

MEBANE CITY COUNCIL
REGULAR MEETING
MARCH 1, 2010-6:00 P.M.

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

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.

Boy Scout Troop #36 leaders and scouts were in attendance and recognized by Mayor Stephenson.

Mayor Stephenson stated the Public Hearing to be held on a request from Mebane 8540, LLC to amend the Conditional Use Rezoning to reduce the square footage of homes to be built, previously approved by the Council on August 7, 2006, on property located off Arrowhead Blvd. in the CU-R-12 Section of the Arrowhead Subdivision as a Planned Unit Development was requested, per the applicant, to be postponed until Council's next regular meeting on April 12, 2010.

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townhomes as a Planned Unit Development (PUD)-Orange County has been requested, per applicant's written request, to be withdrawn. Councilmember Auditori made a motion, seconded by Councilmember Hooks, to approve both requests. The motion carried unanimously.

Anne Edwards, Director of Information and Data Services at the Piedmont Triad Council of Governments, gave a presentation on the 2010 Census Countdown. Ms. Edwards reviewed many facts concerning the 2010 Census and its process. She also expressed the importance of having citizens accurately complete the survey and mailing it back.

Police Chief Terry Caldwell reported, as requested by Council, the results of a study which has taken place over the last few months concerning the activities downtown. He stated a report regarding the overview of the calls for service was given to Council in their packets. Chief Caldwell stated, as requested, the report includes calls for service not only for the downtown businesses but also at Petro, Pilot and Wal-mart. He stated they also chose to include Waffle House in the study. Chief Caldwell acknowledged that Wal-mart carries the majority of their calls, with Petro and Pilot coming in next with the most calls of service. He stated the calls of service to the downtown businesses were very minimal in comparison to the number of calls at Wal-mart, Petro and Pilot. Chief Caldwell declared that downtown business owners have been willing to comply with request made by the Police Department in order to limit the need for service calls to their establishments.

Councilmember Philipps expressed her concern with the high volume of service calls to Wal-mart. Chief Caldwell stated they attribute the high calls to Wal-mart for several reasons, one being the larger customer base, secondly is the location which is along the interstate corridor which lends itself to higher criminal activity and thirdly is Wal-mart's lenient policy in terms of criminal prosecution.

Councilmember Hooks questioned if the City could require establishments to hire security guards. City Attorney Charles Bateman stated he would research but on the surface he would say probably not at least as not to activities inside their buildings that are not of an extraordinary nature but possibly we could require additional security in large parking areas.

Councilmember Bradley questioned if law enforcement responds to Wal-mart for a call such as shoplifting or loitering and Wal-mart decides not to press charges, could the Police Department bill for those calls much like the Fire Department's false alarm response protocol where after running two (2) false alarm calls within a 24 hour period when there is no actual fire and the alarm sounds because of a maintenance issue or an improper design of the alarm issue they can bill for the call. City Attorney Bateman stated that Councilmember Bradley brings up a very good point. Mr. Bateman spoke to Chief Caldwell stating this could possibly be done if it's an abuse of the department's services and if the Council published and adopted a policy that would require the company to either prosecute or pay a fee. He stated he would meet with the Chief and research the option further.

After more discussion, Council requested they continue to receive a quarterly report from Chief Caldwell.

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

The Council received a report that unpaid taxes that are liens on Real Property on the second Monday in February, 2010 totaled \$374,068.93. By motion of Councilmember Philipps, seconded by Councilmember Greene, the Council voted unanimously to advertise the tax liens on April 14, 2010.

No one spoke during the Public Comment period.

A Public Hearing was held on a proposed Amendment to the Unified Development Ordinance, Article 6, Section 6-3-Landscaping, Buffering, and Screening, A. Purpose and Applicability. City Attorney Charles Bateman spoke concerning the issue.

Attorney Andy Petesch representing Mr. William H. Wilson, Jr., residential property owner at 815 S. Fifth, spoke in opposition of the proposed amendment.

Miriam Jernigan, 107 Somerset Ct., spoke in opposition of the proposed amendment.

Twilla Buffington, 1255 Woodhaven Dr., expressed that she felt 5ft. would not be adequate and that 10 ft. would be more reasonable and logical.

Brice Moore, 200 Emerson Dr., spoke concerning the proposed amendment.

Mayor Stephenson declared the Public Hearing over. Councilmember Bradley made a motion, seconded by Councilmember Greene, finding the amendment generally consistent with the objectives and policies for growth and development contained in the City of Mebane 2010 Land Development Plan. The motion carried unanimously.

Councilmember Bradley made a motion, seconded by Councilmember Philipps, to approve the amended ordinance Article 6, Section 6-3 consistent with the changes recommended by Council to change the language in the 2nd paragraph of average linear width to 10' with a minimum of 5' buffer area. **Ordinance Amendment No. 01-10**. The motion carried unanimously.

The Council received a request for approval of a Final Plat for "Collington Farms", Phase 3B & 3C-Orange County Section. Councilmember Hooks made a motion, seconded by Councilmember Philipps, to approve the request. The motion carried unanimously.

City Engineer Darrell Russell gave a report on the requested additional inspections and testing that was to be done on the existing water and sewer lines in the Clay Street area. He stated due to inclement weather and equipment malfunction gathering information for the studies was unattainable. Therefore he recommended that the resurfacing of that block of Clay Street tentatively be scheduled for the next fiscal year. After considerable discussion, no formal action was taken.

Mr. Russell presented Council with a draft copy of the Riparian Buffer Protection Ordinance for the Jordan Lake Watershed. No formal action was taken.

Council received a request to reschedule next month's Regular meeting from April 5, 2010 to April 12, 2010. It was the consensus of the Council to reschedule the meeting as requested.

As a past additional item, City Manager Robert Wilson told to Council that the sewer easement on Old Hillsborough Rd. is scheduled to be signed. Also he stated that the City Staff will have 6 sites available for review at April's Council meeting in regards to land for a new Fire Station on the South side of the City.

Councilmember Philipps brought forth an additional item. She stated that she had been approached by a member of Destination Downtown about the possibility of the City participating in funding some of the cost for billboard advertising on the interstate to promote businesses downtown.

Councilmember Bradley stated he had no problem with advertising for the whole downtown historic district area but he was not in favor of the City providing funding for advertising any specific businesses.

Councilmember Hooks felt this issue could be addressed during budget time. No formal action was taken.

City Attorney Charles Bateman spoke of enforcing an Occupancy Tax. No formal action was taken.

Tom Boney, Editor of Alamance News, questioned the fairness of only advertising for downtown businesses.

Mayor Stephenson replied that as Councilmember Bradley stated it would need to be a board that advertises the community as a whole.

The minutes of the February 1, 2010 regular meeting were approved as presented.

There being no further business, the meeting was adjourned.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk