



City Council Meeting
Mebane Municipal Building
Regular Meeting
Monday, October 5, 2015

The Mebane City Council met for its regular monthly meeting at 6:00p.m. on Monday, October 5, 2015 in the Council Chambers of the Municipal Building located at 106 E. Washington Street.

Councilmembers Present:

Mayor Glendel Stephenson
Councilmember Tim Bradley
Councilmember Patty Philipps
Councilmember Jill Auditori
Councilmember Everette Greene

Also Present:

David Cheek, City Manager
Chris Rollins, Asst. City Manager
Lawson Brown, City Attorney
Stephanie Shaw, City Clerk
Darrell Russell, City Engineer

Councilmember Absent:

Mayor Pro Tem Ed Hooks

Mayor Stephenson called the meeting to order. Mr. Bradley gave the invocation. No one spoke during the Public Comment period.

Mayor Stephenson presented the Consent Agenda as follows:

- a. Approval of Minutes- September 14, 2015
 - Regular Meeting
 - Closed Session
- b. Readopting Compliance Plans for 2010 West End CDBG Project
- c. Tax Releases/Refunds

Mr. Brown stated that the closed session minutes will be continued for approval and unsealing at next month's meeting. Mr. Bradley made a motion, seconded by Ms. Philipps, to approve the consent agenda with the exception of the closed session minutes. The motion carried unanimously.

Item B. is as follows:

**CITY OF MEBANE
EQUAL EMPLOYMENT AND PROCUREMENT PLAN
2010 NC CDBG WEST END HOUSING ECONOMIC RECOVERY PROJECT
2014-2016**

The City of Mebane maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.

In furtherance of this policy the City prohibits any retaliatory action of any kind taken by any employee of the City against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The City shall strive for greater utilization of all persons by identifying previously underutilized groups in the work force, such as minorities, women, and the handicapped, any making special efforts toward their recruitment, selection, development, and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and Affirmative Action measures is hereby assigned to the City Manager and/or other persons designated by the City Manager or the City Council to assist in the implementation of this policy statement.

The City shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of Equal Employment opportunity and the City Manager will present Affirmative Action to the City Council.

The City is committed to this policy and is aware that with its implementation, the City will receive positive benefits through the greater utilization and development of all its human resources.

Adopted this 5th day of October, 2015.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

**CITY OF MEBANE
PROCUREMENT POLICY FOR
2010 NC CDBG WEST END HOUSING ECONOMIC RECOVERY PROJECT
2014-2016**

In the procurement of supplies, equipment or services in the City of Mebane Community Development Block Grant Program the following policies shall apply:

- 1) Small purchase procedures. These are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies, or other property, costing in the aggregate not more than \$30,000. Under this procurement method price or rate quotations shall be obtained from an adequate number of qualified sources.
- 2) In competitive sealed bids (formal advertising) sealed bids shall be publicly solicited and a firm, fixed, price contract shall be awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is lowest in price.
- 3) In competitive negotiations proposals shall be requested from a number of sources and the Request for Proposals shall be publicized. All aspects of the competitive negotiations shall be carried out in conformance with 24 CFR Part 85. Under this method special consideration shall be given to experience, technical abilities, and familiarity with the services to be provided. Price shall not be the sole consideration for award of contract.

On all procurement efforts shall be made to solicit bids from qualified small, female, and minority business firms.

In all cases procurement under this Policy must conform to the requirements for procurement set forth in 24 CFR Part 85.

An adequate record of procurement must be maintained to insure that these policies and the requirements of 24 CFR Part 85 have been followed in their entirety.

Adopted this 5th day of October, 2015.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

CITY OF MEBANE
SECTION 504
COMPLIANCE OFFICER/GRIEVANCE PROCEDURE FOR
2010 NC CDBG WEST END HOUSING ECONOMIC RECOVERY PROJECT
2014-2016

The City Council of the City of Mebane, North Carolina, hereby designates the City Manager, Human Resources Director, to serve as Section 504 Compliance Officer throughout the implementation of the City of Mebane Community Development Program.

Citizens with Section 504 grievances may do so at any point in the program. The City will respond in writing to written citizen grievances. Citizen grievances should be mailed to the City Manager, City of Mebane, 106 E. Washington Street, Mebane, NC 27302. The City will respond to all written citizen grievances within ten (10) calendar days of receipt of the comments.

Should any individual, family, or entity have a grievance concerning any action prohibited under Section 504, a meeting with the compliance officer to discuss the grievance will be scheduled. The meeting date and time will be established within five (5) calendar days of receipt of the request. Upon meeting and discussing the grievance, a reply will be made, in writing, within five (5) calendar days.

If the citizen is dissatisfied with the local response, they may write to the North Carolina Department of Commerce, -State CDBG Program 4313 Mail Service Center, Raleigh, NC 27699-4313. DOC will respond only to written comments within ten (10) calendar days of the receipt of the comments.

Item C. is as follows:

TAX RELEASES OCTOBER 2015

<u>YEAR</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
2015	AKG North American Operations, inc	Correct County Error	\$1,098.85
2015	Meyer, Jochen	Listed in Craven County	\$40.11
2015	Williams, Stephen Ray	Double Listed	\$1.08
Total Releases			\$1,140.04

TAX RELEASE/REFUNDS OCTOBER 2015

<u>YEAR</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
2015	CCBCC Operations, LLC	Value Adjustment	\$49.01
2015	Shelton, Franklin Morris	Elderly Exemption	\$219.07
2015	Tran, Baonam Etal	Elderly Exemption	\$328.93
Total Release/Refunds			\$597.01

City Engineer Darrell Russel stated staff is requesting approval of a Capital Project Ordinance Amendment and Budget Ordinance Amendment to provide for the sidewalk and street improvements in conjunction with the White Furniture project. He explained that Council approved a Capital Project Ordinance for the White Furniture Company project on September 8, 2014 in the amount of \$700,000. The project was primarily for the re-location of an existing storm pipe that extended under Highway 70 and the White Furniture site, along with various related sidewalk and water line replacements. During the relocation, the contractor J.F. Wilkerson encountered additional rock during excavation, unsuitable soils for the new storm pipe and the need for additional pavement replacement, costing \$76,667 more than the original contract, approximately 13% over the bid price.

Mayor Stephenson questioned what the original bid price was. Mr. Russell replied \$588,027. Mr. Bradley asked if the original estimate for the work was \$750,000. Mr. Russell stated numbers were discussed but \$700,000 was the budget.

Mr. Russell said staff had discussed doing some sidewalk replacements along Hwy 70 and Fifth Street but that work was not bid as part of the storm sewer work due to timing. The emphasis was on storm pipe installation because the White Furniture Project schedule was dependent upon the same. Now staff has further evaluated the sidewalk work to be done on the Fifth Street side which is more than just sidewalk replacement. The Fifth Street block discussed, included in the project, was from Hwy 70 to Clay Street which currently has no sidewalk. With all the expected future activity within that block, staff is proposing that granite curbs, consistent with the existing granite curbing, be installed along with a 4-5 foot sidewalk.

Mr. Greene requested clarification of the requested budget amendment. Mr. Russell gave a breakdown of the proposed work and the associated cost. He stated there is a \$133,000 of work needed beyond the \$76,667 change order for the J.F. Wilkerson contract.

Mr. Bradley questioned if the City was going to put in pipes for White's to run their gutters into. Mr. Russell stated it is in the City's right-of-way and it has been a normal practice for the buildings downtown. Mr. Bradley asked if the City planned on setting specifications for White's to follow, such as the type of gutter, gutter screening, etc. Mr. Russell replied they have not gotten to that point yet, but they are recommending a smaller storm drain. Mr. Greene questioned what the plan is to move water in the low spot on Hwy 70 that usually holds water. Mr. Russell stated White's will be putting in interior downspouts that will route the water out another direction. He said they will not be changing the direction of the water flow on the Fifth Street side.

Mr. Greene brought up citizen concerns about pedestrian safety on the east side of Fifth Street, from Clay Street to Ruffin Street. Mr. Russell stated pedestrian safety could be improved by providing new curbing, sidewalk, safety railing, paving and storm drainage improvements, and a raised crosswalk at Ruffin Street as a traffic calming measure. This work would continue north on Fifth Street, where the City has received multiple complaints about vehicular speeds and pedestrians crossing Fifth Street with limited visibility due to parallel-parked cars in front of the building. Although the Clay to Ruffin Street section was not studied for this amendment, staff estimates that additional work would cost approximately \$150,000, an amount not included in the proposed amendments. Mr. Bradley said it seems to him if only the work from Hwy 70 to Clay Street is completed, there would be transition problems with the milling and the water runoff. Mr. Russell stated it would be better to continue the work northerly all the way to Ruffin Street. Council agreed that it would be best to complete all the work at the same time.

Mr. Bradley said he would like for White's to reroute the gutters on the Fifth Street side to control water runoff like they plan to do on the Hwy 70 side. Mr. Russell stated he would talk with them about participating in that plan. He said another option would be to put in a line with catch basin in it, and Whites could tie into that line and that would be their lines tying into the City's storm drain, which is more desirable.

Ms. Philipps asked if the parking on the north side of street between Clay and Ruffin Streets would be eliminated after the sidewalks are installed because she feels cars being parked there add to the safety problems. Mr. Russell said with the addition of the sidewalks and the curbing, there would not be room for street parking.

Mr. Russell said in light of all the discussions, staff would recommend a budget amendment in the amount of \$360,000 to complete all the work at one time. Mr. Cheek stated it would be an additional fund balance appropriation out of the General Fund.

Mr. Russell questioned if there is a promised timeline in which to get the work completed. Mr. Rollins said his thoughts were to complete the work on the Hwy 70 side now, and to complete the work on the Fifth Street side in the Spring of 2016.

Ms. Philipps made a motion, seconded by Mr. Greene, to proceed as with the recommended activities as outlined, including the Capital Project Ordinance Amendment and a Budget Ordinance Amendment in the amount of \$360,000 instead of the originally proposed \$210,000. The motion carried unanimously.

**Capital Project Ordinance Amendment
City of Mebane
White Furniture Company Project**

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 amended as follows:

Section 1: The project authorized is the construction of improvements to repair and replace the storm sewer beneath the White Furniture property and repair or provide sidewalks to the area as approved by resolution.

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 amounts appropriated for the project are amended as follows:

	Current Budget	Change	Revised Budget
Engineering & Construction Admin	\$ 98,800	\$ 21,200	\$ 120,000
Construction of Storm Sewer	596,527	13,167	609,694
Water Line Replacement	0	55,000	55,000
Sidewalk Maintenance and Repair	0	45,000	45,000
Street Maintenance and Repair	0	45,000	45,000
Other Storm Sewer	0	25,000	25,000
		155,633	160,306
Contingency	<u>4,673</u>	<u>5,633</u>	<u>10,306</u>
		360,000	1,060,000
Total	<u>\$ 700,000</u>	<u>\$ 210,000</u>	<u>\$ 910,000</u>

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

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 General 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.

	Current Budget	Change	Revised Budget
		305,000	1,005,000
Transfer from General Fund	\$ 700,000	\$ 155,000	\$ 855,000
Transfer from Utility Fund	<u>0</u>	<u>55,000</u>	<u>55,000</u>
		360,000	1,060,000
Total	<u>\$ 700,000</u>	<u>\$ 210,000</u>	<u>\$ 910,000</u>

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.

This is the 5th day of October, 2015.

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year Beginning July 1, 2015 as duly adopted on June 1, 2015, is hereby amended as follows:

ARTICLE I

APPROPRIATIONS	Current Budget	Change	Revised Budget
GENERAL FUND			
Public Works			
Sidewalk Maintenance	\$ 240,000	\$ (45,000)	\$ 195,000
Storm Sewer/Drainage	60,000	(40,000)	20,000
Non-Departmental			
Transfer to White		305,000	305,000
Furniture Project	0	155,000	155,000
UTILITY FUND			
Capital Outlay-Improvements	1,156,775	(55,000)	1,101,775
Transfer to White Furniture Project	0	55,000	55,000

ARTICLE II

REVENUES	Current Budget	Change	Revised Budget
GENERAL FUND			
		220,000	2,184,082
Appropriated Fund Balance	\$ 1,964,082	\$ 70,000	\$ 2,034,082

This the 5th day of October, 2015.

There being no further business, the meeting was adjourned at 6:29pm.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk