



**City Council Meeting**  
Mebane Municipal Building  
Regular Meeting  
Monday, March 4, 2013  
6:00 p.m.

The Mebane City Council met for their regular monthly meeting at 6:00 p.m. on Monday, March 4, 2013 in the Council Chambers of the Municipal Building located at 106 E. Washington Street.

**Council members Present:**

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

**Also Present:**

David Cheek, City Manager  
Chris Rollins, Assistant City Manager  
Charles Bateman, City Attorney  
Darrell Russell, City Engineer  
Montrena Hadley, Planning Director  
Cliff Ayscue, Inspections Director  
Mark Reich, Consulting Engineer  
Stephanie Shaw, City Clerk

**Absent:**

None

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

Mayor Stephenson announced that the following agenda items were requested to be withdrawn per the applicants:

3. Fair Oaks Subdivision (34 lots)
  - a) Public Hearing- Rezoning request from Agency Partners, LLC
  - b) Preliminary plat approval
6. Public Hearing- Request for amendment to Manorfield Conditional Use from Old Hillsborough Partners, LLC

Mr. Greene made a motion, seconded by Mr. Bradley, to approve the withdrawal requests. The motion carried unanimously.

During the Public Comment period, Dr. Donna Biederman, 430 E. McPherson Drive, spoke in opposition of community water fluoridation. She requested that Council review existing literature and support cessation of community water fluoridation.

Barbara McKinley, 110 Dogwood Drive, spoke in opposition of community water fluoridation.

Pat Bulluck, 216 Beauregard Lane, spoke concerning the withdrawal of agenda item 3.-Fair Oaks Subdivision. She requested clarification on the correct zoning for the parcels identified in the rezoning request. She stated originally they were told the zoning was R-12 and now city staff is stating its R-10.

Mr. Cheek stated there had been a misinterpretation of zoning maps by city staff. He requested that Mr. Rollins give further explanation because he has been more involved while working on the issue.

Mr. Rollins stated the discrepancy was found when city staff began converting approximately one hundred old county paper tax maps into digital Geographical Information System (GIS) based maps. He stated during this time staff realized that Council did approve an R-10 rezoning in 2003.

Mr. Bradley questioned how many lots are affected out of the total requesting to be rezoned. Mr. Rollins replied that it would affect eighteen that are actually already zoned R-10.

Mr. Hooks questioned if all of Beauregard Lane is zoned R-10. Mr. Rollins replied yes. Mr. Hooks also asked if the proposed new roads would be a part of Beauregard. Mr. Rollins stated they had the same zoning as Beauregard, R-10 zoning.

Mr. Bradley asked if there were any restrictions on the deeds as far as maintaining the original house sizes that were called for in Fair Oaks. Mr. Rollins stated there were no new restrictions.

Chris McDonald, 220 Beauregard Lane, also spoke during the Public Comment period. He expressed his concerns with the Duke Energy power line easements which would be located on parcels in the proposed new phase of the Fair Oaks subdivision.

A Quasi-Judicial Public Hearing was held on a request from Beights Properties II for a Special Use Permit for a 20 lot Planned Unit Development (PUD). Mr. Greene disclosed that he had conversed with a surveyor concerning possible property location for this project and questioned if he should recuse himself. Mr. Bateman stated it was not necessary for him to recuse himself since he disclosed that he had had the conversation and as long as that discussion would not interfere with him being objective. The City Clerk swore in Phil Koch, Engineer with EarthCentric Engineering, as a witness. Ms. Hadley gave a brief overview of the request. Mr. Koch gave a power point presentation. He stated this project, Mill Run, would be a Special Use PUD. He stated the access for the site would be off of Mrs. Whites Lane and public water would be supplied by extending the water main down Mrs. Whites Lane to the edge of the property and then providing a stub down to the cul-de-sac. He stated on the stub there would be additional fire hydrants which would provide fire protection for the properties. He said they are also proposing public sewer. Mr. Koch said the city asked them to look at sewer extension which would run down Rutledge Trail, which runs beside the property, and out along Mill Creek to St. Andrews Drive. He stated that proposed easement would be 30ft. wide to provide future public water main extension. He stated at the request of the Planning Board they met with residents of the neighborhood located beside the proposed site and they plan to work with those residents to get easement issues squared away. He said the developer will also reestablish roadside ditches along Rutledge Trail because they do not currently conform to NCDOT standards. He said at the end of the project they will also bring Rutledge Trail back to existing or better condition by re-grading and re-graveling to provide a crown which it currently does not have. In regards to stormwater management this project will meet low density development and they will be limiting impervious surface to .4% which will allow them to use parabolic roadside swells, instead of curb and gutter, therefore allowing water to travel at a slower rate and also providing a more rural feel to the area. Mr. Koch stated they feel this project will add value to the adjacent properties, the homes they are planning to build will sell for around \$300,000. They also feel it conforms to the land use of the area.

Ken Walker, representative of the Mill Creek development, questioned who would be responsible for "dressing up" the land or lots around the sewer line in Mill Creek once the sewer tapping is complete. Mr. Koch stated the developer would be responsible.

Mr. Hooks made a motion made a motion, seconded by Mr. Bradley, to close the public hearing. The motion carried unanimously.

Ms. Philipps made a motion, seconded by Mr. Greene, to approve the request stating the application is generally consistent with the objectives and policies for growth and development contained in the City of

Mebane 2010 Land Development Plan and is both reasonable and in the public interest for the following reasons:

1. Will not endanger the public health or safety;
2. Will not injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is located; and
4. Will be in conformity with the land development plan, thoroughfare plan, or other plan officially adopted by the City Council.

The motion carried unanimously.

Mr. Hooks made a motion, seconded by Ms. Philipps, to approve the Preliminary Plat of Mill Run. The motion carried unanimously.

A Quasi-Judicial Public Hearing was held on a request from The Constructive Solutions Group for an amendment to the Conditional Use PUD by rezoning approximately 2.46 acres to R-8 (Multi-Family/Two Family Residential). Ms. Hadley stated several years back Council approved a CU-R-8 and CU-O&I PUD for "Carolina Living Well Village at Mill Creek" and now the developer is requesting to remove 2.46 acres from the Conditional rezoning previously approved. Mr. Koch was sworn in again by the Clerk. Mr. Koch said this project, The Enclave, would be an 8 unit townhome development on the 2.46 acres with access off of NC Hwy 119N. He stated the project has been reviewed and accepted by the North Carolina Department of Transportation (NCDOT). The public water would be supplied by water lines along NC Hwy 119. Public sewer would require an easement and the easement would go across at Brighton Place apartments. He stated the townhomes would be 3 stories with an attic on the 3<sup>rd</sup> floor, living space on the 2<sup>nd</sup> floor and 2 car garages on the 1<sup>st</sup> floor, with some living space located behind the garage area. Mr. Koch stated as presented this project would provide for public health and safety in the area by providing public utilities for the entire site. They also feel it would not adversely affect the value of adjacent properties.

Mr. Bradley asked if he could provide proof that this project would not adversely affect the value of surrounding properties.

Mr. Koch said he could not provide an expert opinion in real estate values. He requested to table the public hearings until he could provide an expert witness.

Mr. Bradley made a motion, seconded by Ms. Philipps, to table all 3 public hearings, related to The Enclave, until the applicant has an opportunity to provide property value expertise. The motion carried unanimously.

Mr. Rollins presented a request to amend the City of Mebane's Unified Development Ordinance (UDO) standards and guidelines contained in Article 6, Section 6-1, A. Applicability, 1., to exempt M-1, M-2 Industrial Zoning Districts. No one from the public spoke concerning the issue. Ms. Philipps made a motion, seconded by Ms. Auditori, that the amendment is generally consistent with the objectives and policies for growth and development contained in the City of Mebane 2010 Land Development Plan and is both reasonable and in the public interest. The motion carried unanimously. Ms. Philipps made a motion, seconded by Mr. Greene, to approve the amendment to the UDO as presented. The motion carried unanimously.

Mark Reich, PE, Consulting Engineer with Alley, Williams, Carmen & King, presented a Traffic Calming Policy. He gave a brief overview of the policy. The Council asked for clarification on several items within the policy. Mr. Cheek recommended that staff proceed with placing 3-Way Stop signs and new Traffic

Pattern Ahead signs on London Lane. Ms. Philipps made a motion, seconded by Ms. Auditori, to install the 3-Way Stop signs and new Traffic Pattern Ahead signs on London Lane as presented and to reduce the speed limit on London Lane to 25mph. Tom Boney, Editor of Alamance News, questioned if this motion would be following the requirements within the policy as discussed. Mr. Bateman explained the Policy has not yet been adopted and they have the authority to make the motion as they wish. The previously made motion carried unanimously. The Council requested that revisions be made to the Traffic Calming Policy and be brought back next month.

Mr. Rollins presented a request for termination of an Administrative Contract with Hobbs, Upchurch & Associates. He stated the city entered into a contract with Hobbs, Upchurch & Associates on June 6, 2011 for the administration of a Community Development Block Grant in the West End Community. Due to internal problems the project is significantly behind schedule and city staff is of the opinion that the administrator should be replaced. Mr. Rollins stated he received a proposal from the Piedmont Triad Regional Council (PTRC) to complete the project and staff recommends that Council award a contract to PTRC for the completion of the work. Mr. Hooks made a motion, seconded by Mr. Bradley, to terminate the contract with Hobbs, Upchurch & Associates. The motion carried unanimously. Ms. Philipps made a motion, seconded by Ms. Auditori, to award the contract to the PTRC. The motion carried unanimously.

Mr. Russell presented a short report on sewer service options for the new fire station on Mebane Oaks Road. He explained that the original fire station study included cost estimates to extend sewer lines from the South Regional Pump Station along a route that was the shortest and least costly route. He explained as the expenditure for this route would serve a rather small service area, the cost estimates presented (listed below) reviewed three routing options for providing sewer to the new fire station that would expand the sewer service area in the Mebane Oaks Road and Old Hillsborough Road area.

<b>Route</b>	<b>Service</b>	<b>Area Cost</b>	<b>Cost/Acre</b>
1. Original Route	10 acres	\$275,000	\$27,500
2. Phase 1 Route	28 acres	468,000	16,714
3. Phase 2 Route	234 acres	314,000	1,342
4. Phase 1&2 Routes	262 acres	782,000	2,985

He stated that the Phase 1 route would provide immediate sewer service to the new Fire Station site while also providing the opportunity for future Phase 2 route extensions to serve the drainage area to the west of Mebane Oaks Road. This route would cost \$193,000 more than the original route to serve the fire station but could provide the opportunity for sewer service to 252 more acres of unsewered property in that area than the original route. Mr. Bradley made a motion, seconded by Ms. Philipps, to approve the Phase 1 Route as presented.

Mr. Boney questioned if any research has been done on which property owners would benefit from the longer route and would the city be able to recoup the funds paid out for the longer route. Mr. Russell replied that Phase 1 would serve 28 acres and all the properties located within that service area and funds would not be recouped immediately but they would be over time. The previous motion carried unanimously.

Mr. Cheek presented a request to establish a Capital Project Fund to account for expenditures associated within the design and construction of the Southside fire station and its associated utilities. He stated \$245,000 was approved in this year's budget and now with the approval of the sewer line we need to start accounting for this Capital Project. The estimates provided by Alley, Williams, Carmen & King including Design, Engineering and Construction Administration, Utility Construction, Fire Station Construction, Equipment, and Contingency totals \$4,335,000. He proposed paying for the design cost with cash from the Water & Sewer Fund and the General Fund. Once final design is complete and bids are received on the construction he proposes entering into Installment Purchase Financing to pay for the station over a 20 year

period. Ms. Philipps made a motion, seconded by Mr. Hooks, to approve the Capital Project Ordinance as presented. The motion carried unanimously.

Mr. Hooks made a motion, seconded by Mr. Greene, to approve the tax releases and refunds. The motion carried unanimously.

Mr. Cheek announced that the city has upheld a AA stable rating with Standard & Poor's.

The minutes of the February 4, 2013 regular monthly 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

