



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, October 2, 2023 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 E. Washington Street.

Councilmembers Present:

Mayor Ed Hooks
Mayor Pro-Tem Tim Bradley
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
Ashley Ownbey, Development Director
Daphna Schwartz, Finance Director
Aaron Davis, Recreation and Parks Director
Kyle Smith, Utilities Director

Mayor Hooks called the meeting to order. Pastor Sammy Ballard of First Baptist Church of Mebane gave the invocation.

Mr. Davis introduced NC Recreation and Park Association (NCRPA) Executive Director, Michelle Wells. Ms. Wells gave a short presentation recognizing Kris Kloepping as the recipient of the NCRPA's Young Professional Award.

Mr. Mitchell introduced John Dodson as the City's new Water Resource Recovery Facility Director. Mr. Mitchell stated that Mr. Dodson previously worked for the City of Durham since 2006 and has over 25 years of experience in this field. Mr. Dodson thanked staff and Council for the opportunity. He shared a few brief comments about himself, his family, and his passion for his career.

Mayor Hooks recognized and congratulated Kirk Montgomery, Mebane's IT Director, as he was recently elected to serve as the President of the State Employees Association of North Carolina.

Ms. Burkholder made a motion, seconded by Mr. Bradley, to approve the minutes from the September 5, 2023, Regular Meeting. The motion carried unanimously.

No one spoke during the Public Comment Period.

A Public Hearing was held on a request from Deep River for approval to rezone four properties totaling +/- 27.16 acres located along Mebane Oaks Road and Old Hillsborough Road from R-20 and B-2 to R-8 (CD) and B-2 (CD) for a development consisting of five commercial parcels and 90 townhomes. Ms. Ownbey presented the request. She shared that the properties are in Alamance County in the Mebane Extraterritorial Jurisdiction (ETJ). The applicant must petition for annexation before connecting to City water and sewer. The site is largely forested and vacant. There is a stream on the site along with floodplains and wetlands. Surrounding uses include single-family residential, commercial, churches and Mebane Fire Station No. 3. The site is identified in the City's Comprehensive Land Development Plan Mebane by Design as having both Secondary Growth Strategy Area and a Jones Drive in South Mebane Oaks Residential Growth Area. There is some Conservation Area identified on the site as well, given the presence of the Stream. Those strategy areas support a general mix of light commercial and residential uses. Development of the site is also informed by a plan that was adopted by the Council in 2007 and is known as the Mebane Oaks Road Small Area Plan. This would provide the extension of Wilson Road from Forest Oaks Lane to Old Hillsborough Road; development of this site would help realize the southern connection of that extension. The proposed request is conditional, meaning it is site specific, and it is for two zoning districts R-8(CD) and B-2(CD) and would be split based on where Wilson Road is located. So, the General Business would be along Mebane Oaks and the Residential zoning would be to the east where the town homes are shown. The City's Bicycle and Pedestrian Transportation Plan shows a sidewalk along Mebane Oaks Road and a multi-use path along Old Hillsborough Road. The applicant is showing a five-foot-wide sidewalk on Mebane Oaks and a 10-foot-wide multi-use path on Old Hillsborough. Additionally, the development shows public and private streets, Wilson Road would be public and the immediate connection to Mebane Oaks would also be a public street. The

private streets are within the townhome community. The town home community would include a private playground area, a picnic area, dog park exercise area, and a walking trail. There are conditions associated with the site-specific plan, those include a minimum 30-foot building separation between the town home buildings with no side yards for the in units. The applicant has proposed an alternative landscaping plan which was detailed in the staff report and approximately one acre of common private recreation area that would be open to all residents. The applicant is asking that the individual town home backyards be considered when evaluating private recreation. Public recreation space is required, so the applicant is requesting to make a payment in lieu of that public recreation area. The payment in lieu would be used to realize some off-site pedestrian improvements for the growing multi-use path network in this area. The applicant would be responsible for installing the crosswalk and pedestrian signals at the intersection of Mebane Oaks Road and Old Hillsborough Road and the remainder of the payment in lieu would be used to connect this development to The Meadows subdivision in the multi-use path network emerging there. Ms. Ownbey stated that the commercial lots would be developed with driveway access from Wilson Road, cross-access between lots supporting interconnectivity and with a restriction of uses. Ms. Ownbey concluded her presentation with a brief overview of the multi-modal and road improvements that would be required based on the traffic study recommendations.

Mike Fox, Attorney with Tuggle Duggins and representative of the applicant, talked about the extensive process to get to this point and the applicant's commitment to "get the project right" for Mebane. Mr. Fox reiterated project highlights as shared by Ms. Ownbey. He shared that Deep River representatives have had extensive conversations with the neighboring property owners, even having met with some of the neighbors. Concerns were related to traffic, wetlands, and wildlife.

Brian Pierce, Deep River Partner, shared some history about their company, sharing that they are a local company that has invested in the Triad community for over 35 years. He named several of their past projects/clients: Trader Joes, Greensboro Surgical Center, Texas Roadhouse, Chick-fil-A, Verizon, Habit Burger, Krispy Kreme, and Aldi.

Mr. White asked if a strip mall type project could be built on the commercial outparcels, stating that he felt that would not be desirable. Mr. Fox replied that it is possible but not the goal as they prefer individual uses on those parcels.

Mr. Pierce spoke briefly on the residential development aspect of the project. He stated that they feel this mixed-use development will offer a great transition between what exists residentially and commercially, tying those things together. He thanked Council for its consideration of the project.

Mr. Fox spoke about the design and development considerations for the project. He stated that the townhomes have not been designed yet. He shared "inspiration" illustration with features that their townhomes would have such as multi-story and one car garage. He also shared the following architectural commitments:

- Facade elevations feature 25% or more stone or brick
- Slab on grade construction
- Single car garages on all units
- 30-year architectural shingles
- Projected Eaves (side, back & front)
- Minimum 1,400 square feet
- Where Vinyl Siding is used, there will be elevation differentiation and variety of textures and muted colors.

Ms. Burkholder requested more details related to parking. Mr. Pierce stated that what they have designed is for single car garages with driveways at least 20 feet beyond the sidewalks, so there are two spaces for each unit and in addition there are 47 off-street parking spaces. He stated that they do exceed the requirements and their goal in creating the off-street parking spaces was to encourage cars to stay off the street. Ms. Burkholder asked if there would be anything that would prevent folks for the retail portion from attempting to park in the residential community. Mr. Pierce said they could certainly consider signage and there would be adequate parking for the retail/commercial pieces of the development.

Mr. Bradley asked what the road widths will be on the private drive. Andrew Christ, Project Manager with Fleming Engineering Inc., stated 22 feet pavement to pavement (27 feet back-to-back) on the private drive and 26 feet pavement to pavement (31 feet back-to-back) on the public roads.

Ms. Ownbey stated that during the TRC process, a note was provided on the site plan disallowing on-street parking and the property management group would make sure that people cannot park on the street.

Per Ms. Hadley's request, Mr. Christ shared information regarding the developer's plans as related to building within a floodplain. He briefly explained the process and assured the Council that there would be no impact on the wetlands and streams by staying outside of their parameters.

The Council expressed its desire to see the front of the townhomes staggered with some depth or to have differentiation so that they are not just flat all the way across. Hardieplank siding was also discussed as a preference. Mr. Pierce stated that the townhomes have not been designed yet but they certainly want to create homes that are attractive, and they have a track record for doing so.

There was brief discussion about the list of restricted uses which the applicant voluntarily offered as a condition.

Dionne Brown, Traffic Engineer with Davenport, shared that the following projects were considered when completing the Traffic Impact Assessment (TIA): the new traffic light, Summit Church, Meadow Phases, Meadowstone Townhomes, and McKay Bookstore. Ms. Ownbey confirmed that the recently approved Evolve project included this Deep River project in its TIA. Mr. Mitchell stated that all TIA's are reviewed by NCDOT and the City contracted traffic engineer.

Mr. Ewing requested more information regarding the proposed buffer between the commercial and residential lots. Mr. Christ stated that between the residential community and the commercial lots lies Wilson Road but they plan to provide landscaping on both sides, the commercial side, and the townhomes side. One of the conditions requested is a reduction of 2 feet, to 8 feet, on the commercial side but an increase on the townhome side from 10 feet to 15 feet.

Ms. Hadley spoke about the importance of capturing all the offered conditions and commitments within the City's approval letter to ensure the City has a means to ensure compliance. Mr. Fox stated all would be followed as part of the zoning process.

Carl Bradley, 4610, Mebane Rogers Road, Mebane, asked a question about the stormwater retention pond on the site plan slide. Mr. Pierce stated that the stormwater retention pond will service the entire site, both the commercial and the residential pieces.

Mr. White made a motion, seconded by Mr. Bradley, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Ms. Burkholder, to approve the R-8 (CD) and B-2 (CD) zoning as presented and a motion to find that **the application is consistent** with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. Specifically, the request:

- Is for properties within the City's G-4, Secondary Growth Area and G-2, Jones Drive and South Mebane Oaks Road Residential Growth Area and proposes a mix of residential and light commercial uses
- Encourages a variety of uses in growth strategy areas to promote a village concept that supports compact and walkable environments, consistent with Growth Management Goal 1.1
- Allows for commercial development to be pedestrian-friendly, supporting walking between different land uses, consistent with Growth Management Goal 1.6
- Improves safety and pedestrian access across major streets such as Mebane Oaks Road, consistent with Public Facilities and Infrastructure Goal 2.1

The motions carried unanimously.

Greg Payne, a 20-year resident of Mebane, announced the creation of the Mebane Community Fund, to be housed at the Alamance Community Foundation. The new fund will pool private donations from individuals and businesses and be used to make grants that improve the quality of life and amenities in Mebane.

The fund is intended to be used for physical, tangible improvements that are visible to the public, located outdoors or in a public building. Examples include public art, improvements to our parks and recreation areas, improvements to trails and greenways, downtown improvements, or for new facilities like a permanent farmers market structure. Governments and non-profit organizations will be eligible to apply for grants. A Mebane Advisory Board will be established to review grant proposals and make recommendations to the board of the Alamance Community Foundation, which will make the final decision. An initial deposit of \$25,000 was required to open a new fund at the Alamance Community Foundation, and that amount has been raised. The next step will be to obtain multi-year pledges from Mebane individuals and businesses to increase the size of the fund. No formal action was taken.

Mark Reich, Alley, Williams, Carmen and King, Inc., presented a request for approval of a change order for the FY 2023-24 Street Repair Contract. He explained that last October the Council awarded the street repair and resurfacing contract to Turner Asphalt GC, LLC for \$725,000 with a provision to allow a 100% extension of the same contract unit prices. The change order work consists of patching/repairing and resurfacing 2.26 miles of City Streets, crack sealing 0.58 miles of City Streets, mill and resurface the Recreation Museum parking lot, crack seal the City Hall and Inspection Department parking lots and patching and resurfacing 2,380 square yards of the Public Works Department parking lot. Total Change Order amount is \$725,000.

Mr. White made a motion, seconded by Mr. Bradley, Motion to approve a change order to Turner Asphalt GC, LLC contract in the amount of \$725,000.00 for the 2023-24 Street Repair and Resurfacing Contract. The motion carried unanimously.

Mr. Smith gave a brief update on the Clay Street Improvement project. He stated that all the underground work has been completed but they are working on six areas of concern that were found. He said they are going to wait until the next resurfacing contract in the next fiscal year to resurface on Clay Street since they did not have near as many pavement cuts as they initially thought.

Ms. Schwartz presented a request for approval of a Bond Order and Series Resolution for revenue bonds and the Elevated Water Tank Capital Ordinance Amendment. Ms. Schwartz provided some background information, sharing that the revenue bonds are for the elevated water tank project that the city determined was needed. The City purchased the property to build the tank and the contract for engineering was awarded to Hazen and Sawyer in the Summer of 2022. In August of this year, the Council adopted the resolution with the intention to issue revenue bonds and provide funding for the elevated water tank through Capital One at a 4.46 % interest rate for 20 years. Construction bids have been received and they were slightly higher than expected. So, the current estimated cost of the project is \$8,425,000. The City has been awarded grant funding for approximately \$2.6 million and the estimated amount to finance is approximately \$5.8 million. Staff is still waiting to hear about a few grant opportunities but because of the time schedule for the project, staff recommends moving forward with the revenue bonds and should the City be awarded grant funding, the revenue bonds could be used to fund other utility projects as there are several coming up. The Bond Order and Series Resolution would formally authorize the issuance of the revenue bonds for the elevated water tank project and approve substantial final fund financing documents and other financing details which will authorize the city staff to complete the bond closing. This is all dependent on the Local Government Commission Approval. Also for approval is a Capital Project Ordinance Amendment 1 which will adjust the budget in the Capital Project Ordinance to increase it to match the new estimate for the project. Additionally, there is a Second Supplemental Trust Agreement and by approving the Bond Order and Series Resolution, that agreement would be approved as well.

Mr. Bradley made a motion, seconded by Mr. Ewing, to approve the Bond Order and Series Resolution. The motion carried unanimously. Ms. Burkholder made a motion, seconded by Mr. Bradley, to approve the Capital Project Ordinance as presented. The motion carried unanimously.

**Bond Order and Series Resolution Authorizing the Issuance of up to \$6,000,000 in
City Water and Sewer Revenue Bonds for the Elevated Water Tank Project**

Introduction --The Mebane City Council, by resolution adopted on August 7, 2023, has stated its proposal to issue revenue bonds to provide funds to carry out a plan (the "Project") to build a new 1-million-gallon elevated water tank and to pay related costs. Revenue bonds are not secured by

the City's taxing power or any physical collateral, but instead by a pledge of the net operating revenues of the City's water and sewer utility system.

The City has applied to the North Carolina Local Government Commission for its approval of the revenue bonds, and the LGC has accepted the City's application. The Council now desires to adopt a bond order to authorize formally the issuance of these revenue bonds for the water tank 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, pursuant to the North Carolina Local Government Revenue Bond Act, City revenue bonds (the "2023 Bonds") in an amount not to exceed \$6,000,000 to pay capital costs of water and sewer system improvements, and in particular costs of the planned water tank referenced above, together with related financing and other necessary or incidental costs.

2. The 2023 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 2023 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 2023 Bonds, and no owner of the 2023 Bonds shall have the right to compel the exercise of the taxing power of any governmental entity in connection with any default on the 2023 Bonds.

3. The City will issue the 2023 Bonds as "Additional Bonds" as provided in the City's existing Master Trust Agreement (the "Master Agreement") for combined utilities revenue bonds dated September 1, 2021. The Master Agreement sets the overall legal framework for all City revenue bonds, including the City's prior revenue bonds, the 2023 Bonds and any future revenue bonds.

BE IT FURTHER RESOLVED by the Council as follows:

A. *Sale of Bonds* – Capital One Public Funding, LLC (the "Lender") has submitted a proposal to purchase the proposed 2023 Bonds. City staff recommends that the Council accept the proposal, and the Council accepts the proposal. The City asks the LGC to sell the Bonds to the Lender at a private sale, substantially in accordance with this resolution and the Lender's financing proposal dated July 26, 2023.

B. *Approval of Second Supplemental Agreement; Direction To Execute Agreement* – The City will issue the 2023 Bonds to the Lender pursuant to a Second Supplemental Trust Agreement (the "Supplemental Agreement") in substantially the form of the draft dated September 25, 2023 presented to this meeting. The Supplemental Agreement sets the terms specifically applicable to the 2023 Bonds, including the interest rate and the payment and prepayment provisions. The Supplemental Agreement will be dated, for identification purposes, as of October 1, 2023.

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 substantially in 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 2023 Bonds not to exceed \$6,000,000, (b) for an annual interest rate not to exceed 4.46% (in the absence of a default or a change in tax status, substantially as described in the draft Supplemental Agreement), and (c) for a financing term not to extend beyond December 31, 2043.

C. *Officers To Complete Closing* – The Council authorizes the City Manager, the Finance Director 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 City Manager 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 Board specifically authorizes the City Manager to (a) to approve and enter into additional agreements to carry out the financing contemplated by this resolution, including agreements for the custody of Bond proceeds and agreements for appropriate professional services, and (b) 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 City Manager'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 City Manager and the Finance Director 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 2023 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 2023 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 Director, any other of those officers may assume any responsibility or carry out any function assigned in this resolution. In addition, the Mayor Pro Tem, and Deputy or Assistant City Manager 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, the City Manager 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.

This is the 2nd day of October 2023.

**Capital Project Ordinance for the City of Mebane
Elevated Water Tank Project Amendment One**

BE IT ORDAINED by the Governing Board of the City of Mebane, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project authorized is the design and construction of an elevated water tank to be financed by the debt and grant proceeds.

Section 2: The officers of this City are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following amounts are hereby appropriated for the project:

Appropriation	Project Budget
Administrative and legal expenses	\$ 170,360
Architectural & engineering fees	\$ 524,000
Construction	\$ 7,577,000
Contingency	\$ 153,640
Total Expenses	\$ 8,425,000

Section 4: The following revenues are anticipated to be available to complete the project:

Revenue	Project Budget
Economic Development Administration (EDA) Grant	\$ 2,502,990
State Capital and Infrastructure Fund (SCIF) Directed Grant	\$ 150,000
Debt Proceeds	\$ 5,772,010
	\$ 8,425,000

Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the General Statutes of North Carolina.

Section 6: Funds may be advanced from the Utility Fund for the purpose of making payments as due.

Section 7: The Finance Officer is hereby directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

Section 8: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 9: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer for direction in carrying out this project.

Mr. Rollins stated that this whole process will begin again for the Water Recovery Resource Facility (WRRF) Expansion and the City can easily use additional funding if granted as the WRRF expansion will be a much larger than the water tank project.

Mr. Brown presented a request for adoption of a Resolution of Intent for Street Closing- Portions of Jackson Street and Short Street. Mr. Brown explained that the City, as applicant, is the owner of land contiguous to portions of Jackson Street and Short Street, which were previously platted but unopened streets, shown on a plat recorded in Plat Book, 83, Page 237 of the Alamance Registry shown as sixty feet (60') in width. Mr. Brown stated that the Resolution of Intent will be published in the Mebane Enterprise according to NCGS requirements as well as the property will posted with a public hearing notice. He stated that staff recommends the adoption of the Resolution of Intent declaring the City's intention to close the portions of Jackson Street and Short Street and to set a date of public hearing for November 6, 2023, to consider adoption of the Street Closing Order.

Mr. Ewing made a motion, seconded by Ms. Hadley, to adopt the Resolution of Intent as presented. The motion carried unanimously.

**RESOLUTION OF INTENT BY THE CITY COUNCIL OF THE CITY OF MEBANE, NORTH CAROLINA
PURSUANT TO N.C.G.S. §160A-299 TO PERMANENTLY CLOSE
PORTIONS OF JACKSON STREET AND SHORT STREET**

WHEREAS, the City Council of the City of Mebane, North Carolina has been recently requested to permanently close portions of Jackson Street and Short Street; and

WHEREAS, the City Council of the City of Mebane, North Carolina hereby declares its intent to permanently close portions of Jackson Street and Short Street; and a public hearing on said matter is to be held on November 6, 2023, at 6:00 p.m. in the council chambers of the Glendel Stephenson Municipal Building, 106 E. Washington Street, Mebane, NC 27302;

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

Section 1. The City Council of the City of Mebane, North Carolina, pursuant to N.C.G.S. §160A-299, does hereby declare its intent to permanently close portions of Jackson Street and Short Street, the right of way for which is more particularly described as follows:

A certain tract or parcel of land in Melville Township, Alamance County, North Carolina adjoining the lands of the unopened right of way of Jackson Street, the unopened right of way of Short Street, Willard Rogers and wife Evelyn A. Rogers parcel ID number 165064, Elizabeth Foust Heirs parcel ID number 165070, the City of Mebane property parcel ID numbers 165218, 165069, 165075, 165076, and 165077, and being more particularly described as follows:

BEGINNING at an iron stake found in the northern margin of the unopened 60 foot right of way of Short Street, said iron stake found being a corner between Willard Rogers and wife Evelyn A. Rogers parcel ID number 165064 and the City of Mebane property parcel ID number 165069 and running thence with said northern margin of the unopened 60 foot right of way of Short Street S 86° 38' 27" E 150.00 feet to an iron stake found at the intersection of the northern margin of the unopened 60 foot right of way of Short Street and the western margin of the unopened 60 foot right of way of Jackson Street being the southeastern most corner of the City of Mebane property parcel ID number 165069; running thence with the western margin of the unopened 60 foot right of way of Jackson Street N 03° 18' 39" E 375.15 feet to an iron stake found said iron stake found being a corner between Elizabeth Foust Heirs parcel ID number 165070 and the City of Mebane property parcel ID number 165069; running thence perpendicular across the unopened 60 foot right of way of Jackson Street S 86° 41' 21" E 60.00 feet to an iron stake set in the eastern margin of the unopened 60 foot right of way of Jackson Street in the line of the City of Mebane property parcel ID number 165077; running thence with said eastern margin of the unopened 60 foot right of way of Jackson Street the following three(3) calls: S 03° 18' 39" W 171.38 feet to an iron stake found corner between the City of Mebane property parcel ID 165077 and the City of Mebane property parcel ID 165076; thence S 03° 18' 39" W 50.09 feet to an iron stake found corner between the City of Mebane property parcel ID 165076 and the City of Mebane property parcel ID 165075; thence S 03° 18' 39" W 185.72 feet to an iron stake found at the intersection of the eastern margin of the unopened 60 foot right of way of Jackson Street and the southern margin of the unopened 60 foot right of way of Short Street said iron stake found being the southwestern most corner of the City of Mebane property parcel ID number 165075 in the line of the City of Mebane property parcel ID number 165218; running thence with said southern margin of the unopened 60 foot right of way of Short Street the following two(2) calls: S 81° 43' 01" W 138.80 feet to an iron stake found; thence N 86° 38' 27" W 74.08 feet to an iron stake set in the southern margin of the unopened 60 foot right of way of Short Street being in the line of the City of Mebane property parcel ID 165218; running thence perpendicular across the unopened 60 foot right of way of Short Street N 03° 21' 33" E 59.87 feet to the POINT AND PLACE OF BEGINNING containing 0.762 acres plus or minus of unopened road right of way to be abandoned.

The foregoing descriptions were obtained from a survey and map prepared by Alley, Williams, Carmen & King, Inc., Engineers, Architects & Surveyors, dated August 30, 2023, Job No. 22021 and recorded in Plat Book 83 Page 237 of the Alamance County Registry.

Section 2. That the City Clerk shall duly advertise that a public hearing will be held on these matters in the Council Chambers, Mebane, North Carolina on November 6, 2023, at 6:00 p.m.

The foregoing resolution was duly adopted by the City Council of the City of Mebane at the meeting held on the 2nd day of October 2023.

Ms. Ownbey came forward to introduce an informational item. She shared that at the September 2022 Council meeting, the Council received a brief presentation from a representative of Orange County to kick off the U.S 70 multimodal Corridor study. Since then, staff has been meeting on a regular basis with other communities involved in that study. A public information workshop was

also held in early March of 2023. Ms. Ownbey introduced Orange County Transportation Planning Manager Darlene Weaver. Ms. Weaver gave an update on the progress of the study via the attached PowerPoint. No formal action was taken.

Mr. Brown presented a request for approval of an Ordinance Amendment- Deletion of Inconsistent Code Provision- *Section 34-134- Riding on sidewalks prohibited*. Mr. Brown explained that the Mebane Code of Ordinances was adopted in 2002. Section 34-94 was amended in 2019 to allow the riding of bicycles on sidewalks except for in the business district. Section 34-134 which prohibited the same was not deleted at that time. He stated that staff recommends the deletion of the latter referenced Section so that Section 34-94 is controlling, as intended. Mr. Brown stated that there has been a recent inquiry regarding motorized bicycles which led to staff discussion. Staff feels that motorized bicycles should not be on the sidewalks in any areas. Mr. Brown said, with that said, he would like to offer additional language to the existing ordinance which would state that motor assisted bicycles of any type are prohibited on sidewalks whether powered by electricity, combustion engine or other technology.

Mr. Bradley questioned if that would include scooters, like the pay by card rental type scooters in some cities. Mr. Brown stated if the Council desires, the amendment could include such scooters.

Mr. White stated that some children get motorized scooters as gifts, so he would not want to exclude kids from being able to enjoy those on the sidewalks.

Mr. Ewing said electric bikes are considered to be any bike over 750 watts and asked if the city would the city be encroaching on any federal laws.

The Council requested Mr. Brown to investigate the motorized bicycle portion further, with clearer parameters, identifying definitions for motorized bicycles and with distinction of use on sidewalks vs multi-use paths.

Mr. White made a motion, seconded by Ms. Hadley, to approve the deletion of Section 34-134 from the Code of Ordinances as recommended. The motion carried unanimously.

Mr. Brown presented a request for approval of a 2004 Plat Revision- Removal of No Build Line from the Creekside Subdivision Plat. He explained that the plat for the Creekside Subdivision was approved by the Council in 2004. The seven-lot plat, as approved and recorded, showed a "No Build" line on each lot at the depth of two hundred eighty feet (280'). Kevin L. Jackson, the owner of Lot 7, has applied for a building permit for an accessory structure to be located beyond the No Build Line. City staff in reviewing his request brought the No Build Line issue to Mr. Jackson's attention. Staff research on the appearance of the No Build Line has not shown the reason for the No Build Line. Because the City Council approved the plat in 2004, staff recommended that the removal of the No Build Line be approved. In lieu of the expense of a current survey of the seven-lot subdivision and approval of a new plat, staff recommended a recordable agreement signed by all seven lot owners, agreeing to the same. A copy of the Agreement would be recorded along with a certified copy of Council's action, in the Registry. Mr. Ewing made a motion, seconded by Ms. Burkholder, to approve the agreement of the seven lot owners to remove the No Build Line and a motion to approve the removal of the No Build Line from the plat of the Creekside Subdivision, prepared by R.S. Jones & Associates, Inc., Land Surveyors, dated June 22, 2004, as recorded in the Alamance County Registry in Plat Book 69, page 136, and to evidence this City Council action by Resolution, copy of which should be recorded in the Alamance County Registry along with the lot owners' agreement to the same. The motions carried unanimously.

Ms. Ownbey presented a request for approval of appointment to the City of Mebane Bicycle and Pedestrian Advisory Commission (BPAC). She explained that a recent member of the BPAC could no longer serve, and that seat is now vacant. Three applications were received. The term for the appointed member would expire in January 2025.

Ms. Burkholder thanked all the applicants for submitting. She then made a motion, seconded by Mr. Bradley, to appoint Jennifer Nunez. The motion carried unanimously.

Mayor Hooks shared several announcements regarding upcoming events.

There being no further business, the meeting adjourned at 7:51 p.m.

ATTEST:

Stephanie W. Shaw, City Clerk

Ed Hooks, Mayor

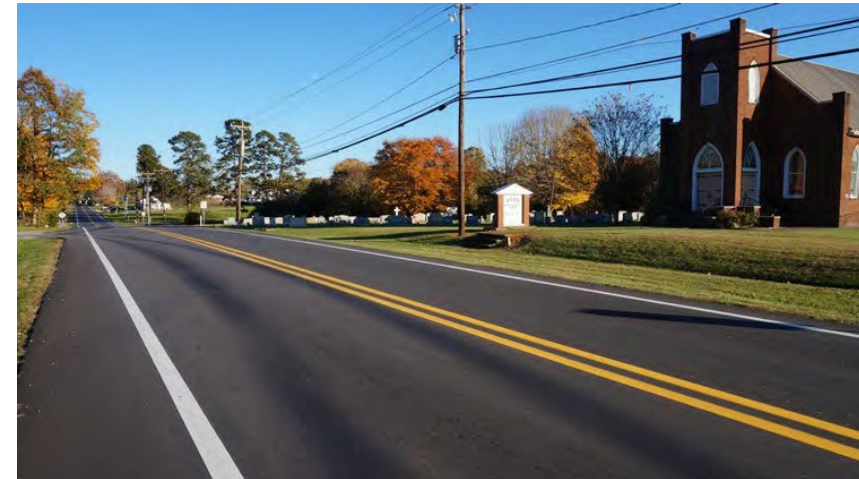


US 70 Multimodal Corridor Plan

Mebane

US 70 Study Overview

- In-depth review of US 70 Corridor
 - NC 119 in Mebane to Orange/Durham County line (NC 751)
 - US 70 Business from NC 86 (Churton Street) to US 70
- Develop long-term vision for:
 - US 70 roadway itself
 - Surrounding communities and natural areas
- Focus is on preserving/enhancing:
 - Safety
 - Multi-modal options (access & connectivity)
 - Environmental features
 - Economic opportunities
- Project Study Team
 - City of Mebane & Town of Hillsborough
 - BGMPO & DCHC MPO
 - Alamance and Orange Counties
 - NCDOT
 - Consultant Team (VHB and Rose & Associates)



US 70 Multimodal Corridor Study

US 70 Study Background

- US 70 Corridor
 - ~19 miles: US 70 (minor arterial)
 - 3 miles: US 70 Bus (major collector/other arterial)
 - Links Durham, Hillsborough & Mebane
 - I-85 and I-40 handle bulk of traffic
 - Alternate route during I-85 incidents
 - Crucial northern access via NC 86 & NC 57
- Land Use Context
 - Significant natural & cultural constraints
 - Rural/Suburban/Urban: Varies by segment
 - Economic potential



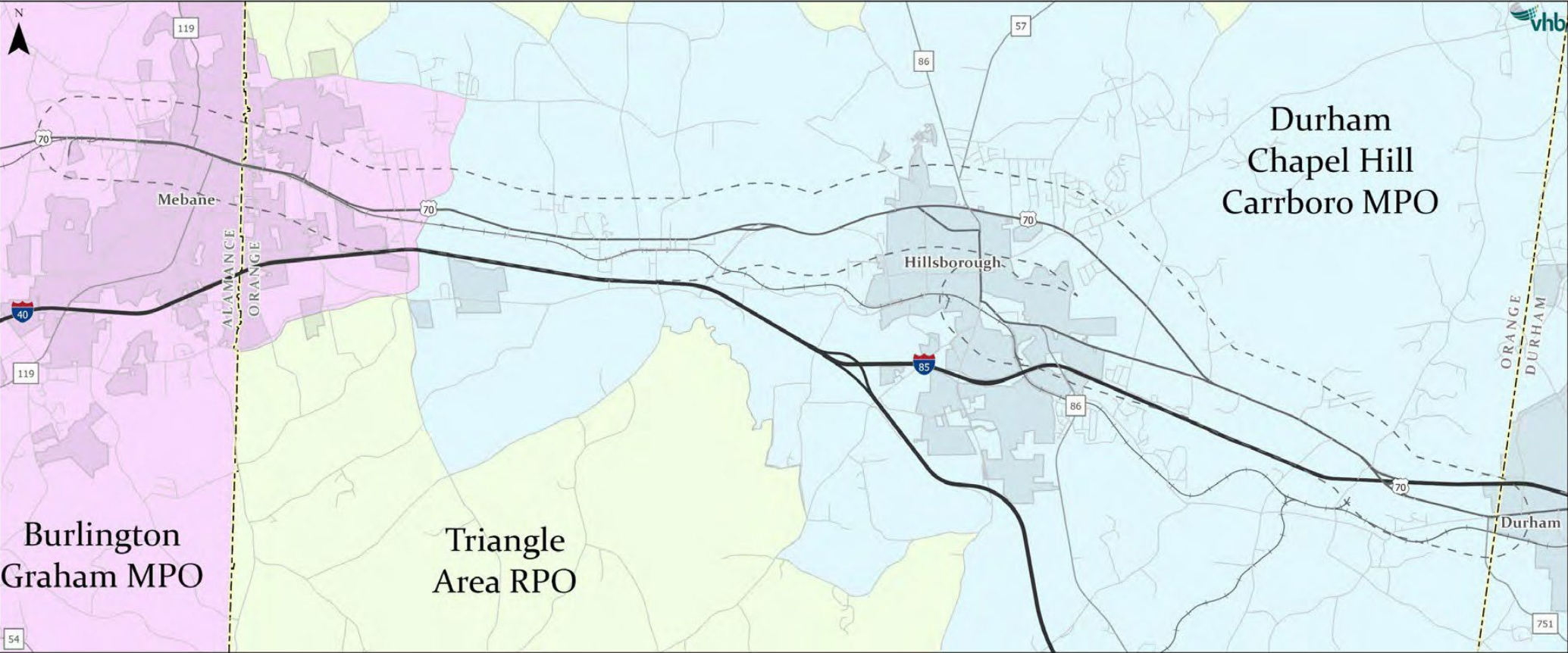
US 70 Study Background

- Roadway Characteristics
 - Primarily 2-lane with 4' paved shoulders
 - 120' ROW (RR constraints in Mebane)
 - 13 traffic signals
 - Primarily 45-mph speed limit
 - Rolling terrain & curvature in segments; limited passing
 - No bicycle facilities; limited pedestrian facilities
- Need better multi-modal access & functionality
 - **Safety!**
 - Transit options and access
 - Preserve & enhance environment
 - Provide economic opportunities
 - Balance desired improvements with long-term maintenance
 - Municipal/County/State



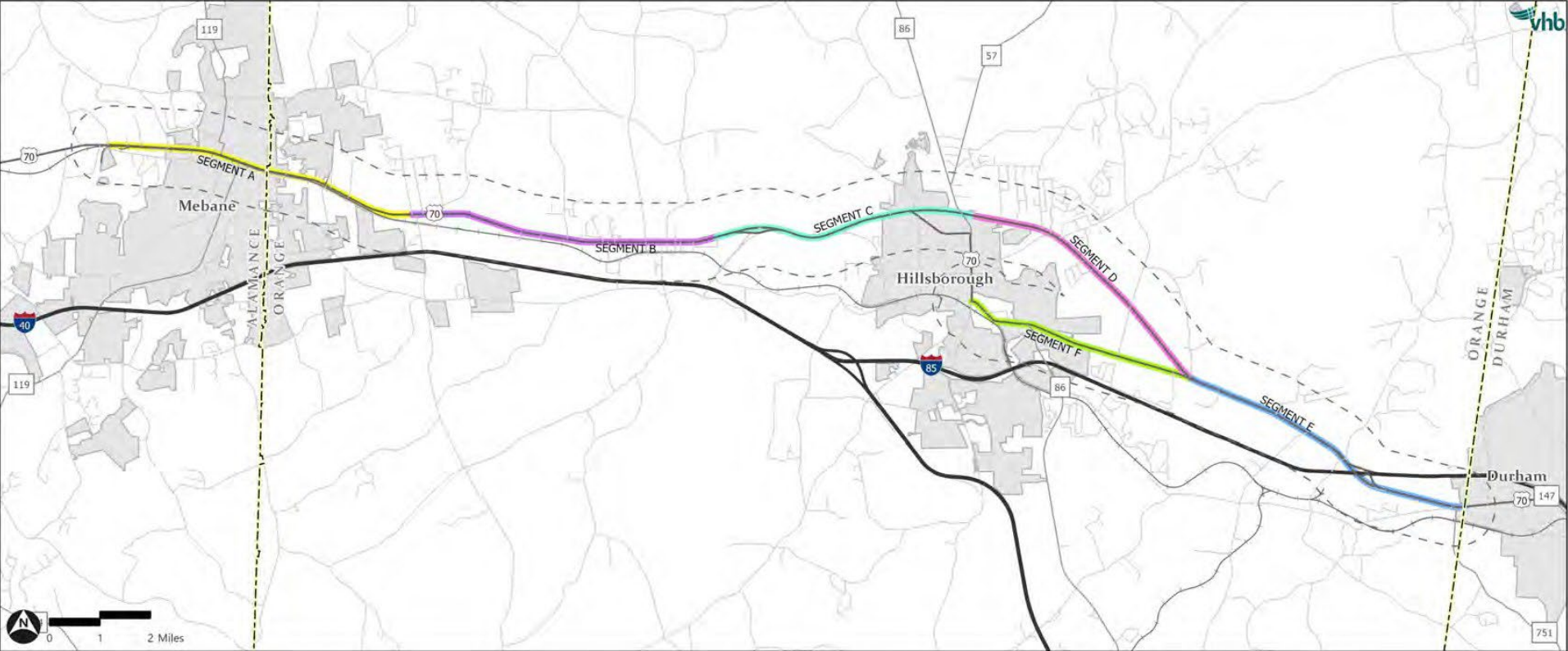
US 70 Multimodal Corridor Study

Corridor Location & Planning Jurisdictions



- Legend
- US 70 Corridor Study Buffer
 - County Boundary
 - Municipal Boundary
 - Railroad Track
 - Burlington Graham MPO
 - Durham Chapel Hill Carrboro MPO
 - Triangle Area RPO

Corridor Segments

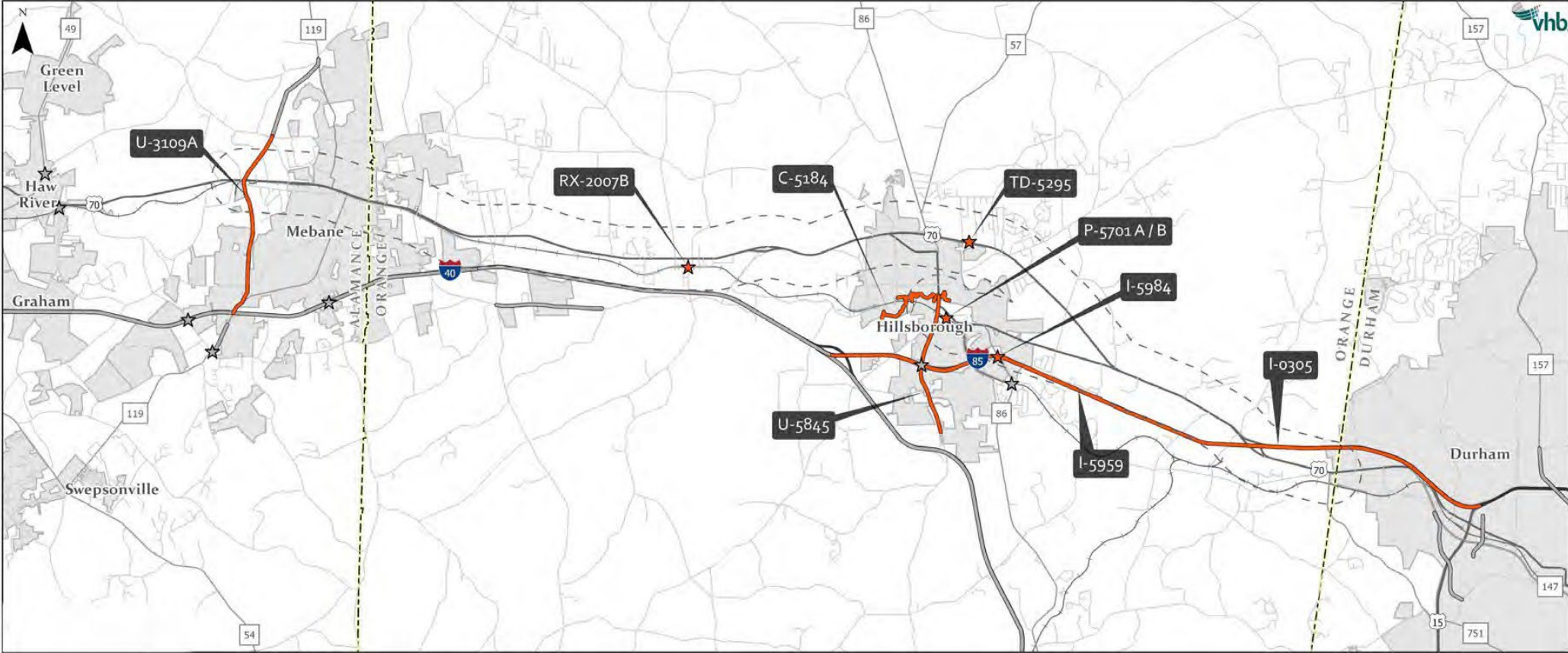


Legend

- Segment A
- Segment B
- Segment C
- Segment D
- Segment E
- Segment F
- US 70 Corridor Study Buffer
- County Boundary
- Municipal Boundary
- Railroad Track

- Segment A - US 70 from NC 119 to Mace Road
- Segment B - US 70 from Mace Road to Lloyds Dairy Road
- Segment C - US 70 from Lloyds Dairy Road to east of NC 86 (Churton Street)
- Segment D - US 70 from east of NC 86 (Churton Street) to US 70 Business
- Segment E - US 70 from US 70 Business to the Orange / Durham County Line
- Segment F - US 70 Business from NC 86 (Churton Street) to US 70

Current 2020-2029 NCDOT STIP Projects



- Legend
- US 70 Corridor Study Buffer
 - Municipal Boundary
 - ★ STIP Points within Project Area
 - STIP Lines within Project Area
 - County Boundary
 - Railroad Track
 - ★ Other STIP Projects
 - Other STIP Projects

US 70 Multimodal Corridor Study



Project Website

- General project information
- www.us70west.com
- Interactive map/comment opportunity
- Public Meeting details

MULTIMODAL US 70 CORRIDOR

Home Public Involvement Documents Mapping

CORRIDOR STUDY NEWS

Interactive Map - Add your comments! NEW
Please utilize the online comment form and map to share your input on the U.S. 70 Corridor.
[Launch Online Comment Form and Map »](#)

Upcoming Events NEW
Three public meetings to be held in March have been announced.
[View meeting details »](#)

US 70 Multimodal Corridor Study

Public Comments

[+ Add Comment](#)

- With a quickly growing number of young fa... 7
- sidewalk on both sides of US 70: Currently p... 6
- Sidewalks and bike facilities needed to conn... 4
- pedestrian crossing here: a crossing with on... 2
- Pedestrian and bicycle access to Churton Gr... 2
- There is a GoTriangle 420 route bus stop her... 1
- Additional sidewalks/bike lanes are needed ... 1
- The mountains to sea trail, NC's state trail th... 1
- Example comment: note any concerns or co... 0
- Example comment: any concerns or comm... 0
- The Ashbury neighborhood is desperate for ... 0

Welcome to the US 70 Multimodal Corridor Study

The Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCHC-MPO) is conducting a study of **U.S. 70 West, from NC 119 in Mebane to U.S. 751 in Orange County**. The Corridor Study ("the Study") will provide recommendations for future development of the transportation corridor.

A corridor study for a transportation corridor defines policies and actions that will guide how a corridor should be maintained or changed. This is a process that is community-led and relies on significant community involvement. This website will serve as the announcement board for events pertaining to the study and various activities the study will be undertaking.




The US 70 West Corridor has experienced and will continue to experience an explosion of residential and employment growth. Planning transportation use of the corridor moving forward will be integral to maintaining the community vision and character of the area, while celebrating growth and development.



Project Newsletter

Learn more at www.us70west.com

NEWSLETTER | FEBRUARY 2023 1

US 70 Multimodal Corridor Study

The Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCHC-MPO) is conducting a study of **U.S. 70 West, from NC 119 in Mebane to U.S. 751 in Orange County.** The Study will provide recommendations for future development of the transportation corridor with specific focus on multimodal facilities.

A corridor study for a transportation corridor defines policies and actions that will guide how a corridor should be maintained or changed. This is a process that is community-led and relies on significant community involvement. The project website (www.us70west.com) is a convenient resource for tracking the progress of the study, providing feedback, and checking the schedule and location of outreach activities.

Planning for the transportation use of the corridor moving forward is integral to maintaining the community vision and character of the area, while supporting growth and development.

Corridor Study Status

The study is expected to take approximately fifteen months, culminating with a published report in Fall 2023. The study team has analyzed the existing corridor with respect to traffic speeds and volumes, crashes, pedestrian and bicycle travel, transit service, and the character and condition of the roadway itself. Initial findings related to existing conditions will be available at the first round of community meetings. The team understands that the corridor is made up of many unique segments that will require tailored recommendations, and we need your input to help identify and prioritize both problems and potential solutions.

Learn more at www.us70west.com

NEWSLETTER | FEBRUARY 2023 2

Project Schedule



Community Meetings Round #1

- ★ **MARCH 7 | 5:00 - 7:00 PM**
Passmore Center
103 Meadowlands Dr
Hillsborough, NC 27278
- ★ **MARCH 9 | 5:00 - 7:00 PM**
Mebane Arts and Community Center
633 Corregidor Street
Mebane, NC 27302
- ★ **MARCH 14 | 5:00 - 7:00 PM**
Town Hall Annex
105 E Corbin Street
Hillsborough, NC 27278

Your Input is Needed!

Please visit the project website (www.us70west.com) to sign up for project updates. The website includes an online map to virtually provide your comments and concerns regarding the U.S. 70 West Corridor. We would like to hear where you might also like to see improvements including bicycle and pedestrian connections, and enhancements to local and regional bus service and facilities.

The meeting will be an open house informational meeting with a short presentation at 5:00 and 6:00 PM. There will also be an opportunity for interactive activities to express your thoughts as well as speak directly with study team members.

Other Ways to Get Involved

Visit the project website to sign-up for email updates (www.us70west.com), provide more comments, and review project materials.

PROJECT CONTACT
Nishith Trivedi
Project Manager, Orange County Public Transportation
(919) 245-2007
ntrivedi@orangecountync.gov

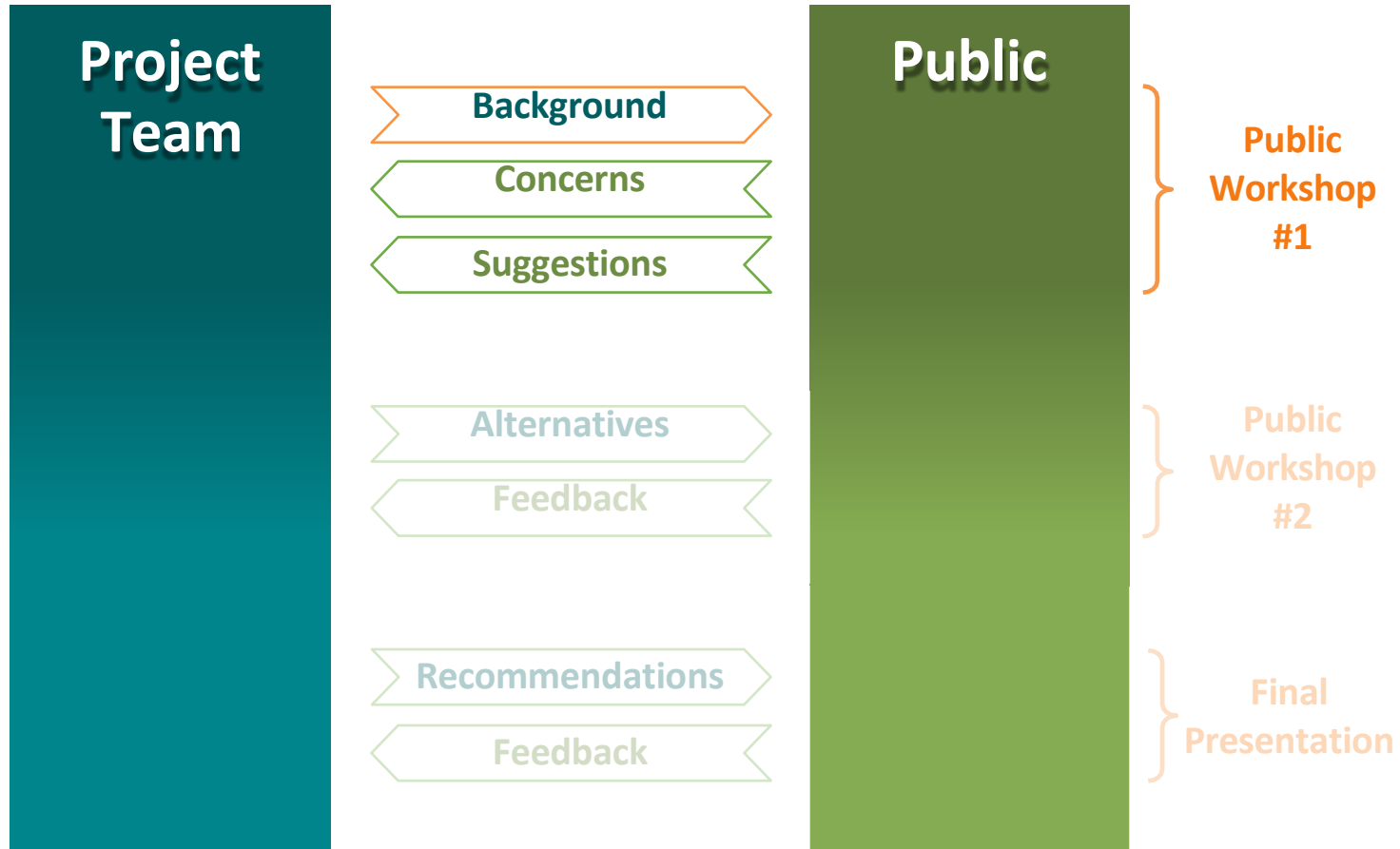




Community Meetings Round #1

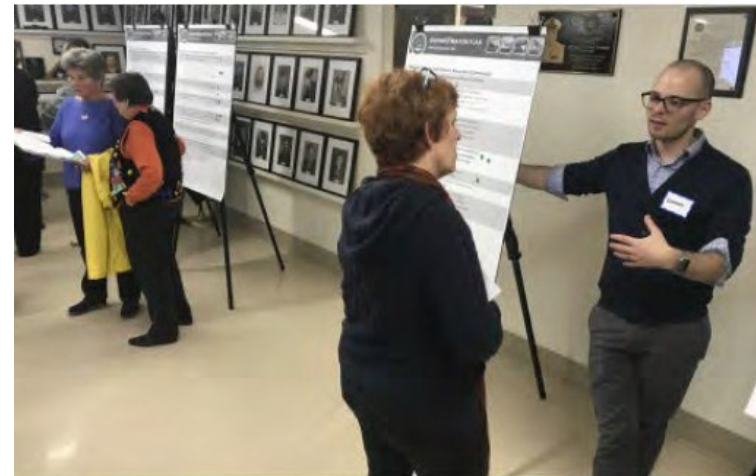
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- ★ **MARCH 14 | 5:00-7:00 PM**
Town Hall Annex
105 E Corbin Street, Hillsborough, NC 27278

Public Participation – Round 1



Workshop Format

- Technical presentation at 5pm and 6pm
- Information boards with team members to have 1:1 discussions
- Interactive Activities
 - Sticker activity for problem identification
 - Bead voting activity to identify local priorities for improvements

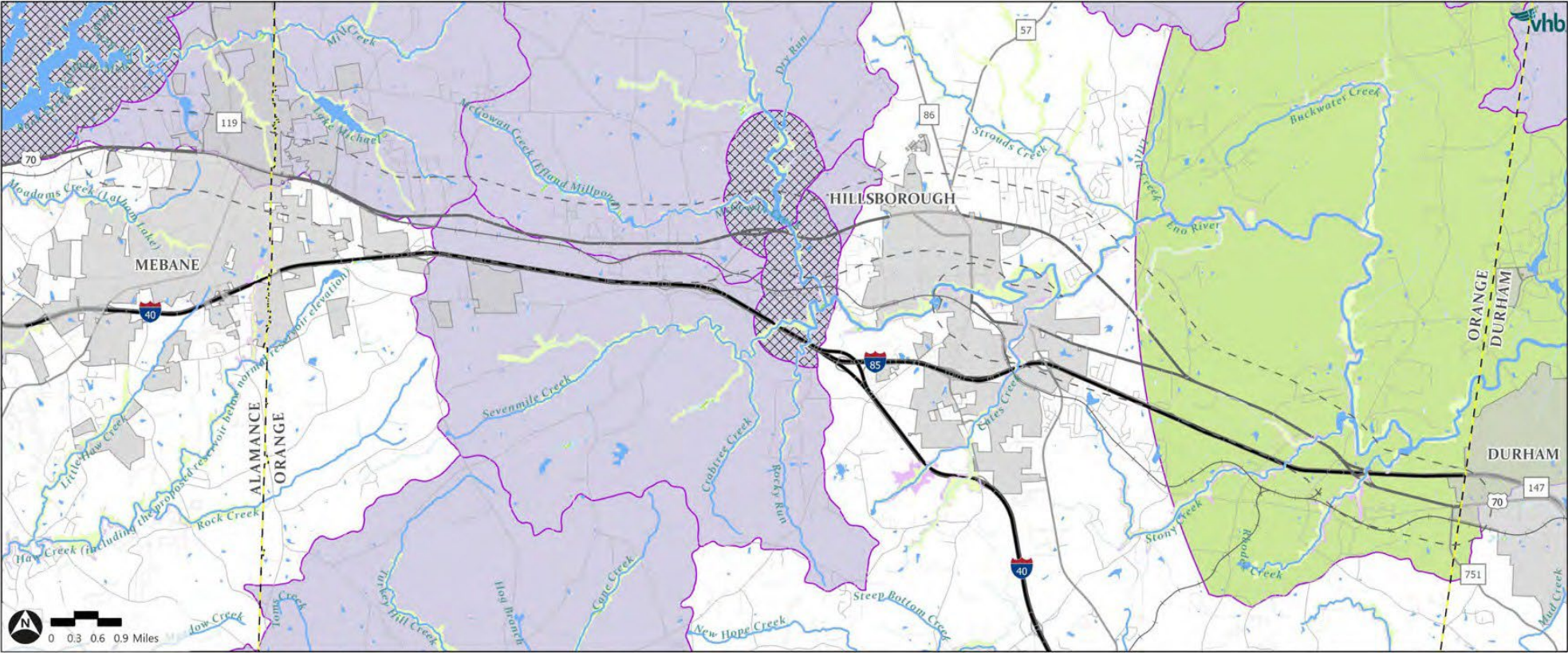


US 70 Multimodal Corridor Study



Environmental Context

Water Quality, Sources, & Watersheds



Natural Features



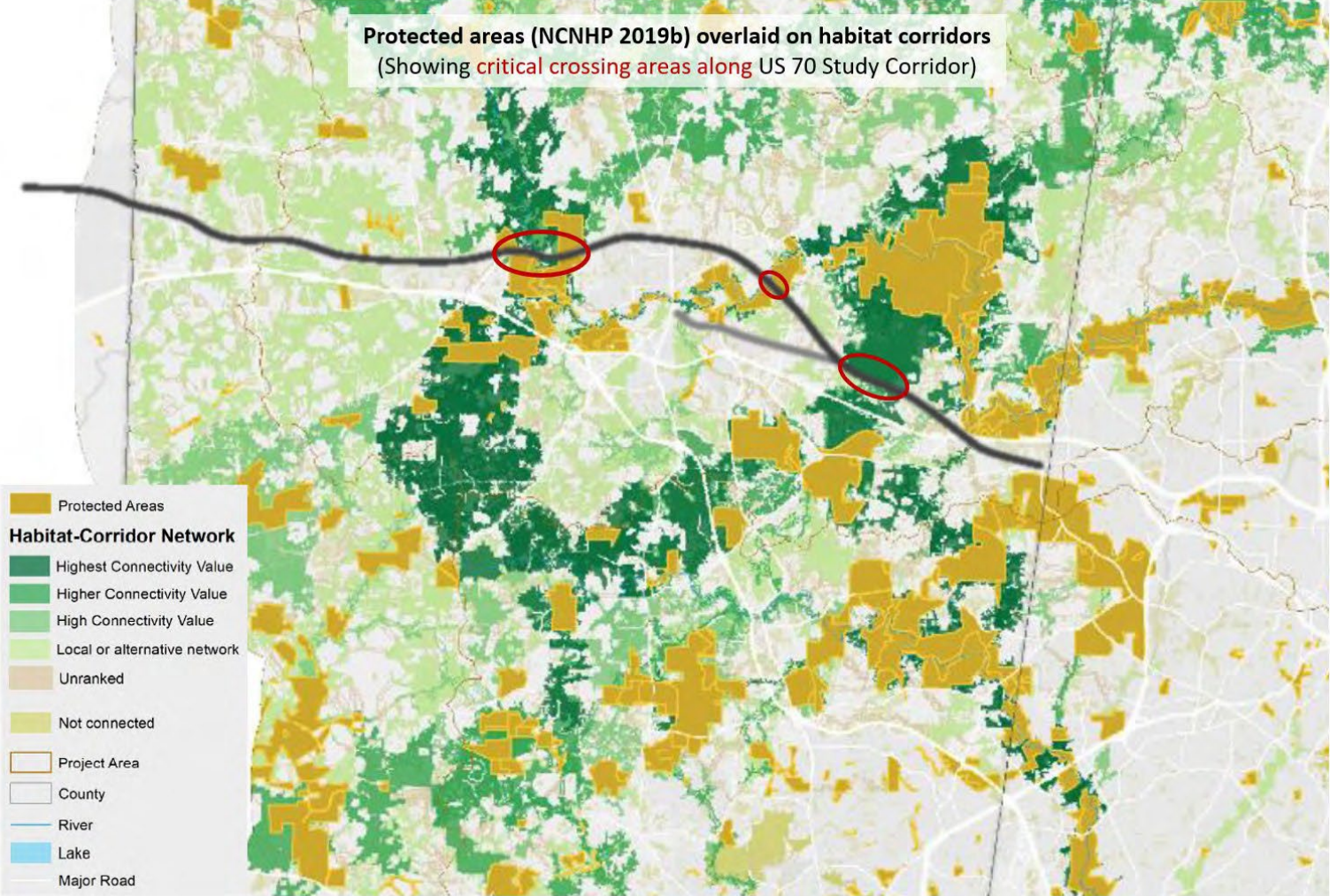
- Legend
- US 70 Corridor Study Buffer
 - Railroad Track
 - Municipal Boundary
 - County Boundary
 - Managed Area
 - Land Trust Conservation Property
 - Conservation Tax Credit Property
 - State Owned Land
 - Parks and Open Space
 - Orange County Park
 - VAD
 - Other Open Space

Wildlife Resources



- Legend
- US 70 Corridor Study Buffer
 - Municipal Boundary
 - County Boundary
 - Railroad Track
 - Natural Heritage Natural Area (NHNA)
 - Animal
 - Natural Community
 - Plant

Major Wildlife Corridors & Critical US 70 Crossing Areas

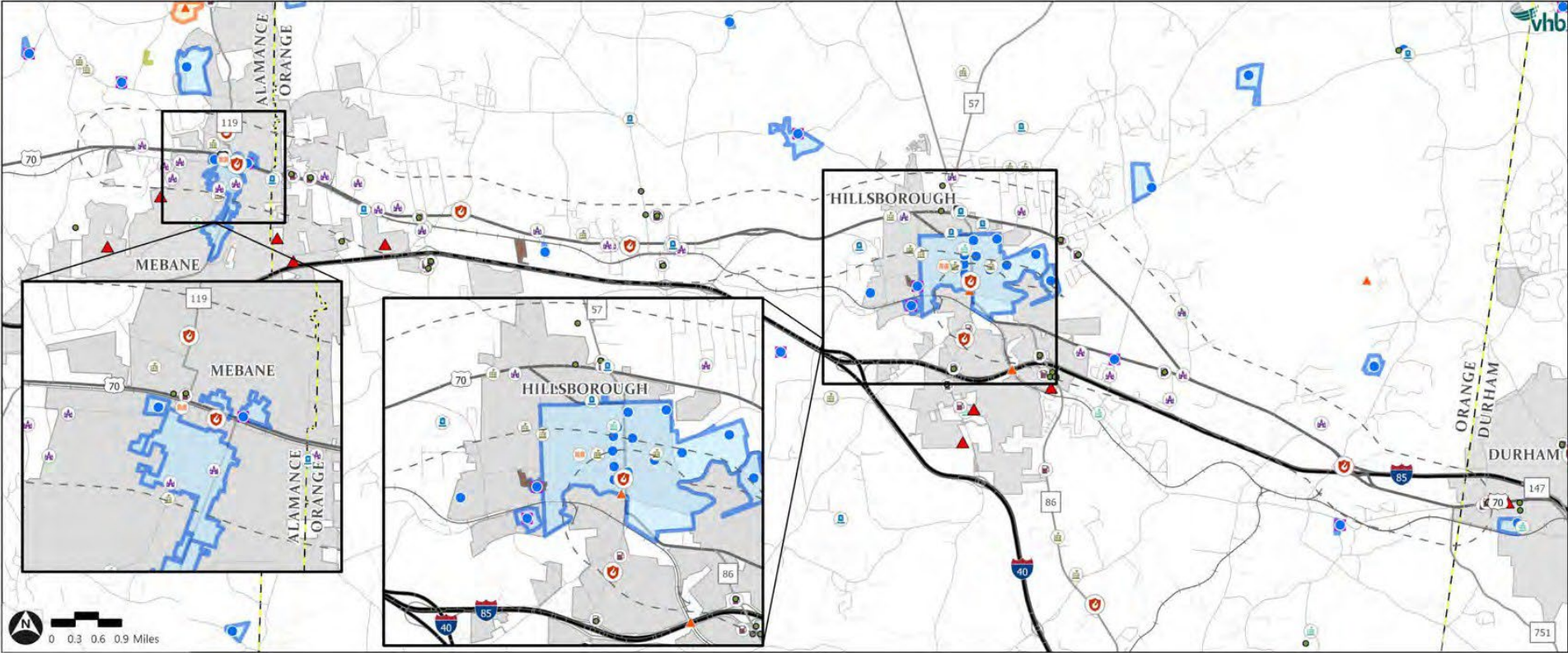


Adapted from A Landscape Plan for Wildlife Habitat Connectivity, 2019



US 70 Multimodal Corridor Study

Places of Interest



- Legend
- US 70 Corridor Study Buffer
 - County Boundary
 - Municipal Boundary
 - Railroad Track
 - ✈ Airport
 - ☠ Cemetery
 - 📖 Public Library
 - 🚒 Fire Station
 - ⛽ Gas Station
 - Underground Storage Tank
 - 🏠 Places of Worship
 - 🎓 Public School
 - 🎓 Private School
 - ▲ Hazardous Waste Site
 - Brownfield Boundary
 - Historic District
 - NR
 - SLDOE
 - DOE
 - National Register individual listing
 - 📍 NR and Local Landmark
 - ▲ Determined Eligible - DOE

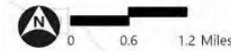


Transportation

Existing Pedestrian & Bicycle Networks



- Legend
- US 70 Corridor Study Buffer
 - Municipal Boundary
 - County Boundary
 - Railroad Track
 - Existing Shared Use Path
 - Existing Sidewalk
 - Existing Bike Lane
 - NC Bike Route System
 - County
 - Urban

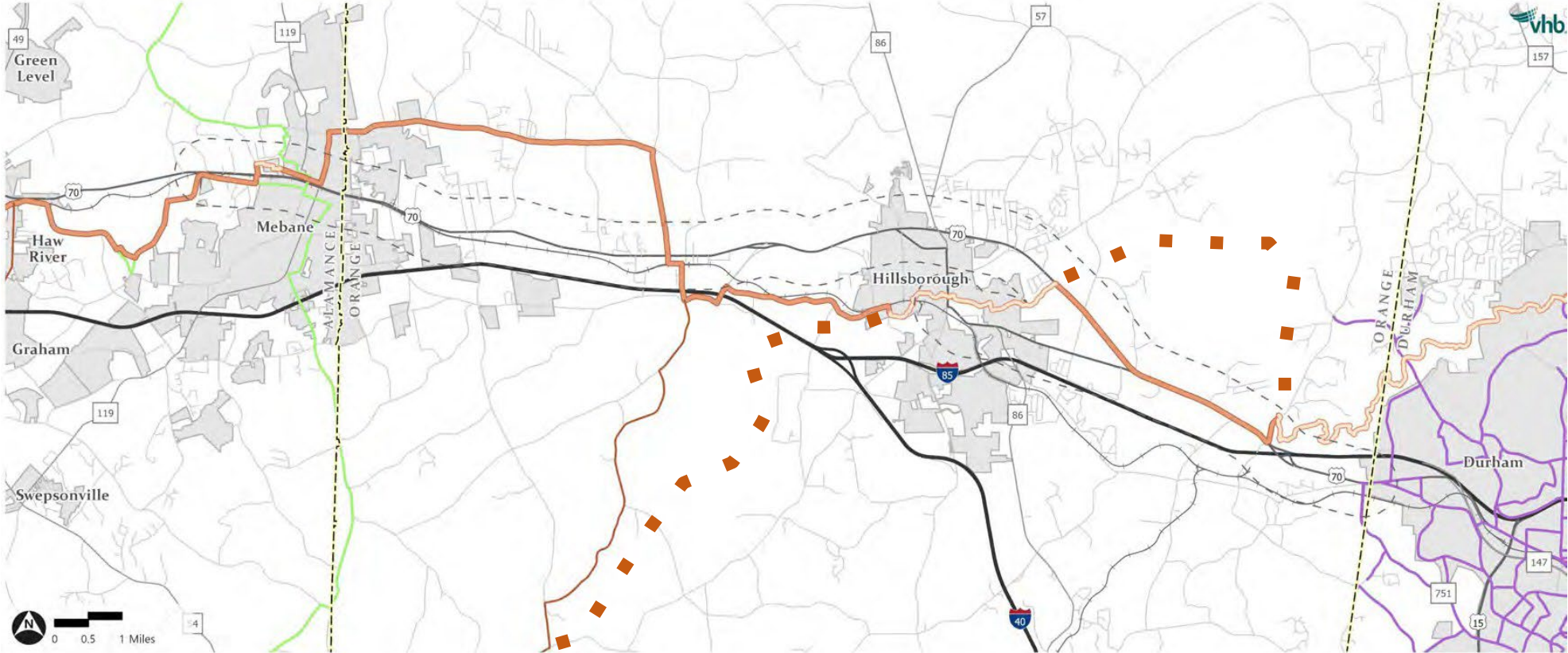


Existing Transit Routes



- Legend
- US 70 Corridor Study Buffer
 - Go Triangle Transit Stops
 - PART Transit Stops
 - Go Durham Transit Routes
 - County Boundary
 - Go Triangle Transit Routes
 - PART Transit Routes
 - Municipal Boundary
 - Hillsborough Circulator
 - Go Durham Transit Stops

Regional Hiking & Biking Routes



Legend

- US 70 Corridor Study Buffer
- Municipal Boundary
- County Boundary
- Railroad Track

Mountains to Sea Trail

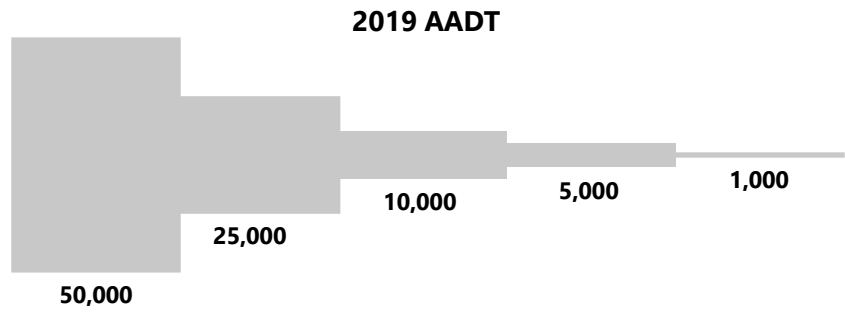
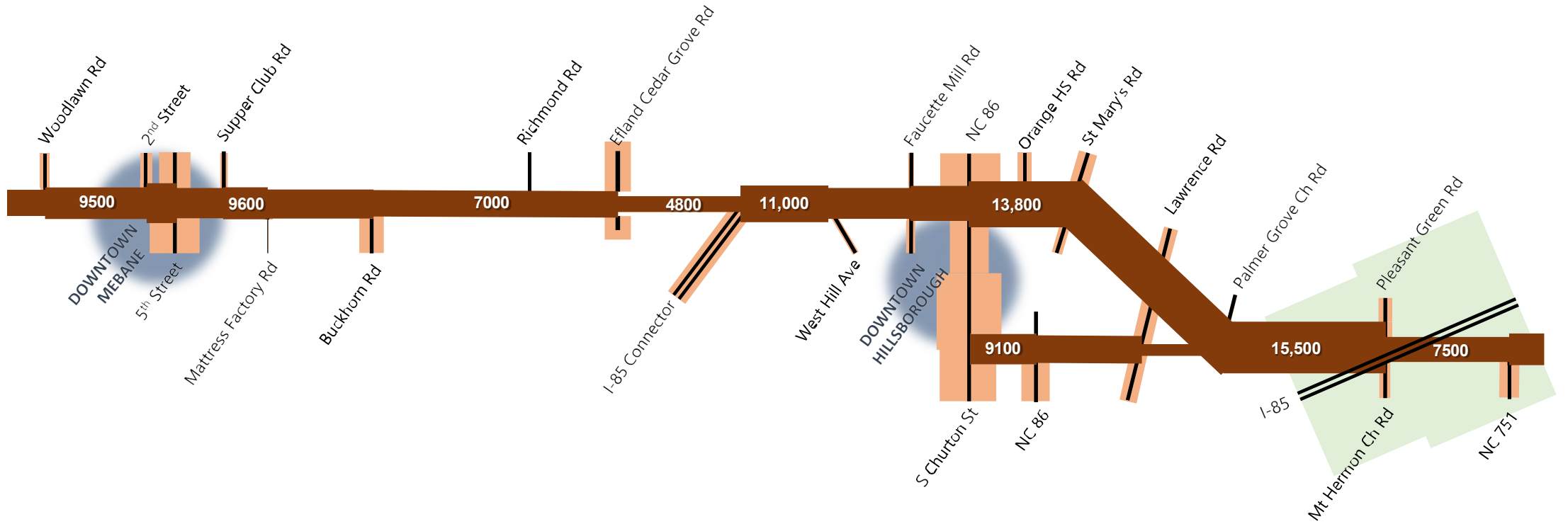
- Roads
- Trails
- Alternate Routes

NC Bike Route System

- County
- Urban

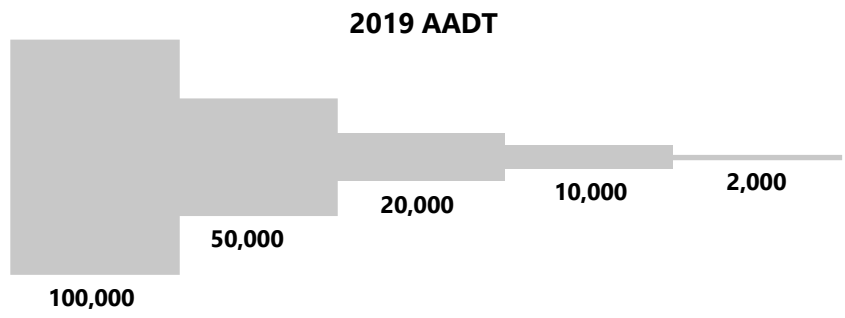
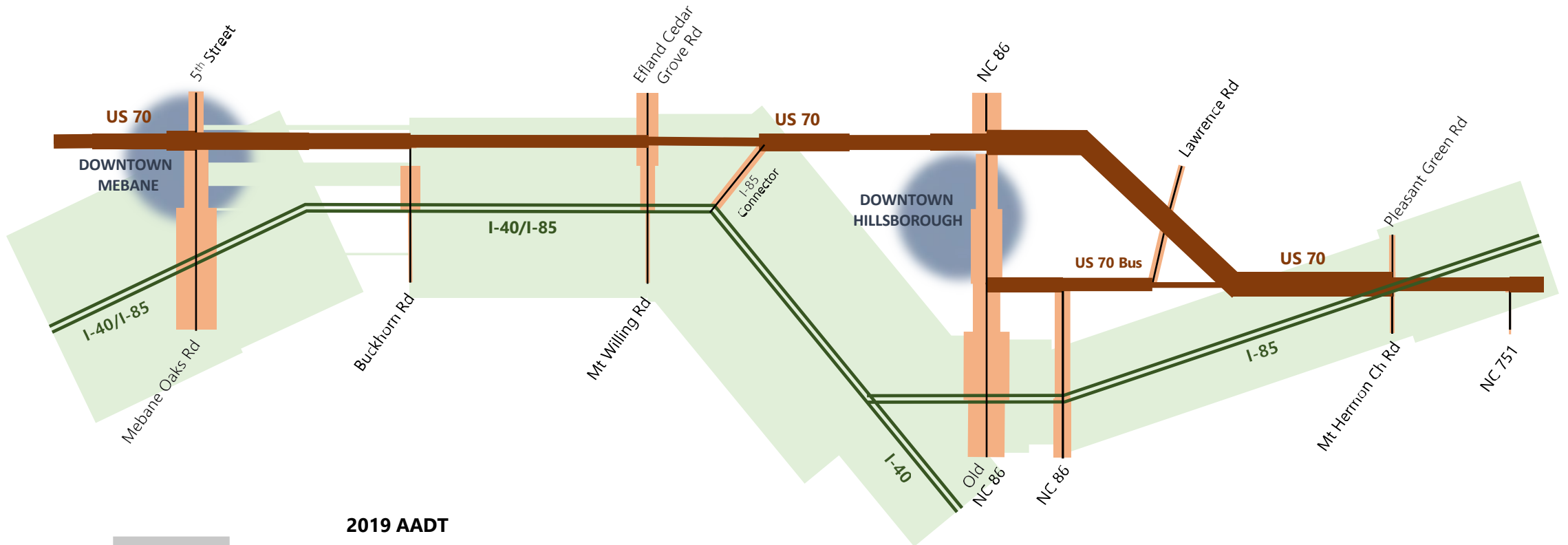
US 70 Multimodal Corridor Study

Relative 2019 Traffic Volumes in Study Area



- Study Corridor
- Major Intersecting Roads
- Interstates

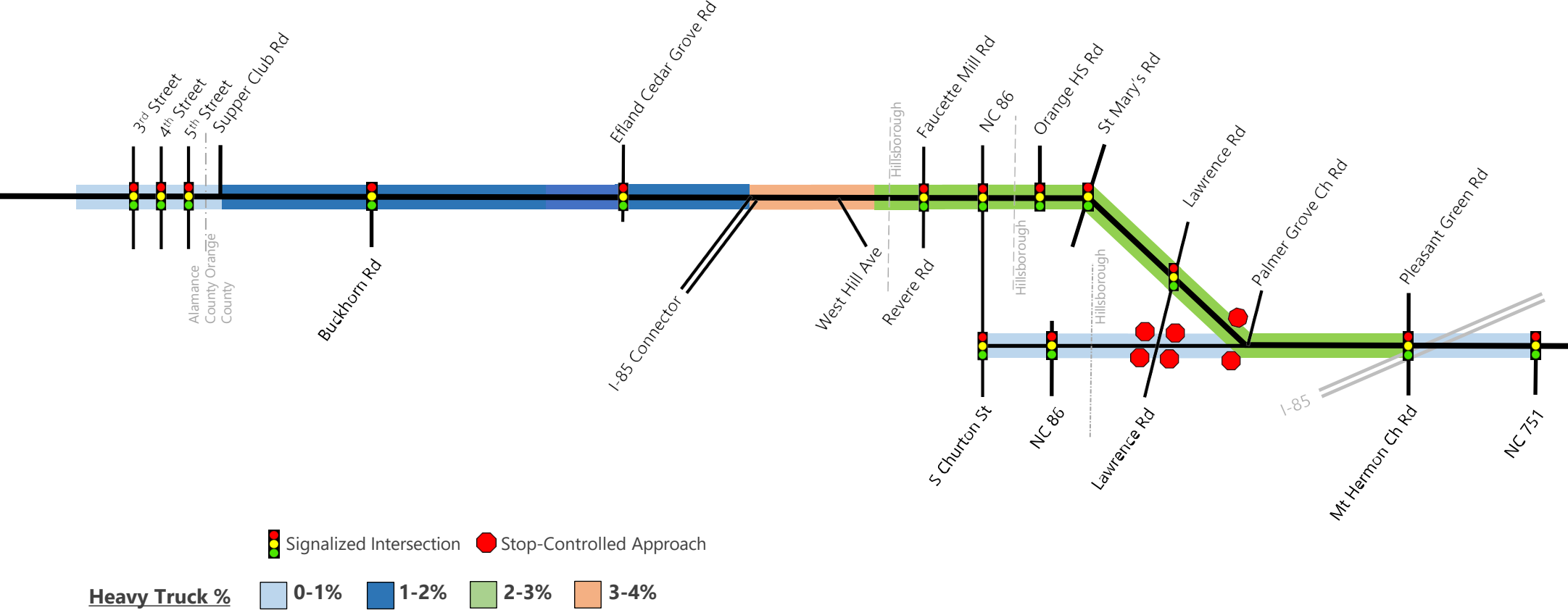
Relative 2019 Traffic Volumes in Study Area



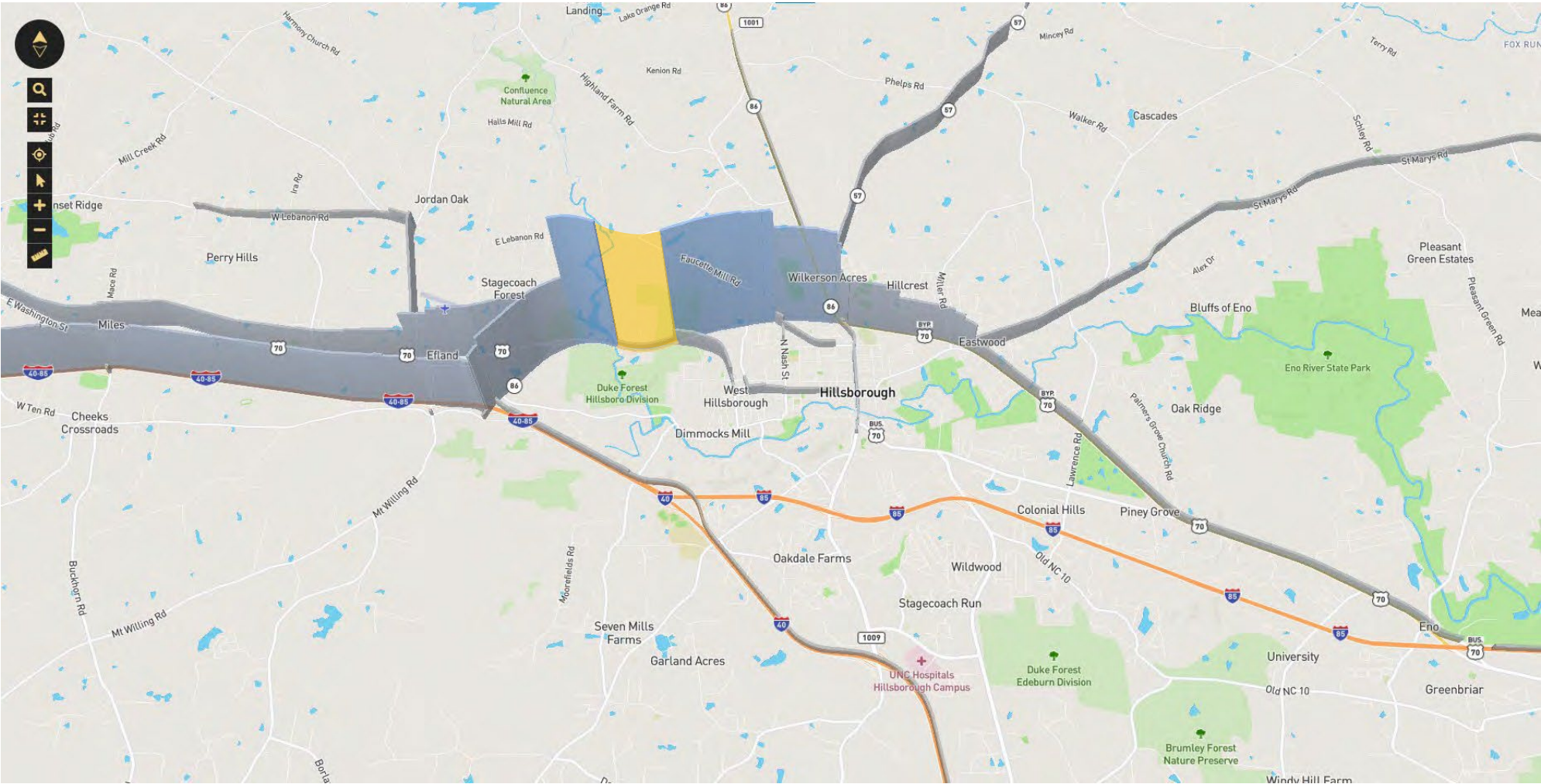
- Study Corridor
- Major Intersecting Roads
- Interstates

Heavy Truck Percentages

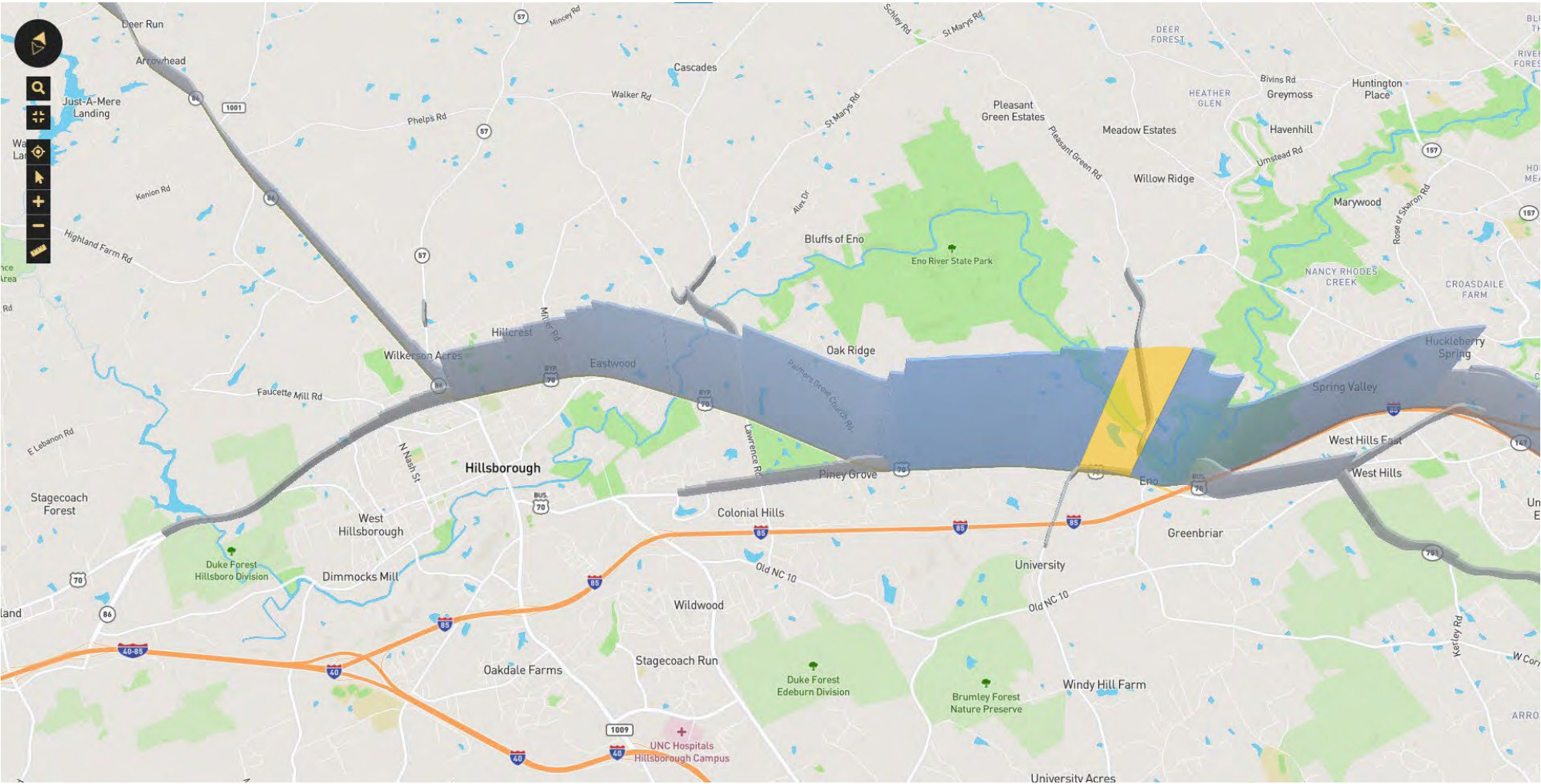
Estimated from 2019 Location-Based Services



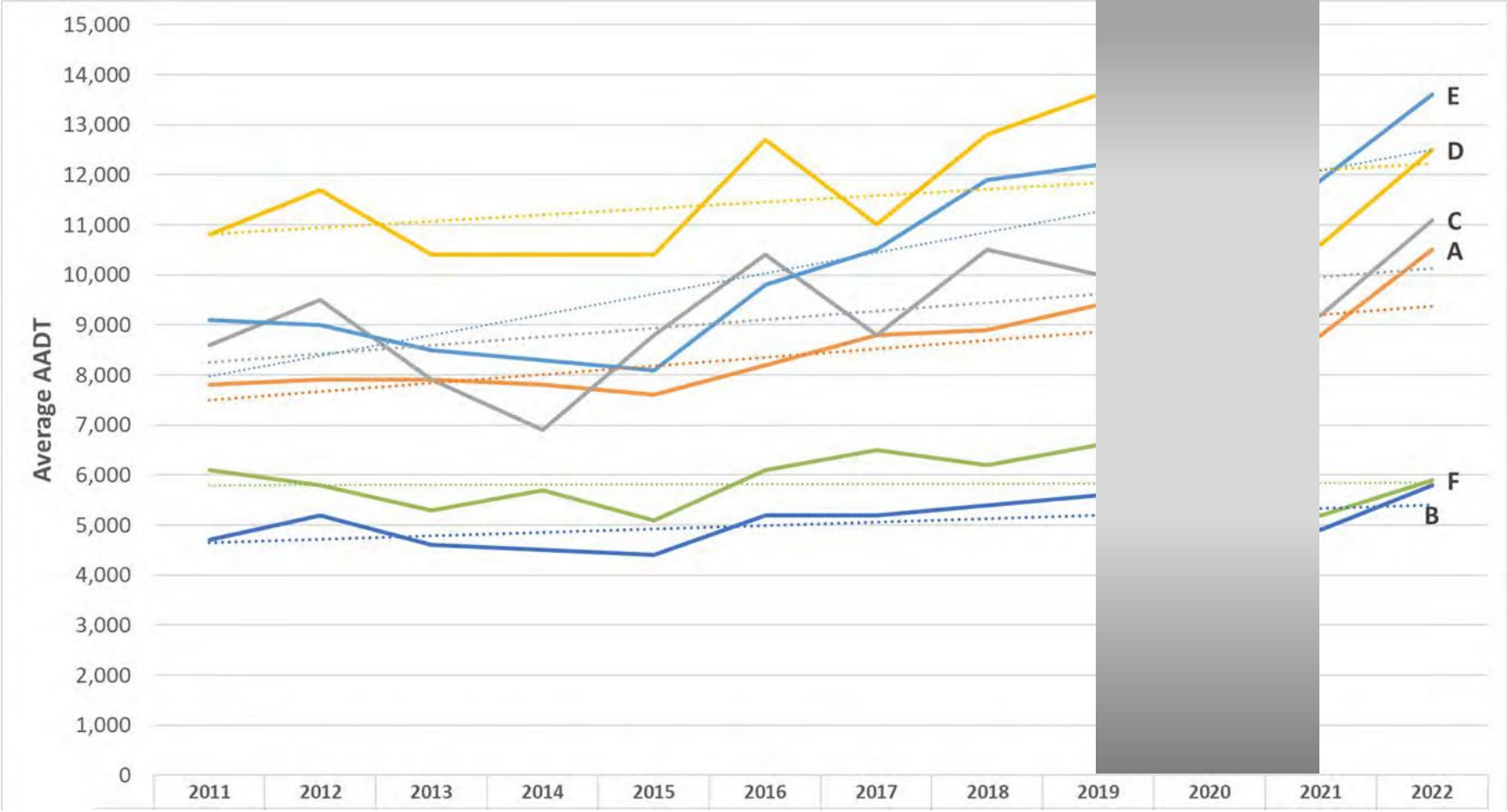
Distribution of US 70 trips for point west of West Hill St (2019 StreetLight LBS Data)



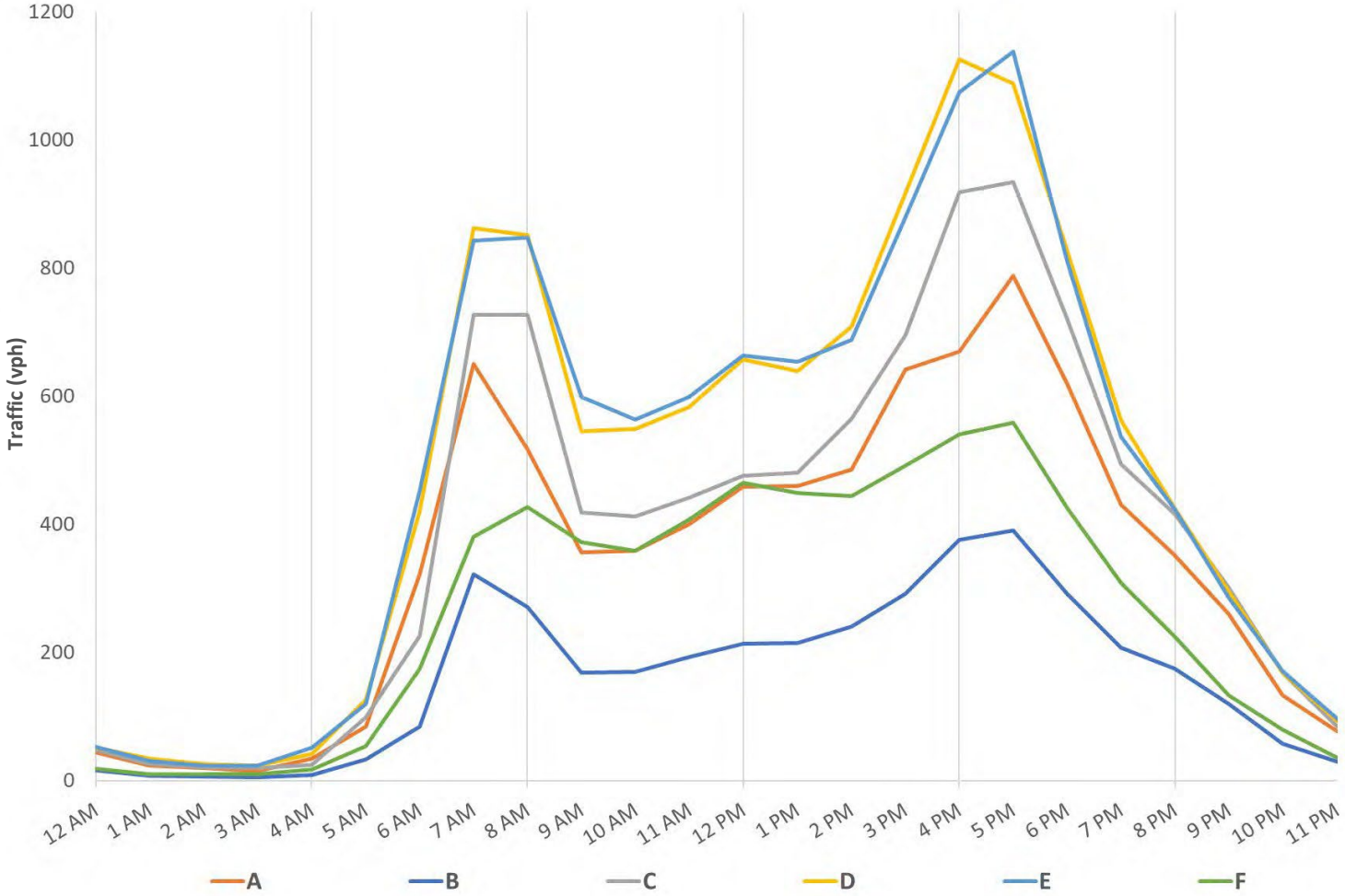
Distribution of US 70 trips for point west of Pleasant Green Rd (2019 StreetLight LBS Data)



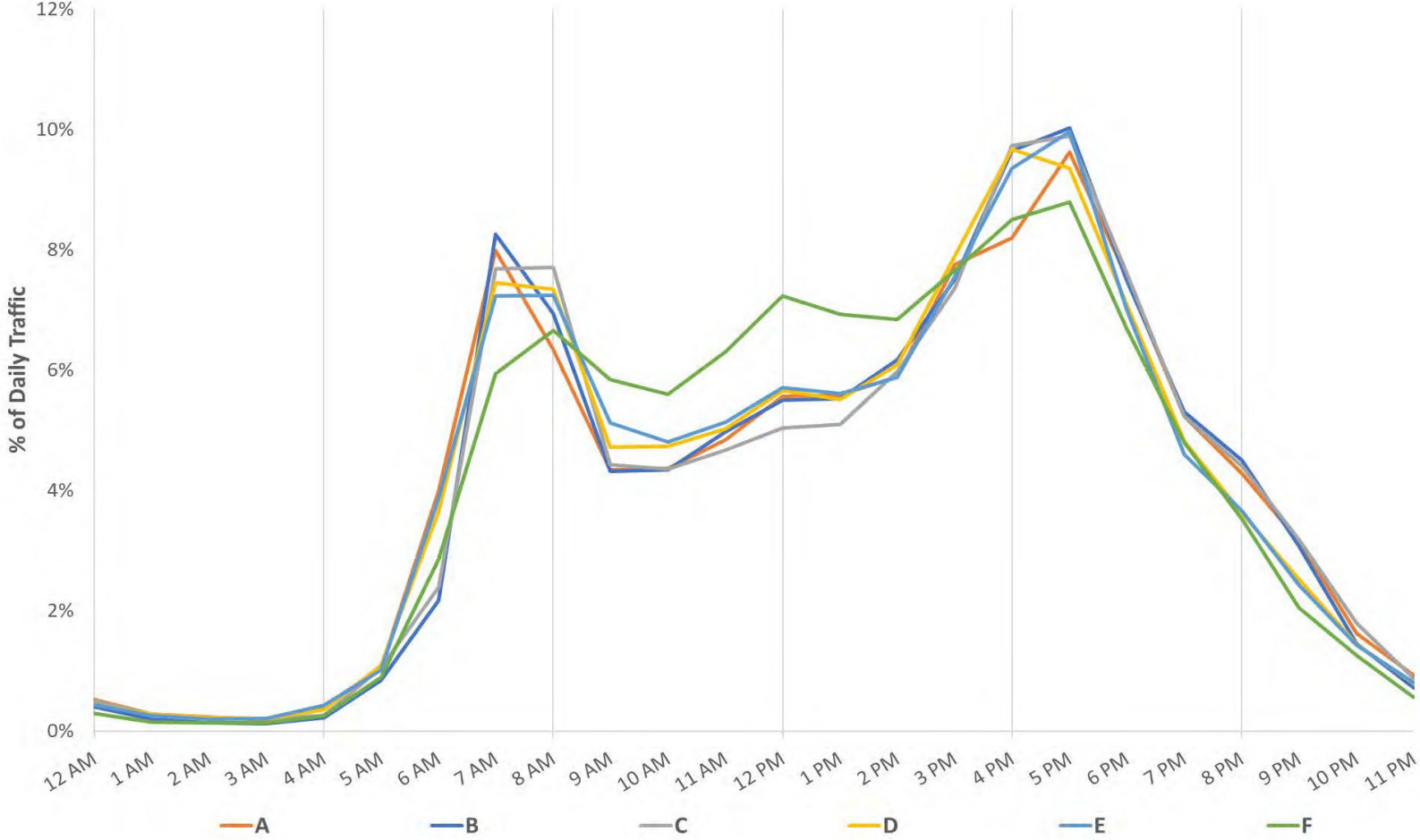
Historic Traffic Volume Trends by Study Segment



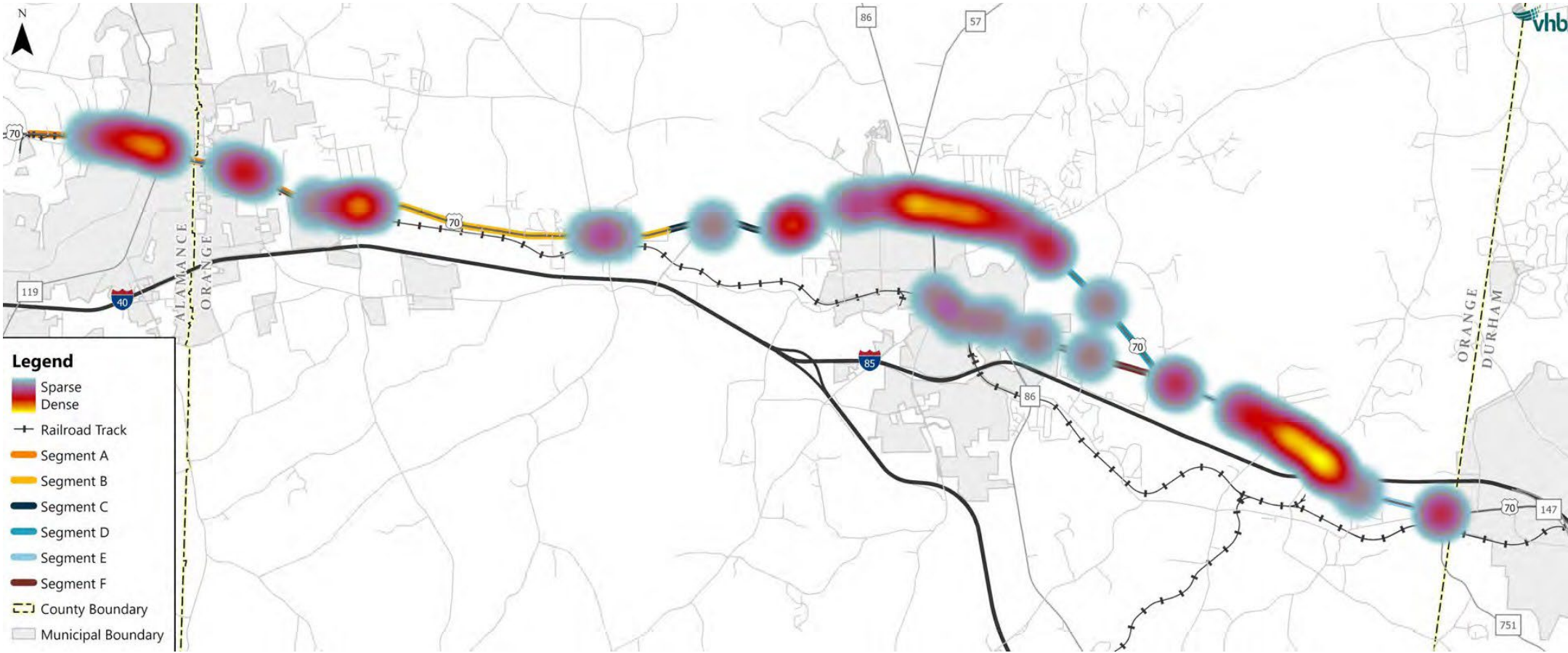
Hourly Traffic Volume by Time-of-Day (by Segment)



% of Daily Traffic by Time-of-Day (by Segment)

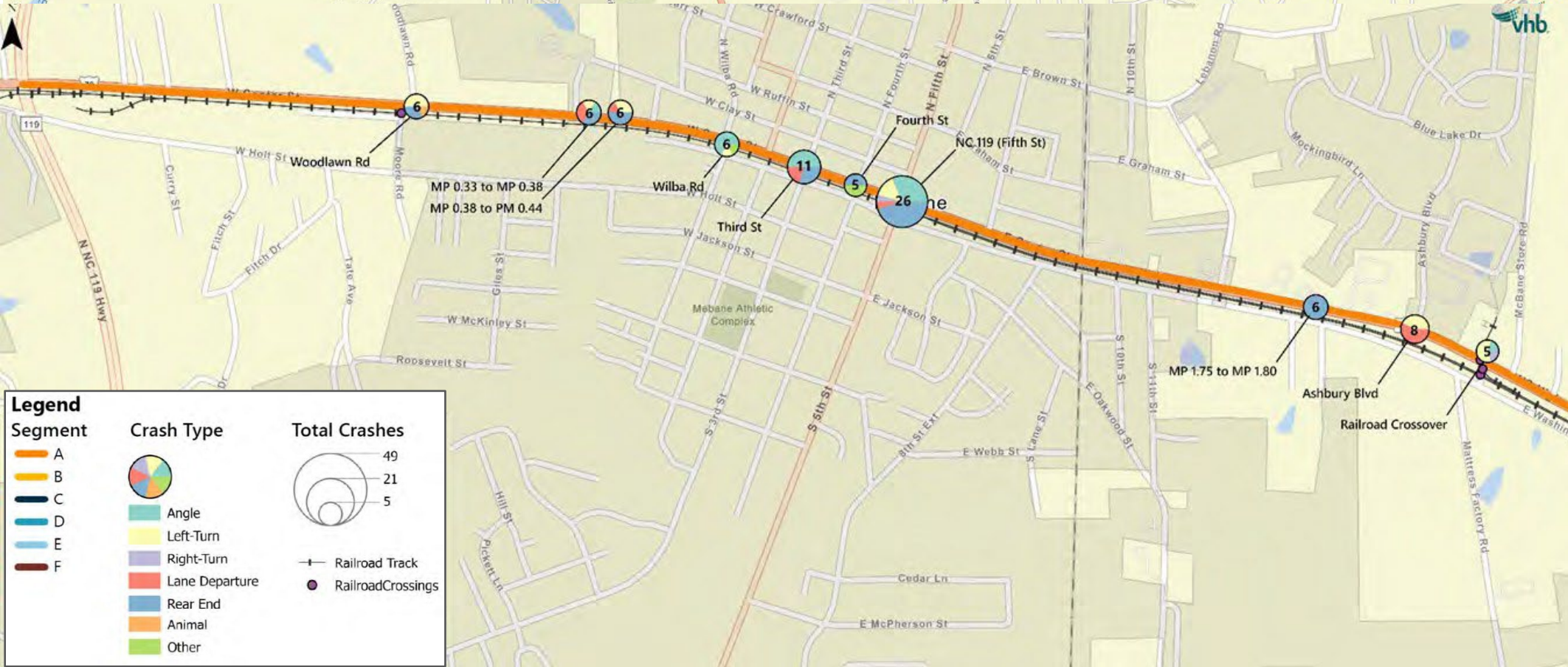


Crash Density

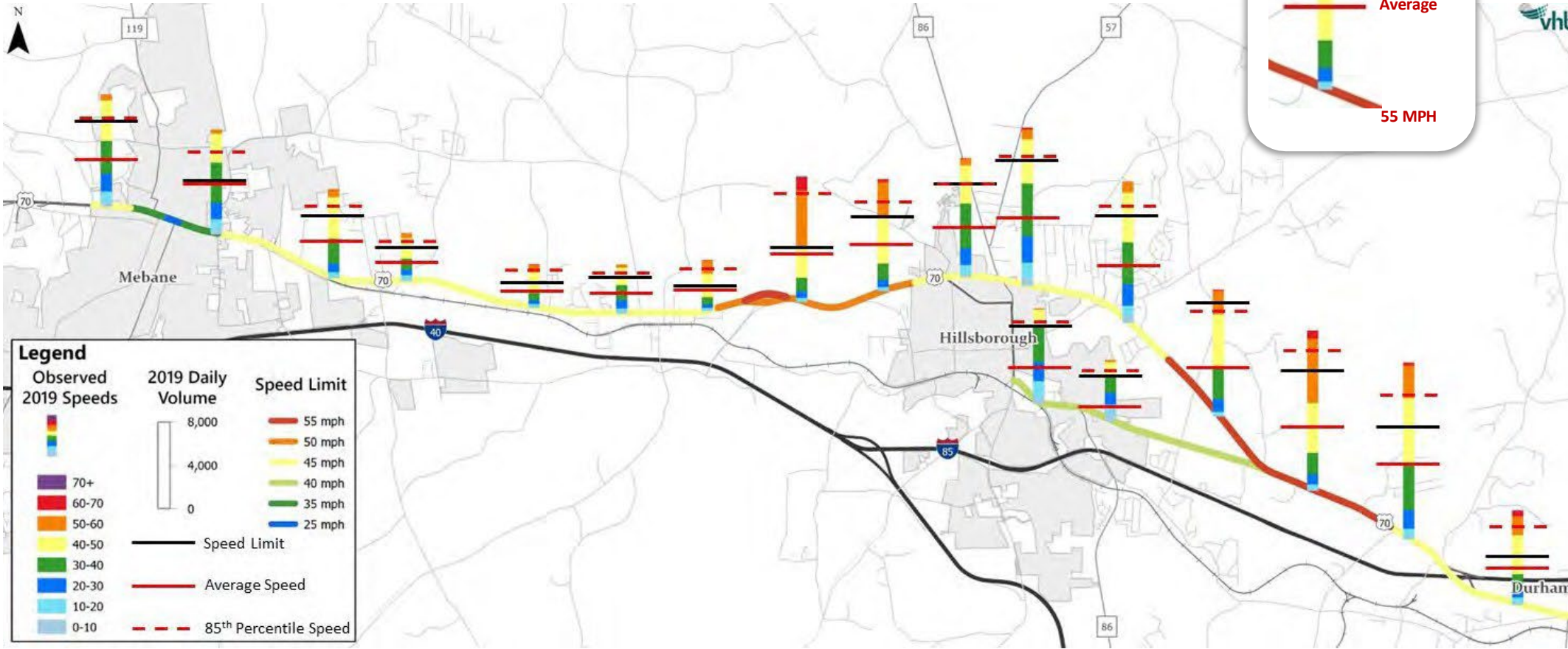


US 70 Multimodal Corridor Study

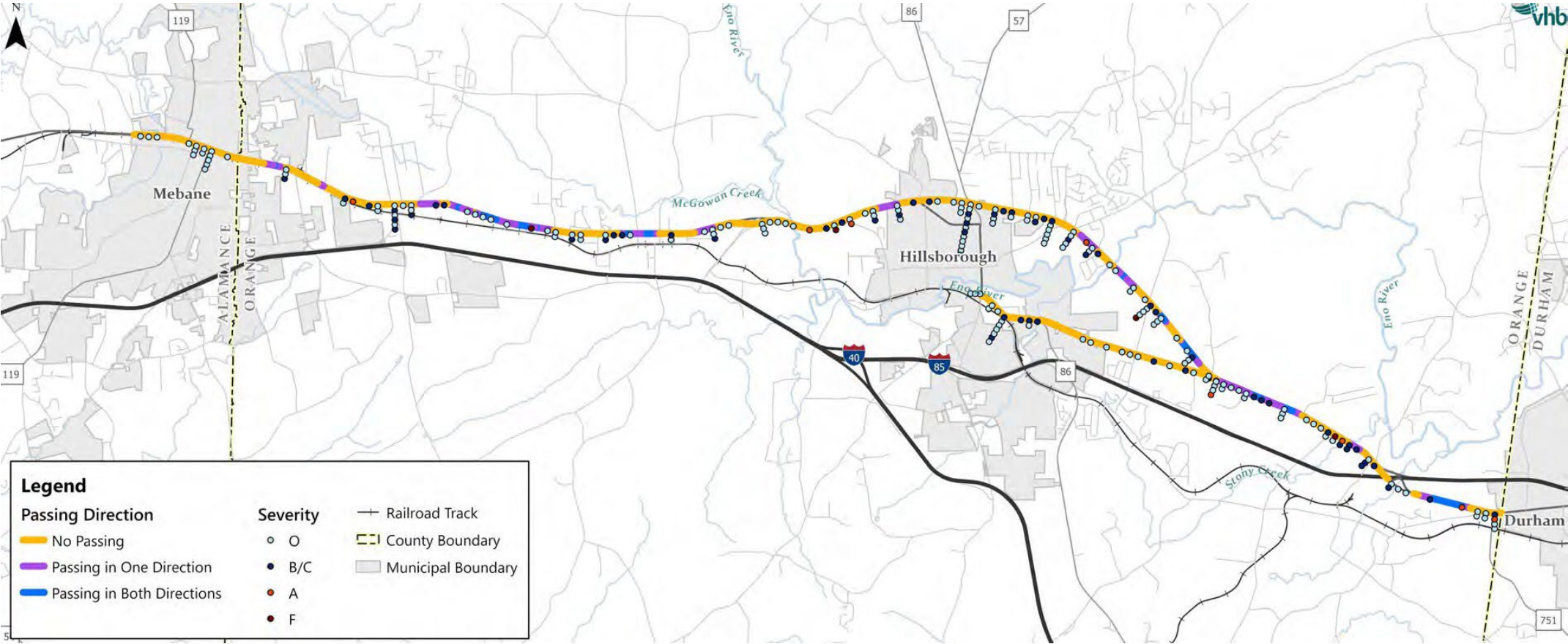
Detailed Crash Totals by Type & Location



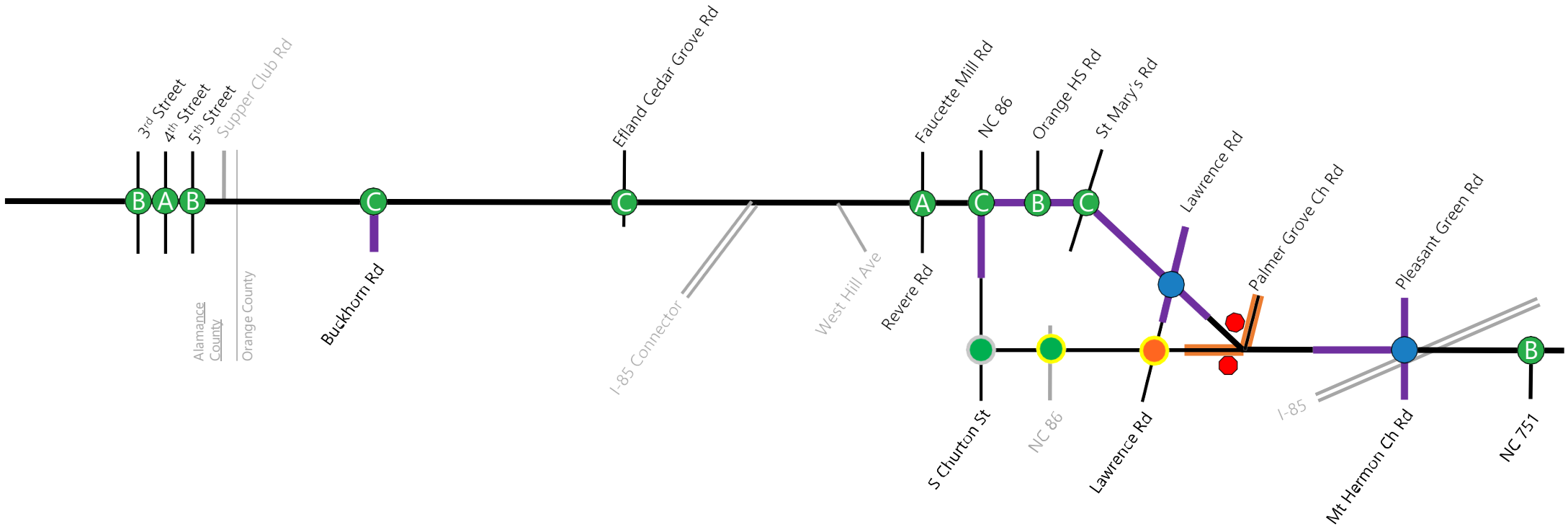
Speed Data with Statutory Limits



Run-Off Road Crashes with Severities & Passing Zones



Intersection Level-of-Service (LOS)

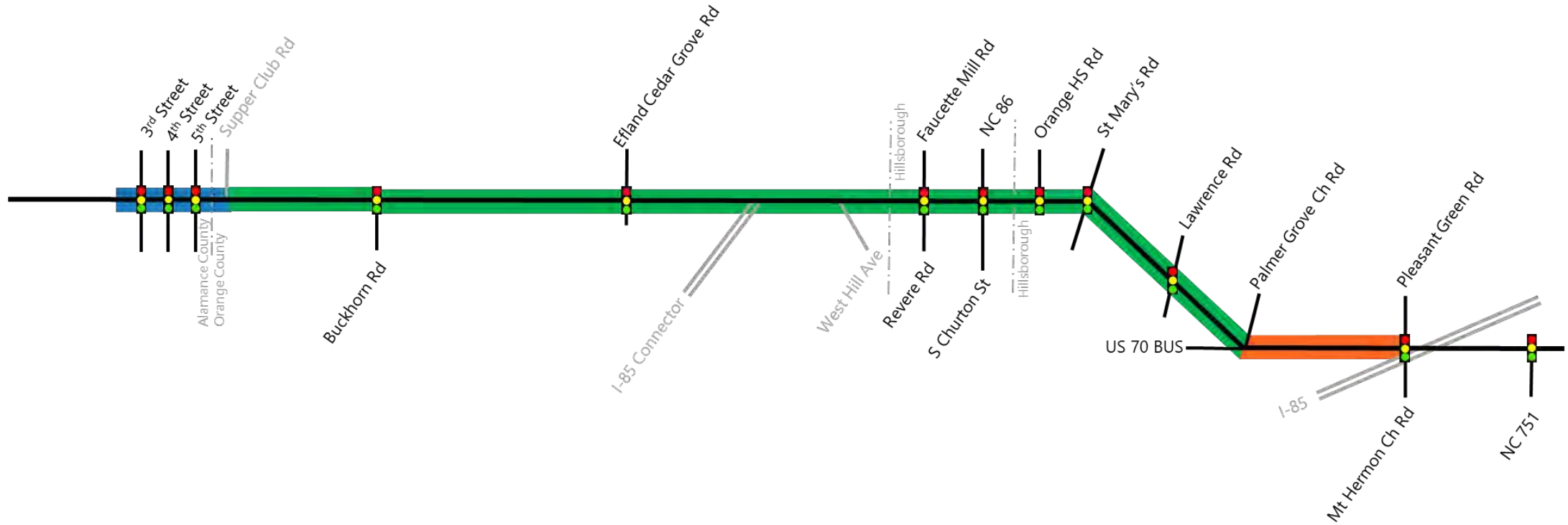



- LOS***
- Signalized Intersection ● Stop-Controlled Approach
 - A-C ● D ● E-F — Potential Queuing Problems
 - * Worst case from AM and PM peaks
 - From Lawrence Road Development TIA ○ From NC 86 Connector Study

QUALITY OF TRAFFIC FLOW DECREASES →

Considered an acceptable LOS				Considered an unacceptable LOS	
LOS A	LOS B	LOS C	LOS D	LOS E	LOS F
<ul style="list-style-type: none"> Light traffic Free flow speeds 	<ul style="list-style-type: none"> Slightly increased traffic levels Still free flow speeds 	<ul style="list-style-type: none"> Approaching moderate congestion levels Speeds near free flow 	<ul style="list-style-type: none"> Speeds reduced Lane changes restricted due to traffic 	<ul style="list-style-type: none"> Congestion Irregular traffic flow 	<ul style="list-style-type: none"> Road at capacity Gridlock with frequent stops

Level-of-Service (LOS) by Corridor Segment



-  Signalized Intersection
- LOS*** ■ A-C ■ D ■ E-F
- * Worst case from AM and PM peaks

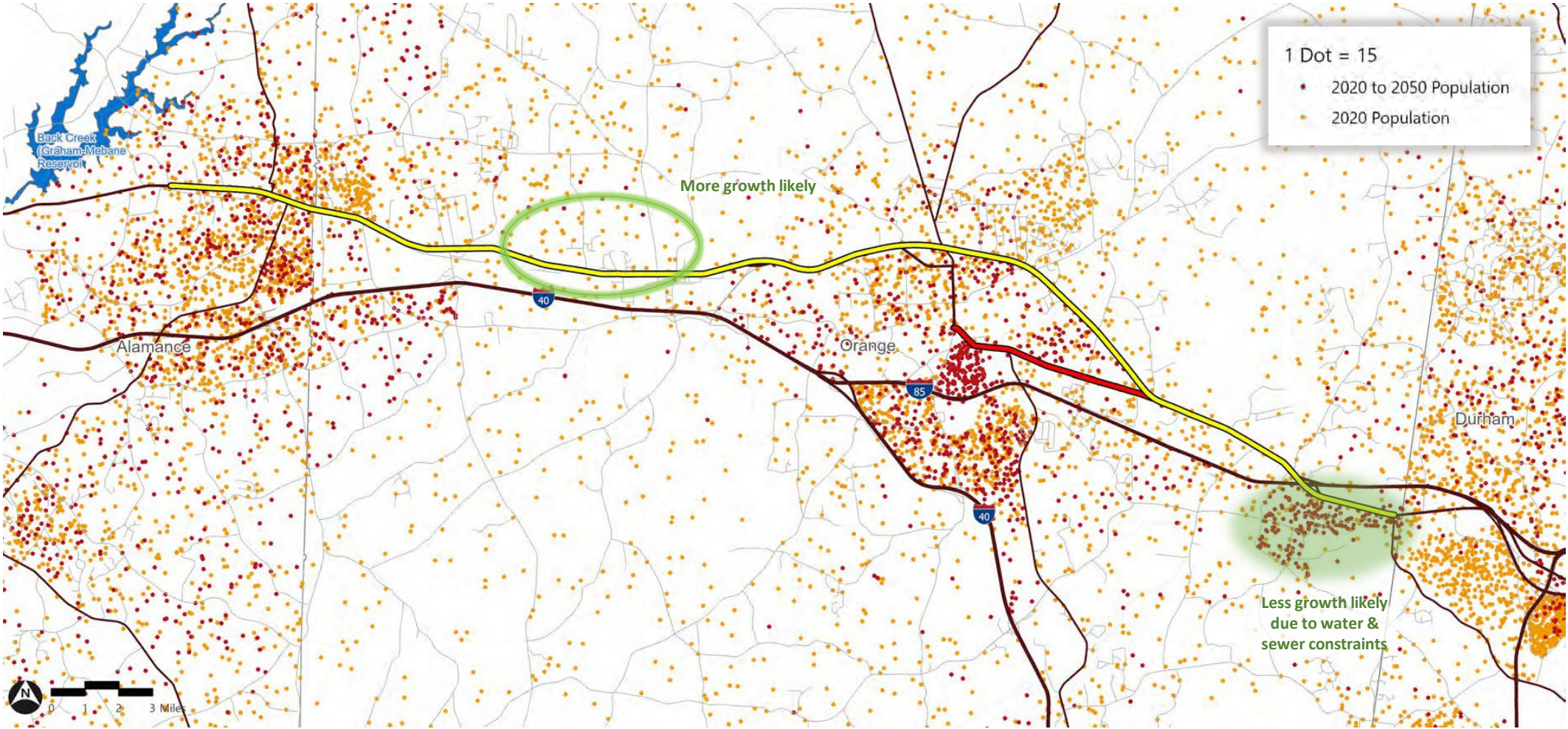
QUALITY OF TRAFFIC FLOW DECREASES →

Considered an acceptable LOS				Considered an unacceptable LOS	
LOS A	LOS B	LOS C	LOS D	LOS E	LOS F
<ul style="list-style-type: none"> • Light traffic • Free flow speeds 	<ul style="list-style-type: none"> • Slightly increased traffic levels • Still free flow speeds 	<ul style="list-style-type: none"> • Approaching moderate congestion levels • Speeds near free flow 	<ul style="list-style-type: none"> • Speeds reduced • Lane changes restricted due to traffic 	<ul style="list-style-type: none"> • Congestion • Irregular traffic flow 	<ul style="list-style-type: none"> • Road at capacity • Gridlock with frequent stops

Growth

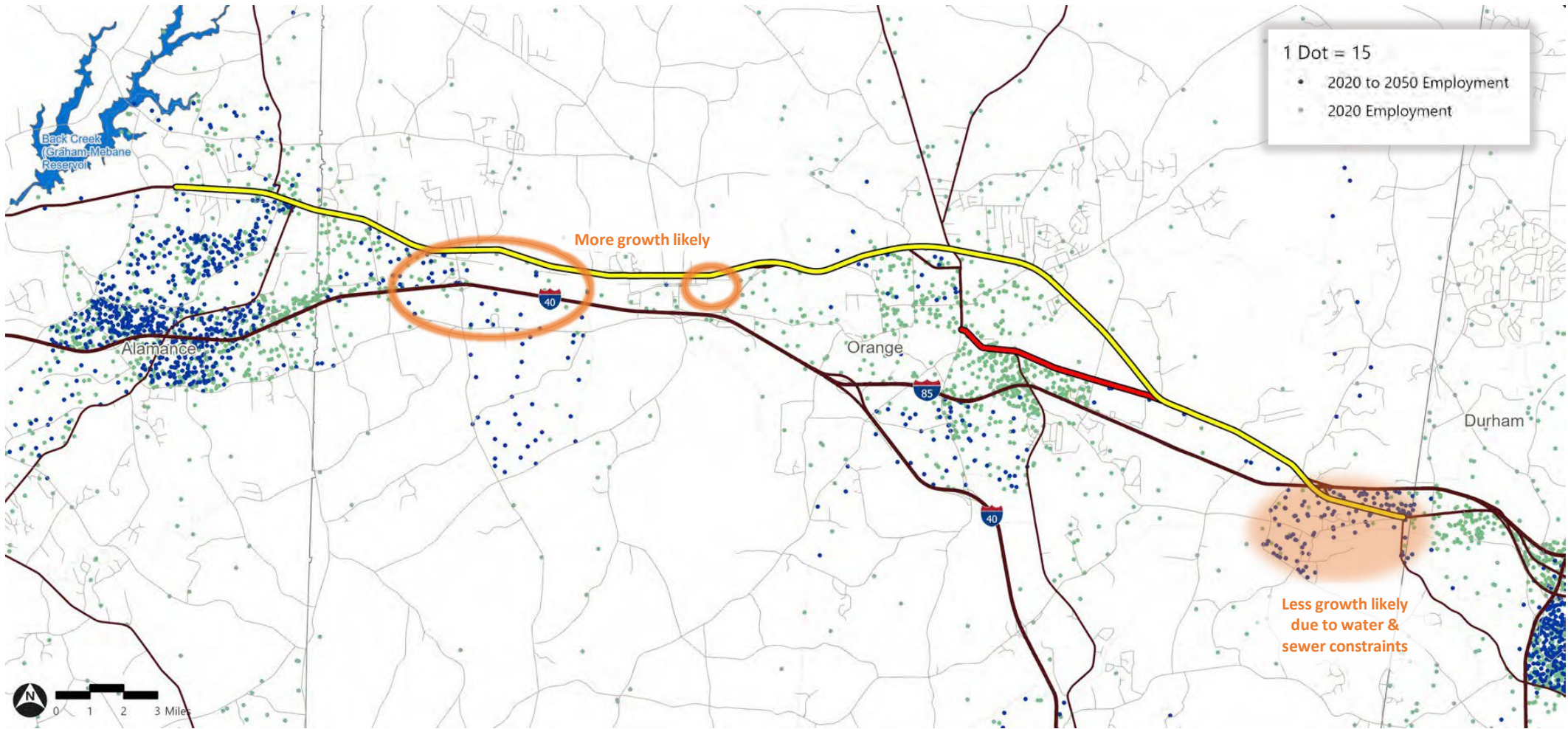


Population Growth, 2020 to 2050



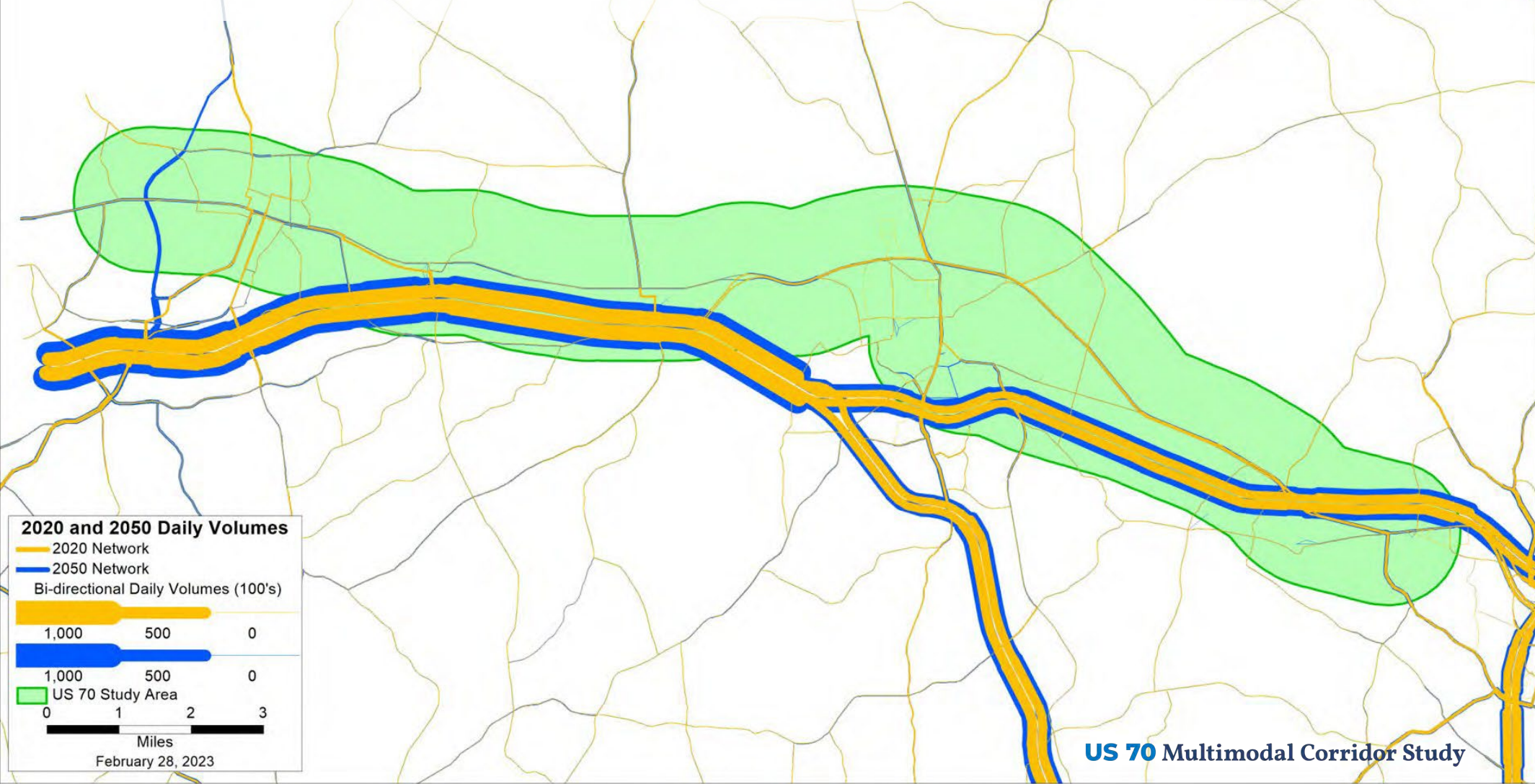
US 70 Multimodal Corridor Study

Employment Growth, 2020 to 2050



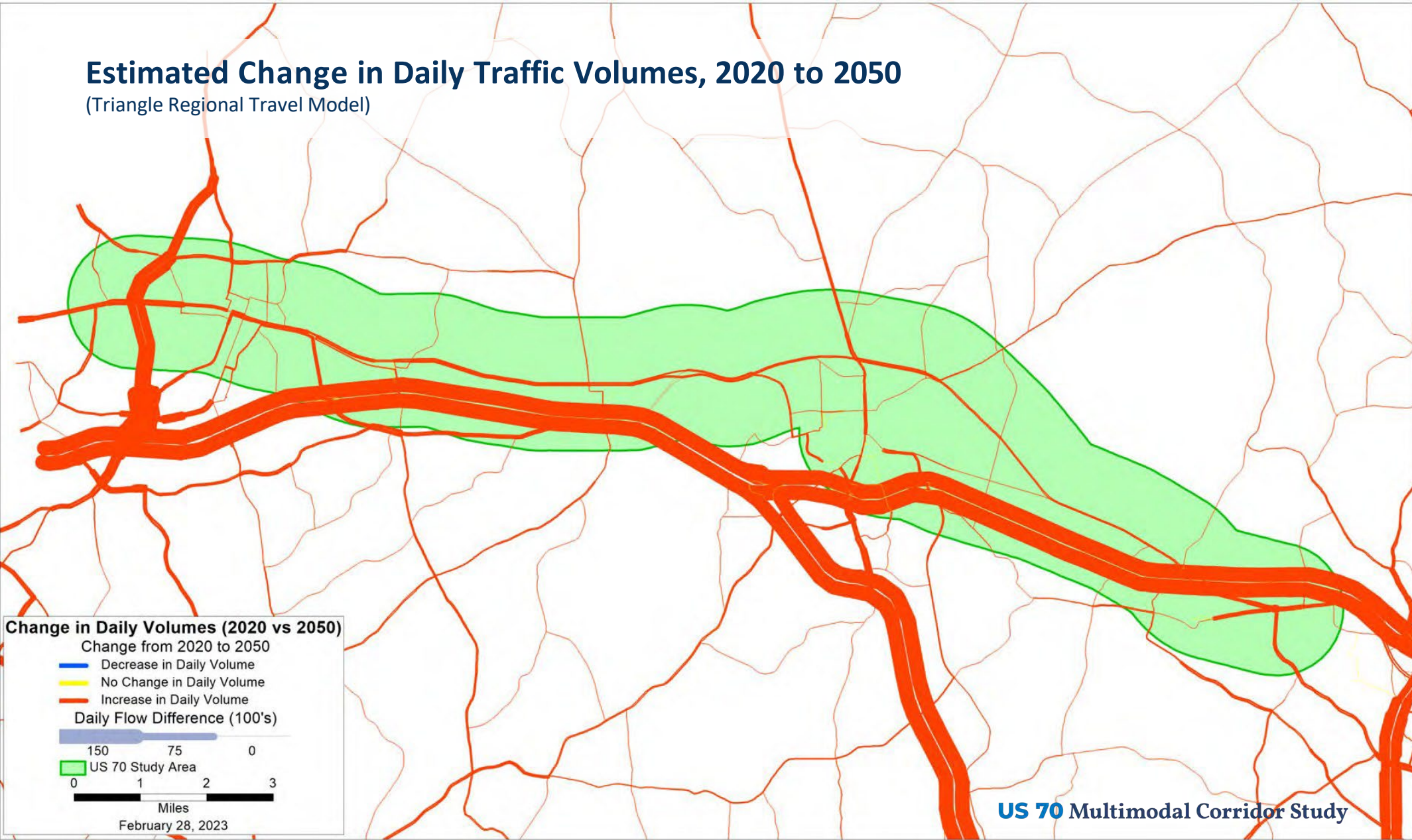
Estimated Daily Traffic Volumes, 2020 vs 2050

(Triangle Regional Travel Model)



Estimated Change in Daily Traffic Volumes, 2020 to 2050

(Triangle Regional Travel Model)





Next Steps

Findings to Date

- ✓ Traffic has returned to pre-COVID levels
 - Higher speeds
 - More trucks
- ✓ High crash rates & speeds in some locations
- ✓ Need pedestrian & bicycle improvements
 - *Safety – Health – Economy – Transit*
- ✓ Anticipate moderate, localized traffic growth
- ✓ Rail ROW constrains parts of western corridor
- ✓ I-85 improvements critical to US 70 traffic
- ✓ Full access needed at I-85 Connector
- ✓ NC 86 & NC 57 access via US 70 is important



Develop & Test Solutions

- ✓ Safety
- ✓ Walk & bike connections
 - Crossing/along US 70
- ✓ Intersection operations
 - RR interactions
- ✓ Transit service
- ✓ Roadway cross-sections
- ✓ Environmental protection
- ✓ Supportive land uses & policies
- ✓ Project priorities & phasing



Public Participation – Round 2

