

MEBANE CITY COUNCIL
REGULAR MEETING
NOVEMBER 5, 2007

Members Present: Tim Bradley
Ed Hooks
Patty Philipps

Bob Hupman
Everette Greene

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.

The Council received a request from the Fieldstone Farms Home Owners Association requesting that the speed limit in the Fieldstone Farms subdivision be reduced from 35 mph to 25 mph. They also requested consideration of placing a 4-way stop sign at the intersection of Fieldstone Drive and Briarwood Drive and a barricade/iron gate at the end of Fieldstone Drive.

Marisa Law, Vice President of the HOA and resident of 1201 Briarwood Drive, spoke on behalf of the request. Mrs. Law told the Council that she has received signatures from the majority of the community petitioning the changes being requested.

Mrs. Law stated that they are asking for a reduction in the speed limit to make the streets in the subdivision safer. Mrs. Law went on to explain that a four-way stop sign is needed for avoidance of traffic accidents. Also the placement of a barricade at the end of Fieldstone Drive would be to discourage people from four-wheeling on the property located behind the subdivision.

City Manager Robert Wilson stated that it would be routine to approve the reduction of the speed limit tonight, but it would be his recommendation to have staff study and report back to Council on the requests of a four-way stop sign and barricade. It was the consensus of the Council to allow the staff time to study those requests.

Patty Philipps made a motion, seconded by Ed Hooks, to reduce the speed limit to 25 mph within the Fieldstone Farms subdivision. The motion carried unanimously.

As requested by the Council earlier in the year concerning interest in promoting availability of Wi-Fi services, City Attorney Charles Bateman presented to the Council a Communications Equipment License. He requested the Council's approval of the draft presented.

Phil Vanderwoude of CenturyTel (MebTel) told the Council that CenturyTel welcomes the opportunity to provide Wi-Fi services in publicly frequented areas. Mr. Vanderwoude explained that they would offer this service free to current broadband subscribers along with providing this service to other Mebane residents and visitors on a per diem subscription fee basis.

Bob Hupman made a motion, seconded by Everette Greene, to approve the format of the Communications Equipment License Agreement as presented. The motion carried unanimously.

Ed Hooks made a motion, seconded by Tim Bradley, to grant authorization of a Communications Equipment License to CenturyTel. The motion carried unanimously.

The Council received a request for a proposed amendment to the Animal Control Ordinance, adding new Section 4-73.1-Limits on number of Dogs. City Attorney Bateman stated that the proposed amendment would limit each residential property to three (3) adult dogs.

After brief discussion, Patty Philipps made a motion, seconded by Everette Greene, to adopt the proposed amendment to the Animal Control Ordinance, adding new Section 4-73.1- Limits on number of Dogs, Ordinance No. 07-09., with an effective date of January 1, 2008. The motion carried unanimously.

Jeff Johnson of Alley, Williams, Carmen & King reported to Council the results of the October 25, 2007 Bid Opening for the “Select” Demolition and Renovation of the Old Fire Department. He stated that three (3) bids were received. The bids ranged from \$337,000.00 to \$493,380.00. After review of the bids it was determined that Central Builders, Inc. of Mebane submitted the lowest bid in the amount of \$337,000.00. A recommendation was made to award the work to the lowest bidder, Central Builders, Inc.

After considerable discussion, Ed Hooks made a motion, seconded by Patty Philipps, to award the bid to the low bidder as recommended. The motion carried unanimously.

The Council received a request for a budget amendment in the amount of \$337,000.00 for the demolition and renovation of the Old Fire Department. Patty Philipps made a motion, seconded by Everette Greene, to approve the request. The motion carried unanimously.

The Council received a request for a budget amendment in the amount of \$15,600.00 to pay for charges billed to the City by Duke Energy for the detailed engineering study for the Clay Street area overhead power lines relocation project. City Manager Wilson explained that Council had agreed to have Duke Energy perform the study at a budget work session earlier this year. Tim Bradley made a motion, seconded by Bob Hupman, to approve the request. The motion carried unanimously.

The Council received a request from Destination Downtown for the closing of Clay Street for the Downtown Holiday Celebration on November 16, 2007 between the hours of 5:00 pm and 9:00 pm. City Manager Wilson explained to the Council that Destination was unable to provide evidence of liability insurance and because the Street Closing Guidelines, # 7, states that the City may require such evidence Mr. Wilson felt it was necessary to bring this request before the Council. Mr. Wilson recommended that

the Council approve the request, but suggested that Destination Downtown provide evidence of liability insurance for events in the future.

After considerable discussion, Bob Hupman made a motion, seconded by Tim Bradley, to approve the request for the closing of Clay Street between the hours of 5:00 pm and 9:00 pm on November 16, 2007. The motion carried unanimously.

The Council received a request from Destination Downtown to be recognized as an official civic group for the City of Mebane. Lacy Bennett, President of Destination Downtown, spoke concerning the request.

Bob Hupman questioned if there were any expectations that Destination Downtown would have of the City staff, such as financial or legal advice. Mrs. Bennett stated that there are no expectations, other than the support already provided by the City.

The Council questioned the reasoning for the recognition. Mrs. Bennett stated that it was her understanding that the Mebane Business Association had been recognized by the City of Mebane as an official civic group and they would like the same recognition. The Council asked Charles to look into what the specifics of “official civic group recognition” means. Bob Hupman made a motion, seconded by Tim Bradley, to table the request until next month’s meeting to allow for further consideration. The motion carried unanimously.

No one from the public spoke during the Public Comment period.

A Public Hearing was held on a request from Millennium Real Estate Holdings, LLC to rezone +/- 1.79 acres of property, located on 3948 Forest Oaks Lane, from R-20 (Single Family Residential) to CU-B-2 (Conditional Use- General Business) to allow a physical fitness/training center/wellness center.

Angelo Bartis of ACC, LLC spoke on behalf of the request. Mr. Bartis stated that the applicants plan to develop a parking lot on the property along with a possible outdoor swim complex or basketball court. City Attorney Charles Bateman stated that what they are requesting does not allow any outdoor facilities, only indoor. Mr. Bateman stated that with Conditional Use zoning they must be specific as to the use of the property. He told Mr. Bartis that if the applicants wanted to include outdoor activities, the public hearing advertising would have to be more specific because it would impose a bigger burden on the neighborhood.

Mr. Bartis told Council that the applicants would like to amend their application for the rezoning to allow for a parking lot only, with the understanding that if they want to develop anything other than a parking lot on this property they would have to come back to Council for consideration of those plans.

Twilla Buffington, 1255 Woodhaven Drive, spoke in opposition of the request for rezoning. Ms. Buffington stated she was also speaking on behalf of a neighboring

homeowner that could not be present. Concerns presented included the impact of clear cutting the lot, proper clean up of the lot, water runoff, and streetscape ordinance compliance.

After more discussion, Bob Hupman made a motion, seconded by Ed Hooks, to approve the request to rezone the property from R-20 to CU-B-2 for the purpose of a parking lot. The motion carried unanimously.

The Council received a request to adopt a Resolution Endorsing a Request for NCDOT Funding for Pedestrian Planning Grant Funds. Tim Bradley made a motion, seconded by Everette Greene, to adopt the Resolution Endorsing a Request for NCDOT Funding for Pedestrian Planning Grant Funds. The motion carried unanimously.

The Council received a request for approval of the candidates for the 2008 Mebane Sports Hall of Fame. Patty Philipps made a motion, seconded by Ed Hooks, to approve the request. The motion carried unanimously.

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

Bob Hupman questioned whether the City has the mechanisms to reverse the rezoning on conditional use properties no longer being used for the purpose of those conditions. City Manager Wilson stated he would have Montrena Hadley, Planning Director, generate a list of such properties for consideration.

Bob Hupman also questioned the status of the Unified Draft Ordinance. City Manager Wilson stated that a review meeting with the Planning Board will take place next month and then it will come back to Council for any final revisions.

Patty Philipps made a motion, seconded by Tim Bradley to accept a petition of annexation from Mebane 8540, LLC for the Old Arrowhead Golf Course property. The motion carried unanimously.

Tim Bradley made a motion, seconded by Ed Hooks, to adopt a Resolution Directing the City Clerk to Investigate a Petition Received Under G.S. 160A-31 for the voluntary annexation of property of Mebane 8540, LLC, known as the Old Arrowhead Golf Course.

The minutes of the following meetings were approved as presented: September 27 2007 Bid Opening, October 1, 2007 Regular Meeting, October 17, 2007 Special Meeting and October 25, 2007 Bid Opening.

Darrell Russell of Alley, Williams, Carmen & King gave a progress report on the status of the Southeast Regional Pump Station.

City Manger Robert Wilson reported on the recorded rainfall at the Graham Wastewater Treatment Plant. The Council discussed the continuation of enforcing Mandatory Water Restrictions.

There being no further business, the meeting was adjourned.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk