



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, August 2, 2021 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 East Washington Street.

Council Present:

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

City Staff Present:

City Manager Chris Rollins
Assistant City Manager Preston Mitchell
City Attorney Lawson Brown
Development Director Cy Stober
City Engineer Franz Holt
City Clerk Stephanie Shaw
Finance Director Daphna Schwartz
Police Chief Terrence Caldwell
Police Lieutenant Adam Cole
Fire Captain/Training Officer Greg Massey

The meeting was livestreamed via YouTube. The video can be accessed through the following link: https://www.youtube.com/watch?v=TqHgw_zxeAQ

Mayor Hooks called the meeting to order and gave the invocation.

Mayor Hooks made a few announcements starting with a reminder to the community that the Mebane Police Department will be participating in National Night Out (NNO) on August 3rd, 6:00pm-8:00pm. Chief Terrence Caldwell introduced Lieutenant Adam Cole who provided more details about the event and invited everyone to come out to one of the four locations they will be at throughout the city, stating that the event is an opportunity to meet neighbors and the men and women of the local emergency services. Chief Caldwell gifted the Council and staff with NNO t-shirts.

Mayor Hooks continued with the following announcements:

- Tomorrow, August 3rd- REAC Introductory Meeting, 3pm at City Hall
- September Council meeting will be held on Monday, September 13th
- Cone Health Vaccine Clinics-
MFD Station #3- 8/18 & 9/8 10am-2pm
MFD Station #2- 8/20 & 9/10 10am-2pm

Captain Greg Massey shared details regarding the Cone Health Vaccines Clinics.

Ms. Philipps gave a brief update on the Orange County Transit Plan. She stated that she serves as the Mebane representative on the Steering Committee and they have been meeting via Zoom over the last several months. She stated that in July they had a four-hour retreat in which they discussed the vision for the future of Orange County Transportation. She shared that the consultant is working on plans to share with the public for feedback and she will share more details in the future.

Mayor Hooks presented Eastern Alamance High School student Emily Mathews with the following resolution honoring Miss Mathews for winning the NCHSAA 3A Golf Championship.

EMILY MATHEWS
NCHSAA 3A Individual State Golf Championship

WHEREAS, on May 11, 2021 Eastern Alamance Sophomore Emily Mathews won the NCHSAA 3A Golf Championship; and

WHEREAS, Miss Mathews shot a 1-under-par 71, winning the State Championship by seven strokes and completing the tournament as the only golfer to shoot under par; and

WHEREAS, this outstanding achievement marks the first state title ever for the Eagles Girls Golf program; and

WHEREAS, Miss Mathews exhibited exceptional dedication, golf skills, athleticism and sportsmanship required to win the state championship title.

WHEREAS, in addition to the State Championship win, Miss Mathews also won the Mid-State 3A Conference regular season, league tournament championship and regionals; and

WHEREAS, Eastern's Girls Golf Coach Robert Wood attributes Miss Mathews golfing proficiency to learning the game at an early age, strong support from her parents, her knowledge and love of the game, and countless hours of practice.

NOW, THEREFORE, BE IT, RESOLVED, City of Mebane City Council hereby recognizes and commends Miss Mathews for winning the 2021 NCHSAA 3A Girls Golf State Championship.

Adopted this 2nd day, August, 2021.

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

Miss Mathews thanked the City Council for the recognition. She also thanked her family for their support and concluded her comments with a thank you to Coach Wood, Coach Kirby, Principal Yarbrough and Mill Creek Golf Course.

During the Public Comment Period, Carl Bradley requested that the City install two dog waste stations in the areas of Third and Fourth Streets downtown. He also requested a Little Free Library book-sharing box be placed at the Mebane Community Park.

Also, during the Public Comment Period, Clerk Shaw read aloud the following letter submitted via email.

To the Council:

My comment is in regard to Agenda Item 6a, Variance Request for an ADU. I hope the council will grant this variance. Although the lot size does not meet the 150% standard of the UDO, the aerial photo on p. 50 of the packet shows clearly that the proposed building would not alter the existing density of the neighborhood.

This ADU is exactly the kind of infill residential development that will help us continue to offer diverse housing options to new and current Mebanites. The best antidote to sprawl and traffic is the creative reuse and improvement of the housing and land we already have, particularly when it's close to downtown.

ADUs can help us return to the kind of multigenerational housing that was common in Mebane and other small towns before they became suburbs. This type of housing enables large families, aging in place, young adults returning to their home towns – all key elements of a sustainable community.

I urge the council to not only approve this ADU, but to direct the incoming Public Information Officer to improve awareness of the ADU option among homeowners. We should also follow the lead of Raleigh and other regional growth hubs in amending the UDO to permit ADUs on more of our historical housing stock. A high proportion of the older housing near downtown is too small, or on too small a lot, for an ADU to be practical under the current UDO. Opening the ADU option for these properties would help preserve historical houses that might otherwise be torn down and replaced with larger structures.

*Colin Cannell
717 S Fifth St*

Mr. Brown reminded Council that they cannot consider the letter read aloud during deliberations for the upcoming quasi-judicial Board of Adjustment public hearing regarding a variance request at 305 W. Holt Street because the proceeding is a quasi-judicial hearing and state law requires that person to be present so that they are subject to cross examination.

Mr. Rollins stated that there has been a lot of discussion in the community and on social media regarding the "Stagecoach Rock" located on Lebanon Road. He said the rock is located on the

property of the recently approved new subdivision development Tupelo Junction. He explained that a year or so ago when the project was being proposed there were challenges during the planning process in deciding where the road entrance to the subdivision would be located. It was decided that the entrance would be located near the rock. Mr. Rollins said after researching the story of the rock, the State reported that the story of the Stagecoach Rock is folklore with no real historical facts to prove that the story is true. Therefore, the City had no right to say that the rock is a historical marker. NCDOT shared concerns regarding the rock being so close to the road and public safety. When the project was approved, it became the goal of City staff and the developer to try to save the rock but as the initial grading began there was some uncertainty about whether the rock would need to be blasted, removed or if it could actually be saved. As the project has moved forward, the plan is to leave the rock as it is with fill dirt covering the front side and the backside will remain exposed.

Mayor Hooks thanked the developer, City staff and NCDOT for all the efforts put in to ensuring that the rock will stay in place and be protected.

Mayor Hooks presented the Consent Agenda as follows.

- a. Approval of Minutes- July 12, 2021 Regular Meeting
- b. Metal Detector Policy
- c. Petition for Voluntary Contiguous Annexation- Chick-fil-A Distribution
- d. Resolution Setting a New Date of Public Hearing- Wilson Heirs, Meadowstone
- e. Final Plat Reapproval- The Meadows, Ph. 3A

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

Item b.

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

Annexation No. 148

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 September 13, 2021.

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

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

BEGINNING AT A PK NAIL FOUND IN THE CENTERLINE OF GIBSON ROAD, HAVING A NCGRID NAD 83 COORDINATE OF N:851,758.51, E:1,909,149.26, BEING LOCATED ± 1,078 FEET SOUTH OF THE INTERSECTION OF GIBSON ROAD AND LAKE LATHAM ROAD AND BEING FURTHER LOCATED S 86°34'47" W A DISTANCE OF 29.53' FROM A 2" IRON PIPE FOUND ON THE WEST SIDE OF GIBSON ROAD (A 60' MAINTAINED PUBLIC R/W); THENCE LEAVING SAID CENTERLINE OF GIBSON ROAD AND ALONG THE SOUTHERN PROPERTY LINE OF THE GEORGE ALLEN PATTISHALL AND LYNN CARVER PATTISHALL PARCEL AS RECORDED IN DEED BOOK 3868, PAGE 602, ALAMANCE COUNTY REGISTRY, N 81°07'37" E PASSING A 1" IRON PIPE FOUND AT 31.24 FEET, CONTINUING 278.76 FEET FOR A TOTAL DISTANCE OF 310.00 FEET TO A 1" IRON PIPE FOUND AT THE SOUTHEASTERN CORNER OF THE CLIFFORD M. RAY, JR. FAMILY LIMITED PARTNERSHIP PARCEL AS RECORDED IN DEED BOOK 2799, PAGE 569, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE SOUTHERN PROPERTY LINE OF SAID CLIFFORD M. RAY, JR. FAMILY LIMITED PARTNERSHIP PARCEL, N 61°31'36" E A DISTANCE OF 123.90 FEET TO AN 1/2" IRON PIPE FOUND AT THE NORTHEASTERN CORNER OF THE TOWN OF MEBANE PARCEL AS RECORDED IN DEED BOOK 88, PAGE 272, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE SOUTHEASTERN PROPERTY LINE OF SAID TOWN OF MEBANE PARCEL THE FOLLOWING FIVE (5) COURSES: 1) S 25°44'12" E A DISTANCE OF 601.60 FEET TO AN

1" IRON PIPE FOUND; THENCE 2) S 78°59'12" E A DISTANCE OF 217.80 FEET TO AN 3/4" IRON PIPE FOUND; THENCE 3) S 68°29'12" E A DISTANCE OF 217.80 FEET TO AN 3/4" IRON PIPE FOUND; THENCE 4) N 81°58'24" E A DISTANCE OF 112.76 FEET TO AN 3/4" IRON PIPE FOUND; THENCE 5) N 56°16'18" E A DISTANCE OF 47.89 FEET TO AN 3/4" IRON PIPE FOUND AT THE NORTHWESTERN CORNER OF THE JORCHEM, LLC PARCEL AS RECORDED IN DEED BOOK 3828, PAGE 685 ALAMANCE COUNTY REGISTRY AND BEING SHOWN AS LOT 15 ON PLAT BOOK 77, PAGE 38, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE WESTERN AND SOUTHERN PROPERTY LINES OF SAID JORCHEM, LLC PARCEL THE FOLLOWING FOUR (4) COURSES: 1) S 03°41'05" E A DISTANCE OF 640.19 FEET TO AN 3/4" IRON PIPE FOUND; THENCE 2) S 19°19'48" E A DISTANCE OF 141.50 FEET TO A 1" IRON PIPE FOUND; THENCE 3) S 08°43'34" E A DISTANCE OF 232.39 FEET TO A 1" IRON PIPE FOUND; THENCE 4) S 75°14'10" E A DISTANCE OF 261.15 FEET TO AN 1" IRON PIPE FOUND AT THE NORTHEASTERN CORNER RIGHT OF WAY OF PARK CENTER DRIVE (60' PUBLIC R/W) AS SHOWN ON PLAT BOOK 77, PAGE 109-109, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE WESTERN RIGHT OF WAY OF SAID PARK CENTER DRIVE S 08°09'40" W A DISTANCE OF 60.40 FEET TO A 1" IRON PIPE FOUND IN THE SOUTHERN RIGHT OF WAY OF SAID PARK CENTER DRIVE AND BEING THE NORTHWESTERN CORNER OF THE BIG BOX PROPERTY OWNER D, LLC. PARCEL AS RECORDED IN DEED BOOK 3501, PAGE 383, ALAMANCE COUNTY REGISTRY AND SHOWN AS LOT 7 ON PLAT BOOK 67, PAGE 82, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE WESTERN PROPERTY LINE OF SAID BIG BOX PROPERTY OWNER D, LLC. PARCEL, S 08°09'40" W A DISTANCE OF 1,054.61 FEET TO A 1" IRON PIPE FOUND IN THE NORTHERN LINE OF THE TRIVANTAGE, LLC. AND SPRINGFIELD INDUSTRIAL PARK, LLC. PARCEL AS RECORDED IN DEED BOOK 3474, PAGE 374 AND SHOWN AS LOT 1D ON PLAT BOOK 74, PAGE 201, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE NORTHERN PROPERTY LINE OF SAID TRIVANTAGE, LLC. AND SPRINGFIELD INDUSTRIAL PARK, LLC. PARCEL AND THE 1027 CORPORATE PARK OWNER, LLC. PARCEL AS RECORDED IN DEED BOOK 3819, PAGE 835, ALAMANCE COUNTY REGISTRY AND SHOWN AS LOT 1E ON PLAT BOOK 74, PAGE 251, ALAMANCE COUNTY REGISTRY, THE FOLLOWING TWO (2) COURSES: 1) N 88°27'25" W A DISTANCE OF 190.42 FEET TO A 1" IRON PIPE FOUND AT THE NORTHEASTERN CORNER OF SAID 1027 CORPORATE PARK OWNER, LLC. PARCEL; THENCE 2) N 88°27'25" W A DISTANCE OF 243.91 FEET TO AN 3/4" IRON PIPE FOUND AT THE NORTHWESTERN CORNER OF SAID 1027 CORPORATE PARK OWNER, LLC. PARCEL; THENCE ALONG THE WESTERN PROPERTY LINE OF SAID 1027 CORPORATE PARK OWNER, LLC. PARCEL THE FOLLOWING TWO (2) COURSES: 1) S 00°56'23" W A DISTANCE OF 310.00 FEET TO AN 1 1/2" IRON PIPE FOUND; THENCE 2) S 00°56'23" W A DISTANCE OF 47.43 FEET TO A POINT ON THE EXISTING CORPORATE LIMITS OF THE CITY OF MEBANE AS SHOWN ON PLAT BOOK 70, PAGE 49, ALAMANCE COUNTY REGISTRY; THENCE ALONG SAID CORPORATE LIMITS LINE AND A NEW LINE ACROSS THE CHICK-FIL-A SUPPLY, LLC. PARCEL AS RECORDED IN DEED BOOK 4128, PAGE 932, ALAMANCE COUNTY REGISTRY AND SHOWN AS LOT 16 ON PLAT BOOK 77, PAGES 108-109, ALAMANCE COUNTY REGISTRY, THE FOLLOWING TWO (2) COURSES: 1) N 88°58'39" W A DISTANCE OF 730.83 FEET TO A POINT; THENCE 2) S 01°01'21" W A DISTANCE OF 20.00 FEET TO A POINT IN THE NORTHERN PROPERTY LINE OF THE ANTONIO CARTNAIL AND REBECCA CARTNAIL PARCEL AS RECORDED IN DEED BOOK 3604, PAGE 29, ALAMANCE COUNTY REGISTRY AND SHOWN AS LOT 191 ON PLAT BOOK 69, PAGE 336, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE NORTHERN PROPERTY LINE OF SAID ANTONIO CARTNAIL AND REBECCA CARTNAIL PARCEL N 88°59'34" W A DISTANCE OF 159.94 FEET TO A 1/2" REBAR FOUND AT THE SOUTHEASTERN CORNER OF THE JESSE ARON WHEELLEY AND DUSTY JADE BURTON PARCEL AS RECORDED IN DEED BOOK 2729, PAGE 35, ALAMANCE COUNTY REGISTRY AND SHOWN AS LOT 2 ON PLAT BOOK 61, PAGE 5, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE WESTERN PROPERTY LINE OF SAID JESSE ARON WHEELLEY AND DUSTY JADE BURTON PARCEL, N 00°47'53" W A DISTANCE OF 234.37 FEET TO A 1" IRON PIPE FOUND AT THE SOUTHWESTERN CORNER OF THE JONATHAN MORRIS (AKA SAMUEL MORRIS) PARCEL AS RECORDED IN DEED BOOK 2788, PAGE 618, ALAMANCE COUNTY REGISTRY AND SHOWN AS LOT 1 ON PLAT BOOK 61, PAGE 5, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE WESTERN PROPERTY LINE OF SAID JONATHAN MORRIS (AKA SAMUEL MORRIS) PARCEL N 00°47'53" W A DISTANCE OF 234.27 FEET TO AN 3/4" PINCHTOP IRON FOUND AT THE SOUTHWESTERN CORNER OF THE MICHAEL RAY ELLIS AND PAMELA L. ELLIS PARCEL AS RECORDED IN DEED BOOK 679, PAGE 823, ALAMANCE COUNTY REGISTRY; THENCE ALONG THE EASTERN PROPERTY LINE OF SAID MICHAEL RAY ELLIS AND PAMELA L. ELLIS PARCEL, N 00°17'17" E, PASSING A 3/4" PINCHTOP IRON FOUND AT 437.30 FEET, SAID 3/4" PINCHTOP IRON FOUND BEING THE SOUTHEASTERN CORNER OF THE WILLIAM L. FUQUA AND BARBARA T. FUQUA PARCEL AS RECORDED IN DEED BOOK 689, PAGE 380 AND

SHOWN AS LOT 1 ON PLAT BOOK 66, PAGE 160, ALAMANCE COUNTY REGISTRY, CONTINUING ALONG THE EASTERN PROPERTY LINE OF SAID WILLIAM L. FUQUA AND BARBARA T. FUQUA PARCEL, 5.62 FEET FOR A TOTAL DISTANCE OF 443.01 FEET TO A 1" IRON PIPE FOUND; THENCE CONTINUING ALONG THE EASTERN PROPERTY LINE OF SAID WILLIAM L. FUQUA AND BARBARA T. FUQUA PARCEL, THE WILLIAM C. FUQUA PARCEL AS RECORDED IN DEED BOOK 1752, PAGE 797, ALAMANCE COUNTY REGISTRY AND THE DAWN EDMONDSON RAY PARCEL AS RECORDED IN DEED BOOK 503, PAGE 853, ALAMANCE COUNTY REGISTRY, N 03°30'03" E PASSING A 1 1/4" IRON PIPE FOUND AT 1,358.01 FEET AND CONTINUING 93.52 FEET FOR A TOTAL DISTANCE OF 1,451.53 FEET TO A 1" SQUARE IRON ROD FOUND AT THE NORTHEASTERN CORNER OF SAID DAWN EDMONDSON RAY PARCEL; THENCE ALONG THE NORTHERN PROPERTY LINE OF SAID DAWN EDMONDSON RAY PARCEL, N 85°11'13" W A DISTANCE OF 287.78 FEET TO A PK NAIL FOUND IN THE CENTERLINE OF SAID GIBSON ROAD; THENCE ALONG SAID GIBSON ROAD THE FOLLOWING TWO (2) COURSES: 1) N 18°55'33" E A DISTANCE OF 115.37 FEET TO A 1/2" IRON PIPE SET; THENCE 2) N 03°36'26" E A DISTANCE OF 543.71 FEET TO THE POINT OF BEGINNING, CONTAINING 78.520 ACRES AND BEING PART OF LOT 16 OF PLAT BOOK 77, PAGE 108-109, ALAMANCE COUNTY REGISTRY

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

Item c.

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

Annexation No. 147

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 September 13, 2021.

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

City of Mebane Corporate Limits Extension: Contiguous Voluntary Annexation
Cheeks Township, Orange County, NC

PIN 9824434841 Nadine R. Wilson Heirs
PIN 9824435147 J. A. Wilson, Jr., Alan R. Wilson
PIN 9824435349 J. A. Wilson, Jr., Alan R. Wilson

BEGINNING at an existing railroad spike in the centerline of Ben Wilson Road (SR 1140) (NC Grid Coordinates N. 842163.26', E. 1,924,920.27' (NAD 83/11) as determined by a current GPS survey (Combined Grid Factor 0.99994815)), located S. 38°12'10" E. 10.43' from an existing Mag Nail found at the intersection of the centerline of Bowman Road (SR 1142) and the centerline of Ben Wilson Road and said existing railroad spike being the northwest corner of Kathryn A. Coombs (see

Deed Book 6239, Page 374 and Tract 2, Plat Book 117, Page 67, Orange County Registry) and said existing railroad spike being the southeast corner of Nadine R. Wilson Heirs (see Lot 1 Plat Book 79, Page 194 and remainder area shown on Plat Book 115, Page 86 Orange County Registry) and said existing railroad spike being in the existing Mebane Corporate Limits line; thence proceeding along the existing Mebane Corporate Limits line and the centerline of Ben Wilson Road along five (5) courses as follows: (1) N. 26°46'29" W. 690.18' to a point, (2) N. 26°46'29" W. 118.24' to a point, (3) a curve to the right having a radius of 3640.46, an arc length of 548.64', chord bearing and distance N. 22°26'57" W. 548.12' to a point, (4) N. 18°07'55" W. 387.09' to a point and (5) a curve to the right having a radius of 2645.15', an arc length of 337.71', chord bearing and distance N. 14°33'46" W. 337.48' to a point; thence leaving the centerline of Ben Wilson Road and continuing along the existing Mebane Corporate Limits line N. 82°17'18" E. 29.77' to an existing iron pin in the east right of way line of Ben Wilson Road at the southwest corner of Jane & Ben Wilson, Jr. Family LLC (see Deed Book 5334, Page 171 and Tract Two Plat Book 71, Page 32, Orange County Registry); thence leaving the east right of way line of Ben Wilson Road and the existing Mebane Corporate Limits line and proceeding along the new Mebane Corporate Limits line with the south line of Jane & Ben Wilson, Jr. Family LLC along two (2) courses as follows: (1) N. 81°52'11" E. 748.12' to an existing iron pin and (2) N. 81°52'11" E. 50.00' to a 41" diameter poplar tree at the northwest corner of Wendy Louise Heath (see Deed Book 3877, Page 39 and Tract 1 Plat Book 85, Page 104 Orange County Registry); thence continuing along the new Mebane Corporate Limits line with the west line of Heath S. 27°41'59" E. 522.36' to a point in the centerline of Haw Creek at the northeast corner of Dalton J. Holland and Dillon C. Holland (see Deed Book 6076, Page 413 and Tract One, Plat Book 115, Page 86, Orange County Registry); thence continuing along the new Mebane Corporate Limits line and the centerline of Haw Creek along seven (7) courses with the north line of Holland as follows: (1) S. 79°29'24" W. 33.08' to a point, (2) S. 33°56'34" W. 45.71' to a point, (3) S. 70°22'53" W. 33.09' to a point, (4) S. 52°10'51" W. 77.56' to a point, (5) S. 33°05'54" W. 38.42' to a point, (6) S. 27°12'01" W. 54.23' to a point and (7) S. 38°22'58" W. 62.11' to a point; thence leaving the centerline of Haw Creek and continuing along the new Mebane Corporate Limits line along six (6) courses with the west lines of Holland as follows: (1) S. 01°43'09" E. 27.58' to an existing iron pin, (2) S. 01°43'09" E. 305.84' to an existing iron pin, (3) S. 08°11'43" W. 201.91' to an existing iron pin, (4) S. 29°57'50" E. 271.44' to an existing iron pin, (5) S. 29°55'50" E. 166.11' to an existing iron pin and (6) S. 29°56'41" E. 203.78' to an existing iron pin in the north right of way line of Bowman Road; thence leaving the north right of way line of Bowman Road and continuing along the new Mebane Corporate Limits line S. 29°56'41" E. 30.75' to a point in the centerline of Bowman Road; thence continuing along the new Mebane Corporate Limits line and the centerline of Bowman Road along a curve to the left having a radius of 918.00' an arc length of 153.67', chord bearing and distance N. 42°42'39" E. 153.50' to a point in the north line of Daniel J. Wilson; thence leaving the centerline of Bowman Road and continuing along the new Mebane Corporate Limits line with the north line of Wilson S. 29°37'29" W. 212.09' to an existing iron pin in the north line of Kathryn A. Coombs (see Deed Book 6239, Page 374 and Tract 2, Plat Book 117, Page 67, Orange County Registry); thence continuing along the new Mebane Corporate Limits line with the north line of Coombs S. 66°31'20" W. 397.72' to the point and place of BEGINNING, and being all of a contiguous City of Mebane Annexation area, containing 27.5213 acres, or 0.0430 square miles, more or less, as shown on a plat of survey entitled "Final Plat of Contiguous Voluntary Annexation for City of Mebane Corporate Limits Extension" as prepared by Brantley W. Wells., NC PLS #4544, dated April 30th, 2021, Summit Design and Engineering Services Project No. 20-0089 to which plat reference is hereby made for a more particular description of same.

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

Ms. Schwartz presented a request for Council's approval to adopt a resolution supporting an application to the Local Government Commission (LGC) for its approval of City revenue bonds in an estimated amount of up to \$14,000,000. She explained that the City solicited proposals to provide financing for the renovation of the Water Resource Recovery Facility (WRRF) \$9,000,000, the construction of the GKN Pump Station \$1,900,000 and the refunding of the 2014 Graham-Mebane Water Plant Upgrade and Sewer Line Extension debt \$2,769,000 for a total of \$13,613,000. The WRRF expansion project was approved by Council via a project ordinance, and the GKN Pump Station was approved by Council in the Capital Improvement Plan. The 2014 Graham-Mebane Water Plant Upgrade and Sewer Line Extension debt is currently financed at 2.60% through 7/15/2029. Truist provided the best proposal. The final issuance of the revenue bonds is subject to the LGC's approval and Council's subsequent approval. Some of the financing proceeds may represent reimbursement to the City for prior expenditures on project costs, and the City may also use financing proceeds to pay financing costs. Annual debt payments will be approximately \$1,173,000 for the first eight years of the loan (beginning in FY 22-23) and approximately \$810,500 over the remaining seven years of the loan, for a total of fifteen years and \$15,134,602. The interest rate on the refunding is 1.27% and the interest rate on the projects is 1.78% for an overall rate of 1.7153%. The amount of the payment due in the current fiscal year is \$81,205. The total gross savings from the refunding is \$115,979.

Mr. Bradley commended staff and Council on the work done now and over the years. Mr. Bradley made a motion, seconded by Mr. Ewing, to adopt the Resolution as presented. The motion carried unanimously.

**Resolution supporting an application to the
Local Government Commission for its approval of
City revenue bonds in an estimated amount of up to \$14,000,000**

WHEREAS --

The City of Mebane has previously approved, and started, a comprehensive plan to improve and expand the City's Water Resource Recovery Facility (WRRF) as well as GKN Pump Station force main rerouting, to take flow off the WRRF. The City estimates the costs of these water and sewer improvements and related costs at approximately \$11,000,000. The City has also been advised it may be possible to refinance a 2014 Installment Financing Agreement for a water treatment plant upgrade as a part of this current financing, and thereby provide savings to the City.

The City has determined to issue utility revenue bonds to pay some or all of these project costs. Revenue bonds are not secured by a pledge of the City's taxing power or by a lien on any City real estate. Instead, the bonds are payable only from the net operating revenues of the City's water and sewer system.

North Carolina law requires that the City's issuance of the bonds be approved by the North Carolina Local Government Commission (the "LGC"), a division of the North Carolina State Treasurer's office. Under the LGC's guidelines, this governing body must make certain findings of fact to support the City's application for the LGC's approval of the bonds.

THEREFORE, BE IT RESOLVED by the City Council of the City of Mebane, North Carolina, as follows:

(a) The City makes a preliminary determination to finance all or a portion of the project costs, including related financing costs through the issuance of water and sewer revenue bonds in an amount currently estimated as not to exceed \$11,000,000.

(b) In addition, the City makes a preliminary determination to finance an amount estimated up to approximately \$3,000,000 to refinance an existing loan including amounts for financing costs.

(c) The City has solicited proposals to provide this financing, and Truist Bank has provided the best proposal. The final issuance of the bonds is subject to the LGC's approval and this Council's subsequent approval. Some of the financing proceeds may represent reimbursement to the City for prior expenditures on project costs, and the City may also use financing proceeds to pay financing costs.

***BE IT FURTHER RESOLVED* that the City Council makes the following findings of fact:**

1. The project is necessary and appropriate for the City under all the circumstances. The project will increase the capacity and efficiency of the City's public water and sewer system to the benefit of the City and the customers of the system.

2. The project is feasible. The City believes that the customer utility bills that will be necessary to provide for bond payments will be reasonable under the circumstances.

3. The City's debt management procedures and policies are sound and in compliance with law, and the City is not in default under any of its debt service obligations.

4. The City will be able to market the bonds at reasonable rates of interest. The City will closely review proposed bond rates against market rates with guidance from the LGC and the City's financial adviser. All amounts financed will reflect either approved contracts, professional estimates or previous actual expenditures.

***BE IT FURTHER RESOLVED* as follows:**

(a) The Council directs the City Manager and the Finance Officer to take all appropriate steps toward the completion of the refinancing, including (i) completing an application to the LGC for its approval of the proposed financing, and (ii) soliciting proposals from financial institutions to provide the financing. The Council ratifies all prior actions of City representatives in this regard.

(b) The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse preliminary project expenditures from bond proceeds. The City intends that funds that have been advanced for project costs, or which may be so advanced, from the City's water and sewer utility funds, or any other City funds, may be reimbursed from the financing proceeds.

(c) The Council directs all City officers and employees to take all such further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. The Council ratifies all prior actions of City officers and employees in this regard.

(d) This resolution takes effect immediately.

The City of Mebane

Ed Hooks Mayor

A Public Hearing was held on a request for approval of an amendment to the City of Mebane Unified Development Ordinance (UDO) Article 2 (“Administration, Development Review, and Permitting Procedures”), Section 3.C (“Board of Adjustment, Composition”). Mr. Stober explained that the amendment would clarify roles and duties of elected officials on the Board of Adjustment. Amendments were presented as follows:

The Board shall consist of ~~seven~~ eight members. Five members shall be represented by the City Council; one member shall be the Mayor; two members shall be citizens and residents of the area lying outside the corporate limits, appointed by the boards of county commissioners of Alamance and Orange counties respectively. The members of the Board of Adjustment shall receive no compensation for their services. The City Council and the boards of county commissioners may, at their discretion, appoint an equal number of alternates to the Board of Adjustment. ~~The Board shall elect its Chairpersons by majority rule. The Mayor shall serve as the Chairperson unless he exhibits a conflict of interest in the matter before the Board; or should the Board choose to elect another as their Chairperson.~~

Additionally, he explained that the Planning Board noted the need to address the voting powers of the Mayor/Chair position, as the Board of Adjustment will now have eight (8) members and, if unaddressed, potential ties for votes requiring simple majorities. Their motion directed staff to address the voting powers assigned to the Chair, which are found in Subsection H rather than in Subsection C, the location of the amendment language above. At the direction of the Planning Board in their advisory capacity to the Council, staff is providing the Proposed Text Amendment to the language of the Mebane UDO, Article 2, Subsection H:

The chair of the Board of Adjustment shall administer the meetings and vote only when needed to decide a split vote; ~~and~~ the vice-chair of the Board of Adjustment may take part in all deliberations and may vote on all issues.

No one from the public spoke concerning the matter. Ms. Philipps made a motion, seconded by Mr. Greene, to close the public hearing. The motion carried unanimously. Ms. Philipps made a motion, seconded by Mr. Bradley, to approve the amendments as presented. The motion carried unanimously.

A Board of Adjustment Quasi-judicial Public Hearing was held on a request from Matthew White for a variance to allow an accessory dwelling unit at 305 W. Holt Street. Mr. Stober and Mr. White were both sworn in by Clerk Shaw. Mr. Stober gave an overview of the request, explaining that Mr. White is requesting the following variances:

- 1) the minimum building separation of 20’ to the rear of the principal structure, and
- 2) minimum lot size requirements of 150% of the applicable zoning district (R-12; 18,000 s.f.)

The existing conditions on the lot meet all other accessory dwelling unit development standards in the Mebane Unified Development Ordinance (UDO). Mr. White is requesting the first variance due to an onsite older magnolia tree preventing a conforming building footprint; and the second variance to allow for an accessory dwelling unit that will allow his adult child with a handicap to reside on the property but independent of the principal residence. The NCGS 160D explicitly allows for physical or mental handicaps to be considered a hardship with reviewing variance requests.

Section 4-7.4.A(3) of the UDO requires a minimum lot area of 18,000 square feet for R-12 lots that contain a principal dwelling and a detached accessory dwelling. The lot area of 305 West Holt Street is 14,488 square feet. The same section requires detached accessory dwelling units to be located a minimum of 20 feet from the rear of the principal dwelling. The proposed new detached garage structure is located immediately to the rear and approximately 5 feet to the west of the principal dwelling.

Mr. White presented his request via a PowerPoint presentation, sharing family information and reiterating the request as presented by Mr. Stober.

No one from the public spoke concerning the request. Mr. Greene made a motion, seconded by Ms. Philipps, to close the public hearing. The motion carried unanimously.

Mr. Brown explained that typically the Board of Adjustment includes the extra-territorial jurisdiction members but the UDO is specific in stating that concerning “inside city limits” matters, the extra-territorial jurisdiction members do not vote.

Ms. Philipps made a motion, seconded by Ms. Auditori, to approve the variance request as presented due to the hardships present on this property. The motion carried unanimously.

A Public Hearing was held on a request from Espitia Properties, LLC for a conditional rezoning from R-8 (Residential District) to R-8 (CD) (Residential Conditional District) to allow for three (3) two-story apartment buildings totaling forty-eight (48) units. Mr. Stober gave an overview of the request. He explained that the property is in the Mebane Extraterritorial Jurisdiction (ETJ) in Orange County. Annexation would be required prior to connection to City utilities, if the project is approved.

The proposed onsite amenities & dedications include the following:

- A 5’ sidewalk inside the public right-of-way of S. Eleventh Street, as required by the Mebane UDO and *Bicycle and Pedestrian Transportation Plan*.
- The construction of an internal sidewalk network connected to a 5’-wide, decomposed granite trail.
- +/- 38,680 square feet in private recreation area, which includes a trail, shelter, play field, playground, volleyball court, bocce ball, and dog park.

On behalf of the applicant, Tim Smith, Engineer and Project Manager with Summit Design and Engineering, gave a PowerPoint presentation overviewing the request. He shared the proposed building commitments as follows:

- Buildings will have 30-year architectural shingles
- Buildings will have 2-foot projected eaves
- Buildings will have minimum 6:12 roof pitch
- Façade elevations feature brick veneer accents
- Fiber cement siding
- Units will have covered porches
- Buildings will be slab on grade

There was some discussion among Council, staff and Mr. Smith regarding the sizes of the volleyball court and dog park. Mr. Smith stated that both the volleyball court and dog park were expanded as much as they could be.

Mr. Bradley questioned what would drive requiring a second entrance to this site. Mr. Stober stated he was unsure what the Fire Code requires but the planning staff generally tries to accommodate plans with fifty (50) units with a driveway and a turning lane, any plans over fifty (50) they would have a serious conversation about accessibility and relief of congestion at the entrance but he realizes the Fire Code may be more stringent than the UDO. Mr. Smith stated that they went through extensive review with the Technical Review Committee and the project meets all requirements for fire protection and accessibility.

No one from the public spoke concerning the request. Mr. Greene made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously. Ms. Philipps made a motion, seconded by Ms. Auditori, to approve the R-8 (CD) zoning as presented and a motion to find that the application is consistent with the objectives and goals in the City’s 2017 Comprehensive Land Development Plan Mebane By Design. The request is for a property within the City’s G-4 Secondary Growth Area and is generally residential in nature (Mebane CLP, p.66). The motion carried with a 4-1 vote. Ayes- Bradley, Philipps, Greene and Auditori. Nays- Mr. Ewing.

A Public Hearing was held on a request from Meritage Homes for approval to establish R-8 CD (Residential Conditional Zoning District) zoning on a property located on S. Eleventh Street to allow for a residential cluster development of 51 townhomes, Oak Grove Trails. Mr. Stober gave an overview of the request. He stated that this project would connect to and share amenities with the Oakwood subdivision approved by Council earlier this year. The +/-13.96 acres are currently

forested and vacant and are located within the Mebane City Limits in Orange County. The proposed onsite amenities & dedications include the following:

- The construction of all internal roads with 5' sidewalks.
- The construction of a dog park and picnic shelter to serve development residents to be maintained by the HOA and 7.84 acres of passive HOA owned open space.

Requested waivers:

UDO Requirement	Requested Wavier
30' front setback	20' front setback
Per conditional zoning request	Lot area and width as presented

The UDO calculates that the applicant should provide 1.457 acres in public recreation area valued at \$12,931. The applicant is proposing to provide a payment in lieu of the valued amount. The payment will be provided prior to platting of the lots unless otherwise conditioned by agreement between the City Council and the applicant. Summit Engineering issued a Traffic Impact Statement verifying that the proposed development will not generate additional traffic (100 peak hour trips or 1,000 weekday trips) such that the UDO would require a Traffic Impact Analysis for this site.

Tim Smith, Engineer with Summit Design and Engineering, gave a PowerPoint presentation overviewing the request, reiterating the specifics of the development as shared by Mr. Stober. Mr. Smith shared renderings of the proposed townhomes. Additionally, he shared the building commitments as follows:

- 6:12 roof pitch or higher with 12" overhangs
- 25-year anti-microbial architectural shingles
- Brick or stone accents on front façade
- 8" mono slab
- Color schemes or elevations shall not repeat lot to lot
- Garages on all units
- Vinyl siding – Materials used on building facades shall be of high quality, show texture and have a minimum width of 5 inches and a minimum thickness of 0.046 inches
- 100% of homes shall be Energy Star Certified and shall include the following green standards:
 - o High Performance Toilets
 - o Water-Efficient Faucets & Flow-Smart Showerheads
 - o ENERGY STAR® Certified Appliances
 - o Advanced Framing & Thermostats
 - o Minimum MERV 8 HVAC Filtration
 - o Thermal Breaks
 - o Conditioned Attics
 - o Spray Foam Insulation
 - o Low E Solar Cool windows with capillary tubes to prevent Solar Deflection
 - o Sealed Insulated Ducts
 - o Low-to-Zero VOC Materials, Paints, Stains & Adhesives

Mr. Greene stated that he wished there was private recreation space for this portion.

Mr. Bradley questioned if there would be an HOA. Mr. Smith stated that the HOA would be shared with the Oakwood subdivision HOA, just as the amenities would be shared.

Ms. Philipps questioned why this project was not brought before Council when the Oakwood subdivision was considered. Mr. Smith said it was timing. Ms. Philipps also questioned if in meeting the state requirements for the stormwater retention, can more of the existing trees be saved and not removed in order to install the retention pond. Mr. Smith said there really is no way to provide the overall stormwater management without creating a device that requires clearing of the land.

Mr. Ewing asked about the construction timeline in conjunction with the connecting subdivision. Melanie Graff, the Vice President of Land Development for Meritage Homes, said it would both projects would be under construction at the same.

Carl Bradley, asked if the townhomes will include fire mediation in the attic space. Mr. Smith assured Mr. Bradley that all state building codes would be observed.

Mr. Greene made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously. Mr. Ewing made a motion, seconded by Ms. Philipps, to approve the R-8 (CD) zoning as presented and a motion to find that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. The request is for a property within the City's G-4 Secondary Growth Area and is generally residential in nature (Mebane CLP, p.66). The motion carried unanimously.

A public hearing was held on a request from Steve Rose to rezone property from R-20 (Residential District) to B-2 (CD) (General Business Conditional District) to allow for operation of an Equipment Repair (lawn mower) business in the existing structures. Mr. Stober gave an overview of the request. The +/- 0.97 acres is located at 115 Hoover Road in Mebane's Extraterritorial Jurisdiction (ETJ) in Orange County. The property is surrounded by single-family residences. The property has a history as a permitted nonconforming use featuring a cabinetry business. It is located in the General Watershed Area Overlay District, which would restrict the impervious area of any future development. Mr. Rose is not proposing any redevelopment of the site but he is requesting the conditions that future improvements to the property complying with the Mebane Unified Development Ordinance (UDO) be able to be staff-approved, rather than requiring further public hearing and legislative approval by the City Council, per Article 9 of the Mebane UDO regarding conditional zoning district amendments. Property will be on septic and Orange-Alamance water. The Planning Board presented two (2) additional conditions that Mr. Rose provide a minimum 5' evergreen buffer along the property's perimeter; and that he provide enough gravel for ten (10) parking spaces that meet City standards. The proposed side setback is 10 feet which is greater than what is allowed in the B-2 zoning district. Uses permitted on the property will be restricted to those provided.

Mr. Rose gave a background overview of how he began the equipment repair (lawn mower) business. He stated that he lives at the end of Hoover Road, near the property under consideration. He said the proposed use would not impact the neighborhood any differently.

Ms. Philipps asked how Mr. Rose will store the equipment. He said he plans to keep equipment indoors. As a follow-up to that discussion, Ms. Auditori questioned how the City would ensure that the property would stay neat and tidy should Mr. Rose decide to sell the property 10-15 years down the road. Mr. Stober replied that outdoor storage of materials is actually only permitted in industrial zoning districts so it would be a zoning violation.

Grace Moon stated that she has lived next door to Mr. Rose for many years and she knows that he will take very good care of the property and would be a great asset to the community.

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

A Public Hearing was held on a request for approval of a text amendment to the City of Mebane Unified Development Ordinance (UDO) Article 5 ("WSW Buffers, Overlay, Environmental, and Special Purpose Regulations"), Section 4 ("Watershed Overlay District Regulations"), to amend the titles of Subsections C and D to remove all references to "Graham-Mebane Lake", as well as the following textual amendments to Subsection D.2(c):

Notwithstanding the limitations of subsection (b) above, 10 percent (~~334 acres~~) of the GWA area (~~3340 acres~~) may be developed with new projects of up to 70 percent built-upon area as Special Intensity Allocations (SIAs). The amendment will allow the UDO to apply universally throughout the City and in both water supply (II) watersheds within its jurisdiction. While NC General Statutes would require compliance in application of the water supply watershed regulations, expansion of the text for broader application will more accurately reflect the City's regulatory responsibilities.

No one spoke concerning the request. Ms. Philipps made a motion, seconded by Mr. Bradley, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Mr. Greene, to approve the amendments to the City of Mebane Unified Development Ordinance as presented. The amendments are consistent with the objectives and policies for growth and development in the Comprehensive Land Development Plan *Mebane By Design*. The motion carried unanimously.

Mr. Holt presented a request for adoption of a policy on implementing strategies to effectively reduce accumulated paper flow which impacts the capacity of wastewater treatment and pump station facilities. He explained that at the July 12th, 2021 City Council meeting a presentation on Wastewater Treatment Capacity (Part 2) included developing effective strategies related to wastewater flow as follows:

- Limit Accumulation of Paper Flow
- Encourage Blended Growth
- Limit/Reduce Inflow/Infiltration
- Developer Awareness
- Other items related to wastewater treatment capacity

Staff was asked to bring back a policy that would allow for the strategies to be implemented with current and future development. He stated that the proposed policy is intended to limit the impacts of accumulated paper flow on wastewater treatment and pump station capacity through the following:

- A. Wastewater Permitting Implementation
- B. Plan review and Approval Process
- C. Service Prioritization and Wastewater Reservation

Mr. Holt gave an overview of the policy.

Council directed Mr. Holt to define "construction starts" as stated in the following 3-B:

B. Permitting wastewater for additional phases of development may be done once a final plat has been recorded and construction starts for 50% of the residential units has occurred.

Mr. Holt said that could be defined better by "pulling a building permit". Mr. Rollins agreed that would be sufficient.

Mr. Holt shared additional policy items as follows:

- Policy would be explained and distributed to developers
- Success of new strategies would be reviewed on an annual basis
- Subject to change with Council approval
- Complete a flow reduction study for State review and approval for flow to the Graham WWTP

After some discussion, Mr. Bradley made a motion, seconded by Mr. Greene to approve the policy as presented. The motion carried unanimously.

There being no further business the meeting adjourned at 8:02p.m.

Ed Hooks Mayor

ATTEST: _____

Stephanie W. Shaw, City Clerk