

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, APRIL 5, 2016
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, April 5, 2016, 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 Griffin McClure
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Nathan Page, City Planner
Keith Whited, City Attorney

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Council Member Chip Turner gave the invocation and everyone stood to recite the Pledge of Allegiance.

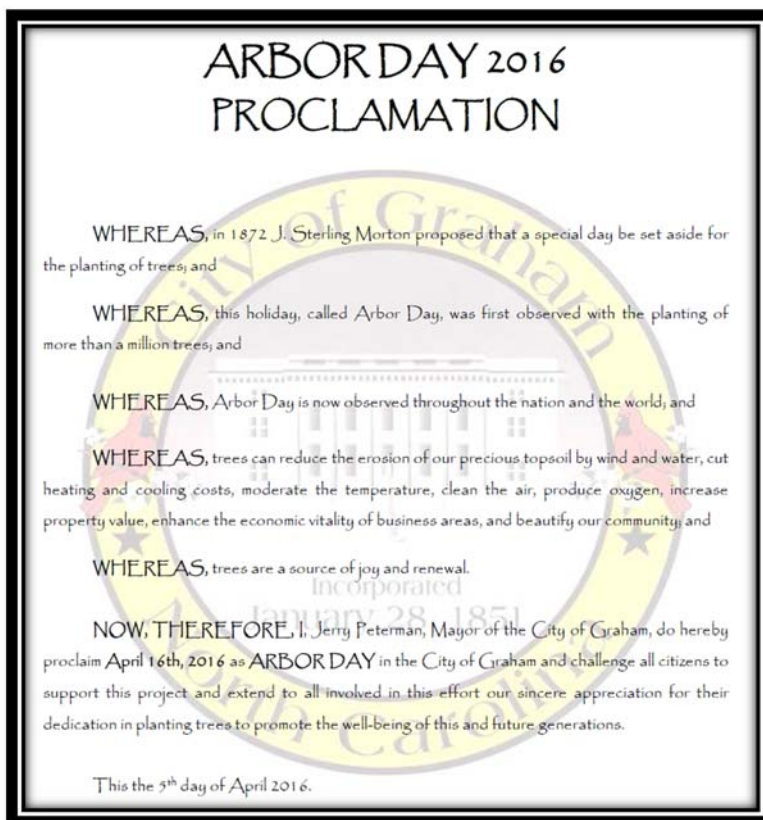
Honorary Presentations and Proclamations:

➤ ***Presentation by “B.O.K. Décor” – Graham Middle School Shark Tank Competition***

Mayor Peterman advised that due to a scheduling conflict, this presentation would be moved to the May 3, 2016 Council Meeting.

➤ ***2016 Arbor Day Proclamation***

Mayor Peterman presented the 2016 Arbor Day Proclamation to Ms. Elaine Murrin, Graham Appearance Commission Chairperson.



Consent Agenda:

- a. *Approval of Minutes – March 1, 2016 Regular Session*
- b. *Approval of Minutes – March 7, 2016 Special Session*
- c. *Approval of Minutes – April 4, 2016 Special Session*
- d. *Tax Releases*

CITY OF GRAHAM RELEASE ACCOUNTS						
APRIL 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>
146474	2014	3413	HANCOCK, JOHN LAWS	PP	SOLD BOAT 2013	10.91
146474	2014	3414	HANCOCK, JOHN LAWS	PP	SOLD BOAT MOTOR 2013	5.56
146474	2015	3219	HANCOCK, JOHN LAWS	PP	SOLD BOAT 2013	11.91
146474	2015	3220	HANCOCK, JOHN LAWS	PP	SOLD BOAT MOTOR 2013	3.88
501111	2014	6767	SHANNON, WILLIAM ALLEN	PP	BOAT LOCATED IN BURLINGTON	13.21
501111	2015	6538	SHANNON, WILLIAM ALLEN	PP	BOAT LOCATED IN BURLINGTON	13.21
552115	2014	5546	NEESE, ANNETTE JOY	PP	JET SKI SOLD 2013	2.10
552115	2014	5547	NEESE, ANNETTE JOY	PP	JET SKI SOLD 2013	2.10
552115	2015	5319	NEESE, ANNETTE JOY	PP	JET SKI SOLD 2013	2.10
552115	2015	5320	NEESE, ANNETTE JOY	PP	JET SKI SOLD 2013	2.10
558970	2012	73	ADAMSKI, CHRISTOPHER RYAN	PP	MOVED 2011 TO VA, ALA CO NEVER SENT RELEASE	15.83
558970	2012	74	ADAMSKI, CHRISTOPHER RYAN	PP	MOVED 2011 TO VA, ALA CO NEVER SENT RELEASE	18.49
558970	2013	63	ADAMSKI, CHRISTOPHER RYAN	PP	MOVED 2011 TO VA, ALA CO NEVER SENT RELEASE	15.83
558970	2013	64	ADAMSKI, CHRISTOPHER RYAN	PP	MOVED 2011 TO VA, ALA CO NEVER SENT RELEASE	16.60
558970	2013	65	ADAMSKI, CHRISTOPHER RYAN	PP	MOVED 2011 TO VA, ALA CO NEVER SENT RELEASE	16.60
558338	2015	2460	EVERGREEN HOLDINGS GROUP	PP	LISTED IN WRONG FIRE DISTRICT	5.93
644539	2014	7250	STEINS, JERRY CHARLES	PP	DID NOT OWN BOAT JAN 1 2014	6.85
644539	2015	6960	STEINS, JERRY CHARLES	PP	DID NOT OWN BOAT JAN 1 2014	8.34
644601	2014	8297	WILLIAMS, RICKY LYNN	PP	BOAT LOCATED IN BURLINGTON	9.15
644601	2015	7987	WILLIAMS, RICKY LYNN	PP	BOAT LOCATED IN BURLINGTON	7.01
TOTAL RELEASES						187.71

- e. *Request from the Graham Recreation and Parks Department to close the 100 block of W. Elm Street from 5:00 p.m. – 11:00 p.m. for the Thursday At Seven Concert Series on May 26, 2016, June 23, 2016, July 28, 2016, August 25, 2016, September 8, 2016 and September 22, 2016*
- f. *Boards & Commissions*
 - i. *Appointments to Tree Board*
 - ii. *Appointment to Appearance Commission*

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

Old Business:

- ***Public Hearing: Text Amendments for the City of Graham Development Ordinance***
- i. ***Future Development (AM1503)***

City Planner Nathan Page explained that this was a text amendment presented to Council last month requesting that a definition for “Future Development” to be added to the Development Ordinance. Per Council’s request last month, he researched and provided Council with definitions pertaining to “Future Development” from neighboring municipalities.

Council Member Lee Kimrey expressed concern about the definition including “storage of materials” – stating that he believes this is already covered in our Code of Ordinances Chapter 12, Article III, Sec. 12-70 – Conditions declared a nuisance. City Manager Frankie Maness advised that removing this from the definition would make a decision less legislative and more discretionary and encouraged Council to look at more than just the nuisance side of things.

Mayor Peterman opened the public hearing. With no forthcoming comments, Mayor Peterman closed the public hearing.

Council Member Kimrey made a motion that the text amendment be approved with the following condition:

- Elimination of storage of materials;

And that the text amendment is consistent with The 2035 Graham Comprehensive Plan and this action is reasonable and in the public interest for the following reason: It’s in the best interest of the public for the City of Graham. Mayor Jerry Peterman seconded the motion and all voted in favor of the motion.

ii. Narrow Residential Road (AM1602)

Mr. Page explained that this item, also from last month, is still being researched and that Staff was requesting that this item be postponed to next month’s meeting. Mayor Peterman opened the public hearing. With no comments forthcoming, Mayor Peterman closed the public hearing.

Council Member Kimrey made a motion to postpone this item to next month’s meeting, seconded by Mayor Pro Tem Jimmy Linens. All voted in favor the motion.

Little Alamance Creek Restoration Update

Mr. Josh Johnson, City Engineer from Alley, Williams, Carmen & King, gave an overview of the creek highlighting the following:

- Where is the Watershed
- What are Benthic Macroinvertebrates
- Background
- Draft Total Maximum Daily Load in 2010
- 4b Plan in 2012
- 4b Plan Implementation
- Stream Cleanup

Council Members and Staff discussed with Mr. Johnson various issues that plague the creek, such as the effect nitrogen from fertilizer has on the creek and impairment from drought. Mr. Johnson said ultimately, the City needs to strengthen public education and participation.

Discussion of “Welcome to Graham” Sign

Mr. Maness advised that this sign has been in the works for the past twelve (12) years and that he entrusted this project to Assistant City Manager Aaron Holland to handle. Mr. Holland explained that he has worked with multiple sign companies to design a “Welcome to Graham” sign that would be approximately fourteen feet (14’) wide by eight feet (8’) tall consisting of two feet (2’) tall text.

Council Members expressed concern that this sign exceeds the size requirement for the Highway 54 Overlay District and about the cost of changing out some elements of the sign should the City choose to rebrand at some point in the future. Council Members stated that they feel the City shouldn't be able to do more than what we allow the public to do and that we should comply with the same rules. Mr. Maness advised that our Ordinance allows for some governmental exemptions and the City is permitted by right to have a sign of this size. By consensus, Council Members asked Staff look into revising the current Non-Conforming Sign Ordinances and the Sign Ordinances for Overlay Districts and then move onto revising the entire Sign Ordinance. In addition, Council asked Staff to table going forward with this new sign until that has been done. Mr. Maness advised that in light of this decision, he would not allow the already approved banners we were to hang along Main Street to be purchased.

Issues Not Included on Tonight's Agenda

Mr. Gary Evans, 141 E. Harden Street, Graham spoke on the recent notice of violation letter he received regarding the non-conforming sign at his business located at the above address. Mr. Maness asked Mr. Evans if he had gotten a permit for that sign. Mr. Evans said no he did not. Mr. Evans had installed a non-conforming sign without applying for a sign permit, resulting in the issuance of a notice of violation letter. Mr. Page advised that Mr. Evans had requested a sign permit for the existing pole sign, located in the East Harden Street/Highway 54 Overlay District, and based on our Sign Ordinance for that district, Mr. Page denied the application as presented. Mr. Evans stated that he appealed Mr. Page's decision to the Board of Adjustment and advised Council that the Board of Adjustment didn't vote on that appeal the night it was presented. Mayor Peterman advised Mr. Evans to consider submitting another notice to appeal and that all further enforcement action would cease until the Board of Adjustment rules on the matter.

Jay Martin, 405 Ivey Road, Graham thanked Mayor Peterman and Council Member McClure for organizing the Graham Public School Community Forum held on April 4, 2016 at the Graham Middle School. He urged City leaders to look outside the box and look at all ways to pull the community in and work together to better the Graham Schools.

Mayor Peterman followed up Mr. Martin's comments by saying that he was pleased with the turnout at the meeting and has already thought about changes that could be made to future forums that may be held. Council Members discussed that they feel Dr. William Harrison, Superintendent of the Alamance Burlington School System is listening to their concerns and are happy with some of the Dr. Harrison's proposed changes. Council Members reiterated Dr. Harrison's comments from the forum by saying that the proposed redistricting plan had undergone multiple changes thus far and will most likely undergo more changes before a final plan is submitted to the County Commissioners to vote on later this year.

At 9:27 p.m. Council Member Kimrey made a motion to adjourn, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

Darcy Sperry, City Clerk