**CITY OF GRAHAM**

**REGULAR SESSION**

**TUESDAY, JANUARY 6, 2015**

**7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, January 6, 2015,in the Council Chambers of the Municipal Building located at 201 South Main Street.

**Council Members Present:** **Also Present:**

Mayor Jerry Peterman Frankie Maness, City Manager

Mayor Pro Tem Jimmy Linens Darcy Sperry, City Clerk

Council Member Jim Albright Melissa Guilbeau, City Planner

Council Member Lee Kimrey Jimmy Lloyd, Chief Code Enforcement Officer

Sandra King, Finance Officer

**Council Members Absent:**

Council Member Chip Turner

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Mayor Pro Tem Jimmy Linens gave the invocation and everyone stood to recite the Pledge of Allegiance.

# **Oath of Office – City Clerk**

Mayor Peterman administered the Ceremonial Oath of Office to Darcy Sperry, City Clerk.

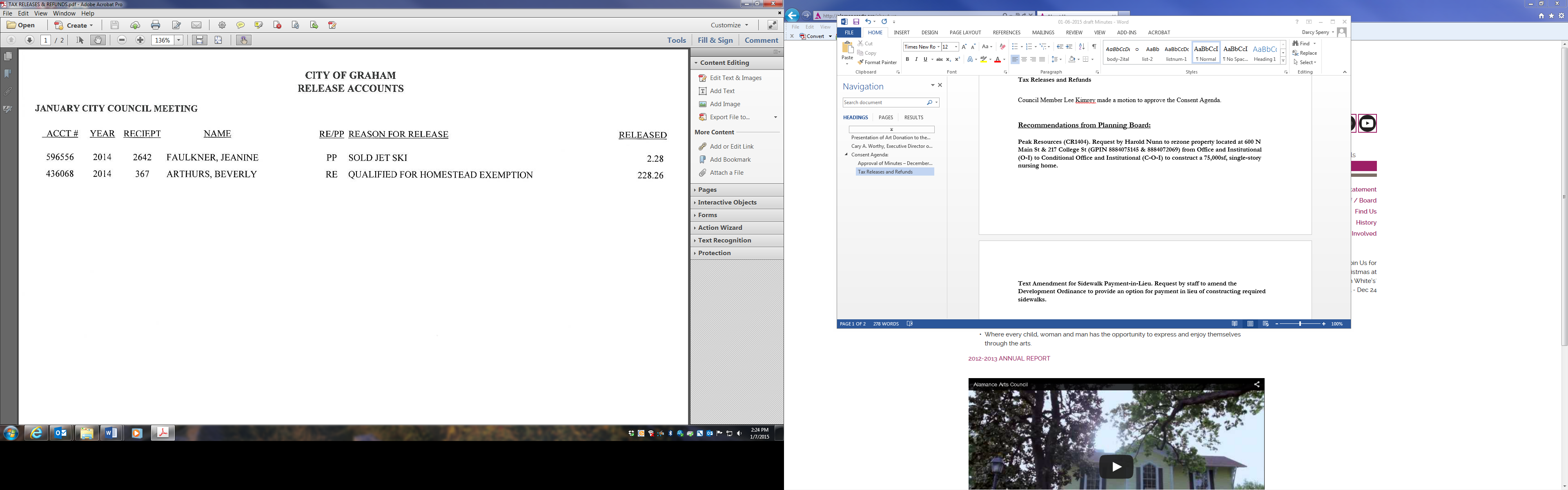
# **Presentation of Art Donation to the City**

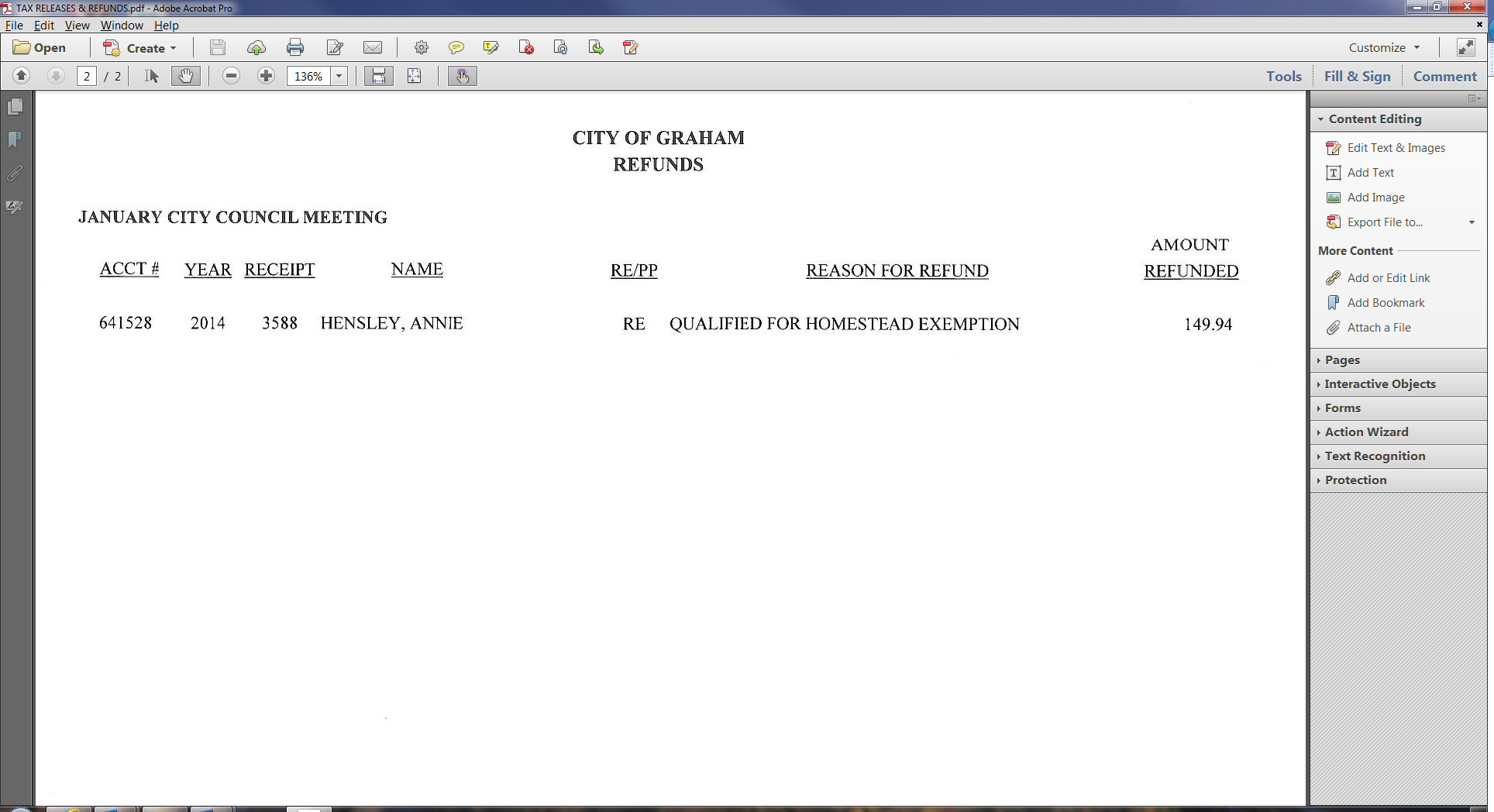
Cary A. Worthy, Executive Director of The Alamance County Arts Council, presented the City of Graham a donation of artwork from the Alamance Arts Council. The piece, “Moby” by Mike Roig, will be placed in front of the Graham Public Library.

# **Consent Agenda:**

## *Approval of Minutes – December 2, 2014 Regular Session.*

## *Tax Releases and Refunds*





Council Member Lee Kimrey made a motion to approve the Consent Agenda, seconded by Council Member Jim Albright. All voted in favor of the motion.

# **Recommendations from Planning Board:**

## *Public Hearing: Peak Resources (CR1404). Request by Harold Nunn to rezone property located at 600 N Main St & 217 College St (GPIN 8884075145 & 8884072069) from Office and Institutional (O-I) to Conditional Office and Institutional (C-O-I) to construct a 75,000sf, single-story nursing home.*

Mayor Peterman informed the Council that Peak Resources had requested their item be pulled from the Agenda to allow additional time to look into stormwater concerns. Mayor Peterman asked for a motion to continue the hearing. Mayor Pro Tem Jimmy Linens made the motion as requested, seconded by Council Member Kimrey. All voted in favor of the motion.

## *Public Hearing: Text Amendment for Sidewalk Payment-in-Lieu. Request by staff to amend the Development Ordinance to provide an option for payment in lieu of constructing required sidewalks.*

City Planner Melissa Guilbeau explained that we currently require some developments to construct sidewalks, namely the ones in the overlay districts. She further explained that this would provide that if there were certain site characteristics that make constructing that sidewalk difficult, the developer could make a payment to the City in an amount equal to the value of construction for that developer instead of constructing the sidewalk. Council Members discussed between themselves, City Manager Frankie Maness and Ms. Guilbeau the potential benefits, drawbacks and other options to developers and the City pursuant to this Text Amendment.

Mayor Peterman opened the Public Hearing. No comments were forthcoming and the Public Hearing was closed.

Council Member Kimrey made the motion that the application be denied and that the application is not consistent with the City of Graham Growth Management Plan 2000-2020, seconded by Council Member Linens. Ayes: Council Member Kimrey and Mayor Pro Tem Linens Nays: Mayor Peterman and Council Member Albright. Motion failed 2:2.

Council Member Albright then made the motion that the application be approved and that the application is consistent with the City of Graham Growth Management Plan 2000-2020, seconded by Mayor Peterman. Ayes: Council Member Albright, Mayor Peterman and Mayor Pro Tem Linens Nays: Council Member Kimrey. Motion carried 3:1.

# **Audit Presentation**

Mayor Peterman called Becky Loy with Cobb Ezekiel Loy & Company P.A. to speak on the City’s Audit report for Fiscal Year 2013-2014. Ms. Loy gave an overview of the financial condition of the General, Water/Sewer, and Garage Funds of the City. She commented that on an operational basis, all three funds had revenues in excess of expenditures for the first time in many years but cautioned the Council to be mindful of fund balance expenditures. Ms. Loy explained that there were two findings this year in the Audit but that the City received an unmodified opinion, the cleanest and best opinion. Ms. Loy explained that the first finding was a missed billing to which procedures have since been put in place to ensure that does not happen again. The second finding was in Capitalization of Assets where multiple assets had not been recorded properly. She stated there were no disagreements with management and no indications of fraud were observed.

# **Issues Not Included on Tonight’s Agenda**

Council Member Kimrey suggested that the Council discuss the possibility of getting City Manager Maness some assistance. Mayor Peterman asked for City Manager Maness to make a staff recommendation on the February 2015 City Council Agenda.

At 8:08 p.m. Council Member Kimrey made a motion to adjourn, seconded by Council Member Albright. All voted in favor of the motion.

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Darcy Sperry, City Clerk