

MEBANE CITY COUNCIL  
REGULAR MEETING  
JULY 11, 2011

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

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.

The Council received a report on the Clay Street project from Mark Reich, Engineer with Alley, Williams, Carmen & King, Inc. He stated the project will be complete once final striping and crosswalk markings are completed. Mr. Reich said at a previous meeting when the Clay Street Project contract was awarded, discussions took place in regards to possibly extending the contract 100% to include additional streets. He stated if it would be the pleasure of the Council staff could work up a change order to include more streets from the priority street listing. The Council agreed to have staff bring back a proposed change order to extend the contract.

City Engineer Darrell requested to include in the proposed change order the work to be done on the parking lots at Clay and Fourth Streets. Council agreed.

The Council received a Report of 2010 Insolvents from the Tax Collector and the Tax Collector's Settlement for 2010 and prior years' taxes at June 30, 2011. Councilmember Hooks made a motion, seconded by Councilmember Bradley, to approve the Insolvents List and to accept the Tax Collector's Settlement. The motion carried unanimously.

City Manager Robert Wilson reported on the speed and traffic count data that was compiled by NCDOT Traffic Division for Trollingwood-Hawfields Road between Hwy 119 South and Gibson Rd. He stated they recommend the speed be consistently 45 mph. By motion of Councilmember Philipps, seconded by Councilmember Auditori, the Council unanimously approved the "Certificate of Municipal Declaration to Enact Speed Limits and Request for Concurrence" to reflect a consistent 45 mph on Trollingwood-Hawfields Rd.

City Manager also reported that the NCDOT agreed to lower the speed limit on E. Stagecoach Rd. from N. Ninth to Lebanon Rd. from 45 mph to 35mph.

During the Public Comment period, Jason Cheek, 1100 Longleaf Pine Place, spoke on behalf of the homeowners of Arbor Creek subdivision. He expressed their concerns with the recent changes taking place in their neighborhood which they feel would be detrimental to the homeowners and their investments. Mr. Cheek presented a letter, along with a petition signed by approximately 65% of the homeowners in the subdivision. He stated that in the last 2 months a new builder, D.R. Horton, has begun marketing and building homes in Arbor Creek. He stated the level of quality of those homes do not conform to the same level of quality and craftsmanship of the previous homes that were built. He explained when the development began selling homes, the neighborhood was being marketed as homes starting from the \$240s and now the homes are being marketed starting from the \$160s, a considerable difference. Mr. Cheek said the construction of these homes is going to drive down their property values which would drive down the tax value of their property. He stated it is his and the Arbor Creek residents desire to see that D.R. Horton be held to the same standards set forth by the original restrictive covenants and should change the series of homes planned for the neighborhood to one that complements the style and quality of the homes already existing in their subdivision.

The Council expressed their understanding and concern and requested City Manager Robert Wilson and City Attorney Charles Bateman to meet with D.R. Horton to discuss concerns. The Council also discussed the need to proceed more cautiously in the future when considering future development.

Twila Buffington, 1255 Woodhaven Dr., spoke of her concerns with the progress of the stormwater runoff at the new Wendy's site on Forest Oaks Ln. She expressed concerns with the

runoff pond being located so close to residential property in the Woodhaven subdivision, the lack of a fence to keep children out of the area, the removal of their subdivision sign, along with their community watch sign.

City Engineer Darrell Russell addressed Ms. Buffington's concerns. He stated the settlement trap there now is a temporary device and once the site is stabilized it will be converted to a wetlands type of treatment device and a permanent fence will be installed at completion.

A Public Hearing was continued on a request for approval of a proposed amendment to the Unified Development Ordinance, Article 4, Section 4-1-1, Table of Permitted Uses, to allow Tattoo Shops within the Business and Office & Institutional Districts. City Attorney Charles Bateman spoke concerning the request. He stated the amendment as proposed would allow the application of permanent make up tattoos within all Business and Office & Institutional Districts so long as they are done as an accessory use within an otherwise lawful beauty shop or salon. As proposed, such an accessory use would not be allowed as a home occupation. No one from the public spoke concerning the issue. Councilmember Philipps made a motion, seconded by Councilmember Hooks, to approve the amendment as proposed. The motion carried unanimously.

A Public Hearing was held on a request from Mebane 8540, LLC to amend the CU-R-12 (Conditional Use-Single Family Residential), CU-R-8 (Conditional Use-Multi-Family/Two Family Residential) Rezoning and conditions previously amended and approved by the City Council on August 7, 2006 to rezone six (6) lots +/-8.48 acres to CU-B-2 (Conditional Use – General Business) to allow mixed-use in the Business District with residential use on the 2<sup>nd</sup> and higher floors of the buildings on Lots 6-11, office uses for all floors and to relocate the residential recreational amenity site to the northeastern corner of the Arrowhead Development active open space site plan as a Planned Unit Development (PUD). Attorney Lawson Brown spoke on behalf of Mebane 8540, LLC concerning the request. No one from the public spoke concerning the request.

Councilmember Auditori made a motion, seconded by Councilmember Bradley to approve the request to amend the CU-R-12 (Conditional Use – Single Family Residential), CU-R-8 (Conditional Use – Multi-Family/Two Family Residential) rezoning and conditions previously amended and approved by the City Council on August 7, 2006 to rezone six (6) lots +/-8.48 acres to CU-B-2 (Conditional Use – General Business) to allow mixed-use in the Business District with residential use on the 2<sup>nd</sup> and higher floors of the buildings on Lots 6-11, office uses for all floors and to relocate the residential recreational amenity site to another location to be determined at a later date and to be consistent with prior approvals as a Planned Unit Development (PUD). The motion carried unanimously.

Mayor Stephenson called for a short recess. Mayor Stephenson called the meeting back to order.

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, part of Lot 1-E. No one from the public spoke concerning the issue. Councilmember Hooks made a motion, seconded by Councilmember Philipps, 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 for voluntary annexation of the property of Walker Holding Group, LLC The property is located on Mebane Oaks Rd. and Forest Oaks Ln. (Wendy's restaurant). No one from the public spoke concerning the issue. Councilmember Bradley made a motion, seconded by Councilmember Philipps, to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina. The motion carried unanimously.

The Council received a request for approval of a preliminary subdivision plat from Mebane 8540, LLC. The request for approval consist of an amendment to "Arrowhead" a Planned Unit Development (PUD) previously amended and approved by the Council on August 7, 2006 to "Arrowhead North-Section Two" Overall Site Plan and "CU-R-12 Subdivision, Phase I-Active Open Space Site Plan" as a PUD. Attorney Lawson Brown spoke concerning the request. By motion of Councilmember Bradley, seconded by Councilmember Hooks, the Council voted unanimously to approve the request for the Preliminary Subdivision Plat designated "Arrowhead North – Section Two" consisting of six (6) lots along and contiguous to Arrowhead Boulevard, Designated as Lots 6 – 11 inclusive on the Plan submitted.

Councilmember Bradley made a motion, seconded by Councilmember Hooks, to adopt a Resolution Identifying the Area Described Herein as Being Under Consideration for Annexation. The motion carried unanimously.

As a past additional item, Councilmember Bradley gave an update on the Cates Farm conservation project. He stated Unique Places recently had an opportunity to acquire some federal funding but it required a local municipality matching grant of \$200,000 and the property owners were willing to do so however, Mr. Bradley stated that he shared with the representatives from Unique Places that the City of Mebane entered into the project with no financial obligation but he wanted to bring it to Council's attention. He stated they offered to exchange those matching funds from the City for 10 acres of recreational land.

Councilmember Hooks expressed he would like to have staff look for 20-25 acres of land, preferably on the Cates Farm property, for purchase without becoming involved with the grants for future recreational needs.

Councilmember Auditori stated if the City is planning to purchase recreation land she would like all areas of the City to be considered not only land on the north side.

The Council directed staff to proceed and negotiate for possible land purchase for recreational use. No formal action was taken.

Also as a past additional item, Councilmember Philipps spoke in regards to an editorial piece given to them last month which was published in Independent Weekly. She stated she recently spoke with the owner of that paper and voiced her personal displeasure with the information included in the article. She stated he asked the City to provide a list of projects that have been completed in the West End area so that those projects could be shared in a future article. She stated City Manager Robert Wilson will be meeting with Michael Walser to compile that list which will then be provided to Independent Weekly.

Councilmember Auditori asked for an update concerning the Historical District Nomination. City Manager Robert Wilson stated he spoke with Jason Martin, Alamance County Planner, concerning the deadlines that were missed by the consultant hired by the county. He stated the consultant has assured them that new deadlines have been set for November and they will be met.

Councilmember Hooks commended City Staff including the Recreation, Fire and Police Departments on a job well done at the July 4<sup>th</sup> Celebration.

Councilmember Hooks requested that staff research moving towards electronic means of creating the agenda and packets for the monthly Council meetings.

Councilmember Hooks questioned the 5<sup>th</sup> Street Overlay District plans and the need to revisit that issue again. He also spoke concerning the idea of creating a green space downtown, possibly closing 4<sup>th</sup> Street and allowing the space to be located on that stretch of property. City Manager Robert Wilson stated he would bring up the idea with downtown merchants at an upcoming meeting to receive their opinions on the idea.

The minutes of the June 2, 2011 regular meeting and the June 13, 2011 special meeting were approved as presented.

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

