



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, September 13, 2021 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 East Washington Street.

Council Present:

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

City Staff Present:

City Manager Chris Rollins
Assistant City Manager Preston Mitchell
City Attorney Lawson Brown
Development Director Cy Stober
City Engineer Franz Holt
Finance Director Daphna Schwartz

The meeting was livestreamed via YouTube. The video can be accessed through the following link: <https://www.youtube.com/watch?v=-E6-oyHvytU>

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

No one spoke during the Public Comment Period.

Mayor Hooks presented the Consent Agenda as follows:

- a. Purchase of North First Street Lot- Briggs Property
- b. Amendments to the Mebane Code of Ordinances - Chapter 16, Fire Prevention and Protection
- ~~c. Demolition of New Dimensions Church of God in Christ~~
- d. Uniform Guidance Purchasing Policy
- e. Appointment of Deputy Clerk
- f. Appointment of Burlington-Graham MPO TAC Representative
- g. Indigenous Peoples Day 2021 Proclamation

Mayor Hooks announced that Item c. was removed from the Consent Agenda. Mr. Bradley made a motion, seconded by Mr. Greene, to approve the Consent Agenda as presented with the removal of Item c. The motion carried unanimously.

A Public Hearing was held on a request from Chick-fil-A 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 78.855 acres located in the Alamance County. Omar Mansour, Managing Director-Land Development with GreenbergFarrow, was present on behalf of Chick-fil-A and gave a brief update on the progress of the distribution facility located in the NCIC park.

No one else spoke on the matter.

Mr. Greene made a motion, seconded by Ms. Philipps, to close the public hearing. The motion carried unanimously. Ms. Philipps made a motion, seconded by Mr. Bradley, to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the 78.855 acres. The motion carried unanimously.

A Public Hearing was held on a request from the Wilson Heirs for adoption of an Ordinance to Extend the Corporate Limits. Mr. Brown spoke concerning the request. He explained that the property is a voluntary contiguous annexation containing approximately 27.52 acres located on Ben Wilson and Bowman Roads in Orange County. He further explained that the property requesting to be annexed is also the same property to be considered during the upcoming public hearing for the Meadowstone Townhomes rezoning. Mr. Brown stated, in the past, Council has combined such matters into one public hearing and if Council desired, both of tonight's public hearings concerning this property could be combined, however, separate motions on each request

would still be needed, with a decision on the annexation being first.

Mr. Ewing made a motion, seconded by Mr. Bradley, to combine both public hearings, agenda items 4b and 4c. The motion carried unanimously.

Mr. Stober presented the request. Ben Wilson Road, LLC, is requesting approval to establish R-8 CD (Residential Conditional Zoning District) zoning on three (3) properties totaling +/- 25.58 acres located on Ben Wilson Road Rd, with a frontage on Bowman Rd to allow for a residential development of 147 townhomes, Meadowstone Townhomes. The property is contiguous with the existing city limits and is located outside of the ETJ in Orange County and is currently zoned AR (Agricultural Residential) by Orange County. As stated by Mr. Brown, the property would have to be annexed before rezoning. Currently the lots include single family residential and farmland. The property is located immediately across the street from the planned unit development, The Meadows, and is located in a G-4 Secondary Growth Area and immediately outside of the G-2 Primary Growth Area. The properties are split by the Haw Creek and the applicant proposes to use multi-level crossing at the creek using the sewer easement strategically.

A Traffic Impact Analysis was conducted in July 2020 and updated in June 2021. The applicant will be required to provide a southbound left-turn lane on Ben Wilson Road with 100' of storage but, otherwise, the findings do not yield any offsite recommended improvements.

Requested waivers:

| UDO Requirement | Requested Wavier |
|--------------------------------|----------------------------------|
| 30' front setback | 20' front setback |
| 20' rear setback | 15' rear setback |
| 15' side setback | 8' side setback |
| Per conditional zoning request | Lot area and width as presented. |

Tim Smith with Summit Design and Engineering presented a project overview on behalf of the applicant. He stated that Mr. Stober covered most of the information, however, he would now go over some additional details. Mr. Smith shared a rendering of the project layout. He stated that each unit would have two parking spaces each and they added in some additional parking spaces for visitors and at the amenity areas. He also pointed out the landscaping and stormwater management ponds shown on the project layout which meet City and State requirements. The multi-use path will connect all the phases of the project together for pedestrian walkability and access, including a walking bridge over Haw Creek.

He shared the following building commitments:

- Minimum 1,500 square feet
- Home has front-loaded garage for 1 or 2 cars
- Garage occupies ≤50% of front elevation width
- Homes have 30-year architectural shingles
- Homes have projected eaves (side, back & front)
- Homes have minimum 6:12 roof pitch
- Façade elevations feather 25% or more stone or brick
- Vinyl Siding
- Homes will have covered porches
- Homes will be slab on grade

Mr. Smith shared an enlarged rendering of the amenity area, along with renderings of the proposed townhome units.

Council questioned why a pool was not included in the amenities. Mr. Smith stated because of space constraints. Council also asked about if the multi-use path would align and connect with The Meadows subdivision across the street. Mr. Smith replied yes, there would be a high visibility crosswalk installed between both projects. Ms. Philipps said based on the site layout it does not appear that the multi-use path aligns. Mr. Smith said the path does not align at the street, it is

adjacent to the street, then comes up along Ben Wilson Road before crossing over but will connect with the sidewalk. There was considerable discussion about the sidewalks as Council wanted to be assured that there would be safe pedestrian access for both developments.

Mr. Bradley asked what the percentage of green space is on the acreage. Ms. Smith said for the private common open space, what is required is 1.69 acres and they are providing 11.95 acres.

Mr. Brown stated that at the time this project was submitted to the City, the Council had not enacted the sewer paper flow capacity policy that was passed a month or two ago. He said it would be appropriate that it be a condition in this rezoning or at least an acknowledgement on behalf of the developer that they are aware of the policy. Mr. Smith said they are aware of the policy for the sewer allocation and, if the project is approved, they realize that their allocation would be based on the phasing of the project.

Mr. Bradley asked if Mr. Smith was going to talk about traffic. Mr. Smith said they did complete a traffic study which was reviewed by NCDOT and city staff. The requirements of the conditions from the TIA shows a left turn lane when headed south on Ben Wilson Road turning into the first main entrance of the project. Mr. Bradley said he noticed that the study did not show any erosion of ratings on any of the intersections. He stated that this development is not driving the traffic light at the intersection of Mebane Oaks Road and Old Hillsborough Road as the light is going in anyway. Mr. Rollins said that is correct. As part of the Meadows project the developer made a contribution to the city which was then submitted to NCDOT and the construction of that light is to begin at any time.

Ms. Philipps asked for clarification. She said in their materials, it states that the multi-use path will be in the City's right of way and publicly maintained. If this is not possible, a payment in lieu will be provided in the amount of \$34,042. Mr. Smith said yes, what they are proposing is if the City will accept that condition, they will dedicate the multi-use paths to be public facilities and the remaining deficit of the public space required would be met by a payment in lieu. Mr. Rollins explained, as with the Meadows project, until the paths are tied into the City's existing sidewalk network, the HOA would maintain the paths, after they are tied in, the city will take over maintenance. Council expressed concerns with making sure this is in writing or in form of a policy to ensure that those conditions are followed. Mr. Holt stated that the path proposed is an upgrade to some of the greenways from the past. He said this will be a paved trail with a stone base and will be inspected by city staff to make sure it meets specific standards before taking over the maintenance.

Mr. Ewing questioned what the definition is for "interconnectivity" of the greenways. Mr. Rollins said the Meadows project was the first to use that term but there is no set "perfect" definition. Mr. Rollins requested that Mr. Stober share more detail based on conversations that have been had. Mr. Stober explained that the conversations to date reflect that when there is a connected pedestrian network that would include a greenway trail to the contiguous city's network, that the city would assume responsibility.

Ms. Auditori requested that Mr. Stober speak to how this project fits into the Comprehensive Land Use Plan. Mr. Stober said the project is adjacent to a primary residential growth area. It is in a secondary growth area and secondary growth areas are recommended for residential projects, specifically single-family residential projects and retail to support such residents. Additionally, it is adjacent to second tier primary industrial area for the Buckhorn Economic Development District and such would be some transitional housing as another proposed use for that area which is recommended for light manufacturing, heavy commercial. All of the area is outside the City's ETJ and requires a public hearing for annexation and zoning approval.

Carolyn Wilson spoke on behalf of Ben and Jan Wilson, Jr., LLC, property owners to the north. She said that she noticed that there is a wooden fence the developer is proposing to put six inches from the property line and she questioned if installation of the fence will disturb her trees.

Mr. Smith said when surveying the property, they did look at those trees and they are interior to the Wilson property so he does not think the proposed fence will cause any harm to the trees.

Keith Jeffers questioned the proximity of traffic lights to the entrance of the development. Mr. Stober replied the closest traffic light is at Forest Oaks Lane and Brundage Lane on Mebane Oaks Road. As stated earlier there is a traffic light that will be going in at the intersection of Mebane Oaks Road, Bowman Road and Old Hillsborough Road.

Carl Bradley stated the plans do not reflect street lighting. He cited concerns for public safety. Mr. Stober said NCDOT has set standard for portions of the sidewalks/paths. The internal sidewalk network must meet City's standards as outlined in the UDO.

No one else spoke on the matter. Mr. Greene made a motion, seconded by Mr. Ewing, to close the combined public hearings. The motion carried unanimously.

Ms. Philipps made a motion, seconded by Ms. Auditori, to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the 27.52 acres. The motion carried unanimously.

Mr. Greene asked how Council handles making sure that the developer considers adding the additional crossing to provide safe pedestrian access. Mr. Brown said the only commitment offered is that the developer would resubmit the plan with the additional crossing to NCDOT for approval, therefore, the Council's motion could include a statement as such but approval would come from NCDOT, not Council or staff.

Mr. Boney, Alamance News Owner/Editor, said the developer indicated a willingness to request approval from NCDOT but can the City also request that NCDOT consider that request favorably. Mr. Brown replied, yes. Mr. Bradley stated he would be hesitant to do so as NCDOT has reasons and a historical perspective for rules they have on establishing intersections, rights-of-way and pedestrian crosswalks and if they had an initial reason for not including two crossings then he feels it was probably safety oriented. Therefore, he would be hesitant to encourage them to approve something they may be on board with but might be moving in an unsafe direction.

Ms. Philipps made a motion, seconded by Mr. Ewing, to approve the R-8 (CD) zoning as presented and a motion to find that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. The request:

- Is for a property within the City's G-4 Secondary Growth Area and is generally residential in nature (Mebane CLP, p.66);
- Provides a greenway connection to a different land use, consistent with Open Space and Natural Resource Protection Goal 4.2 (p. 17 & 89);
- Provides a greenway and open space in a developing area, connecting to other locations, consistent with Open Space and Natural Resource Protection Goal 4.3 (p. 17, 89, & 90)

The motion carried unanimously.

A public hearing was held on a request from VGG Holdings LLC, c/o Peter Gitto, for approval of a rezoning from B-3 (Neighborhood Business District) to R-12 (Residential District) to allow for a new single-family detached home. Mr. Stober presented the request. He stated that the property is located at 702 Vance Street. The property is currently vacant and in the City's G-4 Secondary Growth Area which recommends residential projects and retail to serve them. Mr. Stober stated that Mr. Gitto also has property adjacent to the property under consideration with approved building permits for single family residents.

Mr. Gitto stated that the request is for a single-family residence that he is planning to build as an infill lot. He stated he built another house on an infill lot on Roosevelt Street and one on Brown Street, with plans to build two on Vance Street. He explained that when he bought the lot it was discovered that it was actually two separate lots but after working with city staff the information has been corrected and during that determination it was discovered that one of the lots was spot zoned as B-3, therefore, he is requesting to eliminate the spot zoning and bring it into R-12 zoning which Mr. Stober recommended. He said that he has the lots cleared and is ready to begin construction pending Council's action.

The Council questioned if there are any water runoff or drainage issues that would affect surrounding properties. Mr. Gitto said the land would be graded to direct water flow to the City's right-of-way.

Omega Wilson spoke on behalf of the West End Revitalization Association (WERA). He summarized comments provided in the attached memo which was handed out to the Council and staff.

September 13, 2021

Planning, Zooning & Inspection
Mebane City Council
106 East Washington Street
Mebane, NC 27302

RE: Rezoning 702 Vance Street from B-3 to R-12 for single family dwelling construction
September 13, 2021 - Mebane City Council Meeting 6-PM

We are here on behalf of the West End Revitalization Association (WERA), which owns two undeveloped lots at Giles Street and Vance Street. Plans for development are not complete for these two lots just east of 702 Vance Street.

WERA has no objections to rezoning the vacant 702 Vance Street lot from business (B-3) to residential (R-12). Since the West End Revitalization Association was founded in 1994 and incorporated in 1995 as 501©-3 non-profit, WERA has encouraging fair and equitable development and growth. Several lots have been vacant for over three decades, and some homing units have not been occupied for that period of time due to the need for major repair or demolition for new in-fill construction.

West End Community residents are rightly concerned about white resident gentrification in an area that has been nearly 100-percent Black owned since 1865, when slavery ended. There has been little trust between Black residents and mostly white Mebane City officials. In 1999, WERA had to file a Title VI of Civil Rights Act of 1964 complaint at the US Department of Justice in order to save over seventy (70) Black owned homes and three churches from destruction by the NCDOT 119-Bypass/Overpass construction. The City of Mebane endorse the 119-path and fought against WERA federal complaint.

As result of WERA 1999 US DOJ complaint, that is refers to as "Right to Basic Amenities" and "Environmental Justice" disparities, some social and physical barriers are slowly being removed.

- 1) Environmental Justice Mapping by the WERA / Mebane Taskforce for Black, Indigenous, and Latinx Communities (encouraged by the US Environmental Protection Agency).
- 2) Current construction of NC DOT connection of Tate Street, Roosevelt Street, and Corregidor Street for quick access to the Mebane Arts and Community Center & ball fields (\$1-million).
- 3) Approved Greenway at the end of Giles Street for easy and short walks to and from South Mebane School for students rather than a two-mile drive (\$900-thousand).
- 4) In-fill residential building on West Holt Street to replace out-of-code un-occupied old homes.

Big questions! What about sewer installation for all of White Level, Buckhorn, Perry Hill, and part of West End? The mapping will identify much more that should be done to build social and physical infrastructure equity based on race and place. The Wilson Family has been coming to Mebane City Council meetings since 1988 seeking formal and proactive support. See the attached [Mebane Enterprise](#)

Newspaper photo March 9, 1988 that feature Ayo and Omari Wilson, then students at South Mebane Elementary School.

We appreciate you attention to all matters here.

Thank you,

Omega and Brenda Wilson

Omega and Brenda Wilson, WERA Co-Founders
Ayo B. Wilson, WERA Director of Clean Energy & Climate Justice
Evon P. Connally, WERA Board Chair

ALAMANCE-ORANGE **ENTERPRISE**

March 9, 1988

14 Pages, 1 Section, 1 Insert

Volume 80, No. 10

80th



Mebane's past - Ayo and Onari Wilson look over models of Mebane's past made by Milton McDade while their father, Omega Wilson, and other local residents prepare to listen to facts about the N.C. Main Street program. (Staff photo by Cheryl Sumner)

No one else spoke on the matter. Mr. Greene made a motion, seconded by Ms. Philipps, to close the public hearing. The motion carried unanimously. Ms. Philipps made a motion, seconded by Mr. Ewing, to approve the R-12 zoning as presented and a motion to find that **the application is consistent** with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. The request:

- Is for a property within the City's G-4 Secondary Growth Area and is generally residential in nature (Mebane CLP, p.66).

The motion carried unanimously.

A public hearing was held on a request for approval of an amendment to the City of Mebane Unified Development Ordinance Flood Hazard Overlay (FHO) District to reflect a federal action to amend the Flood Insurance Rate Map (FIRM) on the northern shore of Lake Michael. Mr. Stober presented the request. He explained that at the request of Lebanon Road Partners, LLC, the FEMA initiated a process to revise the FIRM and, consequently, the City's FHO. The public notification process complied with federal criteria, including mailings to the immediately-affected properties and advertisement in the local newspaper, evidenced with an affidavit of publication. No structures are affected by the change and no appeals were filed. The City's FHO District and Zoning Map must match the FIRM and such change requires formal amendment of the City UDO.

No one spoke concerning the matter.

Ms. Philipps made a motion, seconded by Mr. Greene, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Mr. Greene, to approve the amendments to the City of Mebane Unified Development Ordinance and Zoning Map as presented and a motion to find that the amendments are consistent with the objectives and policies for growth and development in the Comprehensive Land Development Plan *Mebane By Design*, and are required by State and Federal law. The motion carried unanimously.

Ms. Schwartz presented a request for approval of Revenue Bonds for the Waste Resource Recovery Facility (WRRF) Renovation Bond Order and Series Resolution. She explained that the Council adopted a resolution at its August 2, 2021 meeting which stated its proposal to issue revenue bonds to provide funds to carry out a plan to improve and expand the City's WRRF to reroute the GKN Pump Station force main to reduce flow to the WRRF, to refinance a 2014 installment financing agreement and to pay related costs. The City has applied to the North Carolina Local Government Commission for its approval of the revenue bonds, and the Commission has accepted the City's application. The Council's approval of the Bond Order and Series Resolution would authorize formally the issuance of City revenue bonds from time to time, including an initial revenue bond for the WRRF project, and to approve substantially final financing documents and other details of the financing.

Mr. Bradley said the expectation would be that the bonds would be paid out of the system development fees and not standard rate sewer fees. Mr. Rollins said for this project a rate increase was implemented but as discussed last month, staff hopes there will be a decrease in next year's second anticipated sewer rate increase. The system development fees will be applied to the loans for the WRRF expansion.

Ms. Philipps made a motion, seconded by Mr. Bradley, to approve the Bond Order and Series Resolution for revenue bonds in the form presented. The motion carried unanimously.

**Bond Order and Series Resolution authorizing the issuance of
City water and sewer revenue bonds, including initial bonds
of up to \$14,000,000 for the WRRF renovation and other purposes**

Introduction --

The Mebane City Council, by resolution adopted on August 2, 2021, has stated its proposal to issue revenue bonds to provide funds to carry out a plan (the "Project") to improve and expand the City's Water Resource Recovery Facility (WRRF), to reroute the GKN Pump Station force main to reduce flow to the WRRF, to refinance a 2014 installment financing agreement and to pay related costs.

The City has applied to the North Carolina Local Government Commission for its approval of the

revenue bonds, and the Commission has accepted the City's application. The Council now desires to adopt a bond order to authorize formally the issuance of City revenue bonds from time to time, including an initial revenue bond for the WWRF project, and to approve substantially final financing documents and other details of the financing.

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

1. There are hereby ordered to be issued from time-to-time City of Mebane water and sewer revenue bonds (the "Bonds"). The City will issue Bonds under the North Carolina Local Government Revenue Bond Act to pay capital costs of providing water and sewer system improvements, together with related financing and other necessary or incidental costs.

2. In particular, there are hereby ordered to be issued, pursuant to the Act, an initial series of Bonds (the "2021 Bonds") in a principal amount not to exceed \$14,000,000. The City will use proceeds of the 2021 Bonds, together with other available funds, to pay costs of water and sewer system improvements, and in particular to provide funds for the Project described above.

3. The Bonds will be special obligations of the City, secured by a pledge of the net receipts of the City's water and sewer system. The principal of, and interest and any premium on, the Bonds shall be payable solely from the sources pledged to the payment. Neither the faith and credit nor the taxing power of the City or any other governmental entity shall be pledged for the payment of the principal of, or interest or any premium on, the Bonds, and no owner of the Bonds shall have the right to compel the exercise of the taxing power of any governmental entity in connection with any default on the Bonds.

4. The City will issue the Bonds pursuant to a Master Trust Agreement (the "Master Agreement") in substantially the form of the draft dated September 7, 2021 presented to this meeting. The Council authorizes the Mayor and the City Manager, or either of them, to execute and deliver the Master Agreement in its final form. The Master Agreement in its final form must be in substantially the form presented, with such changes as the Mayor or the City Manager may approve. The execution and delivery by an authorized City officer will be conclusive evidence of that officer's approval of any changes.

BE IT FURTHER RESOLVED by the Council as follows:

A. *Acceptance of Lender's Proposal* -- The City has solicited competitive proposals from financial institutions to purchase the proposed 2021 Bonds, and Truist Bank (the "Lender") has submitted the best proposal. The City will issue and sell the Bonds to the Lender. The City asks the North Carolina Local Government Commission to sell the Bonds to the Lender at a private sale, substantially in accordance with this resolution and the financing proposal dated July 23, 2021.

B. *Approval of First Supplemental Agreement; Direction to Execute Agreement* -- The City will issue the 2021 Bonds to the Lender pursuant to a First Supplemental Trust Agreement (the "Supplemental Agreement") in substantially the form of the draft dated September 7, 2021 presented to this meeting. The Council authorizes the Mayor and the City Manager, or either of them, to execute and deliver the Supplemental Agreement in its final form. The Supplemental Agreement in its final form must be in substantially the form presented, with such changes as the Mayor or the City Manager may approve. The execution and delivery by an authorized City officer will be conclusive evidence of that officer's approval of any changes.

The Supplemental Agreement in its final form, however, must be consistent with the financing plan described in this resolution and must provide (a) for the principal amount of the 2021 Bonds not to exceed \$14,000,000, (b) for an annual interest rate not to exceed 1.78% (in the absence of a default or a change in tax status), and (c) for a financing term not to extend beyond December 31, 2036.

C. *Officers To Complete Closing* -- The Council authorizes the City Manager, the Finance Officer and all other City officers and employees to take all proper steps to complete the financing in cooperation with the Lender and in accordance with this resolution.

The Council authorizes the Finance Officer to hold executed copies of all financing documents authorized or permitted by this resolution in escrow on the City's behalf until the conditions for

their delivery have been completed to that officer's satisfaction, and then to release the executed copies of the documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Council specifically authorizes the Finance Officer to approve changes to any documents previously signed by City officers or employees, provided that the changes do not conflict with this resolution or substantially alter the intent from that expressed in the form originally signed. The Finance Officer's authorization of the release of any document for delivery will constitute conclusive evidence of that officer's approval of any changes.

In addition, the Council authorizes the Finance Officer to take all appropriate steps for the efficient and convenient carrying out of the City's on-going responsibilities with respect to the financing. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under this resolution or otherwise with respect to the Master Agreement or the Supplemental Agreement.

D. Resolutions as to Tax Matters-- The City will not take or omit to take any action the taking or omission of which will cause the 2021 Bonds to be "arbitrage bonds," within the meaning of Section 148 of the "Code" (as defined below), or "private activity bonds" within the meaning of Code Section 141, or otherwise cause interest on the 2021 Bonds to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the City will comply with any Code provision that may require the City at any time to pay to the United States any part of the earnings derived from the investment of the financing proceeds. In this resolution, "Code" means the United States Internal Revenue Code of 1986, as amended, and includes applicable Treasury regulations.

E. Additional Provisions -- The Council authorizes all City officers and employees to take all further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. The Council ratifies all prior actions of City officers and employees to this end. Upon the absence, unavailability or refusal to act of the City Manager, the Mayor or the Finance Officer, any other of those officers may assume any responsibility or carry out any function assigned in this resolution. In addition, the Mayor Pro Tem or any Deputy or Assistant City Clerk may in any event assume any responsibility or carry out any function assigned in this resolution to the Mayor or the Clerk, respectively. All other Council proceedings, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

Ed Hooks, Mayor

Mr. Holt presented a request for adoption of a Resolution for the Application of seeking State funding assistance through the Clean Water State Revolving Fund (CWSRF) for the WRRF expansion to 4.0 MGD. He said based on Mebane's current growth trend and the short time frames between the current renovation at the WRRF, the planned 0.5 MGD and the future 1 MGD expansion discussed in March, staff now recommends foregoing the 0.5 MGD planned expansion in favor of a larger 1.5 MGD expansion to 4.0 MGD. He stated they do not anticipate any lost time by switching to this strategy. The proposed expansion cost to 4.0 MGD is approximately \$50 million. If the full amount of the loan is approved, we expect it to be over two funding cycles (this fall \$30 million and next spring \$17 million). Applying for the funds requires Council to adopt a resolution authorizing the City Manager to act on behalf of the City. Mr. Bradley made a motion, seconded by Mr. Greene, to adopt the resolution provided, requesting State Clean Water State Revolving Fund assistance to fund the proposed 1.5 MGD WRRF expansion project taking the design capacity from 2.5 MGD to 4.0 MGD. The motion carried unanimously.

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater system improvements, and

WHEREAS, The City of Mebane has need for and intends to construct a project to expand the capacity of its wastewater treatment facilities, and

WHEREAS, The City of Mebane intends to request State Clean Water State Revolving Fund (CWSRF) assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE city council OF THE City of Mebane:

That City of Mebane, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State Clean Water State Revolving Fund (CWSRF) award.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Mebane to make scheduled repayment of the loan, to withhold from the City of Mebane any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof. That City Manager, Chris Rollins, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a Clean Water State Revolving Fund (CWSRF) to aid in the construction of the project described above.

That City Manager, Chris Rollins, the City's Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 13th day of September, 2021 at Mebane, North Carolina.

Ed Hooks, Mayor

Mr. Holt presented a request for approval of a Change Order No. 3 with Carolina Sunrock, LLC in the amount of \$332,240.00 for the extension of the 2020-21 Street Repair and Resurfacing Contract. Mr. Holt shared the street list developed from the February 2020 Pavement Condition Survey performed by LaBella Associates, P.C. and shared a map which highlighted work that has been completed and proposed for CO #3.

Mr. Bradley asked if the list takes care of all the paving budgeted for the current budget year. Mr. Holt replied, no it does not. He said the Council has approved within the 21-22 budget \$625,000.00. Approving a \$332,240.00 change order will allow for a future contract to be bid and awarded during the January, 2021 meeting for approximately \$300,000.00.

Ms. Auditori said that street repairs and resurfacing seems to be of particular interest to the public and asked that Mr. Holt elaborate on how the list of streets are selected each year. He explained LaBella's Pavement Condition Rating process that is conducted earlier in the year and then the City's process of a final review and selection.

Mr. Bradley asked how the pothole reporting system is working. Mr. Rollins said the Mobile 311 reporting system has not worked as efficiently as the city had hoped on the citizen/public reporting side but does work well to generate internal work orders. He said that staff is working to get a new GIS reporting system in place and he feels that system will be much easier for the citizens when reporting issues.

Ms. Philipps questioned how the searching process for a Public Information Officer is going. Mr.

Rollins said staff has been hard at work filling multiple positions, mostly in public works, but Ms. Hunter is working towards getting that hire under way.

Mr. Bradley a made a motion, seconded by Ms. Philipps to approve Change Order No. 3 with Carolina Sunrock, LLC in the amount of \$332,240.00 for the extension of the 2020-21 Street Repair and Resurfacing Contract. The motion carried unanimously.

There being no further business the meeting adjourned at 7:37p.m.

Ed Hooks Mayor

ATTEST: _____
Stephanie W. Shaw, City Clerk