

MEBANE CITY COUNCIL
REGULAR MEETING
FEBRUARY 4, 2008

Members Present: Everette Greene Patty Philipps
 Ed Hooks Bob Hupman
 Tim Bradley

Mayor Glendel Stephenson called the regular monthly meeting to order at 6:00 p.m. in the City Council Chambers of the Mebane Municipal Building. Bob Hupman gave the invocation.

Walter Britt gave a report on the progress of consideration for a YMCA in Mebane. Mr. Britt stated that several years ago surveys were issued throughout the community; also a market research analysis was conducted in the fall to determine the interest within the community for a YMCA in this area. It was determined, after 600 phone interviews, that 3700 units of membership could be expected with a new YMCA being built in Mebane.

Mr. Britt showed the Council a prototypical site plan based upon accommodating 3700 units of membership. The site plan showed a 50,000 sq. ft. facility with two (2) swimming pools. He stated that based upon those numbers and that size facility, the next step in the process is to determine the fundraising capacity for the community to raise the capital to build this size facility.

Rick Gunn, immediate past Chair for the YMCA Board of Directors, spoke to the Council on behalf of the YMCA. Mr. Gunn thanked the Council for the City's support. He stated that through the help of Alamance Regional Medical Center they were able to secure land located on the Arrowhead development property for the purpose of a YMCA site. Mr. Gunn told Council that they have received contributions from the Mebane Kiwanis Club, Wal-Mart, Alamance Regional Medical Center and the YMCA. Mr. Gunn asked for a \$5,000.00 commitment from the City to do a feasibility study to determine if funds can be raised to build a YMCA in the Mebane community.

After more discussion, Tim Bradley made a motion, seconded by Everette Greene, to approve a contribution of \$5,000.00 for a feasibility study to determine if funds can be raised to build a YMCA in the Mebane community. Tim Bradley made a motion, seconded by Bob Hupman, to amend the budget to appropriate \$5,000.00 for the purpose of the feasibility study. The motion carried unanimously.

Police Chief Terry Caldwell gave an update on the status of the Police Department with regards to the Recognition process with the Commission on Accreditation for Law Enforcement Agencies (C.A.L.E.A.). Chief Caldwell stated that the process began with a review of the agency internally and externally. Felts and Associates aided in this process by completing an agency assessment. Chief Caldwell summarized areas of concern that were given attention in order to bring those areas to an above standard level.

Chief Caldwell requested a budget amendment in the amount of \$2,000.00 for contracted services which will be applied to the Recognition application fee. Ed Hooks made a motion, seconded by Bob Hupman, to amend the budget to appropriate \$2,000.00 for contracted services. The motion carried unanimously.

The Council heard a request for a budget amendment from Bob Louis, Fire Chief, for the appropriation of \$5,434.00 received in donations to be used towards the purchase of a Fire Prevention Trailer. By motion of Patty Philipps, seconded by Ed Hooks, the Council voted unanimously to amend the budget to appropriate \$5,434.00 for the purchase of a Fire Prevention Trailer.

During the Public Comment period Joe Rickman, 30 Driftwood Court, Gibsonville, spoke concerning the Unified Development Ordinance (UDO). He stated that he was speaking on behalf of his industry, Atlantic Sign Media of Burlington. He asked for consideration of recommendations which he felt would bring the document closer to industry and NCDOT standards regarding the outside advertising ordinance.

A Public Hearing was heard on the request for approval of the Unified Draft Ordinance (UDO). Buddy Blackburn of the Wooten Company gave a brief overview of what the UDO is and the process that took place. He stated that the UDO is a consolidation of existing regulations. Mr. Blackburn stated that the 2 year process consisted of updating and revising standards along with removing inconsistencies. Councilmember and City staff interviews took place at the beginning of the process. After discussion during work sessions, recommendations were made on what needed to be done to develop draft portions of the ordinances. He stated that the final UDO document was created after 8 work sessions with Council and 2 work sessions with the Planning Board and area developers concluding with the final draft document which is before Council for consideration tonight.

Carl Steinbicker, 4615 Forest Lake Drive, Mebane, spoke of his concerns with the Fifth Street Overlay District.

Ken Berry, Premier Staffing business owner, spoke of his concerns with the Fifth Street Overlay District.

Rudy Bender, resident of 3229 Forsyth Drive, Greensboro and Fifth Street property owner (Brookhollow Plaza), stated his complaint. He felt he should have been notified of this matter and that he should have been allowed to participate in the process.

Council replied that all work sessions held concerning the UDO were published in the paper and that those meetings were open to the public.

Bill Wilson, Jr., Fifth Street property owner, stated that he feels there are restrictions within the document that make it hard on "the little man".

Greg Payne, 104 E. Wilson Street, made comments regarding the permitted use table, business uses, and on-premises signs.

Karen Oldham, owner of property at 1206 N. Fifth Street, Mebane, spoke of her concerns with the Fifth Street Overlay District and the 119 Bypass.

After considerable discussion, Councilmember Ed Hooks made a motion, seconded by Tim Bradley, to delay for 30 days to allow for further public comments on the whole document. Mayor Stephenson called for a vote of the motion to delay for 30 days. Votes were: Ayes-Tim Bradley, Ed Hooks. Nays- Bob Hupman, Everette Greene, Patty Philipps. The motion failed.

Bob Hupman made a motion, seconded by Everette Greene, to adopt the UDO as presented and send all suggestions to the Planning Board; in turn the Planning Board will send recommendations back to the Council as soon as possible. Mayor Stephenson called for a vote of the motion. Votes were: Ayes-Patty Philipps, Bob Hupman, Everette Greene. Nays- Ed Hooks, Tim Bradley. The motion passed with a 3-2 vote.

The Council received a request for Final Subdivision Plat Approval for Phase II, "The Villages at Copperstone". Phase II contains 33 total lots located along Copper Circle, Iron Drive, Platinum Court, and Titanium Court. The property is located within the City of Mebane Corporate Limits, Alamance County Tax Map 10-17-9. Patty Philipps made a motion, seconded by Ed Hooks, to approve the Final Subdivision Plat for the Village of Copperstone, Phase II. The motion carried unanimously.

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

City Manager Robert Wilson gave a report on past additional items. Mr. Wilson stated, as instructed by the Council, that the staff has begun a study to look at the methodology which is used to calculate water/sewer rates during a drought but further research is needed. City Engineer Darrell Russell stated that the staff is looking at how a change in water/sewer rates would impact the revenue and that a report could be ready by April.

Mr. Wilson also addressed a complaint from last month's meeting of sewer odors at the intersection of Hwy 70 and Wilba Road. He reported that staff has identified the problem and proper steps are being taken in order to fix the problem.

City Attorney Charles Bateman stated that at January's Council meeting, Council directed him to research the authority of local governments to regulate the drilling of wells for fresh water purposes. Mr. Bateman told the Council that the State has delegated that authority to the Environmental Management Commission (EMC) and Health Departments. Cities may, however, have regulations which are stricter than those of the EMC, but the City cannot prohibit drilling of wells altogether. The Council can regulate and prohibit the construction and use of private wells when the discharge from the wells would enter the sanitary sewer system and the storm water management systems of the

City. Currently the City does not allow anyone to connect any wells that would have an impact on connecting with the City's water system or which would impact on the sanitary sewer system. Mr. Bateman said the Council could adopt regulations limiting the spacing of wells within property lines and set backs but in his opinion the City could not prohibit the drilling of well systems. After further discussion no formal action was taken.

As an additional item, Councilmember Hooks stated that several citizens had brought to his attention that Time Warner is offering a cable vision, internet and digital phone service package to customers and because of the City's franchise agreement with MebTel they are unable to take advantage of this offer. Mr. Hooks said after further discussion with City Attorney Bateman this is not the case. Mr. Bateman told Council that under the Federal Communications Act there are provisions to protect small local telephone companies. A cable television provider may not provide digital phone service in certain sized markets unless they can get the consent of the local telephone franchise holder. He stated that the City has nothing to do with allowing or not allowing such services. Mr. Bateman told the Council that he would research the issue further and report back.

Councilmember Patty Philipps gave a report concerning the Alamance County Animal Task Force Committee on which she volunteers as a member. She stated that the task of this committee is to reduce the number of animals being euthanized at the Burlington Animal Shelter. Last year the total animal intake at the shelter was 8,605 and 6,067 of those animals were euthanized. There were 822 adoptions and 464 returned to owner, the problem is inadequate space for the animals and irresponsible pet owners not spaying and neutering their pets. Councilmember Philipps said that this committee is going to need the councils of different municipalities to bring any political influence that they have to bear on the County to get regulations in place.

Councilmember Philipps also spoke concerning the 119N Bypass Public Hearing. She stated that the Public Comment period is still open until February 15, 2008 and she urged those that may still have comments to send those in to NCDOT.

Councilmember Tim Bradley spoke to the Council concerning infrastructure resource needs. He stated that the City has a potential for 3 major commercial developments including the Arrowhead development, the proposed Buckhorn development and the White Furniture development. He stated that he doesn't want the City to get caught in a situation where they aren't prepared for the growth. Mr. Bradley gave a couple of examples, such as Building Inspections, Police, Fire and Trash services. He requested the staff to take a comprehensive look at infrastructure needs.

City Engineer Darrell Russell spoke to the Council concerning an engineering study of the Graham/Mebane Lake. Mr. Russell requested the Council's permission to negotiate a contract for the study. Mr. Russell stated that they are recommending that Black & Beech do the study and the cost of the study would be split with the City of Graham, 50/50. Bob Hupman made a motion, seconded by Ed Hooks, authorizing staff to proceed with receiving bids. The motion carried unanimously.

Mr. Russell also requested the Council's permission to authorize Independent Mapping Consultants (IMC) to perform an aerial topographic survey of the Graham/Mebane Lake. The cost of this study which includes the flight work and the topographic work is \$16,518.00. He stated that an additional cost of \$7,500.00 would be added to have base (grid) points placed on the map. He told Council that these costs would also be split 50/50 with the City of Graham. Ed Hooks made a motion, seconded by Patty Philipps, to approve the request. The motion carried unanimously.

Ed Hooks made a motion, seconded by Tim Bradley, to amend the budget to appropriate \$12,009.00 for the cost of the aerial photography and map grid services. The motion carried unanimously.

Ed Hooks made a motion, seconded by Patty Philipps, to approve the Fats, Oils, and Greases Control Policy as required by the State. The motion carried unanimously.

The minutes of the January 7, 2008 Regular Meeting were approved as presented.

There being no further business, the meeting was adjourned.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk