

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

The City Council of the City of Graham met in regular session at 7:00 p.m., on Tuesday, June 7, 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

**Council Members Absent:**

None

Mayor Peterman called the meeting to order at 7:00 p.m. and Council Member Euliss gave the invocation.

**Proclamation: June 2011 Lyme Disease Awareness Month**

Mayor Peterman did not read aloud the June 2011 Lyme Disease Awareness Month Proclamation but stated for the record that the Proclamation would be signed and mailed to Lieutenant Colonel Tierney who could not be there to receive it.

**Proclamation for Lyme Disease Awareness Month**

Whereas, ticks carrying the bacteria *Borrelia burgdorferi* that causes Lyme Borreliosis, Commonly known as Lyme disease continue to spread across North Carolina; and

Whereas, the number of reported cases of Lyme disease among residents of North Carolina continues to increase, yet the Centers for Disease Control estimates that on average there are ten missed cases for every case reported; and

Whereas, Lyme disease is difficult to diagnoses because it imitates other conditions and no reliable laboratory test can prove who is infected or bacterial-free, which often leads to misdiagnosis; and

Whereas, early indicators of infection include flu-like symptoms, characterized by chills, headache, fatigue, muscle and joint aches and swollen lymph nodes; and

Whereas, weeks or months later, patients with untreated or under-treated Lyme disease can suffer from serious, permanent and sometimes life-threatening damage to the brain, joints, heart,

eyes, liver, spleen blood vessels and kidneys. For this reason it is imperative that all who develop this disease receive immediate treatment; and

Whereas, the best solution to the threat of Lyme disease is to educate people about the seriousness of the illness and the need to practice personal preventive techniques when engaging in outdoor activities, such as frequent tick checks, use of tick repellent and proper tick removal; and

Whereas, the month of May is recognized nationally as Lyme disease Awareness Month.

Now therefore, I Jerry Peterman, Mayor of the City of Graham, North Carolina, on behalf of the Graham City Council, do hereby proclaim June 2011 as **Lyme disease Awareness Month** for the City of Graham to draw attention to this growing health problem and the importance of early detection and treatment by all residents.

Proclaimed this 7<sup>th</sup> day of June, 2011

### **CONSENT AGENDA:**

#### **April 2011 Tax Releases-**

CITY OF GRAHAM RELEASE ACCOUNTS						
JUNE						
ACCT #	YEAR	RECIPT	NAME	RE/PP	REASON FOR RELEASE	RELEASED
502286	2008	5411	MOORE, JEFFREY M	PP	SOLD BOAT	6.39
502286	2009	5364	MOORE, JEFFREY M	PP	SOLD BOAT	5.21
502286	2010	5421	MOORE, JEFFREY M	PP	SOLD BOAT	4.50

TOTAL RELEASES 16.10

As submitted by Sandy Callahan, Tax Collector

**Approval of Minutes - May 3, 2011 Regular Session**  
**May 24, 2011 Special Meeting – Budget Workshop**

**Request by Graham Area Business Association to Close Court Square with Main Street blocked from Pine Street to Harden Street and Close Elm Street from Marshall Street to Maple Street for the Fourth Annual BBQ Cook-Off and Car Show.**

Council Member Euliss requested that the date for the Graham Area Business Association Fourth Annual BBQ Cook-Off and Car Show be included in the motion for approval.

Upon Motion by Council Member Euliss, second by Council Member Turner, the Council voted to approve the Consent Agenda including the request by Graham Area Business Association to close Court Square with Main Street blocked from Pine Street to Harden Street and Close Elm Street from Marshall Street to Maple Street for the Fourth Annual BBQ Cook-Off and Car Show on October 1, 2011 from 6am to 5 pm. All aye.

Mayor Peterman closed the Regular Session and convened the Public Hearing portion of the meeting.

**Recommendations from the Planning and Zoning Board:**

**Reconvene Public Hearing Request of Michael A. Neal (Coucolas/ Knight Properties, LLC, Owners) to Amend Conditional Residential (C-R) Zoning for Harden Place Condos approved 10/2/2007. Amendment request is for changes to building size, shape and height. The Property is located at 141 E. Harden Street shown on Old Alamance County tax map #150-613-55, GPIN# 8884240795.**

Assistant City Manager Maness presented a letter from the petitioner requesting withdrawal of the request for a public hearing to amend Conditional Residential (C-R) Zoning for Harden Place Condos.

Mayor Peterman asked for a motion to accept withdrawal.

Upon Motion by Council Member Euliss, second by Council Member Albright the Council accepted the request for withdrawal by the petitioner for a public hearing to amend Conditional Residential (C-R) Zoning for Harden Place Condos.

Mayor Pro Tem Linens inquired of the City Attorney what would happen should Council vote to not accept the request for withdrawal. City Attorney Whited responded that if the Council chose not accept the withdrawal and did not close the public hearing, it would have died for a lack of a motion.

Mayor Peterman closed the public hearing and reconvened Regular Session.

**Approve 2010 – 2011 Budget Ordinance Amendments-**

City Manager Rollins presented the 2010 – 2011 Budget Ordinance Amendments. The General Fund Line Item 10-6200-3601 was originally at \$0 but it was increased by \$4100; Line Item 10-6200-6000 was originally \$5,000 and it was increased by \$4500, and the Line Item 10-6200-7000 was originally \$14,000 and it was increased by \$4,767. He directed Council to look at the General Fund Revenues that go along with these expenditures. The City received unexpected recreation donations of \$3,667 and the concession income increased by \$9,700. The City is moving the monies that came in to expenditures to be spent in the Budget this year.

Water and Sewer Fund Line Item 31-4800-1500 was increased by \$75,000, Line Item 31-4800-3100 was increased by \$700.00, Line Item 31-5900-7300 was reduced by \$88,700, Line Item 31-6600-0600 was increased by \$6500 and Line Item 31-6600-5400 was increased by \$6,500. The increases are covered by the decrease in Line Item 31-6600-0600 which had been for the alkali feed system at the Waste Water Plant which the City will put in next year's budget.

The Garage Fund Line Item 40-6650-6000 increase by \$25,000, Line Item 40-6650-6100 increase by \$50,000 and Line Item 40-6650-7400 increased by \$9,000. The Garage Fund Revenues were increased by \$11,000 on Line Item 40-3030-0000, Line Item 40-3040-1000 increased by \$56,000 and Line Item 40-3780-0000 was increased by 17,000. This is a self-supporting fund and it is the goal to break even.

Upon the Motion by Council Member Albright, second by Mayor Pro Tem Linens, the Council voted to adopt the Ordinance to amend the 2010 -2011 Budget Ordinance. All aye.

BE IT ORDAINED BY THE CITY COUNCIL of the City of  
Graham that the

2010 - 2011 Budget Ordinance shall be and is hereby amended as follows:

	APPROVED	AMENDED	INCREASE	DECREASE
Section 1. Expenditures				
GENERAL FUND				
10-6200-3601				
Uniforms/Equipment				
	\$	\$	\$	\$
from Donations	-	4,100.00	4,100.00	-
10-6200-6000 Concessions				
10-6200-7000 Small Equipment	5,000.00	9,500.00	4,500.00	-
Purchases	14,000.00	18,767.00	4,767.00	-
WATER & SEWER FUND				
31-4800-1500 Maintenance &				
	\$	\$	\$	\$
Repair Building	41,000.00	116,000.00	75,000.00	-

## 31-4800-3100 Vehicle &amp;

Equipment Fuel	2,000.00	2,700.00	700.00	-
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## 31-5900-7300 Capital Outlay

Other Improvements	300,000.00	211,300.00		88,700.00
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## 31-6600-0600 Group

Insurance	53,000.00	59,500.00	6,500.00	
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31-6600-5400 Insurance &  
Bonds

	80,000.00	86,500.00	6,500.00	
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## GARAGE FUND

	\$	\$	\$	\$
40-6650-6000 Inventory Parts	175,000.00	200,000.00	25,000.00	-

40-6650-6100 Inventory Fuel	425,000.00	475,000.00	50,000.00	-
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## 40-6650-7400 Capital Outlay

Equipment	8,000.00	16,600.00	9,000.00	-
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	APPROVED	AMENDED	INCREASE	DECREASE
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## Section 2. Revenues:

## GENERAL FUND

## 10-3571-0000

	\$	\$	\$	\$
Recreation Donations	-	3,667.00	3,667.00	-

## 10-3621-0000 Concession

Income	5,500.00	15,200.00	9,700.00	-
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## GARAGE FUND

## 40-3030-0000 Alamance

	\$	\$	\$	\$
County Parts	33,000.00	44,000.00	11,000.00	-
40-3040-1000 City of Graham				
Labor	42,000.00	98,000.00	56,000.00	-
40-3780-0000 Fund Balance	60,000.00	77,000.00	17,000.00	-

Mayor Peterman closed Regular Session and Convened the Public Hearing to Adopt 2011 – 2012 Budget Ordinance.

### **Public Hearing to Adopt 2011 – 2012 Budget Ordinance.**

City Manager Rollins presented the proposed 2011 -2012 Budget Ordinance and explained that it is adopted on a departmental basis. The only change to the Budget from the Council Budget workshop is the decrease in Council salaries. The General Fund is proposed at \$9,805,100 which is a 1.6% decrease from last year's Budget and it sets the tax rate at 44.5 cents per \$100 of property valuation. The Water and Sewer Budget was an increase of 2.3% to \$6,160,200 and included is a 3% Water and Sewer rate increase. The Garage Fund is \$991,400. The total proposed 2011 – 2012 Budget Ordinance is \$16,956,700.

The proposed Budget includes an increase for brush pickup to \$6/per bite after first 2 bites which are free.

Mayor Peterman polled the Council for questions.

Council Member Euliss stated that he was not in support of the Fire Department's Budget including the purchase of a \$99,000 Ford F-150 Multi-purpose brush truck. He explained that in the present economic environment that it is not the time to purchase a piece of equipment such as a brush truck. He further stated that he would rather see the money set aside for the purchase of property for a future sub-station. He supported his decision by stating that the City has access to a brush truck from Swepsonville through a mutual aid agreement with excellent response time.

Mayor Peterman asked Council to discuss the proposed utility brush truck and asked if the Fire Chief was present for questions. City Manager Rollins responded that the Fire Chief was not present but that he would be glad to discuss. He explained that the Fire Chief spoke with his Officers and the Fire Department who were both in support of purchasing the utility brush truck to use in a brush fire, storm tree damage and interstate calls for traffic control assistance.

Mayor Pro Tem Linens asked if it would replace an existing Fire Department vehicle. City Manager Rollins replied that this truck would not replace a fire truck.

Mayor Peterman asked if there was any information supporting the savings of running the utility truck versus a fire truck. City Manager Rollins responded that it would be less expensive to run the utility truck over a tanker fire truck for a non-fire suppression call.

Council Member Albright stated that this utility truck appeared to be more like an item that the Fire Department would like to have versus equipment that they need in order to provide better services or save lives.

Council Member Euliss responded that he had spoken with Fire Chief Andrews and agreed that this utility truck would be an excellent piece of equipment but that he is not in support of this expenditure during this economy.

Mayor Pro Tem Linens stated that City Manager Rollins and Fire Chief Andrews both recommend that this item stay in the Budget and he chooses to put his trust in City Manager Rollins and Fire Chief Andrews to make the best recommendation as they are daily conducting the City's business,.

Council Member Albright stated he was in agreement with Council Member Euliss that this utility brush truck is not a necessary expense during these economic times. He stated that he would have liked further information from Fire Chief Andrews on this utility brush truck.

City Manager Rollins explained that, in the end, the utility brush truck would have to come back before the Council in order to be purchased therefore leaving it in the Budget does not mean that it has to be expended.

Council Member Turner stated that he was in agreement with Mayor Pro Tem Linens and supported the recommendation of the City Manager and Fire Chief to leave the utility brush truck in the proposed Budget and to reconsider expenditure at the time requested.

Council Member Albright asked for clarification on what it would do to the Budget to remove the utility brush truck. City Manager Rollins replied that in order to have a balanced Budget it would reduce both the revenue and expenditures \$99,000.

Mayor Peterman asked the Council to make a decision on the utility brush truck.

Council Member Euliss acknowledged that City Manager Rollins and the City employees have proposed a very good Budget.

The Times-News Managing Editor, Jay Ashley, asked if removing the utility brush truck would change the tax rate.

Council Member Albright asked for clarification that if the Council voted to remove the utility brush truck that there would not be a recommendation for an ascending tax rate.

City Manager Rollins responded that it would reduce both the appropriated fund balance revenue and expenditures but not the tax rate.

Mayor Peterman stated that he has several years experience in the Fire Department and believes that the Fire Department is currently capable of everything that is required without this truck and

due to bad economic times, he is in agreement with Council Member Euliss to hold off a few years on the purchase of this truck.

Council Member Turner asked if the census would cause the City to have less revenue next year, creating less of position to make the purchase of a brush utility truck. City Manager Rollins responded that that is hard to predict. Council Member Turner replied that we have it now, however we do not know about next year.

Mayor Peterman asked if Mayor Pro Tem Linens was okay with removing the \$99,000 utility brush truck, reducing both the expenditures and revenues.

Mayor Pro Tem Linen replied that he is in support of leaving the \$99,000 utility brush truck in the proposed Budget and to bring back before the Council to decide for or against expending,

Mayor Peterman and Council Member Turner concurred with Mayor Pro Tem Linens.

Mayor Peterman asked Council Member Euliss if he would be willing to vote on the Budget leaving the \$99,000 utility brush truck in and to bring back before the Council to decide for or against expending. Council Member Euliss stated he was not in support of voting for the Budget without removing the \$99,000 utility brush truck.

Council Member Albright stated that if the \$99,000 would go back into the Fund balance and also being equivalent to one cent, recommended that the tax rate should go down half a cent.

City Manager Rollins explained that you cannot change the tax after the Budget is adopted and the Budget has become very, very tight. The City is currently looking at appropriating over a million dollars of Fund Balance so the goal over the year is to try to not do that. Therefore, he recommends taking it out of the Fund Balance as opposed to reducing the tax rate because the City is planning on appropriating Fund Balance to balance the Budget.

Mayor Pro Tem Linens made a Motion to adopt the Budget as proposed. Motion died for a lack of a second.

Council Member Albright made a Motion to remove the \$99,000 utility brush truck and rebalance the Budget without a tax decrease. Motion died for a lack of a second.

Council Member Euliss made a Motion to remove the \$99,000 utility brush truck, rebalancing the Budget to \$16,857,700 and reducing the tax rate from 44.5 cents per \$100 property valuation to 44 cents, second by Council Member Albright. Ayes: Council Member Euliss, Council Member Albright, Mayor Peterman. Nays: Mayor Pro Tem Linens, Council Member Chip Turner. Motion Carried 3:2.

CITY OF GRAHAM  
BUDGET ORDINANCE  
2011-2012  
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
GRAHAM, NORTH CAROLINA

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the City Government and its activities for the Fiscal Year beginning July 1, 2011 and ending June 30, 2012, in accordance with the Chart of Accounts heretofore established for the City.

City Council	\$46,800
Administrative	\$390,850
Information Technology	\$125,950
Finance	\$332,700
Public Buildings and Grounds	\$153,250
Police Department	\$3,040,300
Fire Department	\$781,200
Inspection-Planning-Zoning	\$332,600
Traffic Engineering	\$32,000
City Garage and Warehouse	\$71,750
Streets and Highways	\$1,212,700
Street Lighting	\$97,000
Sanitation	\$670,400
Recreation	\$665,750
Graham-Mebane Lake	\$124,350
Property Maintenance	\$759,900
Non-Departmental	<u>\$868,600</u>
	<u>\$9,706,100</u>

Section 2. It is estimated that the following revenues will be available in the General Fund for the Fiscal Year beginning July 1, 2011 and ending June 30, 2012.

Current Year Tax	\$3,816,628
Prior Year Taxes	\$22,000
Vehicle Taxes	\$350,000
Payment in Lieu of Taxes	\$32,500
Storm Water Fee	\$59,000
Tax Cost & Interest	\$20,000
Privilege License	\$23,000
Interest on Investments	\$43,000
School Resource Officer	\$37,800
Police Donations /Grants	\$100
Miscellaneous Income	\$36,000
Early Retiree Reinsurance Prog	\$30,000
Franchise Tax	\$775,000
Beer and Wine Tax	\$58,000
Powell Bill	\$372,000
Local Sales Tax	\$2,320,000
Solid Waste Disposal Tax	\$9,000
ABC Revenues	\$60,000
Building & Electric Permits	\$25,000
Civic Center Donations	\$100
Recreation Donations	\$100
Refuse Fees	\$245,000
Cemetery Revenue	\$24,000
Concert Series Donations	\$100
Concession Income	\$7,500
5k- Run Income	\$100
Dog Park Donations	\$100
Chriskindle Market Donations	\$100
Recreation Income	\$3,000
Recreation - Day Camps	\$30,000
Recreation Rentals	\$18,000
Recreation - Athletics	\$23,000
Graham-Mebane Lake	\$24,000
Courts and Fines	\$15,000
Rent on City Property	\$25,000
Mebane Lake Revenue	\$28,000
Fund Balance Appropriated	<u>\$1,173,972</u>
	<u>\$9,706,100</u>

Section 3. The following amounts are hereby appropriated in the Water and Sewer Fund for the operation of the Water and Sewer Utilities for Fiscal Year beginning July 1, 2011 and ending June 30, 2012, in accordance with the Chart Accounts heretofore approved by the City.

Administration - Billing & Metering	\$602,400
Water and Sewer Distribution	\$755,800
Plant and Lift Station Maintenance	\$311,000
Water Treatment Plant	\$1,675,500
Wastewater Treatment Plant	\$1,069,600
Non-Departmental	<u>\$1,745,900</u>
	<u>\$6,160,200</u>

Section 4. It is estimated that the following Revenues will be available in the Water and Sewer Fund for the Fiscal Year beginning July 1, 2011 and ending June 30, 2012.

Interest on Investments	\$40,000
Sewer Surcharges	\$12,000
Early Retiree Reinsurance Prog	\$12,000
Outside Sewer Surcharge	\$33,000
Water Acreage & Con. Fees	\$6,000
Sewer Acreage & Con. Fees	\$6,000
Water Charges	\$2,296,900
Sewer Charges	\$2,245,400
Plumbing Permits and Inspection	\$9,000
Water and Sewer Taps	\$9,000
Water and Sewer Assessments	\$10,000
Miscellaneous Income	\$4,000
Fund Balance Appropriated	\$804,900
Cut Off Fees	\$72,000
Mebane Revenue	<u>\$600,000</u>
	<u>6,160,200</u>

Section 5. The following amounts are hereby appropriated in City Garage Fund for the Fiscal Year beginning July 1, 2011 and ending June 30, 2012.

Garage	<u>\$991,400</u>
	<u>\$991,400</u>

Section 6. It is estimated that the following Revenues will be available in the City Garage Fund for the Fiscal Year beginning July 1, 2011 and ending June 30, 2012.

Ala Co Parts	\$40,000
Ala Co Labor	\$15,000
Ala Co Fuel	\$324,000
City of Graham Parts	\$170,000
City of Graham Labor	\$90,000
City of Graham Fuel	\$270,000
Alamance County Annual Contract	\$31,800
Graham Housing Authority Parts	\$1,500
Graham Housing Authority Labor	\$1,000
Graham Housing Authority Fuel	\$9,450
ABC Parts	\$200
ABC Labor	\$100
ABC Fuel	\$2,700
Interest on Investments	\$1,000
Miscellaneous Income	\$100
Fund Balance	\$34,550
	<u>\$991,400</u>

Section 7.

SUMMARY OF FU REVENUES EXPENDITURES

General Fund	\$9,706,100	\$9,706,100
Water and Sewer F	\$6,160,200	\$6,160,200
Garage Fund	<u>\$991,400</u>	<u>\$991,400</u>
	<u>\$16,857,700</u>	<u>\$16,857,700</u>





*Water Deposit (Inside Residential)	\$ 80.00
*Water Deposit (Outside Residential)	\$160.00
*Water Deposit (Inside Non-residential)	\$100.00
*Water Deposit (Outside Non-residential)	\$200.00
Meter Lock or Removed Fee	\$ 20.00
Broken Lock/Tampering Fee	\$ 35.00
**Meter Testing Fee (Inside)	\$ 10.00
**Meter Testing Fee (Outside)	\$ 20.00

## Proposed:

Monthly Rate	\$ 4.04 per thousand gallons of water used
Monthly Minimum	\$ 4.04
Monthly Rate (Outside City Limits)	\$ 8.08 per thousand gallons of water used
Monthly Minimum (Outside City Limits)	\$ 8.08
Municipal Customers	\$ 4.33 per thousand gallons of water used
Delinquent Fee	\$ 5.00
Non-payment Fee	\$ 15.00
*Water Deposit (Inside Residential)	\$ 80.00
*Water Deposit (Outside Residential)	\$160.00
*Water Deposit (Inside Non-residential)	\$100.00
*Water Deposit (Outside Non-residential)	\$200.00
Meter Lock or Removed Fee	\$ 20.00
Broken Lock/Tampering Fee	\$ 35.00
**Meter Testing Fee (Inside)	\$ 10.00
**Meter Testing Fee (Outside)	\$ 20.00

Council Member Euliss stated that he thought that the delinquency fee under water rates should be higher than \$5.00. Council Member Albright disagreed with the Council Member Euliss stating that he believed that a \$5.00 delinquency fee was fine. Mayor Peterman concurred with Council Member Albright.

Upon Motion by Council Member Turner, Second by Council Member Euliss, the Council voted unanimously to amend the *City of Graham Fee Schedule* for Fiscal Year 2011 – 2012 as follows:

## Page 34, Sewer Rates:

Monthly Rate water	\$ 5.00 per thousand gallons of used
Monthly Minimum	\$ 5.00
Residential Users without water	\$ 30.00 per month
Outside User Sewer Surcharge	\$ 19.12 per month
Delinquent Fee for sewer account without water	\$ 5.00
Non-payment Fee for sewer account without water	\$ 15.00
Groundwater Remediation Permit Fee	\$300.00 annually

Groundwater Remediation Discharge \$ 5.00 per thousand gallons

Page 34-35, Water Rates:

Monthly Rate	\$ 4.04 per thousand gallons of water used
Monthly Minimum	\$ 4.04
Monthly Rate (Outside City Limits)	\$ 8.08 per thousand gallons of water used
Monthly Minimum (Outside City Limits)	\$ 8.08
Municipal Customers	\$ 4.33 per thousand gallons of water used
Delinquent Fee	\$ 5.00
Non-payment Fee	\$ 15.00
*Water Deposit (Inside Residential)	\$ 80.00
*Water Deposit (Outside Residential)	\$160.00
*Water Deposit (Inside Non-residential)	\$100.00
*Water Deposit (Outside Non-residential)	\$200.00
Meter Lock or Removed Fee	\$ 20.00
Broken Lock/Tampering Fee	\$ 35.00
**Meter Testing Fee (Inside)	\$ 10.00
**Meter Testing Fee (Outside)	\$ 20.00

**Amend The City of Graham Code of Ordinances Chapter 16. Solid Waste. Section 16-8. Removal of Tree Trimmings, Stumps, Contractors' Refuse, etc.**

City Manager Rollins presented the request to amend The City of Graham Code of Ordinances Chapter 16. Solid Waste. Section 16-8. Removal of Tree Trimmings, Stumps, Contractors' Refuse, etc and he explained that that the City of Graham Staff is proposing that the following amendment be made to Section 16-8 of Chapter 16 Solid Waste of the Code of Ordinances. The proposed amendment removes the "one-half load per truck" wording so that the City may change its fee schedule to accommodate a per "bite" charge. Also, by not specifying a quantity within the Ordinance, future changes to the fee structure would only have to be amended within the fee schedule.

The proposed amendment is as follows:

**Sec. 16-8. - Removal of tree trimmings, stumps, contractors' refuse, etc.**

**A charge, fixed by the city council and kept on file in the office of the city clerk, will be made for hauling tree limbs, cuttings, shrubbery or similar materials ~~in excess of one-half load per truck~~. All trimmings shall be cut in six-foot lengths, and placed by the curb. No tree trimmings will be hauled for commercial tree contractors. No stumps or logs exceeding 50 pounds in weight, concrete, building materials or refuse from building operations or landscape work will be hauled by the sanitation department.**

Upon Motion by Council Member Albright, second by Council Member Euliss the Council voted to Adopt an Ordinance to Amend Chapter 16 Solid Waste of The Code of Ordinances of The City of Graham, North Carolina Sec. 16-8. - Removal of tree trimmings, stumps, contractors' refuse, etc. to read "A charge, fixed by the city council and kept on file in the office of the city clerk, will be made for hauling tree limbs, cuttings, shrubbery or similar materials. All trimmings shall be cut in six-foot lengths, and placed by the curb. No tree trimmings will be hauled for commercial tree contractors. No stumps or logs exceeding 50 pounds in weight, concrete, building materials or refuse from building operations or landscape work will be hauled by the sanitation department." All aye.

**Approve Audit Contract with Cobb, Ezekiel, Loy and Company, PA.**

Assistant City Manager Maness presented the Cobb, Ezekiel, Loy and Company, P.A. Audit Contract for the 2010- 2011 Fiscal Year and advised City Council that there had been no change in the price of the Audit Services being proposed this year from last year.

Mayor Peterman made a request that the Audit Committee meet this year to discuss the Audit results before they are presented to Council.

Upon Motion by Council Member Turner, Second by Council Member Euliss, the Council voted unanimously to approve the 2010 – 2011 Cobb, Ezekiel, Loy and Company PA contract in the amount of \$23,625 for the Audit and \$15,750 for the preparation of the Final Statements.

**Amend The City of Graham Code of Ordinances Chapter 6. Buildings and Building Regulations. Article II. Building Regulations. Section 6-31. Fire Limits.**

Assistant City Manager Maness presented the request to amend The City of Graham Code of Ordinances Chapter 6. Buildings and Building Regulations. Article II. Building Regulations. Section 6-31. Fire Limits and he explained that the City of Graham Staff is proposing that the following amendment be made to Section 6-31 of Chapter 6 Buildings and Building Regulations of the Code of Ordinances. The proposed amendment would remove the City's current ban on all wooden materials in the downtown fire district, also referred to as the #1 fire district or the B-1 zoning district. The regulation of building materials in the fire district would then be governed by Appendix D of the NC Building Code (The NC Building Code is adopted by reference in Sec. 6-3 or our Code of Ordinances). Appendix D would allow limited use of wooden products depending on the occupancy type and/or other fire protection measures.

**The proposed amendment is as follows:**

**Sec. 6-31 –Fire Limits**

~~No wooden building or structure shall be erected or placed upon or within the following described area:~~ **Beginning at West Market Street on North Main, thence west on the south side of Market Street to the intersection of West Market and North Maple Streets, thence south on the east side of Maple Street to the intersection of South Maple and West Pine Streets, thence east on the north side of Pine Street to the intersection of South Marshall and East Pine Streets, thence north**

**on the west side of Marshall Street to the intersection of North Marshall and East Market Streets, thence west on the south side of East Market Street to North Main Street, the point of beginning.**

Mayor Peterman stated that he had a problem with wood structures being allowed in the downtown fire district.

Upon Motion by Council Member Albright, second by Council Member Turner, the Council voted to adopt an Ordinance Amending Chapter 6 Buildings and Building Regulations of The Code of Ordinances of The City of Graham, North Carolina Sec. 6-31 –Fire Limits to read “Beginning at West Market Street on North Main, thence west on the south side of Market Street to the intersection of West Market and North Maple Streets, thence south on the east side of Maple Street to the intersection of South Maple and West Pine Streets, thence east on the north side of Pine Street to the intersection of South Marshall and East Pine Streets, thence north on the west side of Marshall Street to the intersection of North Marshall and East Market Streets, thence west on the south side of East Market Street to North Main Street, the point of beginning.” Ayes: Council Member Albright, Council Member Turner, Mayor Pro Tem Linens, and Council Member Euliss. Nays: Mayor Peterman. Motion carried 4:1.

**Approve the Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence between the City of Graham and the North Carolina Department of Transportation for Trollinger Road (SR 1943) School Speed Zone 25 MPH**

Upon motion by Mayor Peterman, Second by Council Member Euliss the Council certified a Municipal Declaration to enact a school speed zone- municipal limit of 25 MPH between 0.58 mile east of NC 49 and 0.08 mile east of NC 49 (Graham High School and North Graham Elementary School, in effect from 30 minutes before to 30 minutes after school begins and ends on school days only) and request for concurrence from the State of North Carolina Department of Transportation Division of Highways. All aye.

**Approve Board Appointments.**

Upon motion by Mayor Peterman, second by Council Member Albright, the Council voted unanimously to reappoint the following individuals to serve another term in accordance with the term limits set by each Board:

**ABC Board:**

Robert Sykes            2014

**Board of Adjustments:**

John Harrington        2014

**Appearance Commission:**

Katherine Bayliff       2015

**Graham Housing Auth:**

Charles Jeffries        2016

**Planning and Zoning:**

Ricky Hall                2016  
Dean Ward                2016

**Recreation Commission:**

Griffin McClure        2014  
Tracy Hart                2014  
Phillip Ortega            2014

**Graham Hist. Museum:**

Linda Stewart            2014  
Bill Teer                  2014

**Items Not Included on Tonight's Agenda**

City Manager Rollins informed Council that he would scan and submit to each of them via email all of the ABC Board Budget Items he had received.

The Council reached a consensus to have the July Regular Session Council meeting on July 5, 2011.

Council Member Euliss addressed the Alamance News reporter advising that he found the recent article about a Graham police officer to be very disturbing.

City Attorney Whited advised that he would not be present at the July 5, 2011 Regular Session Council meeting due to vacation.

Mayor Peterman announced that the Council would do City Manager Rollins yearly evaluation at the July 7, 2011 Council meeting. City Attorney Whited would have his yearly evaluation at the August 2011 Regular Session meeting.

There being no further business at 7:58 p.m. Council Member Euliss moved to adjourn, second by Council Member Albright, all aye.

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Kimberly Harris, City Clerk