

MEBANE CITY COUNCIL  
MEBANE MUNICIPAL BUILDING  
JUNE 5, 2006

Members Present: Patty Philipps  
Tim Bradley

Everette Greene  
Bob Hupman

Members Absent: Ed Hooks

City Clerk Elaine Hicks was absent due to illness, and wrote these minutes from tape recordings of the meeting and staff notes.

Mayor Glendel Stephenson called the meeting to order at 6:00 p.m. in the Mebane Municipal Building. Bob Hupman gave the invocation.

Mayor Stephenson announced the upcoming events to be held on July 4, 2006 at the Arts/Community Center. He also announced that the Bronze Books by Jim Gallucci would be dedicated at the new Mebane Library at 2:00 p.m. on Saturday, June 10, 2006, with a reception following.

The Council rescheduled the Regular Meeting of the Mebane City Council normally held on the first Monday of each month, from July 3, 2006 to July 10, 2006 due the July 4<sup>th</sup> holiday. The meeting will be held at 6:00 p.m. in the Mebane Municipal Building.

The North Carolina Association of Zoning Officials requested the approval of a proclamation acknowledging their existence and their plans to meet in Asheville later in the year. The proclamation recognizes them and expresses appreciation to them. Bob Hupman made a motion, seconded by Tim Bradley, to adopt the proclamation. The motion carried unanimously.

City Manager Robert Wilson was requested to place on the July City Council agenda an item for the Council to consider prohibiting smoking at the City's ballfields.

City Manager Robert Wilson was instructed to prepare for Council each month an updated list of items that have been placed on the table for consideration showing the item, who requested the consideration, and the status or action taken of the item.

Councilman Bob Hupman requested that as a result of the conflict that arose at the May Council meeting involving a Conditional Use, at which it was alleged that he had a conflict of interest, that the City's application include a form that asks if a conflict of interest is perceived with City staff, Council, Mayor, or employees. City Manager Robert Wilson explained that this could be added to

the application form, but that it did not mean that applicants would put the information on there.

The Council discussed the reversion of the use of property to its original use when Conditional Uses have been granted and the property is not being used for the purpose approved under the Conditional Use Permit. Concerns were expressed because property owners no longer have an incentive to maintain the properties. City Attorney Charles Bateman advised that the Council could not do this, but could have a twenty-four month window and automatically calendar it again for review and institute a public hearing process at the Council's discretion if it has not been implemented. Attorney Bateman explained that if the activity hasn't started, or has started and has ceased, the permit holder could then be advised that they need to show cause why the City should not proceed with a public hearing process to take it back to some other zone. He emphasized that the Council would have to go through a public hearing process to do that. He was requested to study the matter and report back to the Council.

The Council discussed the need for additional trash pick-up along the streets within the City. City Manager Robert Wilson informed the Council that additional part-time school students have been hired to work with this. He was requested to look into the NCDOT Adopt A Highway Program. Vigorous enforcement of laws against persons who litter was encouraged.

City Manager Robert Wilson updated the Council on the status of the transportation need studies that are being conducted by the TIP, Alamance County and others. He reported that surveys have been sent out, with Mebane's to be included in the City's next newsletter. After responses have been received a public hearing will be set.

City Manager Robert Wilson was requested to place on the September, 2006 City Council agenda, the consideration of prohibiting smoking in restaurants in Mebane.

The Council discussed the placement of a branch of the Alamance County Community College in the City of Mebane. Mayor Glendel Stephenson, who also serves on the Board of Trustees of Alamance County Community College, reviewed measures already taken to locate a facility in Mebane. He explained that currently there is not funding available for building a facility. The Board of Trustees has voted to approve this, and trips have been made to Washington, DC seeking funding, but none has been found to date. It is estimated that approximately 400 students would fill the facility initially. City Attorney Charles Bateman was requested to draft a letter to the Board of Directors expressing the City's support of the placement of a campus in Mebane.

The Recreation Department was commended for the Sports Hall of Fame Gala held at the Arts/Community Center.

City Manager Robert Wilson was requested to provide the Council with an update on the accreditation of the Mebane Police Department.

At the May 2006 City Council meeting, the Council approved adding the block of Washington Street from S. Third Street to S. Fourth Street to the resurfacing contract. The additional work required increased the cost by \$23,697.22. The work was not included in the original bid. A request was heard by the Council to increase the contract price and amend the budget for this amount. By motion of Tim Bradley, seconded by Bob Hupman, the Council voted unanimously to approve the request.

A budget amendment in the amount of \$23,000 was requested for fencing at the soccer complex. Tim Bradley made a motion, seconded by Bob Hupman, to approve the budget amendment. The motion carried unanimously.

A request was heard from the Alamance County Arts Council that Clay Street be closed from 5.00 p.m. to 10:00 p.m. on Friday, August 4, 2006. The Arts Council will be sponsoring a festival. Bob Hupman made a motion, seconded by Patty Philipps, to approve the request to close Clay Street. The motion carried unanimously.

During the Public Comment Period, Janet Shackelton Smith spoke in favor of a public transportation system.

A Public Hearing was held on the proposed budget for 2006-2007. City Manager Robert Wilson reviewed the proposed budget, which includes no tax increase and maintains a tax rate of \$0.50 per one hundred dollars of valuation. No increases in water and sewer rates were included. No one from the public asked questions. By motion of Bob Hupman, seconded by Patty Philipps, the Council voted unanimously to adopt the 2006/2007 Budget Ordinance.

A Public Hearing was scheduled on a request from D. R. Horton, Inc. to rezone property located on Gibson Road. The Council received a written request that the public hearing be tabled to the July Council meeting. Attorney Lawson Brown spoke on behalf of the request. Tim Bradley made a motion, seconded by Patty Philipps, to table the public hearing to the July City Council meeting. The motion carried unanimously.

A Public Hearing was held on awarding a bid for the purchase of a new 2006 KME Custom Panther Rescue Truck using the piggyback statute. The price of the vehicle is \$391,600 and a budget amendment was previously approved by the Council at the May 22, 2006 meeting in the amount of \$392,000. City Attorney Charles Bateman reviewed the procedure with the Council, explaining that we would be piggybacking the bid of Clayton, Missouri, whose bid requirements were comparable with North Carolina. Fire Chief Bob Louis answered questions from the Council. No one from the public spoke on the

proposal. Patty Philipps made a motion, seconded by Everette Greene, to approve the award of the bid. The motion carried unanimously.

A request from D. R. Horton for approval of a preliminary subdivision plat for “The Farm at Creekside” proposed to be located on Gibson Road was automatically continued to the July Council meeting based on the developer’s request to table the rezoning request.

A request from Centex Homes for final subdivision plat approval of Phase 1, Collington Farms, located on Wilson Road and Ben Wilson Road was heard. No recommendation was received from the Planning Board. By motion of Bob Hupman, seconded by Tim Bradley, the Council voted unanimously to approve the subdivision plat.

A petition was received from K2B LLC requesting voluntary annexation of property located across the street from Lowes. Tim Bradley made a motion, seconded by Patty Philipps, to accept the petition and adopt a Resolution Directing the City Clerk to Investigate the Sufficiency. The motion carried unanimously.

The Council received a request for authorization to initiate design of a proposed Southeast Regional Pump Station and approval to make application for a loan in the amount of \$1,850,000 at the appropriate time. At the May 22, 2006 meeting the Council had approved pursuing the regional pump station, with Attorney Bateman’s input to finalize the developer agreements. City Attorney Charles Bateman and City Engineer Darrell Russell of Alley, Williams, Carmen & King, Inc. reviewed the proposal, explaining the benefits to be derived by the City in approving the regional station. Total costs are estimated to be \$3,300,000. Developers of the Arrowhead property have offered \$698,000 and the Collington Farms \$752,000, to be paid to the City before we go to contract. Owners of the Synthon property have offered \$800,000 with their offer being conditioned upon the sale of their property at a future date. The City’s portion would be \$1,050,000 and the City would also have to front the costs for the Synthon property.

There are already three existing pump stations in this same drainage basin (McPherson Drive, Elmwood and L.J. Rogers) and three proposed for Arrowhead, Collington Farms and Synthon. The regional station could eliminate five of the six stations, reducing operation and maintenance and future replacement costs. It is projected that the \$1,850,000 would be repaid with developer contributions and connection fees with no proposed sewer rate increase. Following considerable discussion, Bob Hupman made a motion, seconded by Tim Bradley, to approve the requests. The motion carried unanimously.

The Council received a proposal from Duke Energy to perform a study to establish a definitive cost estimate and design for the potential option of

eliminating the three overhead high voltage circuits in the Clay Street area from Third Street to Fifth Street. A non-refundable good faith deposit for the estimated engineering cost of \$15,600 would be required with the actual cost being billed upon completion. If the design is installed, the deposit will be credited to the project installation cost. The projected time required to complete the detailed engineering study is approximately 180 days from the date the study is formally requested and the deposit is received. The estimated cost in 2000 was \$55,500 to consolidate the existing lines from a total of three overhead circuits to just one. Following considerable discussion, Tim Bradley made a motion, seconded by Bob Hupman, to approve the study. The motion carried unanimously.

Bob Hupman made a motion, seconded by Tim Bradley, to approve the tax releases. The motion carried unanimously.

Minutes of the May 1, 2006 and May 22, 2006 meetings were approved as presented.

The Council discussed a name for the property at 120 W. Center Street where the landscaping is expected to be completed by June 30. The veterans have suggested "Veterans Garden". No vote was taken on a name.

The Council discussed benefits offered to employees when they retire. Suggestions were a gift, dinner, and a month's salary for employees with 20 years of service. Council verbally agreed, but no formal action was taken.

City Manager Robert Wilson announced that he would be working on a date for the Volunteer Appreciation Day currently being planned for August or September.

There being no further business, the meeting was adjourned.

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Glendel Stephenson, Mayor

ATTEST:

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Elaine J. Hicks, City Clerk