



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, June 7, 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 Everette Greene
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

The meeting was livestreamed via YouTube. The video can be accessed through the following link: <https://www.youtube.com/watch?v=lOslYgnn6bE>

Mayor Hooks called the meeting to order and requested a moment of silence to remember and honor former Mayor Glendel Stephenson who passed on Friday, May 28, 2021. Mr. Bradley gave the invocation after the moment of silence.

During the Public Comment Period, Carl Bradley, 4610 Mebane Rogers Road, Mebane, stated all is well at the City's community dog park and requested again that the City install a water spigot inside the fenced area.

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

- a. Approval of Minutes-
 - i. April 13, 2021 Budget Work Session
 - ii. May 3, 2021 In Person Regular Meeting
- b. Petition for Voluntary Contiguous Annexation- Wilson Heirs- Meadowstone
- c. Petition for Voluntary Contiguous Annexation- Lebanon Road 3, LLC- Tupelo Junction
- d. Petition for Voluntary Non-Contiguous Annexation- Mebane Investors, LLC- Magnolia Glen
- e. Final Plat- Havenstone, Ph. 1B
- f. Juneteenth Proclamation
- g. Electronic Records Policy
- h. Resolution- Recovery Act
- i. Resolution- American Rescue Plan Act Special Revenue Fund

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. 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 July 12, 2021.

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

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

Item c.

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

Annexation No. 146

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 July 12, 2021.

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

City of Mebane Corporate Limits Extension: Contiguous Annexation
Cheeks Township, Orange County, NC PIN 9825498941

Annexation Area 2A1

BEGINNING at an existing iron pin (NC Grid Coordinates N. 858,159.59', E. 1,924,661.55' (NAD 83/11) as determined by a current GPS survey (Combined Grid Factor 0.9999661453)), in the north right of way line of Lebanon Road, SR1306, in the west line of Lebanon Road 3, LLC (see Deed Book 67404, Page 442 and Tract 2A Plat Book 123, Page 1 Orange County Registry, also being in the east line of Teresa T. Dallas (see Deed Book 537, Page 487 and Plat Book 40, Page 93 Orange County Registry) also being in the west line of Lee's Bees Incorporated (see Tract 2A Plat Book 123, Page 1 Orange County Registry) and also being in the existing Mebane ETJ Limits line and the existing Mebane Corporate Limits line; thence leaving the north right of way line of Lebanon Road and the existing Mebane Corporate Limits line and proceeding along the existing Mebane ETJ Limits line with Dallas N. 33°45'17" W. 63.68' to an existing iron pin in the south right of way line of East Stagecoach Road, SR 1376; thence leaving the existing Mebane ETJ Limits line and proceeding along the New Mebane Corporate Limits Line with the south right of way line of East Stagecoach Road along two (2) courses as follows: (1) S. 89°12'04" E. 79.70' to a point and (2) a curve to the right having a radius of 137.83', an arc length of 27.07' (chord bearing and distance S. 83°29'06" E. 27.03' to a point at the intersection of the south right of way line of East Stagecoach Road and the north right of way line of Lebanon Road; thence continuing along the New Mebane Corporate Limits Line with the north right of way line of Lebanon Road S. 55°34'34" W. 86.27' to the POINT AND PLACE OF BEGINNING, being all of Annexation Area 2A1, being a

portion of Tract 2A, Plat Book 123, Page 1 Orange County Registry, and being all of a contiguous City of Mebane Annexation area, containing 0.0658 acres, or 0.00010 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 18th, 2021, Summit Design and Engineering Services Project No. 19-0185.

Annexation Area 2A2

COMMENCING at an existing iron pin (NC Grid Coordinates N. 858,159.59', E. 1,924,661.55' (NAD 83/11) as determined by a current GPS survey (Combined Grid Factor 0.9999661453)), in the north right of way line of Lebanon Road, SR1306, in the west line of Lebanon Road 3, LLC (see Deed Book 67404, Page 442 and Tract 2A Plat Book 123, Page 1 Orange County Registry, also being in the east line of Teresa T. Dallas (see Deed Book 537, Page 487 and Plat Book 40, Page 93 Orange County Registry) and also being in in the existing Mebane ETJ Limits line and the existing Mebane Corporate Limits line; thence leaving the existing Mebane ETJ Limits line and proceeding along the existing Mebane Corporate Limits line and the north right of way line of Lebanon Road along two (2) courses as follows: (1) N. 55°34'34" E. 86.27' to a point at the intersection of the south right of way line of East Stagecoach Road and the north right of way line of Lebanon Road and (2) a tie line N. 55°34'34" E. 73.60' to a point (NC Grid Coordinates N. 858,249.97', E. 1,924,793.42" (NAD 83/11) at the intersection of the north right of way line of East Stagecoach Road and the north right of way line of Lebanon Road, the point of BEGINNING; thence leaving north right of way line of Lebanon Road and the existing Mebane Corporate Limits line and proceeding along the new Mebane Corporate limits line and the north right of way line of East Stagecoach Road along two (2) courses as follows: (1) a curve to the left having a radius of 197.86' an arc length of 90.03', chord bearing and distance N. 76°04'33" W. 89.26' to a point and (2) N. 89°12'04" W. 310.38' to a point at the southeast corner of Harmony Homesteads LLC (see Deed Book 6511, Page 160 and Plat Book 72, Page 74 Orange County Registry), also being in the west line of Lee's Bees Incorporated (see Tract 2A Plat Book 123, Page 1 Orange County Registry) and also being in the existing Mebane ETJ Limits line; thence leaving the north right of way line of East Stagecoach Road and proceeding along the existing Mebane ETJ Limits line and the new Mebane Corporate Limits line with the east line of Harmony Homesteads LLC along two (2) courses as follows: (1) N. 11°11'59" W. 1.03' to an existing iron pin and (2) N. 10°54'49" W. 574.62' to an existing iron pin at the southeast corner of Mill Creek Development Company (see Deed Book 2086, Page 255 Orange County Registry); thence continuing along the existing Mebane ETJ Limits line and the new Mebane Corporate Limits line with the east line of Mill Creek Development Company N. 10°53'56" W. 366.73' to a point where the existing Mebane ETJ Limits line meets the existing Mebane Corporate Limits line (see Plat Book, 20, Page 25 Orange County Registry); thence proceeding along the existing Mebane Corporate Limits line with the east line of Mill Creek Development N. 10°53'56" W. 1900.14' to an iron pin set at the northwest corner of Lee's Bees Incorporated (see Tract 2A Plat Book 123, Page 1 Orange County Registry), also being the southwest corner of Lee's Bees Incorporated (see Tract 2B Plat Book 123, Page 1 Orange County Registry), and also being in the existing Mebane ETJ Limits line; thence leaving the existing Mebane Corporate Limits line and proceeding along the existing Mebane ETJ Limits line and the New Mebane Corporate Limits line with the south line of Lee's Bees Incorporated (see Tract 2B Plat Book 123, Page 1 Orange County Registry), N. 79°53'07" E. 1259.96' to an existing iron pin at the southwest corner of Rebecca and Raymond Wicker (see Deed Book 3884, Page 514 and Lot 1A Plat Book 90, Page 139 Orange County Registry); thence continuing along the existing Mebane ETJ Limits line and the new Mebane Corporate Limits line with Wicker along three (3) courses as follows: (1) N. 79°53'17" E. 227.53' to an existing iron pin, (2) S. 40°07'22" E. 328.11' to an existing iron pin and (3) N. 81°06'28" E. 324.77' to an iron pin set in the west right of way line of Saddle Club Road (SR 1346); thence continuing along the existing Mebane ETJ Limits line and the new Mebane Corporate Limits line with the west right of way line of Saddle Club Road along two (2) courses as follows: (1) a curve to the left having a radius of 980.00', an arc length of 133.77', chord bearing and distance S. 07°49'40" E. 133.67' to a point and (2) a curve to the left having a radius of 6081.81', an arc length of 109.35', chord bearing and distance S. 11°18'33" E. 109.34' to a point in the north line of Steven R. Cannada (see Deed Book 6349, Page 227 and Lot 4 Plat Book 60, Page 45 Orange County Registry); thence continuing along the existing Mebane ETJ Limits line and the new Mebane Corporate Limits line with Cannada along two (2) courses as follows: (1) S. 78°51'52" W. 707.57'

to an existing iron pin and (2) S. 10°39'35" E. 183.69' to an existing iron pin at the northwest corner of Anthony and Amanda Hendrickson (see Deed Book 6629, Page 2364 and Lot 5 Plat Book 60, Page 45 Orange County Registry; thence continuing along the existing Mebane ETJ Limits line and the new Mebane Corporate Limits line with Hendrickson along two courses as follows: (1) S. 10°47'13" E. 182.24' to an existing iron pin and (2) N. 76°33'09" E. 719.34' to point in the west right of way line of Saddle Club Road; thence continuing along the existing Mebane ETJ Limits line and the new Mebane Corporate Limits line with the west right of way line of Saddle Club Road S. 12°42'51" E. 240.99' to a point in the north line of Marshall & Kristi Ronningen (see Deed Book 6420, Page 324 and Plat Book 118, Page 34 Orange County Registry); thence continuing along the existing Mebane ETJ Limits line and the new Mebane Corporate Limits line with Ronningen along five (5) courses as follows: (1) N. 88°57'24" W. 255.18' to an existing iron pin, (2) S. 83°49'36" W. 137.83' to an existing iron pin, (3) S. 47°42'16" W. 73.14' to an existing iron pin, (4) S. 08°10'30" E. 119.59' to an existing iron pin and (5) N. 85°50'17" E. 164.07' to an existing iron pin at the northwest corner of Peggy E. Hines (see Deed Book 394, Page 317 Orange County Registry); thence continuing along the existing Mebane ETJ Limits line and the New Mebane Corporate Limits line with the west line of Hines S. 00°24'04" W. 410.04' to an existing iron pin in the north line of Gary & Cindy Linz (see Deed Book 1603, Page 515, Deed Book 1707, Page 107, Deed Book 6654, Page 1986, Plat Book 55, Page 138, Plat Book 75, Page 94 and Lot 3 Remainder Plat Book 96, Page 2, Orange County Registry); thence continuing along the existing Mebane ETJ Limits line and the new Mebane Corporate Limits line with Linz along five (5) courses as follows: (1) S. 86°03'17" W. 356.16' to an existing iron pin, (2) S. 86°02'55" W. 7.10' to a point, (3) S. 09°01'17" E. 202.18' to a point, (4) S. 11°28'59" E. 808.93' to a point and (5) S. 10°42'21" E. 0.51' to a point in the north right of way line of Lebanon Road and the existing Mebane Corporate Limits line; thence leaving the existing Mebane ETJ Limits line the new Mebane Corporate Limits line and proceeding along the existing Mebane Corporate Limits line and the north right of way line of Lebanon Road along three (3) courses as follows: (1) a curve to the left having a radius of 1513.21' an arc length of 187.89', chord bearing and distance S. 67°50'38" W. 187.77' to a point, (2) a curve to the left having a radius of 1513.21' an arc length of 223.90', chord bearing and distance S. 60°02'52" W. 223.70' to a point and (3) S. 54°50'09" W. 516.77' to the POINT AND PLACE OF BEGINNING, being all of Annexation Area 2A2 Area, being a portion of Tract 2A, Plat Book 123, Page 1 Orange County Registry, and being all of a contiguous City of Mebane Annexation area, containing 93.9380 acres, or 0.1468 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 18th, 2021, Summit Design and Engineering Services Project No. 19-0185.

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 d.

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

Annexation No. 145

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

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

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

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

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at 6:00 p.m. on July 12, 2021.

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

Beginning At An EIP in the E.C. Sykes line;

Thence S 00°56'55" E A Distance Of 97.31' to an EIP; Thence S 00°03'20" E A Distance Of 163.15' to an EIP; Thence S 52°59'45" W A Distance Of 1361.97' to an EIP; Thence N 11°59'56" W A Distance Of 636.47' to an EIP; Thence N 12°01'48" W A Distance Of 580.59' to an EIP; Thence N 78°29'37" E A Distance Of 180.40' to a computed point; Thence S 11°59'52" E A Distance Of 23.54' to a computed point; Thence N 78°00'08" E A Distance Of 359.69' to a computed point; Thence S 08°10'12" E A Distance Of 14.97' to a computed point; Thence N 81°49'48" E A Distance Of 358.69' to a computed point; Thence N 89°14'43" E A Distance Of 44.69' to a computed point; Thence S 00°45'17" E A Distance Of 42.04' to a computed point; Thence S 07°18'56" E A Distance Of 51.44' to a computed point; Thence S 28°34'09" E A Distance Of 78.81' to a computed point; Thence S 49°49'23" E A Distance Of 78.81' to a computed point; Thence S 71°04'37" E A Distance Of 75.82' to a computed point; Thence N 89°14'43" E A Distance Of 227.15' to an EIP; Which Is The Point Of Beginning, Having An Area Of 1024900.04 Square Feet, 23.53 Acres

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

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

Item h.

**RESOLUTION REGARDING FUNDS FROM THE FEDERAL
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY ACT**

WHEREAS, the U.S. Congress passed legislation to provide Coronavirus State and Local Recovery Funds to states and municipalities, including the City of Mebane (American Rescue Plan of 2021-ARPA, Section 9901, Pub. L. No. 117-2, codified at 42 U.S.C. Section 802 et seq.—herein, THE ACT); and

WHEREAS, The ACT allows the use of municipal funds to be employed for a myriad of stimulus recovery including but not limited to water and sewer infrastructure, replacement of public sector revenue loss, broadband infrastructure, support of public health response, addressing negative economic impacts and premium pay for essential workers; and

WHEREAS, the infiltration and inflow in the City's waste water (sewer) system is significant, adversely affecting the City's ability to provide high quality infrastructure and to efficiently provide needed services and impacting the capacity of the City to serve future growth; and

WHEREAS, the City desires to seek all funds which become available by virtue of THE ACT;

NOW THEREFORE, BE IT RESOLVED as follows: The City shall seek the maximum amount of funds available to the City under THE ACT; City staff is directed to take all appropriate actions to secure such funding; and that upon receipt of such funds, City staff is directed and authorized to expend the funds for any lawful purpose with primary focus to address the infiltration and inflow in the City's waste water (sewer) system and/or any other wastewater infrastructure projects.

Adopted this 7th day of June, 2021.

Ed Hooks, Mayor

ATTEST: _____
Stephanie W. Shaw, City Clerk

Item i.

SPECIAL REVENUE FUND RESOLUTION

WHEREAS, the U.S. Congress passed legislation to provide Coronavirus State and Local Recovery Funds to states and municipalities, including the City of Mebane (American Rescue Plan of 2021-ARPA, Section 9901, Pub. L. No. 117-2, codified at 42 U.S.C. Section 802 et seq.—herein, THE ACT); and

WHEREAS, funds received through THE ACT may only be used for certain purposes and the revenues and expenditures of these funds must be accounted for separately from any other revenues received or expenditures made by the City and,

WHEREAS, NCGS 159-26(b)(2) authorizes the creation of a special revenue fund.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEBANE THAT:

Section 1. The City Council hereby creates a Special Revenue Fund with an initial budget of \$2,380,000 for the purpose of funding infiltration and inflow projects in the City's wastewater (sewer) system and/or any other wastewater infrastructure projects.

Section 2. The City expects to receive approximately \$4,760,000 in two tranches. The first tranche is expected to be received in June 2021 in the amount of \$2,380,000 and the second is expected to be received in June 2022 in the amount of \$2,380,000.

Section 3. This Special Revenue Fund shall remain effective until all THE ACT funds are spent. The deadline for spending THE ACT funds is December 31, 2024. The Special Revenue Fund may be amended by the governing board as needed.

Section 4. This Resolution shall become effective and binding upon its adoption.

Adopted this 7th day of June 2021.

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

A public hearing was held on a request for acceptance of the water engineering report for the Water and Wastewater System Development Fee Analysis and to adopt a resolution for new system development fees for water and wastewater improvements attributable to new development. Mr. Holt presented the request. He explained that the preliminary analysis was presented to Council at the regularly scheduled meeting held on April 5, 2021 and was subsequently made available for public review and comment online for the mandatory 45-day review period which concluded on May 24, 2021. During that time no additional comment or feedback was received. As such, no revisions were made to the preliminary analysis. The System Development Fees are a one-time charge to new customers at the time of service. Based on the analysis conducted, the maximum water and sewer system development fee the City can charge for an equivalent residential user (ERU) is \$3,830. This is an increase of \$959 above the current fee of \$2,871. All other non-residential uses are a factor of the ERU fee based on meter size. Additionally, this analysis considers the impact of the number of bedrooms on water and sewer system capacity with recommended equitable fee charges (multipliers of the typical 3-bedroom unit fee) as well as the wastewater flow being tributary to either the WRRF or Graham WWTP.

Ms. Auditori asked if this one-time fee for new customers that only applies to new residential developments. Mr. Holt said it applies to new residential and non-residential development, anybody with a new meter/new connection.

No one from the public spoke.

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 accept the AWCK engineering report for the Water and Wastewater System Development Fee Analysis as presented and to adopt a resolution adopting new system development fees for water and wastewater improvements attributable to new development. The motion carried unanimously.

**RESOLUTION ADOPTING NEW SYSTEM DEVELOPMENT FEES FOR WATER AND
WASTEWATER IMPROVEMENTS ATTRIBUTABLE TO NEW DEVELOPMENT**

WHEREAS, North Carolina Session Law 2017-138 (the “Public Water and Sewer System Development Fee Act”) states that to impose water and sewer System Development Fees the City Council may, after commissioning preparation of a written analysis, receiving public comment on said analysis for a period of not less than 45 calendar days, and holding one (1) public hearing regarding said analysis, adopt a System Development Fee schedule and incorporate it into the City’s fee schedule; and

WHEREAS, Alley, Williams, Carmen & King, Inc. prepared for the City a professional engineering report (the “Water and Wastewater System Development Fee Analysis”) on the implementation of System Development Fees attributable to new development within the City’s service areas; and

WHEREAS, the City Council finds and determines the City has complied with the requirements of the Public Water and Sewer System Development Fee Act for publishing the written System Development Fee Analysis prior to holding any public hearing; and

WHEREAS, pursuant to the Public Water and Sewer System Development Fee Act the City Clerk of the City of Mebane timely published on the 26th day of May 2021, the notice of public hearing (on file with City Clerk as Exhibit “A”) in the City of Mebane’s official newspaper of general circulation concerning a public hearing to consider approval of the written System Development Fee Analysis and adoption of a System Development Fee schedule.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEBANE, NORTH CAROLINA:

SECTION 1. The facts and recitations found in the preamble of this Resolution are true and correct and incorporated herein for all purposes.

SECTION 2. Approval of System Development Fees. The System Development Fees identified in the final Water and Wastewater System Development Fee Analysis dated 1 June 2021 (a copy of which on file with City Clerk as Exhibit “B” and incorporated into this Resolution for all purposes) are approved, levied, and imposed.

SECTION 3. Collection of System Development Fees. The City may collect the System Development Fees herein imposed or as may be later amended beginning upon the effective date of this Resolution. The System Development Fees herein imposed or as may be later amended shall be collected as directed by and in accordance with the Public Water and Sewer System Development Fee Act.

SECTION 4. Accounting for System Development Fee Revenue. The City shall deposit all funds collected for the System Development Fees herein imposed or as may be later amended as directed by and in accordance with the Public Water and Sewer System Development Fee Act.

SECTION 5. Appropriation of System Development Fee Revenue. The City shall appropriate all funds collected for the System Development Fees herein imposed or as may be later amended as directed by and in accordance with the Public Water and Sewer System Development Fee Act.

SECTION 6. Recurring Review and Update of System Development Fees. The City shall update the Water and Wastewater System Development Fee Analysis and the System Development Fees herein imposed or as may be later amended as directed by and in accordance with the Public Water and Sewer System Development Fee Act.

SECTION 7. Waiver of System Development Fees. The City may at any time elect to waive collection the System Development Fees herein imposed or as may be later amended.

SECTION 8. Severability. In the event any clause, phrase, provision, sentence, or part of this Resolution or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate

this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Mebane, North Carolina declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 8. Effective Date. This Resolution shall be in full force and effect on the 1st day July 2021.

PASSED, APPROVED, AND ADOPTED on this the 7th day of June 2021. The motion to adopt this Resolution was made by, Councilmember Philipps, seconded by Councilmember Bradley and passed by a vote of 5 to 0.

Ed Hooks, Mayor

ATTEST: _____
Stephanie W. Shaw, City Clerk

A public hearing was held on a request for adoption of the 2021-2022 Budget Ordinance and 2022-2026 Capital Improvement Plan. Mr. Rollins presented the budget and capital improvement plan via the following PowerPoint presentation.

Agenda

- 2022 Budget Quick Facts
- The Stress of Growth
- Catching Up with Growth
- Financial Impact on Residents
- Necessary Utility Fee Increase
- Care of Employees
- Fee Schedule Changes
- Capital Improvement Plan

2022 Budget Quick Facts

Fund	Total Budget	Tax Rate	Tax Base	Collection Rate
General Fund	Up 1.7% – \$25,445,340	Same – 47 Cents	Up 8.6% – \$2,606,317,598	Up 1.7% – 99.7%
Utility Fund	Up 12.2% – \$10,378,152			

Utility Fund Details:

- Water Rate Up 10% – \$6.72 (inside), \$13.44 (outside)
- Sewer Rate Up 10% – \$7.22 (inside), \$14.43 (outside)

Department Budget Requests: The Stress of Growth

- Department head requests - \$30.9 million
- 21 new positions, 4 reclassifications
- Significant capital outlay requests
- Requires 6.2-cent tax rate to 53.2 cents

Catching Up with Growth

- Major FY 21-22 purchases:
 - Fire Engine
 - Sanitation Truck
 - Meter replacement project
 - 8 Police Vehicles (3 replacement, 5 additional)
 - Oversize reimbursements
 - Water line replacement
 - Graham Water Plant
 - 4 Pick-up trucks (3 replacement, 1 additional)
 - IT hardware
 - Lake Michael Connector
 - Field Lighting
 - Sidewalks
 - Council Chambers video upgrades
- Position additions:
 - Public Information Officer
 - Human Resources Consultant
 - Accountant
 - Police Investigator
 - Police Patrol (as of 1/1/22)
 - Fire Inspector I
 - Maintenance Worker II
 - Equipment Operator I
 - Maintenance Crew Leader
- Restructured positions:
 - Accounting Supervisor
 - Streets Supervisor
 - Sanitation Operations Supervisor

Mr. Rollins paused after his slide to give comments regarding sidewalk construction. He said the City takes on sidewalk projects each budget year and one of the projects proposed for the year is sidewalks on S. Fourth Street down to Roosevelt Street as management had heard from staff that there was strong support for a sidewalk in that neighborhood, however, it turns out that the exact opposite was true, therefore he recommends not funding that sidewalk project and to reallocation those funds to another project in the city.

Financial Impacts on Residents

NO CHANGES IN THE PROPERTY TAX

10% WATER AND SEWER RATE INCREASE STARTING JULY 1, 2021

Necessary Utility Fee Increase Declining Financial Position



Care for Employees



2% COLA

2% merit pay

No change in health
benefits

Fee Schedule Changes

- The following areas of the fee schedule includes changes:
 - Table of Contents
 - Public Works
 - Development Fees
 - Planning
 - Recreation
 - Water Resource Recovery Facility

Capital Improvement Plan - 2022



Current Capital Project Ordinances



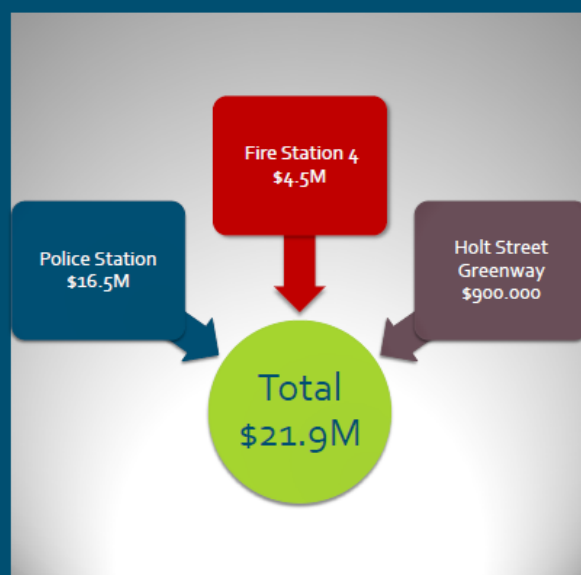
WRRF - Renovation

WRRF - Expansion

Cates Farm Park

Future Capital Project Ordinances in FY 22

1. Land for New Police Department/Possible Design - \$1,750,000; \$14,750,000 construction
2. Land for New West Fire Department - \$500,000; \$4,000,000 design & construction
3. Holt Street Greenway



Linda Wright, 501 S. Fourth Street, Mebane, spoke on behalf of herself and several residents of the 500 block of S. Fourth Street. She read aloud a letter in opposition of the city installing sidewalks on either side of the street. She also presented a petition regarding the same. She

concluded her comments thanking city staff for the many meetings and discussions and requested that Council take under consideration the wishes of their neighborhood, along with Mr. Rollins' recommendation to remove the S. Fourth Street sidewalk from the project list and to allocation those funds elsewhere.

No one else spoke.

Mr. Greene made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Mr. Greene, to approve the Budget Ordinance for the Fiscal Year Ending June 30, 2022, the Fee Schedule with the new system development fees, and the Capital Improvement Plan for 2022-2026 as presented with the removal of the sidewalk project on S. Fourth Street as recommended by Mr. Rollins and to allocated those funds to another project. The motion carried unanimously. Mr. Rollins thanked the Finance Department and Department Heads for their hard work during the budget season. Ms. Philipps commended City staff as well and thanked Mr. Rollins for his good leadership.

BE IT ORDAINED BY the City Council of Mebane, North Carolina:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the city government and its activities for the fiscal year beginning July 1, 2021, and ending June 30, 2022, in accordance with the chart of accounts heretofore established for the City:

City Council	\$ 85,390
Administration	1,157,512
Finance	732,375
Information Technology	758,084
Police	5,134,536
Fire	3,761,934
Economic Development	1,695,800
Planning	533,122
Downtown Development	151,810
Inspections	629,662
Engineering	445,500
Public Works	2,727,106
Public Facilities	868,478
Sanitation	1,759,477
Recreation & Parks	2,478,023
Non-Departmental	2,526,531
Total General Fund Appropriations	<u>\$ 25,445,340</u>

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2021, and ending June 30, 2022:

Current Year Property Tax	\$ 11,712,424
Sales Tax	4,302,700
Utility Franchise Tax	1,124,100
Other Property Tax	857,000
Fire District Tax	523,170
Powell Bill Allocation	365,000
Sanitation User Fees	580,100
Permits and Fees	1,335,652
Proceeds of Debt	1,364,044
All Other Revenues	1,331,150
Appropriated Fund Balance	1,950,000
Total General Fund Revenues	<u>\$ 25,445,340</u>

Section 3. There is hereby levied a tax at the rate of forty-seven cents (\$0.47) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2021, for the purpose of raising the revenue listed "Current Year's Property Taxes" in the General Fund in Section 2 of this ordinance.

This rate is based on a valuation of property for the purposes of taxation of \$2,499,503,617 and an estimated rate of collection of 99.7%. The estimated rate of collection is based on the fiscal year 2019-20 collection rate.

Section 4. The following amounts are hereby appropriated in the Utility Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2021, and ending June 30, 2022, in accordance with the chart of accounts heretofore approved for the City:

Administration and Metering	\$ 1,866,589
Utilities	4,240,479
Engineering	285,000
Waste Water Treatment Plant	2,163,048
Non-Departmental	1,823,036
Total Utility Fund Appropriations	\$ 10,378,152

Section 5. It is estimated that the following revenues will be available in the Utility Fund for the fiscal year beginning July 1, 2021, and ending June 30, 2022:

Water Utility Fees	\$ 3,539,600
Sewer Utility Fees	3,885,600
All Other Revenues	1,319,545
Appropriated Fund Balance	1,633,407
Total Utility Fund Revenues	\$ 10,378,152

Section 6. The following amounts are hereby appropriated in the Utility Capital Reserve Fund to preserve system development fees for appropriation to capital and infrastructure purposes for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

Transfer to Utility Fund	\$ 500,000
Reserved for Capital Projects	609,500
Total Utility Capital Reserve Appropriations	\$ 1,109,500

Section 7. It is estimated that the following revenues will be available in the Utility Capital Reserve Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

System Development Fees	\$ 1,107,000
Other Revenues	2,500
Total Utility Capital Reserve Fund Revenues	\$ 1,109,500

Section 8. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

a. Except as noted for Utility Capital Reserve Fund below, he may transfer amounts between line item expenditures and departments within a fund without limitation and without a report being required.

b. He may not transfer any amounts between funds, except as approved by the Governing Board through a Budget Ordinance amendment.

c. City Council approval by budget ordinance amendment is required to amend appropriations in the Utility Capital Reserve Fund.

Section 9: The City of Mebane Fee Schedule, herein referenced, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, is hereby adopted for this fiscal year.

Section 10. The accompanying Position and Classification Plan, herein referenced, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, is hereby adopted for this fiscal year and shall be administered in accordance with the City of Mebane Personnel Policy Principles as adopted August 4, 2014.

Section 11: Operating funds encumbered by the City as of June 30, 2021, or otherwise designated, are hereby re-appropriated for this fiscal year.

Section 12: Copies of this Budget Ordinance shall be furnished to the Clerk, the City Council, the Budget Officer, and Finance Officer for their use in directing the disbursement of funds.

Adopted this 7th day of June 2021.

A public hearing was held on a request for approval of Comprehensive Unified Development Ordinance (UDO) amendments per State requirements. Mr. Stober presented the request. He explained that in July 2019, the North Carolina General Assembly adopted the new Chapter 160D of the North Carolina General Statutes which consolidates current city and county enabling statutes for development regulations into a single, unified chapter and organizes these statutes into a more logical, coherent structure. Local governments shall adopt the necessary ordinance amendments to comply with Chapter 160D by July 1, 2021. Mr. Stober highlighted the following:

UDO 160D Updates:

- Requirement of Sworn Officers for All Appointed Bodies (Article 2)
- Clarifies Conflicts of Interests (Article 2)
- Provides Formula for Determining ETJ Representation *on Planning Board & Board of Adjustment* (Article 2)
- Clarifies Enforcement Powers (Articles 8 & 10)
- Specifies Key Word Definitions (Article 12)
- Clearly Allows the Use of Form-Based Codes
- Requires Establishment of a Maintained Comprehensive Plan to Allow for Zoning
- Establishes Boundaries of City's Subdivision Standards for Farms, Mobile Homes, Minor Subdivisions (Articles 2, 3, 5)
- Requires Developer Agreements (aka "SIA's") (Article 2 & 7)
- Eliminates Conditional Use Permits (Article 3)
 - Will Require Updating of Mebane Zoning Map
- Details & Updates Vested Rights for Active Developments (Article 2)
- Establishes Clear Notification Requirements for Staff (Articles 2 & 8)
- Establishes Rules for ETJ Extension Public Hearing
- Establishes Requirements for Consistency Statements
- Clarifies Abilities of Staff to Make Minor Modifications to Council-Approved Plans & Permits

Environmental Updates to Article 5:

- Already adopted by City but only in City Ordinance
 - Stormwater (Proposed to be Sections 2 & 3)
 - Stream Buffers (Proposed to be Section 6)
- Water Supply Watershed
 - Addition of Upper Eno River watershed to Section 4
 - Language same as that applying to Graham-Mebane Reservoir watershed
- Falls Lake Stormwater Management
 - Affects most development east of Buckhorn Road
 - Requires nutrient filtration in addition to runoff and sediment management
 - Water Supply Watershed
 - Features both the Graham-Mebane and Upper Eno River watersheds
 - Falls Lake Nutrient Management
 - Affects most development east of Buckhorn Road

Mr. Stober concluded by stating that in error he included some voluntary amendments to Article 7 to expand goals and to serve bicycle and pedestrian modes of transportation. He requested that any amendments in Article 7 that are voluntary in nature not be included in the Council's motion, only those amendments that are required by General Statute.

No one from the public spoke. After some discussion among Council and staff, Ms. Philipps made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously.

Mr. Bradley made a motion, seconded by Ms. Philipps, to approve the amendments as presented, complying with NC General Statutes and to remove voluntary amendments that were not required by General Statutes. The motion carried unanimously.

A public hearing was held on a request from RSolution Mebane, 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 .837 acres located in the in Alamance County.

Tom Boney, Editor of the Alamance News, questioned if this property currently has a “future shopping center site” sign on it. Mr. Brown replied that is correct.

No one else spoke.

Ms. Philipps made a motion, seconded by Mr. Bradley, to close the public hearing. The motion carried unanimously. 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 .837 acres. The motion carried unanimously.

A public hearing was held on a request for adoption of an Ordinance Directing the Building Inspector to demolish the building located at 402 W. Clay Street, Mebane, NC. Mr. Brown presented the request. He stated that staff had received several complaints regarding the property and the Inspections Department-Code Enforcement has determined by Order, dated February 17, 2021, that the premises located at the above address are unfit for human habitation, the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of the City in that the dwelling will continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and deterioration of property values in the area and would render unavailable the property and the dwelling which would otherwise been available to the public for housing. The property owner has not performed any work on the dwelling in months, if not years since its purchase. A prior hearing was held on August 4, 2020, at which time a Ms. Cheryl Sampson had requested an extension of time to submit construction drawings, permit applications and the like. As of this date, no submittals of such material have been submitted to the City for consideration. The City utility billings show no water or sewer service to the dwelling since December, 2015. Mr. Brown referenced photos of the property and stated that, based on his and the Building Inspectors education and training, it is their opinion that the repair, alteration and/or improvement of the premises, would cost an amount equal to or more that fifty percent (50%) of the present value of the building. He shared that the following items were sent to Ms. Sampson via certified mail:

- Order of Building Inspector, dated February 17, 2021
- Return receipts for Cheryl Manger Sampson, at two addresses
- Notice of Hearing dated August 4, 2020
- Ordinance for the Condemnation of 402 West Clay Street
- Letter notice to Cheryl Manger Sampson, at two addresses, dated April 19, 2021 for the May 3, 2021 Hearing
- Email notice To Cheryl Manger Sampson Re: Hearing postponement
- Photographs of premises

Mr. Brown went on to explain that under the new chapter 160D which will become effective on July 1st, the property owner is generally afforded ninety (90) days from the date of Council’s action

declaring the property as a nuisance.

Cheryl Sampson, 209 N. Wilba Road, Mebane, NC came forward to speak. She stated that the overview given by Mr. Brown included many misrepresentations. She stated prior to moving to Mebane, she lived in Hillsborough. She then shared several self-proclaimed accolades. She said when she bought the property at 406 W. Clay Street, she thought she had purchased a triplex and she had intentions to improve the property. Ms. Sampson became overly excited talking about the matter using expletives. Mayor Hooks requested that she refrain from using profanity. Ms. Sampson then became emotional as she stated she had been going through a personal health crisis, along with some financial strains. She shared that she had a new roof installed on the building, had it treated for termites, had the inside gutted and paid the property taxes and maintained builder's insurance. She began to increasingly raise her voice and became extremely agitated when citing several hardships which she feels have kept her from being able to move forward with the renovations, coronavirus, lumber prices, no one to perform labor and misinformation from city staff. She requested that Council have compassion as she is willing to invest her money and vision in Mebane. Mayor Hooks interceded and requested that she calm down. He stated that she will have ninety days from tonight to bring the property into compliance with the Minimum Housing Standards. Ms. Sampson was unwilling to calm down, therefore she was escorted out of the Council Chambers by a Mebane Police Officer.

Mr. Bradley questioned if any improvements have been made to the building since Ms. Sampson has owned it. Mr. Brown stated there have been no building permit applications or any plans submitted to the city for this property. Mr. Bradley said so any work having been done would be unpermitted. Mr. Brown said that is correct.

Ms. Auditori questioned how long Ms. Sampson has owned the property. Mr. Brown said he did not have that exact information but his relocation is three (3) years. He said she attended the hearing that held in August 2020 and she said she was working on plans. Staff asked how long she needed to get those turned in and she replied a few weeks but no plans have been received.

Mr. Rollins stated based on information he pulled up on the Alamance County GIS, Ms. Sampson has owned the property since May 2019. She also owns an additional property adjacent to the property under consideration.

Carl Bradley spoke and offered a suggestion of sending Ms. Sampson the information she needs via certified mail. Ms. Philipps assured Mr. Bradley that those steps had already been taken.

After some discussion, Ms. Philipps said she feels that everyone would love to see the house repaired. She said Ms. Sampson is correct, finding contractors to work right now and materials are extraordinarily expensive now as well. She said if Ms. Sampson can get the plans in, permits applied for and provide proof that the renovation project is moving forward, then adopting the ordinance to be effective on the ninety-first (91st) day is she does not do those things is a move in the right direction.

Mr. Boney said, from his understanding of what Mr. Brown said earlier, that the new 106D law goes into effect on July 1st, would the ninety days need to start after that date. Mr. Brown said based on the current law of 160A, Council could act to have the property condemned tomorrow, so the ninety days is sufficient.

Ms. Philipps made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Mr. Ewing, for the Building

Inspector as Code Enforcer demolish the building on the property with the address of 402 West Clay Street, Mebane, NC after ninety (90) days, however should the owner make any improvements or submit plans that are sufficient, the plan to demolish can be halted. Council would then look at the matter for further consideration. The motion carried unanimously.

Mayor Hooks stated that at the June 7th Council meeting he requested that Council send to the Clerk three (3) preferences for the seventh (7th) member appointment to REAC. Preferences were to be selected from the remaining six applicants that received two nominations each during the initial selection. Mayor Hooks stated there was a tie between two (2), he then requested Council nominate one of those two to fill the 7th member spot. Ms. Philipps said she once again wanted to reiterate how impressive all of the applications were, a really great, highly qualified group of people. She then made a motion, seconded by Mr. Greene, to appoint Daniel Velasquez as the 7th member. The motion carried unanimously.

There being no further business the meeting adjourned at 7:07p.m.

Ed Hooks Mayor

ATTEST: _____

Stephanie W. Shaw, City Clerk