



City Council Meeting
Mebane Municipal Building
Regular Meeting
Monday, May 12, 2014
6:00 p.m.

The Mebane City Council met for their regular monthly meeting at 6:01 p.m. on Monday, May 12, 2014 in the Council Chambers of the Municipal Building located at 106 E. Washington Street.

Council members Present:

Mayor Glendel Stephenson
Mayor Pro Tem Ed Hooks
Councilmember Tim Bradley
Councilmember Jill Auditori
Councilmember Everette Greene
Councilmember Patty Philipps

Also Present:

David Cheek, City Manager
Chris Rollins, Asst. City Manager
Lawson Brown, City Attorney
Jeanne Tate, Finance Officer
Montrena Hadley, Planning Director
Stephanie Shaw, City Clerk

Mayor Stephenson presided and called the meeting to order at 6:00 p.m. Mr. Hooks gave the invocation.

During the Public Comment period, Steven Laughead, 624 Collington Drive, requested that Mebane consider excluding heavy manufacturing zoning altogether, now and in the future. Also he requested that Council and staff revisit the idea of installing sidewalks on Ben Wilson Road to allow for connectivity from Collington Farms to Mebane Oaks Road.

Ms. Philipps stated that the City is currently undergoing the development of a Bike and Pedestrian Plan and invited Mr. Laughead to participate in the process by providing input in an online survey.

A Public Hearing was held on a request for approval of a proposed amendment to the UDO, Article 2, Section 2-3, Board of Adjustment, Article 8 – Appeals, Variances, and Interpretations, and Article 11 – Enforcement and Judicial Review. Ms. Hadley explained that the 2013 General Assembly enacted legislation, House Bill 276 (Session Law 2013-126), to modernize the statutes pertaining to zoning boards of adjustment and to clarify some of the issues that have arisen through the years. These changes became effective October 1, 2013, and apply to actions taken on or after that date by the board of adjustment. This legislation amended the primary board of adjustment statute (G.S. 160A-388), including provisions regarding voting, decisions, hearing notices, appeals, and variances. The new law includes a number of stylistic and organizational changes to clarify the statute. Outdated, awkward, and confusing language and syntax are removed. Related provisions are consolidated and section headings are added for readability. This change eliminates current and future city-county differences. The law incorporates reference to recent legislation (G.S. 160A-393) on judicial review of quasi-judicial decisions. These changes update our UDO to the requirements of House Bill 276. The Planning Board recommended approval of the amendment. No one from the public spoke concerning the matter. After some discussion among the staff and Council, Mr. Greene made a motion, seconded by Mr. Hooks, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Ms. Philipps, to approve the amendment to the UDO (**UDO-OA#-14-02**) as presented. The motion carried unanimously. Mr. Bradley added a motion, seconded by Ms. Philipps, that the amendment is generally consistent with the objectives and policies for growth and development in the City's 2010 Land Development Plan and is both reasonable and in the public interest because it allows fairness and leniency when dealing with the public on issues such as land use and building structures. The motion carried unanimously.

A Public Hearing was held on a request from NCIC, LLC to rezone +/-70.00 acres of property in the ETJ located along Lake Latham Road inside of the NCIC from R-20 (Single Family Residential) to M-2 (Light Manufacturing). Brian Hall, Samet Corporation, spoke concerning the request. Mr. Hall presented an updated Master Plan map for NCIC. He explained that approval of the request would allow for all the property in the industrial park to be zoned for industrial development and to have consistent zoning throughout the park.

Mr. Laughead questioned if a company is already planned for the property. Mr. Hall replied yes, Cambro Manufacturing.

Yvonne Daniel, resident on Lake Latham Road, questioned if the homes on Lake Latham Road will be affected on the backside of their property. Mr. Hall stated that the homes on Lake Latham Road back up to the homes on Sunray Lane and will not be directly affected. Ms. Daniel also questioned if these changes will cause Lake Latham Road to be overwhelmed by traffic. Mr. Hall stated until the 119 bypass is complete; the traffic will come into the park by Hwy 70.

Ms. Phillips made a motion to close the public hearing, seconded by Mr. Bradley. The motion carried unanimously. Ms. Philipps made a motion, seconded by Mr. Hooks, to approve the request as presented. The motion carried unanimously. Ms. Philipps added a motion, seconded by Ms. Auditori, that the application is generally consistent with the objectives and policies for growth and development in the City's 2010 Land Development Plan and is both reasonable and in the public interest because it is in harmony with the surrounding areas and bring continuity to the area for economic development. The motion carried unanimously.

Mr. Cheek presented the proposed budget for the fiscal year ending June 30, 2015. He stated the budget vision for the upcoming year is "Embracing Growth, Maintaining Community". He highlighted numerous projects that are underway and projects that need to begin, including a comprehensive plan, small transportation plans, a long range utility plan, website updates, and the Bike and Pedestrian Plan. He stated that a big budget driver for this year is the new fire station. Mr. Cheek stated within the budget he included two new positions, an IT coordinator and a special projects coordinator, along with a 2% COLA for all employees. Also included in the budget is a proposed 3% property tax increase. Mr. Cheek stated that a 2% fire district tax was proposed to the county. Mr. Cheek requested that Council set a date of Public Hearing to adopt the Budget Ordinance.

Mr. Bradley made a motion, seconded by Ms. Philipps, to set a date of Public Hearing for June 2, 2014 at 6:00p.m. for the adoption of the 2014-2015 Budget Ordinance. The motion carried unanimously.

Mr. Rollins stated that a speed reduction request reducing the current 45 mph speed limit to 35 on South Third St. (S.R. 1962) from approximately Stonewall Dr. to Holmes Road was originally made by Council on February 3, 2014. Staff asked NCDOT to review the Council's request since Third Street is a state road. The North Carolina Department of Transportation (NCDOT) has asked the Council to adopt an ordinance for the Certification of Municipal Declaration to Enact Speed Limits & Request for Concurrence. Adoption of the ordinance is the next step for NCDOT and then the request will have to be approved by the NCDOT Board of Transportation before signs are replaced.

Mr. Hooks made a motion, seconded by Mr. Greene to approve the Concurrence Ordinance as presented. The motion carried unanimously.

Ms. Hadley presented a request for approval of a Final Plat for Arbor Creek Phase II-B. The final plat will include a total area of 5.421 acres subdivided into 22 lots. She stated that the Technical Review Committee (TRC) reviewed the Final Plat and the applicant revised the plat to reflect the comments. The plat is in conformity to the Preliminary Plat and the subdivision of this property meets the provisions of the Unified Development Ordinance (UDO). All infrastructure must be completed and approved to meet the City of Mebane Specifications. All infrastructure not completed shall be bonded or a letter of credit provided prior to recordation.

Mr. Greene requested to be recused because he could potentially gain economically from this item. Ms. Philipps made a motion, seconded by Mr. Hooks to recuse Mr. Greene. The motion carried unanimously. Ms. Philipps requested clarification on the requirements for the amenities on these parcels. Ms. Hadley replied on the back portion, in the open space there will be a bike rack, walking trail, picnic area, and playground equipment. She continued by saying that Mr. Parker, the developer, will use the \$27,000 in lieu of money to enhance the open space area. Mr. Russell stated that the recreation area is to be completed within 12 months. Mr. Rollins added that the improvements not completed will be bonded and Mr.

Parker will submit a site plan with associated cost for city staffs review. Also Mr. Parker plans to speak with the HOA to make sure they are on board with his plans.

Mr. Hooks made a motion, seconded by Ms. Philipps, to approve the final plat as presented. The motion carried unanimously.

Ms. Hadley presented a request for approval of a Final Plat for Manorfield Phase IV. The Final Plat will include a total area of 3.03 acres subdivided into 13 lots. She stated the Technical Review Committee (TRC) reviewed the Final Plat and the applicant revised the plat to reflect the comments. The plat is in conformity to the Preliminary Plat and the subdivision of this property meets the provisions of the Unified Development Ordinance (UDO). All infrastructure must be completed and approved to meet the City of Mebane Specifications. All infrastructure not completed shall be bonded or a letter of credit provided prior to recordation.

Mr. Brown stated that a separate motion is needed for Mr. Greene's recusal from this item. Ms. Auditori made a motion, seconded by Mr. Bradley, to recuse Mr. Greene. The motion carried unanimously.

Mr. Parker thanked Council and staff for their patience over the years during the development of this property. Mr. Bradley made a motion, seconded by Mr. Hooks, to approve the final plat as presented. The motion carried unanimously. Ms. Philipps made a motion, seconded by Mr. Hooks, to bring Mr. Greene back to the meeting. The motion carried unanimously.

Ms. Tate presented a request for approval of the Charge off Accounts in water and sewer. The accounts totaled \$6,833.16. She stated they exceed the statute of limitations beyond which they can collect. Mr. Hooks made a motion, seconded by Mr. Bradley, to approve the request. The motion carried unanimously.

Andy Lynch, North Star Marketing, gave a presentation of potential logos as a result of an extensive five month long branding process that began in December 2013. Mr. Lynch gave an overview of the discovery process which included a nine member branding committee, four focus groups, fifteen one-on-one interviews and 365 completed open surveys. He explained that the North Star team compiled the discovery data which gave them the creative direction they needed to develop numerous logo concepts. Those concepts were narrowed down for final selection by the Council. He presented four final concepts with artwork and taglines. Mr. Lynch made a recommendation to the Council and requested approval.

Ms. Philipps stated that she appreciated the process and made a motion to approve the recommended brand. Ms. Auditori seconded the motion. The motion carried unanimously.

The minutes of the April 7, 2014 regular meeting, April 15, 2014 special meeting and April 28, 2014 special meeting were approved as presented.

Mr. Greene questioned if staff has heard from FEMA in regards to reimbursing the city for the cost incurred during the March ice storm. Mr. Cheek replied that staff has not heard anything yet.

Mr. Hooks questioned how the city can make sure that contracted trees services doing work in the city are hauling off tree debris rather than bringing it to the road for the city to haul off. Mr. Pore stated that city staff does their best to enforce this but unfortunately they are not successful every time. Mr. Bradley questioned if the city has permitting requirements for businesses doing tree work in the city. Staff replied no. Mr. Bradley stated for the protection of home owners and the city, it may be beneficial if the city had specific requirements for this type of work. Mr. Rollins stated he's unaware of any state licensing that would require this type of permitting. Council requested that staff look into this issue.

There being no further business, the meeting was adjourned at 7:25pm.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk