



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, April 4, 2022 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 East Washington Street.

Councilmembers Present:

Mayor Ed Hooks
Councilmember Katie Burkholder
Councilmember Sean Ewing
Councilmember Montrena Hadley
Councilmember Jonathan White

Also Present:

Chris Rollins, City Manager
Preston Mitchell, Assistant City Manager
Lawson Brown, City Attorney
Stephanie Shaw, City Clerk
Cy Stober, Development Director
Beatrice Hunter, HR Director
Franz Holt, City Engineer
Daphna Schwartz, Finance Director
Kyle Smith, Utilities Director
Aaron Davis, Recreation and Parks Director
Jamie Joseph, Deputy Fire Marshal

Councilmember Joined Via Phone Conference

Mayor Pro-Tem Tim Bradley

Mayor Hooks called the meeting to order. Pastor Sammy Ballard of First Baptist Church of Mebane gave the invocation. No one spoke during the Public Comment period.

Mayor Hooks gave an overview of the Consent Agenda:

- a. Approval of Minutes- March 7, 2022 Regular Meeting
- b. Petition for Voluntary Non-Contiguous Annexation- Hawfields Landing
- c. City Representation on Regional Boards
- d. Resolution seeking NC Division of Water Infrastructure funding- new 1 MG elevated storage tank
- e. Water Resources Recovery Facility (WRRF) Reclassification- Laboratory Technician to Laboratory Supervisor
- f. Adoption of 10 Year Utility Capital Improvement Plan to improve funding application and Adopting a Resolution for the WRRF expansion project requesting funding assistance from the State (CWSRF)
- g. Reimbursement Resolution for the WRRF 1.5 MGD Expansion Project
- h. Budget Amendment for the WRRF 1.5 MGD Expansion Capital Project Ordinance
- i. Reimbursement Resolution for the Lake Michael Dam Spillway Replacement
- j. Budget Amendment for the Oil Reclamation Shed
- k. Final Plat- Cambridge Park, Ph. 2C

Mr. Ewing made a motion, seconded by Mr. White, to approve the Consent Agenda as presented. The motion carried unanimously, including Mr. Bradley's vote via phone conference.

Item b.

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

Annexation No. 152

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 May 2 2022.

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

COMMENCING at an existing iron, said iron being located on the Southern Right-of-Way of S. NC 119 Hwy, said iron being the Northeastern common corner of Compass Realty Hawfields, LLC Property (9803677687, D.B. 3982, Pg. 238; Lot 1 P.B. 78, Pg. 312) and the Gilda Scott Property (9803782167, D.B. 350, Pg. 613); Thence, following a common line with said Scott Property S 16°38'47" W a total distance of 942.63 feet to an existing iron, said iron being a common corner with said Scott property and the **POINT OF BEGINNING**; Thence, following common lines with said Scott property the following calls: S 32°59'11" E a distance of 1,251.07 feet to an existing rock; Thence S 22°03'26" E a distance of 1,087.76 feet to an existing iron; Thence, S 68°04'45" E a distance of 358.03 feet to an existing rock; Thence, S 51°59'30" E a distance of 165.28 feet to an existing rock; Thence, S 63°51'08" E a distance of 350.22 feet to an existing iron, said iron being located in the Northern right of way of Farrell Road (S.R. 2134) and a common corner with said Scott property; Thence, following said Right-of-Way of said Farrell Road the following calls: a curve to the left having a radius of 2414.09 feet and a chord bearing and distance of S 29°39'33" W a distance of 288.83 feet to an existing iron; S 26°47'57" W a distance of 614.05 feet to an existing iron; S 26°36'39" W a distance of 919.16 feet to an existing iron, said iron being located in the Northern right of way of Farrell Road and a common corner with James E Farrell Heirs (9803735678, D.B. 481 Pg. 269); Thence, following the common line with said James E Farrell property, S 72°02'10" W a distance of 637.98 feet to an existing pinch top post, said post being a common corner with said James E Farrell Property and James M Farrell property (9803720779, D.B. 2123, Pg. 385); Thence, following the common property line with said James M Farrell property, S 72°10'02" W a distance of 912.40 feet to an existing iron, said iron being a common corner with said James M Farrell property and Desco Summerhaven, LLC property (9803630476, D.B. 4042, Pg. 818); Thence, following the common line with said Desco property, N 00°23'42" W a distance of 436.02 feet to an existing iron, said iron being a common corner with said Desco property and Janet Ecklebarger property (9803642756, D.B. 3411, Pg. 968); Thence, following a common line with said Ecklebarger property, N 24°05'26" E a distance of 824.98 feet to an existing iron, said iron being a common corner with said Ecklebarger property and Walter & William McAdams property (9803657182, D.B. 4149, Pg. 361); Thence, following a common line with said McAdams property, N 20°57'20" E a distance of 757.49 feet to an existing iron; Thence, following another common line with said McAdams property, S 81°02'42" W a distance of 346.93 feet to an existing iron, said iron be a common corner with said McAdams & Ecklebarger property; Thence, following a common line with said Ecklebarger property, N 38°25'45" W a distance of 543.50 feet to an existing iron, said iron being a common corner with said Ecklebarger property and Jay & Melanie Tufts property (9803652931, D.B. 3726, Pg. 797); Thence, following a common line with said Tufts property, N 15°53'09" E a distance of 277.65 feet to an existing iron, Thence, following another common line with said Tuft property, N 58°45'54" W a distance of 163.41 feet to an existing iron, said iron being a common corner with said Tuft property and Desco Summerhaven, LLC property (9803578217, D.B. 4042, Pg. 807); Thence, following common property line with said Desco property the following calls: N 02°42'16" W a distance of 631.01 feet to an existing iron; N 49°08'57" E a distance of 361.73 feet to an existing iron; Thence, following a common line with said Desco property and The Christian Education Society of Mebane, Inc. property (9803578931, D.B. 4260, Pg. 852), N 18°34'00" W a distance of 1,696.10 feet to a point; Thence following a common line with said Education property, N 39°04'32" W a distance of 141.67 feet to a point, said point being located on the Southern right of way of S. NC Hwy 119; Thence following said right of way the following calls; N 50°55'28" E a distance of 52.99 feet to an existing iron; a curve to the right having a radius of 951.90 feet and a chord bearing and distance of N 62°15'57" E a distance

of 303.93 feet to an existing iron; a curve to the right having a radius of 951.90 feet and a chord bearing and distance of N 73°00'07" E a distance of 51.49 feet to an existing iron, said iron being located on right of way of said Hwy 119 and a common corner with Compass Realty Hawfields, LLC property (9803677687, D.B. 3982, Pg. 223); Thence, leaving said right of way and following common lines with said Hawfields property the following calls: S 25°05'30" E a distance of 225.15 feet to a point; S 18°11'39" W a distance of 128.89 feet to a point; S 18°33'10" E a distance of 75.82 feet to a point; S 61°47'50" E a distance of 138.74 feet to a point; N 89°32'42" E a distance of 348.35 feet to a point; S 43°55'57" E a distance of 58.95 feet to a point; S 24°06'25" E a distance of 174.79 feet to a point, said point being a common corner with said Hawfields property and Gilda Scott Property; Thence, following a common line with said Scott Property, S 16°38'47" W a distance of 160.30 feet to an existing iron, said iron being a common corner with said Scott property; Thence, continuing with common line, S 16°38'47" W a distance of 35.16 feet to an existing iron, said iron being a common corner with said Scott Property and being the **POINT AND PLACE OF BEGINNING**, containing 148.960 ac +/-.

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 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 and studies of wastewater treatment works, and

WHEREAS, The City of Mebane has need for and intends to construct a water project described as a New Elevated Water Storage Tank Project, and

WHEREAS, The City of Mebane intends to request State loan and/or grant assistance for the project,

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

That the City of Mebane, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant 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 Ed Hooks, Mayor, and Chris Rollins, City Manager, the **Authorized Officials**, 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 loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Officials**, 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 4th day of April 2022 in Mebane, North Carolina.

Ed Hooks, Mayor

Item f.

RESOLUTION BY THE MEBANE CITY COUNCIL

WHEREAS, The **City of Mebane** has completed a Capital Improvement Plan (CIP) for the Water and Sewer Enterprise Fund that now spans 10-years, and

WHEREAS, The **City of Mebane** held a City Council Meeting on April 4, 2022 to present the 10-Year Water and Sewer CIP, and

WHEREAS, An application for funding submitted to the North Carolina Department of Environment Quality (DEQ) Division of Water Infrastructure (DWI) may earn points if the Applicant has a CIP adopted by the City Council within two years of the application date.

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

That **City of Mebane** does hereby adopt the Capital Improvement Plan (CIP) as updated for the Fiscal Year 2021-22 budget, as presented at the April 4, 2022 City Council Meeting.

Adopted this the 4th day of April, 2022 at Mebane, North Carolina.

Ed Hooks, Mayor

RESOLUTION BY THE MEBANE CITY COUNCIL

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 wastewater treatment capacity of its Water Resource Recovery Facility, and

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

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

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 City's **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 the **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 4th day of April, 2022 at Mebane, North Carolina.

Ed Hooks, Mayor

Item g.

Reimbursement Resolution for Water Resource Recovery Facility 1.5 MGD Expansion Project -- authorizing the City to reimburse itself for early Project expenditures from later financing proceeds

Introduction

The City intends to undertake a Project (as described below), use its own funds to pay initial Project costs, and then reimburse itself from financing proceeds for these early expenditures. The Manager and the Finance Director have advised the Council that it should adopt this resolution to document the City's plans for reimbursement, so as to comply with certain federal tax rules relating to reimbursement from financing proceeds.

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

1. The Project is the Water Resource Recovery Facility (WRRF) 1.5 million gallons per day (MGD) expansion.
2. The City intends to advance funds for initial Project costs, and then reimburse itself from financing proceeds. The expected primary type of financing for the Project (which is subject to change) is revenue bonds. The expected maximum amount of financing expected for the Project (including allowances for reserves and financing costs) is approximately \$51,000,000.
3. Funds for the early Project expenditures may come from the City's Water and Sewer Fund, or any other appropriate City fund.
4. The City intends for the adoption of this resolution to be a declaration of its official intent to reimburse itself from financing proceeds for Project cost expenditures.

Item h.

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year beginning July 1 2021 as duly adopted on June 7, 2021, and the WRRF 1.5 MGD Capital Project Ordinance duly adopted on May 3, 2021, is hereby amended as follows:

ARTICLE I

APPROPRIATIONS	Current Budget	Change	Revised Budget
Utility Fund - Non-Departmental	\$ 4,594,094	\$ 215,000	\$ 4,809,094
WRRF 1.5 MGD Capital Project Ordinance	\$ 3,310,000	\$ 215,000	\$ 3,525,000

ARTICLE II

REVENUES	Current Budget	Change	Revised Budget
Utility Fund - Appropriated Fund Balance	\$ 2,025,368	\$ 215,000	\$ 2,240,368
WRRF 1.5 MGD Capital Project Ordinance	\$ 3,310,000	\$ 215,000	\$ 3,525,000

This the 4th day of April, 2022.

Item i.

Reimbursement Resolution for Lake Michael Dam Spillway Replacement Project -- authorizing the City to reimburse itself for early Project expenditures from later financing proceeds

Introduction --

The City intends to undertake a Project (as described below), use its own funds to pay initial Project costs, and then reimburse itself from financing proceeds for these early expenditures. The Manager and the Finance Director have advised the Council that it should adopt this resolution to document the City's plans for reimbursement, so as to comply with certain federal tax rules relating to reimbursement from financing proceeds.

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

1. The Project is the Lake Michael Dam Spillway Replacement.
2. The City intends to advance funds for initial Project costs, and then reimburse itself from financing proceeds. The expected primary type of financing for the Project (which is subject to change) is an installment purchase agreement. The expected maximum amount of financing expected for the Project (including allowances for reserves and financing costs) is approximately \$4,000,000 to \$6,000,000.
3. Funds for the early Project expenditures may come from the City's General Fund, or any other appropriate City fund.
4. The City intends for the adoption of this resolution to be a declaration of its official intent to reimburse itself from financing proceeds for Project cost expenditures.

Item j.

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year beginning July 1 2021 as duly adopted on June 7, 2021, is hereby amended as follows:

ARTICLE I			
APPROPRIATIONS	Current Budget	Change	Revised Budget
General Fund - Public Works	\$ 3,417,344	\$ 40,000	\$ 3,457,344

ARTICLE II			
REVENUES	Current Budget	Change	Revised Budget
General Fund - Appropriated Fund Balance	\$ 4,279,955	\$ 40,000	\$ 4,319,955

This the 4th day of April, 2022.

A Public Hearing was held on a request from Duke University Health Systems for adoption of an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the 0.93 acres located at 1103 Crystal Lane in Alamance County. Mr. Brown gave an overview of the request, stating that this is a voluntary contiguous annexation.

Tom Boney, Editor and Owner of Alamance News, requested clarification of the acreage amount and the location. Mr. Lawson replied 0.93 acres and gave a detailed description of the location.

Mr. Ewing made a motion, seconded by Mr. White, to close the public hearing. The motion carried unanimously, including Mr. Bradley's vote via phone conference. Mr. Bradley made a motion, seconded by Ms. Hadley, to adopt an Ordinance to Extend the Corporate Limits to include the 0.93 acres. The motion carried unanimously.

A Quasi-judicial Public Hearing was held on a request from the City of Mebane for approval of a Special Use Permit to allow for an Elevated Water Storage Tank (EST) on a +/-1.39-acre parcel to be subdivided from a +/-5.16-acre property at 1500 South Third Street.

Mayor Hooks and each Council member entered a statement into record acknowledging that none of them have discussed this matter, nor formed an opinion.

Clerk Shaw swore in/affirmed the following:

Cy Stober- Mebane Development Director

Kyle Smith- Mebane Utilities Director

Franz Holt- Mebane Engineer

Josh Johnson- Mebane Stormwater Engineer

Tom Taylor- Real Estate Appraiser- Taylor and Associates Appraisers, Inc.

Tom Tant- P.E.- Hazen and Sawyer

Aaron Babson- P.E. Hazen and Sawyer

Jeff Cruickshank- P.E.- Hazen and Sawyer

Preston Mitchell- Mebane Assistant City Manager

Chris Rollins- Mebane City Manager

Jamie Joseph- Deputy Fire Marshall

Carl Bradley- Attendee

Mr. Stober gave an overview the request. He stated that the property is currently zoned M-2, Light Manufacturing. The Special Use request is specifically, as defined in the Mebane Unified Development Ordinance (UDO), is for "Public Utility Essential to the Immediate Area". The property is located inside the City limits in Alamance County. The subject property lies at the entrance of North Carolina Industrial Center and directly across from Maple Lane. The 1 million-gallon EST will be +/-200' tall. The 20' landscape buffer and driveway criteria apply. Additionally, the EST is subject to the development standards of Section 4-7.9.H ("Public Works and Public Utility Facilities Essential to the Immediate Area"), which requires fencing and has use-specific regulations regarding noise, dust, and outdoor storage. The EST will fulfill goals of the City's adopted Long-Range Utility Plan as well as enhance the City's public safety needs. Special Purpose Lots are detailed in Section 4-6 of the UDO, where they are reserved for utility uses and all dimensional requirements (e.g., setbacks) are waived. Mr. Stober gave a brief review of the Special Use Requirements, stating that based upon presented testimony the Council/Board must determine that the use will:

- Not materially endanger public health or safety;
- Not substantially injure the value of adjoining or abutting properties;
- Be in harmony with the area in which it is to be located; and
- Be in general conformity with the City's adopted plans and policies.

Mr. Smith presented the request on behalf of the City. He began by introducing the Project Team. He shared visual examples of various water tanks in surrounding areas. Mr. Smith shared the following reasons why the new water tanks is needed:

- Mebane currently has a 300,000-gallon elevated storage tank on 11th Street and a 3-million-gallon clearwell at the Graham Mebane Water Plant.

- Current tank and clearwell configuration meets regulatory requirements but is too small to equalize hourly demand variations while maintaining sufficient reserves for firefighting.
- Water system compensates for lack of existing elevated storage capacity by taking advantage of surplus pumping capacity at the water plant.
- Large fire flows or breaks can drain the current tank in one hour or less. Hazen confirmed through hydraulic modeling the existing tank can be drained in approximately 50 minutes with large flows.
- The new tank can sustain fire flows of 3,000 GPM for three hours even if the existing tank is empty or out of service.

Mr. Smith stated when the team began looking for the best project sites, they were looking for the following:

- High ground elevations to minimize height of tank.
- Near large water mains.
- Approximately the same distance from the supply source as the existing tank to allow balanced water levels and turnover that prevents high water age.
- Locations where needed fire flows are highest.

Looking at those four criteria, the 1500 South Third Street site proved to be the best site. Mr. Smith then reviewed the Findings of Fact, stating:

- Development will not materially endanger the public health or safety.
 - The proposed 1 MG elevated storage tank will increase public health and safety by providing additional water storage for firefighting and other emergencies.
- Development will not substantially injure the value of adjoining or abutting property.
 - "...the proposed water tower will be compatible with nearby development and will not have any adverse effect on the value of abutting or surrounding properties."
- Development will be in harmony with the area in which it is to be located.
 - The proposed 1 MG elevated storage tank will be located within the North Carolina Industrial Center on property zoned M-2.
- Development will be consistent with the City of Mebane Long Range Utility Plan.
 - The Long-Range Utility Plan calls for the addition of a second elevated storage tank as the average daily water use nears 2.0 MGD.

Ms. Burkholder stated in her review of the Planning Board minutes, she read a note which stated Mr. Holt would be visiting the property. She questioned if he had done so. Mr. Holt stated he did make a site visit and he has an upcoming scheduled meeting with the Long family to discuss the stormwater controls. Mr. Holt asked Mr. Johnson to come up and speak to the stormwater concerns.

Mr. Johnson said there are two residential properties located to the west of the subject property. A stream originates on that property and that stream runs very close to one of those homes which is on the Long family's property. He said the Long family is concerned about flooding. Mr. Johnson explained the history of the stormwater ponds within NCIC. The City will own and maintain the storm water pond for the purposes of treating and detaining runoff from the proposed and adjacent site. He said what the City is building will be a far less impervious level than what could be built there if developed commercially as an industrial property.

Mr. Bradley questioned if there are any concerns with flooding if the water tank ruptures or is damaged in any way. Mr. Tant stated that the water tanks are designed per the building code and based on what they see in the industry the public safety benefits of having a water storage tank in place far outweighs any events such as an accidental rupture.

Ms. Hadley questioned if the City would be liable if there was a tank rupture.

There was some discussion regarding fire flow improvements in several locations with the installation of this water tank.

Mr. White asked for clarification regarding driveway access. Mr. Smith stated there is a driveway access off of Third Street and also a shared driveway with Fresenius Medical.

Mr. Taylor provided his professional opinion that the proposed project will not substantially injure the value of adjoining or abutting properties.

Carl Bradley questioned if the tank would have lighting. Mr. Smith said currently the height is only approximate. Should the height of the tank require lighting, the City will comply with FAA regulations.

Mr. Rollins addressed Ms. Hadley's early question about the City's liability if there were ever a tank rupture. He explained that there would be many different variables to consider, so there is no clear answer.

Mr. Ewing made a motion, seconded by Ms. Hadley, to close the public hearing. The motion carried unanimously, including Mr. Bradley's vote via phone conference. Mr. Ewing made a motion, seconded by Ms. Burkholder, to find that the request is both reasonable and in the public interest because it finds that it:

1. Will not materially endanger the public health or safety;
2. Will not substantially injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is located; and
4. Will be in conformity with the objectives and goals of the City's Long Range Utility Plan and in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*.

The motion carried unanimously, including Mr. Bradley's vote via phone conference.

Mr. Johnson presented a request for the adoption of a Resolution seeking a State Asset Inventory and Assessment grant for the study of existing water infrastructure as related Lead and Copper Rule Revision (LCRR). With Council approval, the City plans to apply for funding to update its Lead and Copper Plan to comply with the recently promulgated LCRR from January 2021. This study will fund the second phase of the program creation which will include further desktop analysis of the water system for pipe materials, field analysis and investigation of water main and service lines, and compilation of the testing results into a GIS format. This step is required in order to comply with the LCRR, with or without the grant. This work will also provide information to update the City's asset management of the drinking water system. The funding application is due May 2, 2022, and will be submitted prior to the application deadline. Staff recommends applying for available AIA funding assistance grant.

Mr. White asked when the City would hear if the grant was awarded. Mr. Johnson said typically around July.

Mr. White made a motion, seconded by Ms. Hadley, to approve the adoption of the resolution stating that the City intends to study its existing drinking water infrastructure in preparation for the lead and copper rule revision implementation and intends to request State grant funding assistance and authorizing Chris Rollins, City Manager, to make application on behalf of the City of Mebane. The motion carried unanimously, including Mr. Bradley's vote via phone conference.

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 and studies of drinking water distribution system and wastewater collections system projects, and

WHEREAS, The City of Mebane has need for and intends to conduct a study on drinking water distribution studies described as study of all drinking water infrastructure, using AIA funding, that belong to the City of Mebane. This study will evaluate the age and location of existing infrastructure in preparation for the lead and copper rule revision implementation, and

WHEREAS, The City of Mebane intends to request State loan and/or grant assistance for the projects.

Now therefore it be 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 loan and/or grant 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 Chris Rollins, City Manager, 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 loan and/or grant to aid in the study of or construction of the project described above.

That the **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 4th of April 2022 at City of Mebane Glen Stephenson Municipal Building, Mebane, North Carolina.

(Signature of Chief Executive Officer)- Mayor Ed Hooks

Mr. Stober presented a request to award a Downtown Exterior Improvement Grant (DEIG) of \$6,201 to Kean Nguyen to address the described needs for 108 and 110 West Clay Street. He gave a brief overview of the DEIG program. He stated that Council awarded five (5) applicants a total of \$20,308.31 for qualifying requests at its March 7, 2022, meeting, leaving \$29,691.69 in grant funds available for award. One qualifying application for 108 and 110 West Clay Street was received for consideration by the Council: \$6,201 to replace one broken window in the rear of the building; paint sides of both buildings grey or beige; repaint rear of both buildings' beige; paint metal stair railings black; and paint the façade of 108 West Clay Street white and the façade of 110 West Clay Street grey with white trim on all accents and windows. The applicant is not seeking reimbursement for the painting already done for 108 West Clay Street, which was ordered by a tenant, and the landlord will be matching that paint tone and color to present a property with a consistent appearance.

Mr. White made a motion, seconded by Mr. Ewing, to award a DEIG of \$6,201 to Kean Nguyen to address the described needs for 108 and 110 West Clay Street. The motion carried unanimously, including Mr. Bradley's vote via phone conference.

Ms. Hunter presented a request for consideration of making Juneteenth a City holiday and paid employee holiday. She explained that at the March Council meeting, Council requested staff to explore Juneteenth as City holiday and paid employee holiday. She stated on June 17, 2021, President Joe Biden signed Juneteenth into law, and it became a national holiday and a paid holiday for federal employees. She referenced a list of holiday comparisons with surrounding cities which was included in the Council's packet.

Mr. White said he assumes the Juneteenth holiday date will be set federally, if it is on a Saturday, it would move to Friday and if on a Sunday, it would move to Monday. Ms. Hunter replied yes which is what happened this year and it will be observed on June 20th. Mr. White then questioned if the City's celebration would always be held on the weekend. Mr. Davis replied most likely the celebration would be held on every June 18th.

Mr. Bradley said he thinks this is a wonderful idea, however, he has some concerns about the process due to the lack of public input. He stated that the State employees get 11 paid holidays, Juneteenth not being one of them and the City of Mebane employees get 12 paid holidays already. He questioned if a holiday would be cut to include this holiday or would it just be added to make 13 paid holidays for City employees. He questioned if City employees should have the day off to celebrate or should they celebrate on the weekend when everyone else celebrates. Mr. Bradley suggested that a public hearing to receive public input and also provide an opportunity to provide education about the Juneteenth holiday.

Mr. Ewing questioned what other holiday's do we have right now that are not celebrated on the weekends. Ms. Hunter used July 4th as an example, stating if it falls on the weekend the paid holiday is moved to a weekday; typically observing and following the State Employee Holiday Schedule.

Mr. Ewing asked Mr. Bradley what his vision of more public input looks like. He agreed that more people need to know the importance of Juneteenth.

Mr. Bradley said a public hearing would allow for people to give their opinion on whether it should be a paid holiday. He said a contributing factor is that the State, nor the county, offer Juneteenth as a paid holiday for their employees.

Mr. White said if it is decided that Council wants to receive public input, it should be clear about what it is exactly that we are looking for public comments on. Also there needs to be clarity on what day would the paid holiday be observed vs what day a city-wide celebration would be held.

Mr. Bradley said his recommendation would be specific to holding a public hearing where a proposed resolution to make Juneteenth a paid holiday would be considered for adoption. He added, from a historical perspective, a public hearing would be a great opportunity to provide information to people that may not be familiar with the Juneteenth holiday.

Mr. White said that he would want Council to make it extremely clear that there be no question as to whether a Juneteenth celebration will be held this year, that this year's celebration is not a risk and is not being put on hold, it is moving forward in full swing. The only deference is whether or not Juneteenth will be a paid holiday for City of Mebane employees. He suggested that someone come to give a brief historical presentation on this topic.

Mr. Bradley made a motion, seconded by Mr. Ewing, to direct staff to draft a resolution as discussed and to advertise a public hearing for the consideration of that resolution, along with a brief historical presentation at the May meeting. The motion carried unanimously.

Mr. Boney suggested that staff provide at the next meeting, a comparison of current paid holidays observed by Mebane City employees vs State Employees, County Employees and other City employees. Also, how the City will handle the budgetary impact and also the work load burden; ex., trash and other public services. Mayor Hooks stated that the comparison list was already provided by Ms. Hunter in the Council's packets.

Mr. Davis presented a request for approval of two Memorandum of Understanding (MOU) for Mebane Trail Rangers and Triangle Off-Road Cyclists. Mr. Davis explained that Mebane is seeking assistance from volunteer groups to help keep the trails and greenways beautiful and functional. These MOU's between the City of Mebane and the Mebane Women's Club, Mebane on the Move group called the "Mebane Trail Rangers" and separately, the "Triangle Off-Road Cyclists (TORC)" will include the trails at Cates Farm Park, Mebane Greenways, Lake Michael, and future trails.

Mr. White made a motion, seconded by Ms. Burkholder, to approve the MOU's as presented for Mebane Trail Rangers and Triangle Off-Road Cyclists. The motion carried unanimously, including Mr. Bradley's vote via phone conference.

Mr. Joseph presented a request for approval to apply for FY 2022 Emergency Management Capacity Building Competitive Grant funded through Senate Bill 105, section 19E.5.(A) and the NC Department of Public Safety Division of Emergency Management. The grant application will be completed by Alamance County Emergency Management for the City of Mebane to purchase and install a generator and automatic transfer switch at the Mebane Arts and Community Center (MACC), to provide a designated location for a shelter in the event of a natural disaster. Mebane currently has a Memorandum of Understanding (MOU) with the NC Emergency Management as a designated shelter, and the City will need to execute an MOU with Alamance County in order to apply for the grant. The City of Mebane will be responsible for the maintenance and service of the generator after it is installed as outlined in the MOU. There is no match requirement imposed on these grant funds, and Mebane is eligible for up to \$400,000.00. Staff recommends moving forward with the grant application. This project has been discussed by Council for a number of years.

After some discussion, Mr. White made a motion, seconded by Ms. Burkholder, to approve moving forward with the grant application and the execution of an MOU with Alamance County. The motion carried unanimously, including Mr. Bradley's vote via phone conference.

There being no further business, the meeting was adjourned at 7:18 p.m.

Attest: _____
Stephanie W. Shaw, City Clerk

Ed Hooks, Mayor