

**CITY OF GRAHAM  
REGULAR SESSION  
TUESDAY, OCTOBER 4, 2011  
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m., on Tuesday, October 4, 2011 in the Council Chambers of the Municipal Building located at 201 South Main Street.

**Council Members Present:**

Mayor Jerry Peterman  
Mayor Pro Tem Jimmy Linens  
Council Member Jim Albright  
Council Member Victor Euliss  
Council Member Chip Turner

**Also Present:**

Chris Rollins, City Manager  
Frankie Maness, Assistant City Manager  
Aaron Holland, Planner  
Keith Whited, City Attorney  
Kimberly Harris, City Clerk

**Absent:**

None.

Mayor Peterman called the meeting to order at 7:00 p.m.

Mayor Peterman led the City Council in the Pledge of Allegiance and Fire Department Chaplin Daryl Peebles gave the invocation.

**CONSENT AGENDA:****September 2011 Tax Releases and Refunds.**

**CITY OF GRAHAM  
RELEASE ACCOUNTS**

OCTOBER

ACCT#	YEAR	RECIPT	NAME	RE/PP	REASON FOR RELEASE	RELEASED
5548	2011	933	BRISTOW, EDWIN S JR	RE	QUALIFIED FOR HOMESTEAD EXEMPTION	229.49
589094	2011	1830	CONDE, GREGORIO RODRIGUEZ	PP	DID NOT OWN MOBILE HOME JAN 2011	49.65
491698	2008	8160	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	7.07
491698	2008	8161	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	221.79
491698	2008	8162	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	61.73
491698	2008	8163	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	5.42
491698	2009	8159	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	2.95
491698	2009	8160	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	166.38
491698	2009	8161	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	44.15
491698	2009	8162	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	4.73
491698	2010	8241	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	2.71
491698	2010	8242	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	125.10
491698	2010	8243	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	32.66
491698	2010	8244	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	4.37
491698	2011	8105	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	2.48
491698	2011	8106	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	85.89
491698	2011	8107	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	22.42
491698	2011	8108	WATERFIELD MORTGAGE CO	PP	OUT OF BUSINESS 2008	4.00

TOTAL RELEASES 1,072.99

**Approval of Minutes - September 6, 2011 Regular Session**

Upon Motion by Council Member Turner, Second by Mayor Pro Tem Linens, the Council voted unanimously to approve the consent agenda. All aye.

**Approve Energy Efficiency Improvements Grant Project Budget Amendment and HVAC/Weatherization Proposal Award.**

Assistant City Manager Maness presented the Capital Project Budget Ordinance Amendment for the Energy Efficiency Improvements Grant that was originally approved on April 5, 2011. He explained that at that time, the exact cost of the HVAC/Weatherization portion of the project was unknown. Now that those costs are known and the lighting portion is nearly complete, the proposed amendment adjusts the expenditures based on the known costs. The project budget does not require additional funds and the total project cost remains at \$121,453. To proceed with the project, the staff recommended that the attached project budget be adopted.

He further stated that the staff recommended that the HVAC/Weatherization portion of the project be awarded to First Call Cleaning and Restoration, Inc. as they appear to have the lowest responsible proposal at \$72,709.36. All proposals were accepted by the City of Graham on Wednesday, August 31, 2011, at 10:00am. with the understanding that final costs may be adjusted within the limits of the project budget for unanticipated issues (change orders) and/or price negotiations with contractor.

TLAQK Contracting was the apparent low bidder at the time of bid opening, but were ultimately excluded as the lowest responsible bidder for the following reasons:

- Bid calculations were incorrect and thus resulted in a discrepancy of \$10,886.40 by Staff calculations.
- The minimum level of coverage for General Liability and Worker's Compensation was less than the required \$1,000,000 of coverage
- It was not apparent if the company had the required DUNS, Federal ID, and CCR numbers.
- The time-sensitive nature of this project requires that we engage in a contract and begin work as soon as possible. It could take an additional 30 days before a determination can be made as to whether the contractor's South Carolina license will be recognized by the State of North Carolina.

Mayor Pro Tem Linens asked if the City had ever contracted services with First Call Cleaning and Restoration, Inc. Assistant City Manager Maness replied that the City has not previously done business with First Call. Council Member Euliss inquired if staff had spoken with anyone who has done business with First Call. Assistant City Manager Maness replied that staff had not spoken with any previous customers of First Call.

Mayor Peterman informed that he personally knew the owner of First Call Cleaning and Restoration, Inc. and asked should he abstain from voting. The Council reached a consensus that that Mayor Peterman should not abstain from voting.

Mayor Pro Tem Linens said that he successfully used First Call while he was in the insurance business.

City Attorney Whited informed Council that his private practice office has used First Call.

Upon motion by Council Member Albright, second by Mayor Pro Tem Linens, the Council adopted the Energy Efficiency Improvements Grant Project Budget Ordinance Amendment. All aye.

Upon motion by Mayor Pro Tem Linens, second by Council Member Turner, the Council voted to award First Call Cleaning and Restoration, Inc. with the contract for HVAC/Weatherization portion of the project at the lowest responsible proposal of \$72,709.36. All aye.

**CAPITAL PROJECT ORDINANCE AMENDMENT**  
**ENERGY EFFICIENCY IMPROVEMENTS GRANT**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA**, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is hereby amended:

Section 1. The Project authorized is the Energy Efficiency Improvements Grant.

Section 2. The officials of the City of Graham are hereby directed to proceed with this program within the terms of the project.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

27-3900-0000 City of Graham Fund Balance	\$	8,000
27-3901-0000 Town of Elon		4,900
27-3902-0000 Town of Haw River		6,000
27-3640-0000 State Energy Program Grant		<u>102,553</u>
	\$	121,453

Section 4. The following amended amounts are appropriated for this project:


	Original	Difference	Amended
27-5000-1000 Weatherization/HVAC Contract	\$ 60,000	\$ 14,200	\$ 74,200
27-5000-2000 Lighting Contract	55,000	(8,000)	47,000
27-5000-3000 Misc.	1,000	(747)	253
27-5000-4000 Contingencies	<u>5,453</u>	<u>(5,453)</u>	<u>0</u>
	\$ 121,453	\$ 0	\$ 121,453

Section 5. The Finance Director shall report on the financial status of this project as directed by the City Council and will inform the Council of any unusual occurrences.

Section 6. Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project. The City Manager is authorized to execute contracts and change orders within the funds appropriated.

Section 7. That this ordinance amendment shall take effect upon passage.

This the 4<sup>th</sup> day of October, 2011

  
Jerry Peterman - Mayor

ATTEST:  
  
Kim Harris, City Clerk



**Approve Resolution Clarifying and Renaming Montree Court to Montree Lane.**

Assistant City Manager Maness presented the *Resolution Clarifying and Renaming Montree Court to Montree Lane* to the Council explaining that the Alameda County 911 System C-Comm knows this street as “Montree Court” however the street signage is “Montree Lane.” The postal service also identifies the addresses located along this street at Montree Lane. He explained that the staff recommendation was that the Council adopt a resolution renaming the Street “Montree Lane” as the easiest path to clear up the confusion.

Upon Motion by Council Member Euliss, second by Council Member Turner the Council voted to adopt the Resolution Clarifying and Renaming Montree Court to Montree Lane.

**RESOLUTION CLARIFYING AND RENAMING MONTREE COURT TO MONTREE LANE**

**WHEREAS**, Montree Court is designated as such in Plat Book 17, Page 60 of the Alameda County Register of Deeds;


**WHEREAS**, Montree Court is known as Montree Lane by many residents, service providers, and the US Postal Service and street signs currently designate it as Montree Lane;

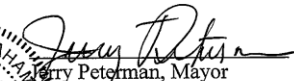

**WHEREAS**, Conflicting street names have the potential to compromise 911 response, curbside services and postal delivery;

**NOW, THEREFORE, BE IT RESOLVED** by the Graham City Council that:

Montree Court is hereby renamed and officially designated as Montree Lane.

Adopted this 4<sup>th</sup> day of October 2011.

ATTEST:  


  
Jerry Peterman, Mayor  


**Issues Not Included on Tonight's Agenda.**

Cornelius Steele of 305 Washington Street, Graham addressed Council commending the Graham Police Department's assistance with a crime committed in her home earlier in the year. She read a letter from her daughter, Michelle Neely (a victim of the crime), who could not be present due to illness, in which she praised the efforts of the Graham Police Department during the investigation, apprehension and conviction of the person responsible for the crime. Ms. Steele further expounded that Graham Police Officer Wenonna Dunnagan communicated with them every day during the investigation, recovered some items that were stolen during the crime, helped to restore their sense of safety, and kept them informed all the way thru to the conviction. Ms. Steele stated that she would have come to the Council sooner to praise the Graham Police Department but did not want to frustrate the criminal prosecution process of the case.

2011 Graham Municipal Candidate Ron James, 1619 Wedgewood Drive, Graham addressed Council stating that he is an American, a Southerner and a Graham-ite. He stated that if Council Member Vic Euliss was running for re-election that he would not be running and he clarified that he is not running against Council Member Jim Albright. He stated that he wanted to be a voice for the speechless and that he just wants to serve the City of Graham.

Council Member Euliss stated for that he was very embarrassed by the statement that Mayor Peterman made on the radio but that he would handle it after the meeting.

City Manager Rollins advised that the Alamance County Fallen Heroes Memorial Ground breaking would be held Saturday, October 8<sup>th</sup>, 2011. He reminded Council that the Alamance County Chamber of Commerce Annual Retreat will be held on November 16<sup>th</sup>, 2011.

City Manager Rollins then directed the Council and the public to slides depicting new lettering for the Graham Water Tank and requested a consensus from all on which lettering should be chosen for the word "GRAHAM" on the water tank. It was the consensus of the public for all capital letters.

Mayor Peterman stated that the Alamance County Mayor's Committee for Persons with Disabilities would be holding its' Annual Awards Banquet with a special speaker presentation by Tawanna Williams *Unarmed and Dangerous*.

There being no further business, at 7:27 p.m. Mayor Pro Tem Linens moved to adjourn, followed by Council Member Turner, all aye.

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Kimberly Harris, City Clerk