

MEBANE CITY COUNCIL
REGULAR MEETING
FEBRUARY 7, 2011

Members Present: Tim Bradley Jill Auditori
 Ed Hooks Patty Philipps
 Everette Greene

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

Mayor Stephenson called Council's attention to several informational memos in their packets including Planning Board Chairman Roger Parker's resignation letter.

Mayor Stephenson and Council recognized the Ray Family and the Samet Corporation for the development of the North Carolina Industrial Center (NCIC). Arthur Samet spoke briefly and introduced Brain Hall, Preconstruction Project Manager with Samet, who gave a power point presentation on completed projects within NCIC and proposed future plans. The Council thanked all parties for their efforts over the years which have made this development successful. Mr. Samet thanked Avery Thomas for his efforts in orchestrating the partnership between the Ray Family and the Samet Corporation.

The Council received a report from the Train Committee. Angie Bartis spoke on behalf of the committee. He stated over that last several months they have put together a budget for the displaying of the Tommy Long train collection. He stated the City has provided a room for the collection at the newly renovated Recreation Center located at 200 W. Lee Street. A power point presentation created by Committee Member Travis Washburn and his son Walt was presented which showed the committee's goals, a display layout and their proposed budget figures which totaled \$36,000. Mr. Bartis stated this would be an ongoing project and would not be completed in a year. Councilmember Bradley made a motion, seconded by Councilmember Philipps, to approve the budget as proposed in the amount of \$36,000 with a budget amendment to allow the committee to begin work immediately. The motion carried unanimously. City Manager Robert Wilson requested the committee to designate one (1) person from the committee to make purchases and submit invoices. The committee agreed to do so.

The Council received a report from City Engineer Darrell Russell on the Water, Sewer and Paving on Clay Street. Mr. Russell stated at the December 2010 meeting Council requested information to be provided on the estimate of probable cost to replace existing water and sewer lines in Clay St. from Wilba Rd. to Fifth St., including related resurfacing, that distance being approximately 1850 ft. The cost was estimated in the \$950,000 to \$1,000,000 range. Mr. Russell stated during this time of year staff usually begins developing the annual repaving and resurfacing contracts and after a review of the priority list in the Mebane Pavement Management System done in 2007 it indicated based on priority ratings the Second to Third Block and Fourth to Fifth Block are scheduled for work this year, with the Third to Fourth Block being close to the Fourth to Fifth Block rating. He stated the estimated cost to mill and pave those three blocks is approximately \$180,000.

City Manager Robert Wilson stated staff's recommendation to remove the replacing of water and sewer lines on Clay Street from the proposal and to recommend milling on Clay Street from Wilba St. to Second St. and paving Third St. to Fifth St. Councilmember Hooks made a motion, seconded by Councilmember Bradley to approve the recommendation as presented.

Councilmember Philipps requested City Attorney Charles Bateman's opinion on whether or not there would be a conflict of interest in her voting on this issue based on the fact that she owns a building on Clay St. Mr. Bateman stated that it was his opinion that there was no conflict of interest and she could vote. Councilmember Auditori questioned if this would also apply to her and Mr. Bateman stated she could also vote with no conflict of interest.

The motion previously made was carried unanimously.

Mr. Russell stated he needed to discuss a second part to the recommendation which involved the pressing need to replace the Forest Ridge Pump Station and force main which has been experiencing problems for several years. He stated it had been anticipated that a funding offer would be forthcoming from the USDA-Rural Development; however with federal budget constraints may result in reduced funding or no funding for this project. Mr. Russell commented that funding options have been discussed with city staff which could allow them to move forward

with this project. The total estimated cost for a new Forest Ridge Regional Pump Station is \$3,300,000. The city could pay for ½ the cost from the fund balance of the water and sewer fund and pay for the remaining ½ of the cost by making a loan from the fund balance of the General Fund. The loan would be paid back from the water and sewer fund revenues using interest rates and term as approved by the Council. It was recommended that the City approve the Plan as outlined which would allow the design to proceed on the Forest Ridge project. Councilmember Greene made a motion, seconded by Councilmember Auditori, to have the City Engineer move forward with the design of the new Forest Ridge Regional Pump Station. The motion carried unanimously.

City Engineer Darrell Russell stated on January 12, 2011 Council held a work session to review current Transportation Improvement Plan (TIP) for the Mebane area and to provide input on possible future TIP enhancements. He stated the Burlington-Graham Metropolitan Planning Organization (MPO) requested for cities in the MPO to provide a prioritized list of local needs that they would desire to see on the priority of the MPO. He stated at the work session Council and staff discussed the most pressing needs indicating that the NC Hwy 119 By-Pass and the Mattress Factory Rd. Interchange were the priority projects for the Mebane area. He stated further discussion about long term future transportation needs resulted in a preliminary plan (draft map provided). He stated after a conversation with Mike Nunn, with the MPO, regarding possible future action by the City concerning the DRAFT plan it was indicated that if Council desired to formally pursue such proposed plan, the city would need to follow a process for a Comprehensive Transportation Plan (CTP) with the MPO which requires public input and public hearings on such Plan. Mr. Russell stated Council needs to formally indicate what the priorities are so the MPO can be notified.

The Council chose the top three (3) priority projects as follows: 1) NC Hwy 119 By-Pass, 2) Mattress Factory Rd. Interchange, and 3) Possible new road from Ben Wilson to Mattress Factory Rd. Councilmember Philipps made a motion, seconded by Councilmember Greene, to submit the top three (3) priority projects as discussed to the MPO. The motion carried unanimously.

During the Public Comment period, Annie Martinie and Rebecca Brouwer, of Mebane on the Move (MOTM), gave a brief update concerning a grant that Duke University prepared for funding through the Robert Wood Johnson Foundation (RWJF) to assess the effectiveness of MOTM and city built environment changes in reducing childhood obesity in Mebane. Ms. Brouwer stated the grant was awarded and Duke University researchers will begin assessments in late February. She stated with this grant, publicity will follow.

Ms. Martinie stated their first major project will be the Mebane City Trail System (urban trails throughout the city). She stated that routes will be marked with necessary signage that can be used by all ages and fitness levels. She stated they would like to discuss possible ways that the city can assist their efforts. No formal action was taken.

Also during the Public comment period, Tom Boney, Editor of the Alamance News, gave brief comments concerning his opinion on the Clay Street paving item discussed earlier and at previous meetings. Mr. Boney stated although he respects Mr. Bateman's legal opinion, he feels there is a conflict of interest for certain Council members to participate in discussions and voting on this matter and that ethics come into question which he also previously addressed in a letter sent to the Council and staff.

A Public Hearing was held on a request for voluntary annexation of the property of SST Properties, LLC. The property is located in the North Carolina Industrial Center. Councilmember Hooks made a motion, seconded by Councilmember Greene, to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina. The motion carried unanimously.

A Public Hearing was held on a request from Gregory Poole Co. to close a portion of an abandoned "right of way", west end of what became Maple Lane. Councilmember Hooks requested to be recused from voting on this matter. Councilmember Greene made a motion, seconded by Councilmember Philipps, to recuse Councilmember Hooks. The motion carried unanimously. City Manager Robert Wilson spoke concerning this request. Mr. Wilson stated that this abandoned "right of way" was never developed into a road and Gregory Poole has requested that it be permanently closed. Brian Van Horn, Bobbitt Design Build, stated he was present on behalf of Gregory Poole Co. in order to answer any questions. No one from the public spoke. Councilmember Bradley made a motion, seconded by Councilmember Auditori, to close the street as requested. The motion carried unanimously. By motion of Councilmember Philipps, seconded by Councilmember Greene, the Council unanimously voted to have Councilmember Hooks rejoin the meeting.

A Public Hearing was held on a request for approval of a proposed amendment to the City of Mebane's Unified Development Ordinance (UDO), Article 2, Section 2-2 Planning Board, A. Appointment and Terms of Planning Board Members. City Attorney Charles Bateman spoke concerning this matter. The amendment would reduce the number of members from a total of 14 to 9 members. The reduction would be accomplished by attrition as terms expire. No sitting member would be removed prior to the end of his/her term.

Thomas Fenske, Planning Board Member, spoke concerning the matter. He suggested that Council keep the maximum number of members for possible future growth needs. He stated having fourteen (14) members has never presented a problem during his time of service.

After considerable discussion, Mr. Bateman suggested that the Council continue the Public Hearing until next month. Councilmember Bradley made a motion, seconded by Councilmember Greene, to continue the Public Hearing until the March regular meeting. The motion carried unanimously.

The Council received a request from Gregory Poole Co. for approval of a Final Subdivision Plat. Councilmember Hooks requested to be recused. Councilmember Bradley made a motion, seconded by Councilmember Greene, to recuse Councilmember Hooks. The motion carried unanimously. Councilmember Bradley made a motion, seconded by Councilmember Greene, to approve the request. The motion carried unanimously. By motion of Councilmember Philipps, seconded by Councilmember Greene, the Council voted unanimously to have Councilmember Hooks rejoin the meeting.

The Council received a request from Police Chief Terry Caldwell for the appropriation of funds in the amount of \$14,056.75 from the Federal Equitable Sharing Funds for the purchase new firearms. Councilmember Philipps made a motion, seconded by Councilmember Bradley, to approve the request. The motion carried unanimously.

The Council received a request from Police Chief Terry Caldwell for the appropriation of funds in the amount of \$16,560.00 for the purpose of a payment to Felts & Associates regarding the department's Commission on Accreditation for Law Enforcement Agencies (CALEA) process. Councilmember Hooks made a motion, seconded by Councilmember Bradley, to approve the request. The motion carried unanimously.

The Council received a request from Police Chief Terry Caldwell for the appropriation of funds in the amount of \$60,545.00 for final payment to Motorola for the purchase of the 800mghz VIPER radio system. Councilmember Hooks made a motion, seconded by Councilmember Auditori, to approve the request. The motion carried unanimously.

The Council received a request from Police Chief Terry Caldwell for the appropriation of funds in the amount of \$12,488.70 from the Federal Equitable Sharing Funds for the purchase of a Mobile Command/Crime Scene Trailer. Asst. Police Chief Allen Byrd spoke concerning this matter. Councilmember Philipps made a motion, seconded by Councilmember Bradley, to approve the request. The motion carried unanimously.

The Council received a request for approval of the closeout of the City Hall/Old Recreation Center Capital Project Fund and a budget amendment. Finance Officer David Cheek spoke concerning this matter. Mr. Cheek stated the City Hall/Old Recreation Center Capital Project is complete and the fund needs to be closed out in the accounting records. In June 2010, the Council approved transferring \$78,414 from General Fund to cover estimated costs to finish the project. Actual expenditures to complete the project since June amounted to \$64,144.28; therefore he requested Council's approval to transfer \$14,269.72 back into the General Fund. Councilmember Hooks made a motion, seconded by Councilmember Philipps, to approve the request. The motion carried unanimously.

Fire Chief Bob Louis spoke concerning the Fireman's Relief Fund Board. Councilmember Bradley requested to be recused from voting on this matter. Councilmember Greene made a motion, seconded by Councilmember Hooks, to recuse Councilmember Bradley. The motion carried unanimously. Chief Louis requested Council to appoint two representatives, as required by G.S. 58-84-30, one to hold office for two (2) years and one to hold office for one (1) year, and each year in January thereafter they shall appoint only one (1) representative and his term of office shall be for two (2) years. Chief Louis recommended Ron C. Wilson for a one (1) year term and Richard Mendenhall for a two (2) year term. Councilmember Philipps made a motion, seconded by Councilmember Auditori, to appoint Mr. Wilson and Mr. Mendenhall as recommended. The motion carried unanimously. Councilmember Bradley rejoined the meeting.

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

The minutes of the January 3, 2011 regular meeting and January 12, 2011 special meeting were approved as presented.

There being no further business, the meeting was adjourned.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk