

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, OCTOBER 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, October 6, 2015, 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 Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Melody Wiggins, Recreation & Parks Director
Brian Faucette, Recreation & Parks Supervisor
James Lloyd, Chief Code Enforcement Officer

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.

Consent Agenda:

- a. *Approval of Minutes – September 1, 2015 Regular Session*
- b. *Tax Releases & Refunds*


CITY OF GRAHAM RELEASE ACCOUNTS						
OCTOBER COUNCIL MEETING						
<u>ACCT #</u>	<u>YEAR</u>	<u>RECIPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR RELEASE</u>	<u>RELEASED</u>
41738	2015	1848	CRABTREE, DONNA ALLEN	RE	QUALIFIED FOR HOMESTEAD EXEMPTION	221.18
491475	2015	2656	FOOD LION LLC	PP	CORRECT VALUES - ALA CO	8.88
491475	2015	2659	FOOD LION LLC	PP	CORRECT VALUES - ALA CO	161.63
68151	2015	6657	SIMMONS ENGINEERING	PP	SOLD IN 2014 - 1988 CHEV MP	4.55
68151	2015	6656	SIMMONS ENGINEERING	PP	SOLD IN 2014 - 1989 GMC SUBURBAN	9.56
71379	2015	834	BRADSHAW, MICKEY LYNN	PP	DOUBLE LISTED JET SKI	3.69
507650	2015	261	ANDREWS, SAMUEL CRAIG	PP	DID NOT OWN JAN 2015 - 1990 SUNBIRD	6.51
380633	2015	2214	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	11.45
380633	2014	6165	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	11.44
380633	2013	6190	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	11.06
380633	2012	6217	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	12.83
380633	2011	6163	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	14.79
380633	2010	6200	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	17.83
380633	2009	6163	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	22.16

CITY OF GRAHAM REFUNDS						
OCTOBER COUNCIL MEETING						
ACCT#	YEAR	RECEIPT	NAME	RE/PP	REASON FOR REFUND	AMOUNT REFUNDED
380633	2008	6163	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	(28.25)

c. Boards & Commissions Appointments

Memorandum

To: Graham City Council
cc: Frankie Maness
From: Darcy Sperry
Date: 10/6/2015
Re: Boards and Commissions Vacancies and Requests for Appointments



New Appointments

<u>Board</u>	<u>Name</u>	<u>Term Expiration Date</u>
Graham Appearance Commission	Bonnie Hutchinson	6/30/2019
Graham Historical Museum	Rebecca Holmes	6/30/2018

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

Presentation from Impact Alamance

Graham Recreation & Parks Director Melody Wiggins announced that the Friends of Graham Recreation and Parks has received a two-year, two hundred and fifty thousand dollar (\$250,000) grant from Impact Alamance to support the development of the new regional Graham Recreation Complex on Jim Minor Road. She added that the donation will be used specifically for the natural playground and the youth challenge course.

Impact Alamance President, Ms. Tracey Grayzer, 104 Old Well Drive Elon, NC, stated that Impact Alamance is very excited about the investment they are making within the City of Graham. Ms. Grayzer added that they feel this project is a great fit for them and follows their healthy kid’s priority area, which is to build healthy environments for children and families.

By consensus, the City Council agreed to name the youth challenge course, the Impact Alamance Challenge Course.

Award Bid for Senator Ralph Scott Parkway Extension

City Manager Frankie Maness explained that on Friday, October 2, 2015, we opened sealed bids for the roadway construction portion of the project to extend approximately forty-four hundred feet (4,400') of roadway to serve the North Carolina Commerce Park (NCCP). Mr. Maness stated that four (4) bids were received and the low bid of \$1,796,301 was from Triangle Grading & Paving, Inc. of Burlington, NC. He advised that this is a unit priced contract, meaning the total amount of the contract could go up or down.

After discussing the possible cost(s) associated with removing the dirt pile left behind by the NCDOT with Mr. Franz Holt, of Alley, Williams, Carmen & King, Council Member Kimrey made the motion we award the contract to Triangle Grading & Paving in the amount of \$1,796,301 for the Senator Ralph Scott Parkway extension, subject to final easement acquisition and permit approvals, seconded by Council Member Turner. All voted in favor of the motion.

Consider Participation in a Graham Route for Link Transit

Mr. Maness explained that this agenda item is intended to ask our City Council to revisit the fixed route bus system that the City of Burlington and the Town of Gibsonville have started. He stated the City Council considered participation in the fixed route bus system that included a Graham route in early 2014 and indicated its intentions to forgo participation. He added that since that time, other community partners and local governments have been working to investigate a route to include Graham destinations in the overall system. Mr. Maness advised that Alamance County, ACC, United Way, the Hayden-Harman Foundation and the City of Burlington are among those expressing interest in participating as partners in a Graham route. Estimates for initial annual operating costs to the partners for a Graham route are one hundred twenty thousand dollars (\$120,000), with Graham's share being approximately twenty-five thousand dollars (\$25,000).

The following individuals spoke in favor of Graham's participation in a fixed route bus system:

Mr. Harold Owen, 223 Engleman Avenue Burlington, NC
 Mr. John Thorpe, 624 W. 8th Street
 Dr. Algie Gatewood, 1247 Jimmie Kerr Road Graham, NC
 Mr. Patrick Harman, 1214 Woodland Place High Point, NC
 Ms. Heidi Norwick, 206 Gurney Court Burlington, NC
 Mr. Brian Hayes, 210 North Court Graham, NC
 Ms. Katharine Frasier, 1837 Alco Street Graham, NC
 Mr. Steve Sumner, 537 Woodland Drive Graham, NC

Council Member Jim Albright stated that a lot has happened since April 2014 when our Council decided not to participate in the fixed route bus system at a cost to our city of almost ninety-eight thousand dollars (\$98,000). He added that partnerships are formed when there are joint interests and is thankful that community partners (listed above) recognize how vitally important a Graham route is to the success of Link Transit. He went on to thank the City of Burlington for trying one last time to see if we would join the existing partners and support this proposed route.

Council Member Albright further stated that this is our time of opportunity to ensure that our citizens who have transportation barriers to employment, community services, schools, shopping, medical care, volunteering, entertainment and dining out have a chance to ride through these barriers and improve their lives as they are able to access and connect to their community.

Council Member Kimrey stated that the bigger question for him is not whether or not we want to participate but rather why we are being asked again. He went on to say that Council did not take this decision lightly when previously asked to participate. Council Member Kimrey went on to say that at that time, informational meetings and public hearings were held. He also mentioned that he personally went out and spoke to a lot of folks from different demographics throughout the City. He added that Council worked very hard to determine whether or not there was a need in the City of Graham based on the feedback they received from our residents. Council Member Kimrey stated that the overwhelming consensus he received was that now is not the time for us to have a bus transit system - the need wasn't there yet. He added that in talking to people in the community this time around, very few were aware that this was being proposed again. Council Member Kimrey said that as elected officials, Council represents the citizens of Graham and when people do speak, Council is their voice. He concluded by saying that people did speak and that was the vote he rendered when asked to decide whether Graham wanted to participate originally.

Mayor Peterman stated that this is going to happen whether or not Graham chooses to participate.

Mayor Pro Tem Linens expressed concern over the fairness of asking Graham residents to pay an extra tax for this service knowing that the County is going to tax them for it as well. He stated that he has struggled with this. He added that he is not against bus transit but he can't say he is for it now. He believes that somewhere down the road, more than five (5) or ten (10) percent of the population will need it. Mayor Pro Tem Linens said he understands that education is important but also believes that if someone wants to go to ACC, they will find a way to get there with or without a bus transit system. He reiterated what Council Member Kimrey said – Council represents the citizens of Graham.

Council Member Albright stated that some of the citizens that Council represents were at the previously held public hearing and while referring to his notes from that hearing, he stated that there were more citizens (mostly from Graham) who showed support during that advertised meeting than those who spoke against it. He added that we are spending a lot of money in a lot of different places and we have the opportunity to make a twenty-five thousand dollar (\$25,000) investment which would have buses coming in and out of Graham bringing business into Graham. He stated that if approved, Council will have the opportunity to re-evaluate participation after one (1) year and can decide to pull out if they feel it's not working.

Mayor Peterman stated that it's not about the money. He said Council did do their homework. He told of riding buses in various cities much larger than Graham where he and his wife were the only two (2) people on the bus.

He agreed with what Council Member Kimrey and Mayor Pro Tem Linens said – that the residents he has spoken with have overwhelmingly said they do not want this bus system.

Council Member Albright made the motion we participate in the Link Transit system and work towards implementation of a Graham route. Being no second, Mayor Peterman stated that the motion dies for lack of a second.

Resolution Authorizing the City Manager and Finance Officer the Authority to Determine and Dispose of Surplus Personal Property

Mr. Maness explained that this item is an attempt to streamline the way we dispose of the City's personal property. He added that this resolution would allow for the City Manager and/or Finance Officer to dispose of personal property values at less than thirty thousand dollars (\$30,000) as part of the normal administrative process via GovDeals.com. Mr. Maness added that the City of Graham has an ongoing need to dispose of surplus property throughout the year as equipment is replaced or taken out of service and could benefit from a more efficient process.

Council Members discussed with Mr. Maness about the possibility of publishing this or providing a link on the City's website so that people will be able to see items being disposed of. Mr. Maness said that would not be a problem. He further stated that all items disposed of by the City have to be accounted for through our asset program through our finance department.

Being no further discussion, Council Member Turner made the motion we approve the Resolution Authorizing the City Manager and Finance Officer the Authority to Determine and Dispose of Surplus Personal Property, seconded by Council Member Kimrey. All voted in favor of the motion.

**RESOLUTION AUTHORIZING THE CITY MANAGER AND FINANCE OFFICER
THE AUTHORITY TO DETERMINE AND DISPOSE OF SURPLUS PERSONAL
PROPERTY**

WHEREAS, The City of Graham desires to dispose of property determined to be surplus;

WHEREAS, G.S. 160A-266 allows a city council to adopt regulations prescribing procedures for disposing of personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items;

WHEREAS, regulations shall be designed to secure for the City fair market value for all property disposed of and to accomplish the disposal efficiently and economically;

WHEREAS, a council may authorize one or more city officials to declare surplus any personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items, to set its fair market value, and to convey title to the property for the city in accord with the regulations;

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

The City of Graham ("City") desires to dispose of surplus personal property valued at less than thirty thousand dollars (\$30,000) by appointing the City Manager and Finance Officer the officials responsible for declaring any personal property valued at less than thirty thousand dollars (\$30,000) as surplus, set its fair market value, and to convey title to the property for the City.

BE IT FURTHER RESOLVED, that the City Manager and Finance Officer shall keep a record of all property sold and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

Adopted this 6th day of October 2015.


Mayor Jerry Peterman

Attest:



Issues Not Included on Tonight's Agenda

Mr. Tony Cox, 3152 Mine Creek Road Burlington, NC, expressed concern for the way Alamance County elected officials treat people's constitutional rights.

Mr. Chuck Granger, 404 Stonehedge Drive Graham, NC, asked Council if anything could be done regarding the stop sign at Castle Drive and Stonehedge Drive. He indicated that people are not stopping at the stop sign at the end of Castle Drive and he fears that someone is going to get seriously hurt. Mayor Peterman said he will reach out to Mr. Keller (who handles the website for that neighborhood) and ask him to send out emails to the residents of that neighborhood. Mr. Maness said he will have the Police Department look into the matter.

Mayor Peterman introduced Mr. Aaron Holland as the new Assistant City Manager. Mr. Holland, who previously served as Graham's City Planner from 2007-2012, thanked Council and Mr. Maness for this opportunity and expressed his excitement to return to Graham.

City Attorney Keith Whited advised Council that the Sweepstakes case was dismissed in Superior Court yesterday (October 5, 2015), however, the plaintiff in the case has indicated that he plans to appeal the Court's decision.

Mr. Maness also welcomed Mr. Holland back to Graham and advised Council that with a lot of anticipation due to the recent threat of storms, Graham made out well.

Council Member Kimrey stated that there still seems to be confusion as to the start of this year's Christmas parade. Mayor Peterman stated that the parade is at 10:00 a.m. on the first Saturday in December. Council Member Kimrey referred to the recently released City Gram's advertisement stating it was at 6:00 p.m. that day. Mr. Maness stated that the time had been changed after the City Gram was printed. Mayor Peterman said the Graham Fire Department will have hot dogs and retired Fire Chief Kenneth Evans will be the Grand Marshal.

Council Member Kimrey made a formal request that the letter previously filed with the City Clerk in regards to who could assume the responsibilities of our City Manager in the event that our City Manager was absent be revoked. He made a formal request that the City's organizational chart put our new Assistant Manager in charge in the event that does occur. Mr. Maness advised that this will probably happen next week - when Mr. Holland officially begins work.

At 8:54 p.m. Mayor Pro Tem Linens made a motion to adjourn, seconded by Council Member Kimrey. All voted in favor of the motion.

Darcy Sperry, City Clerk