

MEBANE CITY COUNCIL
REGULAR MEETING
DECEMBER 7, 2009

Members Present: Tim Bradley
Everette Greene
Jill Auditori (Joined meeting after taking oath)

Ed Hooks
Patty Philipps

Mayor Stephenson called the meeting to order at 6:00 p.m. in the City Council Chambers of the Mebane Municipal Building. Mayor Stephenson announced that the Eastern Alamance High School Football team won the East Regional Championship and will be playing for the State Championship game on Saturday, December 12th, at the Carter-Finley Stadium. He invited the community to support the team.

Councilmember Bradley made reference to the date, Dec. 7th and requested a moment of silence in remembrance of the veterans who died at Pearl Harbor, those that have since fought and those that continue to serve and fight for our country. He then gave the invocation.

The minutes of the November 2, 2009 regular meeting were approved as presented.

City Clerk Stephanie Shaw reported the results of the municipal election held on November 3, 2009, as certified by the Alamance County Board of Elections, to be as follows:

FOR THE OFFICE OF CITY COUNCIL:

Jill Auditori	572 votes
Tim Bradley	560 votes
Ed Hooks	550 votes
Roy Blalock	495 votes
John Walker	387 votes
Jason Massey	237 votes
Mickey Mayton	147 votes
Elma Doermann	125 votes
Dawn Kay Spadgenske	21 votes
Write Ins	12 votes

Therefore, pursuant to such tabulation, it has been determined that Jill Auditori having received 572 votes, Tim Bradley having received 560 votes, and Ed Hooks having received 550 votes have been duly elected Members of the City Council of the City of Mebane, pursuant to law, for a term of four years.

Mayor Stephenson called for a motion to accept the election results. Councilmember Philipps made a motion, seconded by Councilmember Greene, to accept the results. The motion carried unanimously.

City Clerk Stephanie Shaw then administered the Oath of Office to Jill Auditori, Tim Bradley and Ed Hooks. They then took their seats at the Council table.

Mayor Stephenson spoke concerning the new renovations of the Mebane Municipal Building and the "Old Recreation Center". He gave a few brief statements in regards to the new facilities.

Mayor Stephenson called for nominations of Mayor Pro-Tempore. Councilmember Hooks nominated Patty Philipps to continue as Mayor Pro-Tempore. No other nominations were made. The Council voted unanimously to appoint Patty Philipps as Mayor Pro-Tempore.

Rick Smith, Vice-President of the Mebane Historical Society, thanked the Council and the City Staff for all their hard work in pursuing and completing the Mebane Historical Museum housed within the newly renovated "Old Recreation Center". He stated in January they will be having a Grand Opening Gala.

Mayor Stephenson called attention to the artwork painted by Jill Troutman now hanging on the back walls of the Council Chambers and on the front lobby wall of the Municipal Building.

Councilmember Philipps commended Ken Stafford of Alley, Williams, Carmen and King, Inc. for all his hard work and efforts during the renovations of the Mebane Municipal Building and the “Old Recreation Center”.

The Council received a request from residents in the Collington Farms Subdivision to lower the speed limit from 35mph to 20mph. Morris Dean, 608 Collington Drive, spoke on behalf of the request. He stated a petition has been submitted on behalf of the residents in the Collington Farms subdivision. He stated they are concerned that 35mph is too high for the many young children residing in the subdivision. He also added that the streets within the subdivision are narrow and crooked. City Attorney Charles Bateman advised that the State will only allow the Council to lower the speed limit to 25mph. Councilmember Bradley made a motion, seconded by Councilmember Greene, to lower the speed limit to 25mph. The motion carried unanimously.

The Council received a request for a proposed amendment to Article 4-7.8 of the Unified Development Ordinance. City Attorney Charles Bateman spoke concerning the request. He stated at the last meeting Council requested staff to explore ways in which staff might address the proliferation of “bars” in the downtown area and to look at possible solutions to that problem. He stated he has tendered to the Council for consideration, but not for action because action would require a Public Hearing, a proposal which would limit the sell of alcoholic beverages in the B-1 district to those establishments which could qualify as restaurants being that they must sell 30% food. He cautioned the Council if they choose to proceed with the proposed amendment they may meet some resistance from the State ABC Board.

City Manager Robert Wilson stated staff and Council have had many discussions concerning this issue. He stated staff would like to recommend monitoring the establishments in the downtown area for the next 6 months and come back to Council with a report showing changes, if any, whether they are positive or negative.

After some discussion, the Council agreed that this would be satisfactory and directed staff to monitor these establishments for the next 4 months with a monthly report to be given to Council. At the end of 4 months Council will make a decision on whether or not to set a Public Hearing on the amendment. Council directed the City Attorney to continue researching the laws and practices used by other municipalities to address this issue. No formal action was taken.

Police Chief Caldwell gave a report, as previously directed by Council, on the implementation of speed bumps in some of the city’s subdivisions. He stated in researching the implementation of speed bumps it was found that the majority of municipalities had common practices. He stated the most popular response was more stringent enforcement by law enforcement. Another practice was the implementation of speed control devices such as flags, signs and in some cases speed bumps. Also many surrounding municipalities placed ownership on the residents of the respective subdivisions. They required the residents to generate a petition and gather signatures. The petition is then submitted to the city government. He said most municipalities factored in, when deciding whether or not to proceed with the implementation process, a percentage basis. Those required percentages varied from 50-60% with some requiring up to 85% of the residents of the given area to be on a given petition, majority ruled in most cases.

Mayor Stephenson questioned Chief Caldwell if he was for or against speed bumps.

Police Chief Terry Caldwell stated a collective response from himself, Fire Chief Bob Louis and Public Works Director Jimmy Jobe is that they are not in favor of speed bump implementation at this time. He stated if Council is interested in moving in this direction he would like for Council to take in consideration if the majority of the residents within

the given subdivisions are in favor of the speed bumps.

Fire Chief Bob Louis called the Council's attention to photos submitted in the Council's packets of a speed calming table located on a street in the town of Chapel Hill. He stated after driving Mebane's shortest fire truck, Engine 32, over the calming device they found the axel was still longer than the calming device which caused them to be thrown on the initial impact. Once the front comes off, the rear axel is coming on the table. He stated going 15 mph over the table still proved to be a tough pass over.

After considerable discussion, no formal action was taken.

During the Public Comment period, Brooks Gardner, 517 N. Carr Street, stated his desire to see Council recognize the Eastern Alamance High School Cross Country team along with recognizing the Football team. He also expressed his desire to see new people serve on the city's committees. He urged the Council to be proactive in finding people to serve well on those committees.

A Public Hearing was held on a request from Betty Jackson to rezone property located at 302 Fitch Drive from R-20 (Single Family) to R-10 (Single Family). City Manager Robert Wilson stated the applicant has requested to continue the Public Hearing until the January 4th Council meeting. Councilmember Greene made a motion, seconded by Councilmember Philipps, to continue the Public Hearing until the January 4th Council meeting. The motion carried unanimously.

A Public Hearing was held on a request from Kevin Smith and Kris Torain to rezone property located at 6312 East Washington Street from M-1 (Heavy Manufacturing) to R-20 (Single Family Residential)-Orange County ETJ. The total area of the parcel is +/-0.35 acres. Kris Torain spoke concerning the request. She stated this land is Mr. Smith's family owned land and they have granted them permission to build a home on the property. She explained that Mr. Smith's parents had a mobile home on this lot for many years and it burned down approximately 5 years ago. The lot is now vacant. She stated that Orange County told them they could rebuild under the grandfathered-in clause but they did not realize there was a time limit. They did not rebuild within the 180 day time limit. Therefore, the grandfathered-in clause was no longer applicable and the property reverted to the existing zoning, M-1. A relative that inherited the land spoke in favor of the request. Councilmember Hooks made a motion, seconded by Councilmember Bradley, to approve the request to rezone property located at 6312 East Washington Street from M-1 (Heavy Manufacturing) to R-20 (Single Family). The application is generally consistent with the objectives and policies for growth and development contained in The City of Mebane 2010 Land Development Plan. The motion carried unanimously.

City Manager Robert Wilson requested Council's permission to look at this whole area for inconsistency with the land use and to bring it consistent with the land use plan. The Council directed staff to research this issue further.

The Council discussed in detail their current procedure to vote on land use issues during the same night the request is received or waiting 30 days to vote. City Attorney Charles Bateman stated he will study the current policy in place for land use decisions and make recommendations that will clarify the voting procedures.

Councilmember Hooks made a motion, seconded by Councilmember Greene, to accept a petition of voluntary annexation for the property located at 1231 Mebane Oaks Rd., being the property of the Mebane Oaks Shell Station. The motion carried unanimously.

Councilmember Bradley made a motion, seconded by Councilmember Greene, to adopt a Resolution Directing the City Clerk to Investigate the Petition of Voluntary Annexation for the property located at 1231 Mebane Oaks Rd., being the property of the Mebane Oaks Shell Station. The motion carried unanimously.

The Council received a request from staff for consideration to adopt a motion to add the consistency statement to the amendment to the Unified Development Ordinance, Article

6, Section 6-3, Landscaping, Buffering and Screening, A. Purpose and Applicability that was approved at last months meeting held on Monday, November 2, 2009. City Attorney Charles Bateman spoke concerning this matter. Councilmember Philipps made a motion, seconded by Councilmember Hooks, to adopt the motion and it shall read as follows: **The amendment is generally consistent with the objectives and policies for growth and development contained in The City of Mebane 2010 Land Development Plan.** The motion carried unanimously.

A petition for voluntary satellite annexation was received from General Electric Company (“GE”) located on Industrial Drive, being the property located on the South East side of Industrial Drive. Frank Longest, Attorney representing “GE” spoke concerning the request. Mr. Longest stated if the requested annexation is approved, subject property will be used for the erection of a digital billboard which will use advance technology lighting products made by “GE”.

Councilmember Auditori stated it is her understanding that whether they annex the property or not, the billboard would still be permitted.

City Attorney Charles Bateman stated yes, it is permitted in M-1 zoning. He stated staff is recommending approval of the voluntary satellite annexation because they are a taxable entities and the structure they are talking about investing in is several hundred thousand dollars of additional tax base with very little services required.

Councilmember Philipps addressed her on going concerns with digital billboards.

Councilmember Hooks made a motion, seconded by Councilmember Auditori, to accept the petition of voluntary satellite annexation for GE located on Industrial Drive, being the property located on the South East side of Industrial Drive. The motion carried unanimously.

Councilmember Greene made a motion, seconded by Councilmember Phillips, to adopt a Resolution Directing the City Clerk to Investigate the Petition of Voluntary Annexation for the property of GE located on Industrial Drive, being the property located on the South East side of Industrial Drive. The motion carried unanimously.

Councilmember Hooks made a motion, seconded by Councilmember Greene, to approve the Tax Releases and Refunds. The motion carried unanimously.

As an additional item, City Manager Robert Wilson requested Council to consider a date for an Open House for the newly renovated Municipal Building.

City Manager Robert Wilson made a brief announcement concerning leaf pick up and thanked the community for their patience.

Councilmember Hooks made an announcement concerning disposal of Christmas trees. He stated that the loin and tiger conservatory north of Mebane would be appreciative of Christmas tree donations after the holidays.

There being no further business, the meeting was adjourned.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

