



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, July 12, 2021 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 East Washington Street and remotely with one Councilmember attending via telephone conferencing.

Council Present:

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

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

Council Present via Telephone Conferencing:

Councilmember Everette Greene

The meeting was livestreamed via YouTube. The video can be accessed through the following link: <https://www.youtube.com/watch?v=lfRXIj2dAmM>

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

Mr. Bradley recognized Eastern Alamance High School Coach and Athletic Director John Kirby as he was awarded the NCHSAA Tony Webb Outstanding Coach Award in June. Mr. Bradley shared Coach Kirby's accolades and commended him for the academic and athletic impact he has had on lives of students and athletes over the past 35 years, serving as the football coach for the last 30 years. Mr. Bradley shared that Coach Kirby is the first Alamance County coach to win the award since 2010. Coach Kirby serves on the City's Recreation and Advisory Committee as well as serving as a board member of the Corrigan / Faircloth Chapter of the National Football Foundation, which awards scholarships based on academics and athletics. Mr. Bradley shared that Coach Kirby is a lifelong Mebanite having been born in Mebane, attended and played football at Eastern, raised his family in Mebane. Coach Kirby received a standing ovation by Councilmembers, City Staff and the chamber audience. Coach Kirby gave a few brief comments and thanked Council for the recognition.

During the Public Comment Period, Matt Dale, Mebane Public Library Branch Manager, announced that Alamance County Public Libraries became "Fine Free" on July 1, 2021, meaning Alamance County Public Libraries, including the Mebane Public Library, will no longer charge fines for overdue materials, along with retroactive amnesty eliminating all outstanding overdue fines on patron accounts. Should patrons lose library materials, they will be charged replacement costs for the lost item(s). He also announced that the Mebane Public Library has now returned to its pre-covid hours of operation schedule. He concluded his comments by thanking Mebane City staff members, Building Maintenance Coordinator Eduardo Mendoza, Public Works Director Chuck Smith and Assistant City Manager Preston Mitchell for their kindness and professionalism.

Also, during the Public Comment Period, Clerk Shaw read aloud the following email:

Good evening,

My name is Cristie Watson, and I am a resident of Mebane and a teacher in Orange County Schools. My family and I are currently traveling, but I wanted to submit input for the development of a cell phone tower in North Mebane. My parents live near Mill Creek, and their cell phone service is unreliable at best. Sometimes I dial them only to have their phones go straight to voicemail; they will not even receive a notification that I called. Often, we will be talking, and the call will drop without warning. This lack of service is a growing cause of concern as my parents age- they are both already well into their seventies- and I worry that they will be unable to reach out for emergency help when they need it. Furthermore, as the child of two working parents, my daughter routinely stays with them. This adds to my fear that their cell phones may prove useless should something go wrong. (Remote learning was certainly difficult when my daughter worked from my parents' home due to their insufficient online access.) As society grows increasingly dependent

upon cellular service, the lack of it is more than a mere inconvenience- it is a matter of public safety. Please help protect and serve the residents of North Mebane through the construction of a cellular tower.

Thank you for your time, and for all your efforts on behalf of our community.

Sincerely,

*Cristie Watson
400 Buckhorn Ridge Road
Mebane, NC*

Attorney Brown stated that because the topic addressed in the above read letter will be under consideration during one of tonight's quasi-judicial public hearings, Council cannot take the comments in that letter into consideration. He explained that under the quasi-judicial hearing requirements, people that speak must be sworn and present for cross examination.

Mayor Hooks gave a brief overview of the Consent Agenda as follows:

- a. Approval of Minutes- June 7, 2021 Regular Meeting
- b. Recreation Program Scholarship Policy
- c. Recreation Trails Grant Application Policy
- d. Records Retention Schedule
- e. Purchase Police Capital with Federal Equitable Funds
- f. Final Plat Reapproval- Bowman Village N1
- g. Resolution Financing Proposal for Vehicles and Apparatus
- h. New Job Descriptions

Mr. Bradley asked a question regarding the recreation trails grant application. He asked Recreation and Parks Director Aaron Davis if the Lake Michael Trail Loop would be located all on City property or would it ever cross over onto private. Mr. Davis replied as proposed at this time, it would be located entirely on City property. Mr. Bradley then questioned how close the trail comes to homes in that area. Mr. Davis replied that there is one portion of the trail that crosses a land bridge between two homes and the trail come pretty close to those homes. Mr. Bradley questioned if the City is planning to install any landscaping buffers in that area. Mr. Davis said he feels that would be a part of the discussion as the project moves forward.

Ms. Philipps asked a question regarding the requested Police Department purchase with Federal Equitable Funds. She asked why the department is replacing a Honda Civic with a Dodge Ram truck as those vehicles are not equivalent. Police Chief Caldwell asked Lieutenant Richardson to respond to Ms. Philipps question. Lieutenant Richardson stated that the vehicle that they are replacing is a vehicle that is assigned within vice narcotics so the vehicle can be utilized in various ways and the proposed replacement would better serve the department's needs.

Mr. Ewing made a motion, seconded by Ms. Philipps, to approve the Consent Agenda as presented. The motion carried unanimously, including Mr. Greene's affirmative vote via telephone.

Item g.

Resolution Authorizing Installment Purchasing Contract with Truist Bank for the Purchase of a Fire Truck, Sanitation Truck, Eight Police Vehicles and Four Pickup Trucks

WHEREAS: The City of Mebane (the "City") has previously determined to purchase a fire truck, sanitation truck, eight police vehicles and four pickup trucks, (the "Purchase"), and the Finance Officer has now presented a proposal for the financing of such Purchase.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Purchase through Truist Bank ("Truist"), in accordance with the proposal dated June 25, 2021. The amount financed shall not exceed \$1,488,000, the annual interest rate shall not exceed 1.07%, and the

- financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Purchase as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as Truist may request.
 3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
 4. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as taxable obligations for the purpose of Internal Revenue Code Section 265(b)(3).
 5. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

This the 12th day of July 2021.

Ed Hooks, Mayor

ATTEST: _____
Stephanie W. Shaw, City Clerk

A Quasi-judicial Public Hearing was held on a request from Towercom IV-B, LLC, c/o Thomas Johnson, for approval of a special use permit for a 199' wireless communication facility (aka "5G tower") at 4449 Landi Lane.

Clerk Shaw swore in the following people who plan to speak regarding the matter:

Cy Stober, Development Director, City of Mebane
Shirly Conyard, Resident, 4444 Landi Lane, Mebane, NC 27302
Jeremy Wooster, Civil Engineer, 3201 Broyhill Circle, Raleigh, NC 27604
Robin Clement, Construction Manager, 5611 NC Hwy 55, Suite 201, Durham, NC
Michael Berkowitz, Real Estate Appraiser, 1100 Sundance Drive, Concord, NC
George Davis, Towercom VP/Partner, 5611 NC Hwy 55, Suite 201, Durham, NC
Tom Johnson, Attorney representing applicant, 301 Fayetteville Street, Ste 170, Raleigh, NC
Edna Yellock, Resident, 5155 Virginia Pine Trail, Mebane NC 27302
Bonita Yellock, Resident, 5004 Mrs. Fuller Road, Mebane, NC 27302
Adelana Nelsen, Property Owner, 200 Holt Avenue, #B, Greensboro, NC 27405
Arthur Holt, Resident, 1714 North NC Hwy 119, Mebane, NC 27302
Susan Semonite, Resident, 401 Redwood Court, Mebane, NC 237302
Curtis Bryant, Resident, 4356 Landi Lane, Mebane, NC 27302
Dave Whitley, Resident, 304 Ben Hogan Drive, Mebane, NC 27302
Lydia Paylor, Resident, 4416 Landi Lane, Mebane, NC 27302
Tomeka Ward-Satterfield, Resident, 519 Everglades Drive, Mebane, NC 27302

Before presenting the request, Mr. Stober explained that the public hearing was incorrectly listed on the agenda, as well as on summary sheet. The agenda and summary sheet both listed the public hearing as a Board of Adjustment matter, however the Unified Development Ordinance (UDO) standards explicitly designates the Council as being the body responsible for issuing a special use permit for towers that do not meet the required setback. He apologized for the error. He stated that the public hearing was properly advertised and met all requirements of public notice.

Mr. Stober then presented the request via a PowerPoint presentation. He stated that the subject property is 3.78 acres of vacant land located in Alamance County and within the City's Extraterritorial Jurisdiction. The property and all properties surrounding the subject property are zoned R-20. The property is within the Critical Area of the Graham-Mebane Water Supply (II) Watershed. The Mebane UDO requires a special use permit for all 5G towers taller than 75 feet tall. Also, the applicant is seeking a waiver relieving them of the use-specific setback of 199' from southern and eastern property lines. Mr. Stober explained that there are four (4) criteria that the applicant must meet as required by general statute, as follows:

- Will NOT injure surrounding property values;
- Will NOT present safety or welfare concerns;
- Will be in harmony with the surrounding zoning;
- Will be consistent with the City's adopted plans.

Tom Johnson, Attorney with Williams Mullen Law Firm, representing the applicant, TowerCom. He stated that the Towercom is building the tower on behalf of Verizon and DISH. Mr. Johnson introduced those from his team who were in attendance to speak and/or answer questions, listed above as sworn in. Mr. Johnson stated that they met with Technical Review Committee (TRC) and the applicant has revised the plan accordingly to meet all requirements. He shared that the creek which runs through the property makes the placement challenging but they received a certified fall zone letter from an engineer stating should the tower fall, which is very unlikely, the tower would stay onsite. The towers are built to meet state building codes. He shared a Verizon coverage map which lacks in basic coverage and capacity coverage for the shown area. The proposed tower would serve needs for basic coverage, as well as, capacity coverage.

Mr. Berkowitz, certified general appraiser, shared his professional opinion as to whether or not the proposed tower would injure the surrounding property values. Based on his analysis, it is his opinion that the proposed development will enhance or maintain the value of contiguous properties and that it is in an area where it does not substantially detract from the aesthetics and neighborhood character.

Mr. Johnson stated at the planning board meeting concerns were shared regarding health effects of the proposed tower but he wanted to remind Council based on state law that is not a consideration for this board because it is deemed safe as it is licensed by the FCC and must operate within safe limits. Based upon the evidence they have; he summarized the four (4) criteria as follows:

- The tower as proposed will not materially endanger the public health or safety, in reality it improves public health and safety because of the reliable coverage of communication it will provide for folks when they need it in the event of an emergency.
- The tower will not substantially injure the value of adjoining or abutting properties as Mr. Berkowitz's professional testimony provided that evidence.
- The tower will be in harmony in the area in which it is located as it is allowed as a special use in the City of Mebane. Towers are considered infrastructure and are allowed by state law and case law.
- The tower will be consistent with the City's adopted plans for the very reason just stated, it is infrastructure to support residents and businesses in this area.

Mr. Johnson concluded his presentation requesting Council vote in favor of their special use request as they have proven the four (4) criteria.

Mr. Ewing questioned the proposed bandwidth that will be used, CDMA or GSM. Mr. Johnson said Verizon is prominently CDMA and he requested Mr. Davis to address the question. Mr. Davis said both carriers use various licensed frequencies.

Ms. Philipps questioned the setback waiver. Mr. Davis explained that The property was subdivided

into four properties, all owned by the same family, siblings. The properties have historically been vacant. The decision to use the property on the other side of the creek was a decision in conjunction with the planning staff to best meet the requirements of the ordinance with the exception of the fall zone setback in which they have an engineer's letter. The property that they would be encroaching on is a family members property.

There was some discussion about the National Environmental Act process which is an extensive review in which they must meet many federal and state requirements.

Ms. Auditori asked about the length of the lease contract. Mr. Davis stated that he cannot get into too many specifics but the lease is a five (5) year lease with an option for renewal and they expect this property to be leased for 40-50 years or longer.

Dr. Conyard stated she lives next to the proposed site. She expressed her concerns regarding possible health dangers to those that live in close proximity of towers, effects on adjoining property values and water quality. She also questioned why this location as she has no dropped calls or issues with poor cell phone connections. She spoke about the history of the property owners in this location.

Mr. Bryant stated that he has lived near the subject property for 46 years. He said he heard the gentleman say that the tower would not endanger their health or their property values but no one has visited the surrounding property owners to tell them that. They heard about this matter when a sign was posted at the property in June. No one asked those living in that neighborhood if they were having any issues with service. He shared that the City of Mebane would not allow him to place a mobile home on the rear of his property for his granddaughter to live in because of the watershed requirements but now a cell tower is allowed to be placed in the watershed. He stated that the City of Mebane provides no benefits to him or his neighbors and they do not pay anything into the City but the City has the authority to tell them what they can or cannot do with their own land. He said at least 10-12 property owners in the neighborhood are not in favor of the tower. He requested the Council to consider if it was their family would they want a tower going in near them.

Ms. Ward-Satterfield said that this is an opportunity as a Council to be very intentional about using a racial equity tool to assess whether this cell phone tower will have an impact on the residents of Landi Lane, specifically since most of those residents are of African-Americans decent. She encouraged Council to not dismiss the racial overtones of this decision and use it as an opportunity to stand on some recent actions and decisions Council has made to be very transparent about race and equity in Mebane.

Ms. Paylor stated that she has lived on Landi Lane since 1997. She shared her concerns as shared at the Planning Board meeting. She read aloud her concerns as follows:

I have concerns about potential radiation exposure and health risks including cancer that may be associated with this tower. I have read up on it, but there are mixed reviews.

Will there be a fence or barrier around this tower?

I read that the chances of falling is very slim, but not guaranteed. So, if the tower happens to fall, are there any buildings in the vicinity that would be hit or damaged? What about damage to any surrounding trees if they fall and need to be moved?

Who would be responsible for any and all damages?

Another concern is when there are storms in the area, how will it handle the storms and the lightning? Are there any concerns with it drawing more lightning to the area?

Another concern is how will having this tower affect selling property around it?

How will this affect the wildlife and their natural habitat? Some trees were cleared out several years ago, and the wildlife was forced to move and now they are more in the residential areas.

If this tower is for the Mill Creek area, then shouldn't the proposed area be in Mill Creek somewhere away from the homes so that it would not be a potential threat to them?

As you can see, I have concerns with having this tower in the area. If we were to put it to a vote, my vote would be no.

Mr. Holt said he lives right across from the subject property. His family has owned the property

for many years. He stated that people that move to the country do not want towers near them. He stated that he does not want the tower in his backyard. He said he could not determine how close the tower will be to the homes based on the maps and drawings that were shown. He shared concern with not knowing if there are any health risks associated with having a 5G tower near him and others in the neighborhood.

Mr. Whitley spoke in favor of the tower as he desires to have reliable cell service. He shared that on many occasions he has had dropped calls.

Mr. Bryant spoke again and suggested placing the tower near Ray's store on N. NC Hwy 119.

Ms. Semonite spoke in favor of the tower as she also desires to have reliable cell services. She said she keeps a landline just to ensure she has a phone when needed. She said there is a need for reliable service in this area of Mebane.

Dr. Conyard suggested placing the tower in Mill Creek since they are the ones experiencing unreliable cell service.

Mr. Johnson addressed concerns that were mentioned. He briefly spoke about the quasi-judicial process and requirements of such. He said within Mebane's UDO there are two (2) setback requirements, one is setbacks from property lines and the other setbacks from residential structures. He said they then meet the setback requirements for residential structures. The waiver request is for the property line setback. As for the health and safety concerns, this board cannot take those under consideration per state law. He added that the only competent testimony given in regard to effect on property values was provided by Mr. Berkowitz. He said they meet the impervious surface requirement, stating that the footprint of the site is small, 100 feet by 100 feet. The site location was chosen based on the coverage gap and was a business decision to provide the best coverage. The tower will be fenced in as required under the UDO. Any damage related to this structure, just like any structure that may be damaged in a storm, would be covered by insurance. In terms of lighting, there will be a lightning rod and an extensive lightning rod system.

Mr. Bradley requested that Mr. Johnson walk through the setback request and what drove the reasoning for the request as the setback request is what Council is actually considering during this quasi-judicial hearing. Mr. Johnson said the applicant was trying to get as far back off the road as possible to meet the setback requirement and because of the creek in the middle of the property, they had to cross the creek therefore causing them to adjust the site, along with the required landscape buffer, led them to need a setback waiver on the sides that were more towards where things were developed and the other setback waiver is on the adjoining Nelson's family member property.

Dr. Conyard stated that the raised concern about radiation has not been addressed. Mr. Johnson said that by law radiation cannot be considered during this decision process. Ms. Auditori asked if Mr. Johnson could review why that is the case since one of the four criteria is that the tower would not endanger the public health and safety. Mr. Johnson said the statute specially says that the board in making its decision about health and safety cannot consider the effects of radio frequency. The tower is deemed safe because it meets federal and state requirements.

Dr. Conyard said in terms of land on Landi Lane, is it zoned commercial because clearly the tower is a commercial use. Mr. Bradley explained that per state law, this particular type of development is allowed on any zoning. He said the concern or matter under consideration is the setback.

There was some discussion regarding the Federal Telecommunications Act and the authority that the Council does and does not have surrounding the federal laws put in place due to that act.

Ms. Auditori made a motion, seconded by Ms. Philipps to close the public hearing. The motion carried unanimously, including Mr. Green's affirmative vote via telephone.

Mr. Bradley said there is a definite need for the tower, however, he is disappointed in the preliminary work done by the applicant by not meeting with the neighbors earlier on in the project, but based on criteria that Council must base its decision on, the Council does not have any grounds to turn the request down. He made a motion, seconded by Ms. Auditori, to approve the special use request for 199'-tall non-stealth wireless communication facility as presented and a motion to find that the request is both reasonable and in the public interest because it finds that it:

- a. Will not materially endanger the public health or safety;

- b. Will not substantially injure the value of adjoining or abutting property;
- c. Will be in harmony with the area in which it is located; and
- d. Will be consistent with the objectives and goals in the City's adopted plans.

Ms. Philipps echoed Mr. Bradley's comments, stating that Council's only consideration was the setback requests not the tower in general. The motion carried unanimously, including Mr. Greene's affirmative vote via telephone.

Mr. Bradley addressed the concern with the tower being located in a primarily African-American neighborhood. He said that was an issue that they all considered and he appreciated the suggestion of utilizing racial equity tools but in this particular matter the Council statutorily has no leeway in making a decision if all four criteria are met.

Mayor Hooks called for a break 7:30pm. Mayor Hooks called the meeting back to order at 7:37pm.

Public Works Director Chuck Smith and Finance Director Daphna Schwartz were introduced and welcomed again as previously they were introduced when the meetings were not in person.

A public hearing was held on a request from Lebanon Road 3, LLC for adoption of an Ordinance to Extend the Corporate Limits. Mr. Brown spoke concerning the request. He stated that the property is a voluntary contiguous annexation containing approximately 94.00 acres located in Orange County. He said regarding this particular annexation, there has been a lot of discussion about the "Stagecoach Rock" which is located on this property. He stated that it has been vetted by Alamance County and Orange County and after discussion with Traci Davenport, Mebane Historical Museum Director, the MHM Board has concluded that they will go with the North Carolina Department of Cultural Affairs opinion, that the supposed rock has no historic value. He said the legend was that someone was buried under the rock but it is not actually a rock; it is a protrusion of a rock formation so it is impossible that someone is buried underneath.

No one spoke concerning the matter. Mr. Ewing made a motion, seconded by Ms. Philipps, to close the public hearing. The motion carried unanimously, including Mr. Greene's affirmative vote via telephone. 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 94.00 acres. The motion carried unanimously, including Mr. Greene's affirmative vote via telephone.

A public hearing was held on a request from Mebane Investors, LLC for adoption of an Ordinance to Extend the Corporate Limits. Mr. Brown spoke concerning the request. He stated that the property is a voluntary non-contiguous annexation containing approximately 23.53 acres located in Alamance County.

No one spoke concerning the matter. Ms. Philipps made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously, including Mr. Greene's affirmative vote via telephone. Ms. Philipps made a motion, seconded by Mr. Bradley, to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the 23.53 acres. The motion carried unanimously, including Mr. Greene's affirmative vote via telephone.

The Mebane Bicycle and Pedestrian Advisory Commission (BPAC) presented a request for approval of two temporary projects using materials from the Better Block Trailer. BPAC members Katy Jones and Chelsey Morrison presented the request. Ms. Jones explained that the Better Block Trailer is a shared resource for Alamance County communities to reimagine the built environment by test-driving ideas through temporary treatments. The trailer features traffic cones, rubber curb stops, and other durable but temporary equipment that can be placed in streets, sidewalks, and other areas to change how they are used and experiment with ideas that could be beneficial to determine if they are good candidates as capital projects. The City of Mebane is a partner with the Better Block Trailer, which is maintained by the City of Graham. Ms. Morrison presented the following proposed project:

Project 1: Traffic Calming in Ashbury Subdivision

Currently, the three major roads in Ashbury – Blue Lake Drive, Mockingbird Lane, and Ashbury Boulevard – lack crosswalks and have few stop conditions. This contributes to speeding vehicles and unsafe conditions for pedestrians and cyclists. The BPAC proposes to use temporary stop signs at six intersections and temporary crosswalks in eight locations. The Ashbury HOA approved the project in May 2021 and neighbors have expressed support in the subdivision's Facebook group.

Andrew Bixler, President of the Ashbury HOA, 703 Blue Lake Drive, Mebane, spoke in favor of the traffic calming project. He shared that they have had ongoing issues with speeders in their subdivision. He feels this temporary project would be a cost-effective way to see if placing stop signs and/or traffic calming devices in their neighborhood will help the speeding problem and make their neighborhood safer. He said everyone that he is spoken to is in favor of this project.

Mayor Hooks asked Police Chief Caldwell, who was in attendance, if the placing of temporary stop signs in the neighborhood would be “official” and enforceable. Chief Caldwell stated the signs, once placed, would become enforceable according to the general statutes.

Ms. Auditori questioned how they will measure the effectiveness of the project as to whether the steps taken actually helped them to achieve their goals and how will they measure whether or not the neighborhood supports the efforts. Ms. Morrison said qualitative feedback from the neighborhood will probably be the best way to make that determination. She said they have a very active social meeting presence on Facebook which is where she first mentioned that this might be a project. Also, they have access to mailing addresses and email addresses for every resident in Ashbury so they could gather feedback that way as well.

Ms. Philipps stated that she thinks this project is a great idea and commended the BPAC on their efforts to make Mebane a safer place. Mr. Ewing also commended the BPAC their efforts.

Mr. Bradley asked how long the trial project will run. Ms. Jones replied that the trailer is reserved for a three-month period, August, September and October.

Ms. Jones presented the following proposed project:

Project 2: Downtown Parklet

Using one to two on-street parking spaces, the Downtown parklet will feature an outdoor seating area and a nearby bike rack. The area will be defined and protected from traffic. The BPAC has explored creating a parklet using barriers and picnic tables, and also reserving the mobile parklet available through the City of Graham. Destination Downtown discussed the idea during its June 2021 meeting, and the idea received a positive response. Additionally, the owners of Solgarden and Impulsive Creativity have expressed support and offered use of the spaces on West Clay Street in front of their businesses. An alternative location in front of an inactive North Fourth Street location is also a potential location.

Mr. Boney questioned if the shared rendering shows the use of two parking spaces. Ms. Jones replied that the recommendation is for no more than two parking spaces.

Police Chief Caldwell questioned if the stop signs provided meet statutory guidelines. Mr. Stober said the trailer is deficient in a few things, stop signs being one of them, so staff will coordinate with the Chief when acquiring those to ensure they meet statutory requirements.

Mr. Bradley said he thinks these projects are a great idea.

Mr. Boney questioned if the downtown parklet would also be on a three-month trial basis. Ms. Jones replied yes. Mr. Boney then asked if the City decided to make these projects permanent what type of notice and/or hearing would be required. Mr. Brown said he did not think there are any legal requirements, however because it involves stop signs that will require law enforcement, Council will need to take action of approval.

Ms. Philipps made a motion, seconded by Mr. Ewing, to support the use of the Better Block Trailer and mobile parklet to realize the two temporary better block projects in Ashbury and at select on street parking spaces on West Clay and North Fourth Streets, as proposed by the City’s Bicycle and Pedestrian Commission. The motion carried unanimously, including the affirmative vote of Mr. Greene via telephone.

Mr. Holt gave a presentation on the Wastewater Treatment Capacity. Mr. Holt explained that this presentation is a follow-up to the previous March 2021 budget work session presentation on Mebane’s Wastewater Treatment Capacity. He shared the following slides detailing effective strategies related to wastewater (flow):

Wastewater Treatment Capacity (Part 2 Continued)

Strategies to limit the Accumulation Paper Flow

1. For Approved Residential Development Prior to July 15, 2021
 - Permitting Wastewater Flow for a Multiple Phased Project at one time will no longer be done.
 - Additional Phases of Development may be permitted once a final plat has been recorded for the current phase.
 - Sub-phasing of larger phases once the flow is permitted will no longer be allowed **Permit only what you intend to plat.**
2. For Approved Residential Development After July 15, 2021
 - Single Family same as item 1 except 50% of the units must be started prior to permitting the next phase.
 - For Multifamily the City may elect to have large projects permitted in phases at no more than 72 units (three 24-unit buildings) in a calendar year.
 - Goal is to limit new permitted units to the number receiving certificates of occupancy in FY 20-21 (**approx. 400**)
3. Plan Review and Approval Process
 - TRC meetings for residential projects will occur once a month.
 - Non-residential projects will be reviewed at either of the two scheduled monthly meetings.
 - Pre-development and preconstruction conferences will be held at anytime (no change).
 - Major multiphased projects in excess of 300 units will require management consent prior to moving forward through the TRC process.

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Wastewater Treatment Capacity (Part 2 Continued)

Strategies to encourage **Blended** Flow with GKN and Arbor Creek Pump Station reroutes at 0.275 MGD and 0.5 MGD WRRF expansion

1. Wastewater Service Prioritization Potential Reserved Flow
 - Orange County Buckhorn Economic Development District- 130,000 gallons per day to the WRRF.
 - NCIC and CCIC - 70,000 gpd to WRRF.
 - Commercial/Office/Institutional- 100,000 gallons per day to WRRF & Graham WWTP.
 - Infill development not requiring a permit 100,000 gallons per day.
2. Wastewater Service Prioritization type of Development
 - Addressing a general public health need or underserved area.
 - Industrial, Institutional, Commercial, and Unique Residential Projects in & nearby to Historic Downtown Mebane.
 - Residential development not requiring new pump stations or oversized facilities.
 - Residential development requiring oversized facilities where the developer agrees to not to request oversizing reimbursement.

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Wastewater Treatment Capacity (Part 2 Continued)

Strategies to limit/reduce **Inflow/Infiltration** Flow

1. Capital Projects
 - Make recommended repairs in completed study to 3rd Street and 5th Street Pump Station Collection Systems.
 - WRRF outfall manhole and line rehabilitation.
 - Establish annual sewer manhole rehabilitation and pipe lining/replacement/point repair program.
2. Study additional areas identified from Desktop Analysis of City Pump Station Sewersheds

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Wastewater Treatment Capacity (Part 2 Continued)

Permitting Policy and Prioritization **Awareness** for New Development

1. Those intending to develop in Mebane will be made aware of City permitting strategies/priorities and approved tentative plans for creating additional sewer capacity
2. The development community will need to understand that fast paced residential growth requires that new policies and strategies be implemented to allow for orderly blended growth (residential and non-residential)
3. Permitting of certain projects or phases may require commitments of new municipal or privately funded projects. Any commitments made by the City will be on its time frame and as funds are made available

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Wastewater Treatment Capacity (Part 2 Continued)

Other Items

1. Continue system development fee schedule studies to help fund capacity driven wastewater projects with regular review every 2 years.
2. Revisit feasibility of 0.5 MGD Inter-local agreement with Haw River and Burlington that could provide for the reroute of wastewater flow from Governor Green Pump Station sewer shed
3. Update Long Range Utility Plan in FY 21-22 that encourages development in areas currently served, prioritizes areas of service to non-residential growth, considers impacts to existing wastewater facilities, and limits the need to participate in oversizing costs
4. Study future WRRF expansion alternatives

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Mr. Bradley commented that he did not think it would hurt for the city to slow down a bit and to check balance on the city's infrastructure. Mr. Bradley made a motion, seconded by Mr. Ewing, to allow staff to implement strategies presented on addressing wastewater flow and to have staff develop the strategies into a more formal policy.

Mr. Rollins announced that Mr. Greene called and said that he lost service. Mr. Rollins said that a quorum is present and a vote can continue. The motion passed unanimously.

Mr. Rollins added that the part of the goal is to not grow twice as fast as the growth that took place in past year. He said instead of having 300-400 residential units built in a year, we were headed for 700-800 units in a year. He said staff did not anticipate during the last calendar year that over 2000 homes would be submitted for approval. He said the growth coupled with the wet weather stimulated this need. He commended Council for their unanimous support and approval to use the American Recovery Plan funds from the federal government for inflow and infiltration.

Mr. Holt presented a request for approval of a tentative contract award for the WRRF renovation project. He shared the following details of the improvements proposed for the renovation project as part of the City's plan to replace aging equipment and improve unit process operation while ensuring that the proposed upgrades conform with the future desire to increase permitted capacity from 2.5 to 3.0 million gallons per day (MGD). The elements of the renovation project are:

- *Headworks Expansion.* Addition of a single, parallel channel with a capacity of 8 MGD to

function as the primary influent channel. The headworks channel will include a mechanical screen and vortex grit removal.

- *Aerobic Stabilization.* The aging mixer/aerators will be replaced with coarse bubble diffused aeration and mixers. Air will be provided by three outdoor blowers.
- *Solids Thickening.* A second, 200 gpm rotary drum thickener will be installed in parallel to the existing unit.
- *Polymer Upgrade.* A second polymer feed system will be installed parallel to the existing unit.
- *Secondary Clarifier Improvements.* To enhance performance of the clarifiers, energy dissipating inlets, flocculating feed-wells and density current baffles will be installed in each secondary clarifier.
- *Electrical Upgrades.* A new electrical building will be included to support the new treatment equipment.

Bids for the WRRF renovation improvements were opened at 3:00 p.m. on Thursday, July 6, 2021. Three bids were received ranging from \$6,927,000 to \$7,590,974 with the low bidder being Haren Construction Company, Inc. Jacobs Engineering (project engineer) provided a technical memorandum of recommendation for tentative contract award to the low bidder. While the low bid is 24% higher than the project estimate staff considers it to be a reflection of the current bidding environment. Mr. Holt went on to explain that In May 2021 Council amended the previous WRRF Capital Project Ordinance which only covered minimal professional services, design, and minor contingency at the time to the current revised budget as shown below. Based on the bids received and if approved the proposed project budget would need to be adjusted as follows:

WRRF Renovation Capital Project Fund	May Revised Budget	Proposed Budget w/ low Bid
Professional Services	\$ 200,000	\$ 200,000
Construction Administration	530,000	530,000
Construction including MOB purchase (\$523,750)	5,560,426	6,927,000
MOB System purchase	523,750	523,750
Design and Engineering	530,000	530,000
<u>Recommended Project Contingency approx. 4% of const.</u>	-	<u>289,250</u>
Total	\$7,344,176	\$9,000,000

Later this month bank bid proposals will be received for the financing of the project and provided to Council at the August meeting for consideration and approval. Staff anticipates providing a debt service schedule and further amended CPO at that same meeting. Application to the LGC is expected to follow Council action in August with consideration for approval of debt financing at their September, 2021 meeting.

Ms. Philipps made a motion, seconded by Mr. Ewing, to approve a tentative contract award for the WRRF renovation project to the low bidder Haren Construction Company, Inc. in the amount of \$6,927,000 subject to subsequent project financing approvals. The motion carried unanimously. Mr. Stober presented a request for Planning Board member appointments for the three City positions at its discretion. He shared that the City of Mebane Planning Board has three (3) openings for appointments beginning July 1, 2021. Mr. Thomas Vinson’s seat is also available, as he resigned earlier this year. All appointment terms last four (4) years. The three incumbents are as follows and are all requesting reappointment:

- Kurt Pearson- 99 New Castle Road
- Judy Taylor- 305 North Wilba Road
- Edward Tulauskas- 203 Oak Forest Court

No other applications were received for these four openings. After some discussion, Ms. Auditori made a motion, seconded by Ms. Philipps, to reappoint Kurt Pearson, Judy Taylor, and Edward Tulauskas to the City of Mebane Planning Board, recognizing their qualifications, experience, and dedication to serving the planning and land use needs of the City of Mebane. The motion carried unanimously.

Mr. Stober presented a request for Council's recommendations for the Planning Board Extraterritorial Jurisdiction (ETJ) appointment. He shared that the City of Mebane Planning Board has one (1) opening for representation of the Alamance County extraterritorial jurisdiction (ETJ) appointments beginning July 1, 2021. Any representative of the City's ETJ must be formally appointed by the county in which they reside. All appointment terms last four (4) years. The two positions currently representing the Alamance County ETJ are currently held by Gale Pettiford, 2070 NC Hwy 119 North, and Larry Teague, 4026 Forest Oaks Lane. Mr. Teague's position expired July 1, and he requests reappointment. The City also received eligible applications from the following:

- Roger A. James- 363 Gibson Road
- Jonathan Mark Webster- 1603 Meadowood Lane

Mr. Bradley made a motion, seconded by Ms. Auditori, to adopt a resolution recommending Alamance County Commissioners appoint Larry Teague of 4026 Forest Oaks Lane to the City of Mebane Planning Board representing the Alamance County extraterritorial jurisdictional area. The motion carried unanimously.

Council requested that staff readvertise the open position for the Planning Board.

Mr. Ewing commended all City Department's involved in making the Fourth of July celebration successful. He also thanked all parties involved with the Juneteenth Celebration. He stated that the farmers market is doing well with wonderful attendance. Mr. Ewing shared that he has received many inquiries regarding the City providing a children's summer camp and he would like to discuss during next year's budget season. Lastly, Mr. Ewing requested that ABSS provide a report on how Mebane's growth is impacting the schools. Mr. Bradley suggested that City staff provide that report. Mr. Stober shared that City staff does communicate with the school board and with the County staff regarding projected growth and schools. Staff used to receive a request for a quarterly report on growth, however they no longer receive that request.

There being no further business the meeting adjourned at 8:43p.m.

Ed Hooks Mayor

ATTEST: _____

Stephanie W. Shaw, City Clerk