perspective, Grade 24 is the same Grade as Assistant Police Chief, Parks & Recreation Director and Fire Chief.

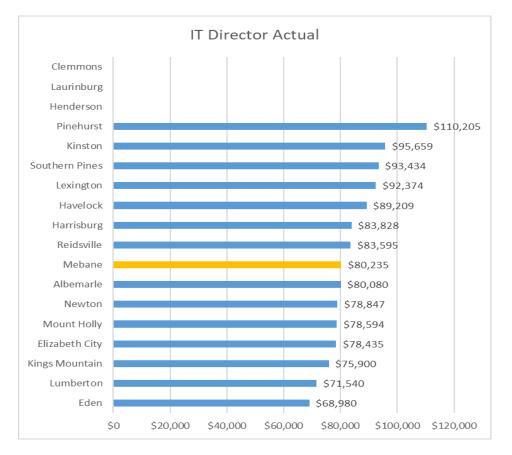
#### Funding

I plan to find additional funds needed in lapsed salaries and benefits and savings in contracted IT services in the current year budget.

#### Supporting Data

Using information from the 2019 NCLM Salary Survey, we reviewed the IT Director range of salaries reported. Based on our recent failed interview process as well as the data below, we concluded that a competitive grade in the Mebane pay scale would be Grade 24 as recommended above. Below is the table of ranges for cities with IT Directors in this population group as well as a graph of the actual salaries at July 1, 2019.

Municipality 🗾	Hire Rate 🗾	Midpoint 🗾	Maximum 🗾
Henderson	\$44,809.00	\$56,011.50	\$67,214.00
Elizabeth City	\$49,711.00	\$60,653.00	\$71,595.00
Mebane	\$57,147.00	\$72,863.00	\$88,579.00
Kings Mountain	\$57,900.00	\$71,900.00	\$85,900.00
Lumberton	\$58,716.61	\$70,840.83	\$82,965.04
Mount Holly	\$59,379.19	\$78,083.25	\$96,787.30
Havelock	\$62,385.00	\$77,981.50	\$93,578.00
Eden	\$62,608.00	\$78,260.50	\$93,913.00
Newton	\$63,035.00	\$78,794.00	\$94,553.00
Laurinburg	\$64,821.00	\$80,524.00	\$96,227.00
Albemarle	\$67,849.60	\$86,507.20	\$105,164.80
Harrisburg	\$69,933.00	\$86,584.00	\$103,235.00
Reidsville	\$72,479.00	\$90,598.50	\$108,718.00
Southern Pines	\$73,277.00	\$91,596.50	\$109,916.00
Pinehurst	\$75,427.00	\$94,284.00	\$113,141.00
Lexington	\$80,000.00	\$120,000.00	\$160,000.00
Kinston			
Clemmons			
AVERAGE	\$52,339.76	\$65,995.94	\$79,489.41



## Request for IT Specialist

January 2020 Regular City Council Meeting

#### Background

Due to substantial growth in our IT infrastructure and the addition of numerous new applications and software, the City urgently needs an additional position in IT. Over the last four years we have added the following services but no additional personnel:

- 1. A 10-location network (doubled from 5)
- 2. Public Wi-Fi at all locations including the new Community Park & Lake Michael
- 3. Voice Over Internet Protocol (VOIP) phone system
- 4. Remote access for Fire and Police with rugged iPads (now in all Police vehicles)
- 5. New security camera systems at all locations
- 6. Presentation equipment throughout the City including the Council Chambers
- 7. Network security improvements including
  - a. Anti-Threat & Anti Intrusion Protection
  - b. Web and email filtering for viruses and malware
  - c. Multi-factor authentication
  - d. User Security training programs

#### Request

I am requesting that you allow me to move forward with the hiring process for an IT Specialist at a Grade 17 (\$51,834-64,398-80,344). This is a new position at the same grade as Arts & Community Center Supervisor, Building Code Inspector III, and Police Sergeant.

#### Funding

I plan to find additional funds needed in lapsed salaries and benefits and savings in contracted IT services in the current year budget.

#### Justification

Please review this justification for the new IT Specialist. The industry personnel standard is 100 devices per technician. We now have over 200 devices (see table below), not to mention over 50 different applications and software packages. That's a 100% increase in devices!

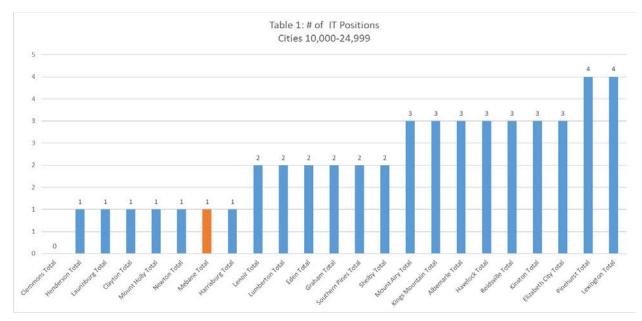
Supported Devices	2015	2020	Increase
Servers	7	11	4
Desktops & Laptops	85	134	49
Tablets & iPads	13	62	49
Total Devices	<u>105</u>	<u>207</u>	<u>102</u>

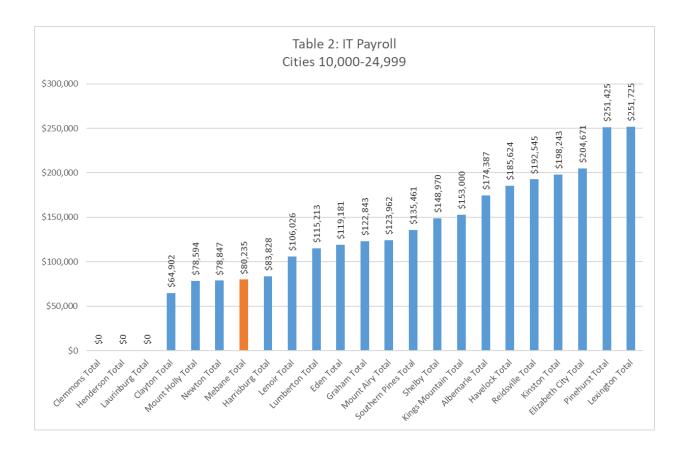
#### Summary

It is critical to have some backup, support and assistance to help with the workload. This has become more than a one-person operation. As the number of **software applications have increased** the need for more **monitoring for security** and downtime purposes **has increased**. Increased cyber security threats mainly affecting small business and local governments requires much more vigilance and oversight.

#### Supporting Data

The following graphs include the cities between 10,000-24,999 population that reported IT positions (including HELP DESK SPECIALIST, INFORMATION SYSTEM DIRECTOR, INFORMATION SYSTEM MANAGER, IT SPECIALIST, or PROGRAMMER/ANALYST) by the number of employees and the actual salaries of those positions. Table 1 shows the number of IT employees reported by each city and Table 2 shows the actual salaries of those employees at July 1, 2019.





Finally, we looked at those cities within this population group that had at least one IT Specialist and reviewed the range of salaries reported. The average minimum-midpoint-maximum range was \$50,616-\$63,225-\$75,835. This matches up closely to our Grade 17, recommended above.

Municipality 🗾	Hire Rate 🗾	Midpoint 🚬	Maximum 🗾
Kings Mountain	\$32,200.00	\$40,012.50	\$47,825.00
Lexington	\$35,609.00	\$46,862.00	\$58,115.00
Albemarle	\$39,686.40	\$50,585.60	\$61,484.80
Lumberton	\$40,554.18	\$48,928.09	\$57,301.99
Southern Pines	\$40,803.00	\$51,004.00	\$61,205.00
Havelock	\$42,224.00	\$52,780.50	\$63,337.00
Eden	\$44,495.00	\$55,619.00	\$66,743.00
Elizabeth City	\$45,252.00	\$55,180.50	\$65,109.00
Graham	\$46,917.18	\$61,539.58	\$76,161.97
Mount Airy	\$47,033.00	\$58,791.50	\$70,550.00
Pinehurst	\$48,621.00	\$60,776.50	\$72,932.00
Reidsville	\$49,057.00	\$61,321.00	\$73,585.00
Lenoir	\$53,711.00	\$65,532.00	\$77,353.00
Shelby			
AVERAGE	\$50,616.04	\$63,225.69	\$75,835.35

POLICE CADETSalary Grade:7Salary Range:Min: \$31,821Temporary, non-benefited position

#### **General Statement of Duties**

An employee attends Basic Law Enforcement Training (BLET) classes on a daily basis in order to meet the requirements of a sworn law enforcement officer.

#### **Distinguishing Features of the Class**

An employee in this class is responsible for attending BLET classes on a daily basis; listening to instruction, participating in physical fitness training, participating in role play scenarios and taking tests. The employee must have a positive attitude and desire to learn through hard work and good study habits. The work is performed under the observation and review of the Lieutenant of Support Services. This employee is subject to the usual hazards of law enforcement training.

#### **Illustrative Examples of Work**

- Attending Class on a regular basis
- Performing assigned tasks as instructed
- Listening to and taking notes during classroom instruction
- Participating in role playing scenarios during class
- Completing assignments and taking graded tests with passing scores

#### Knowledge, Skills, and Abilities

- Learn, understand and apply applicable laws, ordinances, policies and procedures.
- Understand and carry out oral and written instructions.
- Establish and maintain effective relationships with those contacted in the course of work.
- Work under strict law enforcement structure.
- Communicate effectively orally and in writing.
- Read and write at the level required for successful job performance.
- Meet the public with courtesy and tact.
- Analyze situations accurately and select quick, effective and responsible courses of action.
- Learn standard broadcasting procedures of a police radio system.
- Learn to use a computer and applicable software.
- Some knowledge of modern law enforcement principles, practices, and procedures.
- Some knowledge of departmental standard operating policies and procedures, and federal, state, and local laws and ordinances.
- Some knowledge of practices, materials, techniques, and equipment pertinent to job assignment.
- Skill in the use of firearms and other authorized law enforcement equipment.
- Ability and willingness to act quickly and properly in emergency situations.
- Ability and willingness to establish and maintain effective working relationships with superiors, subordinates, and the general public.
- Ability to express thoughts clearly both orally and in written reports.

Police Cadet Page 2 of 2

#### **Physical Requirements and Working Conditions**

Physical requirements - Work in this position is medium work, exerting up to 50 pounds of force occasionally, and/or up to 20 pounds of force frequently, and/or up to 10 pounds of force constantly to move objects. Employee must have the visual acuity to prepare and analyze data and figures, operate a computer terminal, and perform extensive reading.

Working conditions - This employee is exposed to inside and outside working conditions. This employee may be exposed to noise which would cause the worker to shout in order to be heard above the ambient noise level; hazards including proximity to moving equipment; and atmospheric conditions which may affect the respiratory system.

#### **Education and Experience**

Graduation from high school

#### **Special Requirements**

Valid North Carolina Driver's License Ability to obtain certification as a law enforcement officer by the North Carolina Criminal Justice Standards Commission

#### FLSA Status: Nonexempt

#### Disclaimer

This classification specification has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities, and qualifications required of employees to perform the job. The Physical Requirements and Working Conditions section of this classification may vary from position to position and a more thorough description of these elements can be found in the employee's Position Description Questionnaire (PDQ). The City reserves the right to assign or otherwise modify the duties assigned to this classification.

December 2019

#### UTILITY LOCATION TECHNICIAN

Salary Grade:10Salary Range:Min: \$36,837

Job Rate: \$45,766

Max: \$57,098

#### **General Statement of Duties**

Performs responsible technical and skilled work in locating utility lines, valves, meters, blow-offs, manholes, etc. to ensure safety of citizens and surrounding areas when construction is being done by performing the following duties.

#### **Duties and Responsibilities**

- Meets with contractors and engineers to determine the type of construction that is to be conducted near the City's water and sewer lines; compares maps, drawings, and blueprints.
- Operates electronic equipment locating water mains, sewer mains, and services for contractors and utilities performing excavations on City streets and right-of-ways.
- Adds lines to utility maps.
- Prepares reports and maintains records of related work.
- Uses safety devices for traffic control when working in the streets.
- Assists in training other workers.
- Responds to emergency service calls.
- Operates backhoe and other equipment as needed.
- Performs related duties as required

#### Knowledge, Skills and Abilities

#### **Physical Requirements**

Must be able to physically perform the basic life operational functions of climbing, balancing, stooping kneeling, crouching, reaching, walking, pushing, pulling, lifting, fingering, grasping, feeling, hearing and repetitive motions. Must be able to perform medium work exerting up to 50 pounds of force frequently. Must possess the visual acuity to operate machines and equipment including close inspection of moving and small parts, using measurement devices, perform assembly and fabrication of parts, prepare maintenance records and operate a computer terminal.

#### Working Conditions

The employee is subject to both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as loud noises, vibrations, moving mechanical parts, electrical current, working on scaffolding, and exposure to chemicals fumes, odors, dusts, mists, gases, poor ventilation and oils.

#### **Minimum Education and Experience**

Graduation from high school or GED equivalency and one year of relevant experience; or an equivalent combination of education and experience in the plumbing field sufficient to provide the requisite knowledge, skills, and abilities of the position.

#### **Special Requirements**

A valid North Carolina Commercial Driver's License

Utilities Location Technician Page 2

#### FLSA Status: Nonexempt

#### **Disclaimer**

This classification specification has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities, and qualifications required of employees to perform the job. The Physical Requirements and Working Conditions section of this classification may vary from position to position and a more thorough description of these elements can be found in the employee's Position Description Questionnaire (PDQ). The City reserves the right to assign or otherwise modify the duties assigned to this classification.

December 2019

# Information Technology SpecialistSalary Grade: 14Salary Range: Min: \$44,777Job Rate: \$55,632Max: \$69,403

#### **General Statement of Duties**

Performs technically challenging work supporting, installing and maintaining information technology and communication systems for the City. Work is performed under the supervision of the IT Director.

#### **Distinguishing Features of the Class**

An employee in this class is responsible for assisting with maintaining the City's information technology and communications systems including installing and maintaining hardware and software applications, troubleshooting and resolving equipment and network failures, serving as a local area network specialist, updating computer systems, maintaining VoIP telephone systems, Windows Active Director, and file sharing security with vendor support.

#### **Illustrative Examples of Work**

- Provides technical support primarily to the computer software and hardware operations of the City's organization.
- Consults and works with users to define needs; assesses and analyzes those needs; makes recommendations; tests and documents; and works with users on issues.
- Visits work sites or provides technical answers via telephone or remote network administration to diagnose and solve problems, including root cause analysis.
- Performs troubleshooting, upgrades, and repairs of systems.
- Assists in recommendations of work standards, procedures and policies.
- Coordinates major repairs and upgrades with guidance from the Information Technology Director.
- Provides training to City Staff.
- Assists in technical research and development of continuous innovation and improvement of the organization system.
- Performs related tasks as required.

#### Knowledge, Skills, and Abilities

- Basic knowledge of current information systems technology in hardware, software, and various applications in use on assigned systems.
- Basic knowledge of computer equipment (mobile devices, iPad, Tablets, VoIP phones and audio visual) installation, preventative maintenance and troubleshooting techniques.
- Basic knowledge of information technology principles, terminology, and logic.
- Basic knowledge of computer security principles and protection.
- Ability to understand the technical language, programming, and applications of computers in the City.
- Ability to handle confidential information appropriately.
- Ability to collect information from systems users and to interpret needs of the users.
- Ability to diagnose and provide solutions to equipment and software failures.
- Ability to communicate effectively in oral and written forms.

IT Specialist Page 2

- Ability to establish and maintain effective working relationships with system users, employees, department heads, and outside consultants and vendors.
- Willingness to keep current and actively seek new information and technology in this rapidly changing field.

#### **Physical Requirements**

Must be able to physically perform the basic life operational functions of stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, and repetitive motions.

Must be able to perform medium work exerting up to 50 pounds of force occasionally and/or up to 20 pound of force frequently, and/or a negligible amount of force constantly to move objects.

Must possess the visual acuity to prepare and analyze figures, operate a computer terminal, perform mechanical tasks in the computer environment, do extensive reading, and do visual inspections of computer parts and automated data.

#### **Working Conditions**

The employee is not substantially exposed to adverse environmental conditions (such as in typical office or administrative work). The employee may occasionally be required to work in close quarters to install computer cable. Sometimes may require work outside in an emergency vehicle or Public Works vehicle or when testing Wi-Fi equipment.

#### **Educations and Experience**

Graduation from a four year college or university with a degree in computer science, information technology, or related field preferred.

A+, Net+ certifications, 3 to 5 years' experience in networking, designing, modifying, and maintaining information systems and applications; or an equivalent combination of education and experience.

#### **Special Requirements**

Valid NC Driver's license required

#### FLSA Status: Non-Exempt

December 2019

	November	Year to Date	% Change from 2018
Structural Response			
Totals	34	245	-6%
Average Personnel Per Response	10	10	
Average Volunteer Response	2	2	
Non Structural Responses			
Totals	61	624	7%
Total Fire Response	95	869	2%
Location (Year to Date)	North	South	
Total Number/Precentage	451/52%	418/48%	
	North	South	
Average Fire Response Time	5:43	6:02	
Precentage of Calls Inside City	57%	55%	
Precentage of Calls Outside City	29%	33%	
Precentage of Calls for Mutual Aid	14%	12%	
EMT Response	149	1846	17%
Location (Year to Date)	North	South	
Total Number/ Precentage	896/49%	950/51%	
CPS Seats Checked	23	245	
Seats Distributed	0	0	
Smoke Alarms Checked/Installed	11	78	
Station Tours/Programs	6	75	
# of Participants	137	4646	
Events Conducted/Attended	1	31	