

MEBANE CITY COUNCIL  
REGULAR MEETING  
JANUARY 4, 2010

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

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

Mayor Stephenson stated the Public Hearing to be held on a request from Betty Jackson to rezone property +/- 1.58 acres located at 302 Fitch Drive from R-20 (Single Family Residential) to R-10 (Single Family Residential) has been requested to be withdrawn per the applicant. Councilmember Hooks made a motion, seconded by Councilmember Greene, to accept the withdrawal. The motion carried unanimously.

Mayor Stephenson stated the Public Hearing to be held on a request from Ashbury Associates Residential I to amend the rezoning of property +/-12.64 acres located on Mockingbird Lane and Snughill Court previously approved by the City Council on January 5, 2004 from R-10 (Single Family Residential) to CU-R-6 (Conditional Use-Multi-Family/Two Family Residential) to allow 70 townhomes as a Planned Unit Development (PUD)-Orange County has been requested, per applicant's written request, to be postponed until Council's next regular meeting on Monday, February 1, 2010. Councilmember Bradley made a motion, seconded by Councilmember Greene, to table the request until next month's meeting. The motion carried unanimously.

Becky Loy & Larry Brooks of Cobb, Ezekiel, Loy & Company, P.A. were present to report on the Audited Financial Statement for the City of Mebane as of June 30, 2009. Becky Loy reported that the City was in sound financial condition and that the report showed there were no material weaknesses. She reviewed the financial highlights with the Council. No formal action was taken by the Council.

Councilmember Hooks commended Elaine Hicks, recently retired Finance Officer/Asst. City Manager, on a tremendous job done by her during her time with the city.

City Manager Robert Wilson made a recommendation to appoint David Cheek for the position of Finance Officer and Assistant City Manager. Mr. Wilson gave a brief overview of Mr. Cheek's qualifications.

Mayor Stephenson questioned if the job opportunity had been properly advertised. Mr. Wilson replied yes.

Councilmember Auditori questioned if Mr. Wilson had received other qualified applications. Mr. Wilson replied he had received several but none with as many qualifications as Mr. Cheek.

Councilmember Philipps made a motion, seconded by Councilmember Bradley, to appoint David Cheek as Finance Officer and Assistant City Manager. The motion carried unanimously.

City Clerk Stephanie Shaw then administered the Oath of Office to David Cheek.

The Council received a request for approval to designate Mayor Glendel Stephenson, Finance Officer David Cheek and City Manager Robert Wilson as personnel to sign city checks. Councilmember Hooks made a motion, seconded by Councilmember Philipps, to approve Mayor Glendel Stephenson, Finance Officer David Cheek and City Manager Robert Wilson to sign city checks. The motion carried unanimously.

City Attorney Charles Bateman spoke concerning a proposed Resolution Establishing and Adopting Voting Procedures in Rezoning Matters. There was considerable discussion among staff and Council. No formal action was taken.

Mayor Stephenson called for a break at 7:20 p.m. The meeting was called back to order at 7:30 p.m.

The Council received a request for approval of a proposed amendment the Unified Development Ordinance (UDO), Article 4, Section 4-1-A, the permitted use table. City Attorney Charles Bateman stated the request is from Eric Allred, Campus Pastor of St. Mark's Church. He is requesting that Council amend the UDO Article 4, Section 4-1-A, the permitted use table to allow churches in the M-1 (Heavy Manufacturing) and M-2 (Light Manufacturing) as a special use permit. Mr. Bateman stated he recommends permitting them as a matter of right, if development standards are met, instead of permitting them as a special use. After some discussion, Councilmember Bradley made a motion, seconded by Councilmember Greene, to send the request back to the Planning Board for their consideration. The motion carried unanimously.

The Council received a request for approval of a sewer easement acquisition. Attorney Lawson Brown representing developer Vernon Clapp spoke concerning the request. Mr. Brown stated Mr. Clapp has been working for 2 years on this 12 lot subdivision, St. Bart's Place, to be located on Old Hillsborough Road, which was previously approved by the Council. He stated Mr. Clapp has worked diligently to acquire a sewer easement from Ms. Graves and has been unsuccessful. Ms. Graves spoke concerning her property. She stated she felt an agreement had been met; however the transaction was never completed. Ms. Graves gave reasons for her hesitation in granting the easement. There was considerable discussion among the Council, Ms. Graves and Mr. Brown. No formal action was taken.

No one spoke during the Public Comment period.

The Council received a request to award an administrative contract for the Community Development Block Grant (CDBG) - Mebane Mills Loft project. City Manager Robert Wilson stated two (2) proposals for administrative services were received, Hobbs, Upchurch & Associates, P.A. and Steve Austin, AICP Community Development Consultant. Mr. Wilson recommended Hobbs, Upchurch & Associates to provide administrative services on the City's behalf for the Mebane Mills Lofts Project based on the past good working history between the City and Hobbs, Upchurch & Associates, P.A.

Councilmember Philipps made a motion, seconded by Councilmember Auditori, to award the administrative contract to Hobbs, Upchurch & Associates, P.A. The motion carried unanimously.

The Council received a request to adopt Policies, Procedures, Plans, Resolutions and Ordinances, as required by the State, to receive and expend CDBG funds for the Mebane Mills Loft Project. Michael Walser of Hobbs, Upchurch & Associates, P.A. spoke concerning the request. After much discussion, Councilmember Auditori made a motion, seconded by Councilmember Philipps, to adopt the Policies, Procedures, Plans, Resolutions and Ordinances with the language revisions as discussed with a sunset date of January 2013. The motion carried unanimously.

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

Councilmember Hooks made a motion, seconded by Councilmember Bradley to accept the City Clerk's Certificate of Sufficiency on the voluntary annexation of property of Bessemer Group, located at 1231 Mebane Oaks Road, being the property of the Mebane Oaks Shell Service Station. The motion carried unanimously.

Councilmember Hooks made a motion, seconded by Councilmember Philipps, to Adopt a Resolution Fixing the Date of Public Hearing on the Voluntary Annexation of property

located at 1231 Mebane Oaks Road, being the property of the Mebane Oaks Shell Service Station for February 1, 2010. The motion carried unanimously.

Councilmember Hooks made a motion, seconded by Councilmember Greene, to accept the City Clerk's Certificate of Sufficiency on the voluntary non-contiguous annexation of property of General Electric Company, located on the south east side of Industrial Drive. The motion carried unanimously.

Councilmember Greene made a motion, seconded by Councilmember Hooks to Adopt a Resolution Fixing a Date of Public Hearing on the Voluntary Non-Contiguous Annexation of property of General Electric Company, located on the south east side of Industrial Drive. The motion carried unanimously.

The Council received the proposed 2010 Executive Board for the Mebane Fire Department. Because Tim Bradley was proposed to serve as the 1st Assistant Chief, he requested to be recused. Councilmember Hooks made a motion, seconded by Councilmember Philipps, to recuse Councilmember Bradley. The motion carried unanimously. Councilmember Philipps made a motion, seconded by Councilmember Hooks, to approve the 2010 Executive Board for the Fire Department as proposed. The motion carried unanimously. Councilmember Greene made a motion, seconded by Councilmember Hooks, to bring Councilmember Bradley back to the meeting. The motion carried unanimously.

As an additional item, City Engineer Darrell Russell informed the Council that the City of Graham had submitted a grant application on behalf of Mebane and Graham for some work at the water plant. He stated they did receive funding for solar bead mixers. This is an energy saving device which is put in the lake near the intake to reduce organic carbons prior to treatment. The grant is a 50/50 interest free matching loan at 20 years, 50% being given and the remaining 50% to be paid by the City of Graham and the City of Mebane. Mebane's share will be 1/3, at a total cost of \$39,000.00. Graham's share will be 2/3.

Councilmember Philipps expressed her concern with letting the public know how the City is addressing the issue of failing to meet the Total Trihalomethanes (TTHMs) standards. She wants the public to know that the City is taking very proactive steps in addressing this issue.

Mr. Russell stated additional information can be provided to the public.

Also as an additional item, Mr. Russell stated there has been discussion among himself and City Manager Robert Wilson concerning upcoming work at the waste water plant to meet the Lake Jordan Rules and the Forest Ridge Lift Station replacement. He stated the U.S. Department of Agriculture Rural Development Agency is a funding program that staff has been looking at possibly using to help fund these projects and that particular program only funds projects for cities with a population of 10,000 or less. He explained that the City of Mebane is in their last year of being eligible for that program because this year's Census will most likely show Mebane with a population higher than 10,000. That particular program is a 40 year loan at a 3.25% interest rate right now. He stated the City will also be eligible for some possible grant funding. Mr. Russell asked for Council's permission to proceed with grant application for possible funds. It was the consensus of Council to pursue the grant application.

The minutes of the December 7, 2009 regular meeting were approved as presented.

Mayor Stephenson commended Dean Ray on his annual report for the Mebane Parks & Recreation Department.

There being no further business, the meeting was adjourned.

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Glendel Stephenson, Mayor

ATTEST:

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Stephanie W. Shaw, City Clerk

