

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, MAY 3, 2016
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, May 3, 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
Jeff Prichard, Police Chief
Kristen Herndon, Recreation Program Supervisor

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.

Honorary Presentations and Proclamations:

➤ ***Presentation by “B.O.K. Décor” – Graham Middle School Shark Tank Competition***
Graham Middle School Teacher, Mrs. Beth Estes, gave a brief overview of the competition held recently and stated that the competition was based on the popular television show “Shark Tank”. Winning team members Blessing Wade, Olivia Summers and Katie Gomez explained how they created a prototype of a product and service that will enhance the waiting area of the Graham Middle School. Following the presentation, Mayor Peterman advised that he and his fellow Council Members would like to make a financial donation to the B.O.K. Décor team to help make their vision a reality. Mayor Peterman presented the team with one hundred dollars (\$100) and challenged those in attendance to commit to helping as well.

➤ ***National Police Week Proclamation***

Mayor Peterman presented the National Police Week Proclamation to Graham Police Chief Jeff Prichard. Chief Prichard thanked Council and also invited everyone to attend the Fallen Heroes Memorial Service to be held on May 19, 2016 at 11:00 a.m.

Proclamation Recognizing May 15 – May 21, 2016 as National Police Week

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the 38 dedicated members of the Graham Police Department; and

WHEREAS, nearly 50,000 assaults against law enforcement officers are reported each year, resulting in approximately 15,000 injuries; and

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS, 252 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 123 officers killed in 2015 and 129 officers killed in previous years; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 28th Annual Candlelight Vigil, on the evening of May 13, 2016; and

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year from May 15th to May 21st; and

WHEREAS, May 15th is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

THEREFORE, I, Jerry Peterman, Mayor of the City of Graham, do hereby proclaim May 15 – May 21, 2016, as "National Police Week" in the City of Graham, North Carolina and publicly salute the service of law enforcement officers in our community and in communities across the nation.

This the 3rd day of May 2016.

➤ *2016 Food Allergy Awareness Week Proclamation*

Mayor Peterman presented the 2016 Food Allergy Awareness Week Proclamation to Mr. David Stephens and proclaimed May 8, 2016-May 14, 2016 as Food Allergy Awareness week in the City of Graham. Mr. Stephens thanked the Council and invited everyone to attend a free event to bring awareness to food allergies at the Children's Museum of Alamance County on May 14, 2016.

Proclamation Recognizing Food Allergy Awareness Week

WHEREAS, as many as 15 million Americans have food allergies; nearly 6 million are children under the age of 18; and

WHEREAS, research shows that the prevalence of food allergy is increasing among children; and

WHEREAS, eight foods cause the majority of all food allergy reactions in the U.S.: shellfish, fish, milk, eggs, tree nuts, peanuts, soy, and wheat; and

WHEREAS, symptoms of a food-allergic reaction can be subtle or severe and can include hives, vomiting, respiratory distress, and swelling of the throat; and

WHEREAS, according to the Centers for Disease Control and Prevention, food allergy results in more than 200,000 ambulatory care visits a year involving children under 18. Reactions typically occur when an individual unknowingly eats a food containing an ingredient to which they are allergic; and

WHEREAS, it is very likely that school age children and parents of school age children will be involved with and interact with children who have food allergies; and

WHEREAS, there is no cure for food allergy, and scientists do not understand why. Strict avoidance of the offending food is the only way to prevent an allergic reaction; and

WHEREAS, anaphylaxis is a serious allergic reaction that is rapid in onset and may cause death; and

WHEREAS, education and information is made available by organizations such as the Food Allergy Research & Education (FARE), a national, nonprofit organization dedicated to improving the quality of life and the health of individuals with food allergies, and to provide them hope through the promise of new treatments; and

NOW, THEREFORE, I, Jerry Peterman, Mayor of the City of Graham, do hereby proclaim May 8 – May 14, 2016 as “Food Allergy Awareness Week” in the City of Graham, North Carolina, and call upon all citizens, community agencies and businesses to increase their understanding and awareness of food allergies and anaphylaxis by visiting www.foodallergyweek.org.

This the 3rd day of May 2016.

Consent Agenda:

- a. *Approval of Minutes – April 5, 2016 Regular Session*
- b. *Tax Releases*

CITY OF GRAHAM RELEASE ACCOUNTS

MAY COUNCIL MEETING

| <u>ACCT #</u> | <u>YEAR</u> | <u>RECEIPT</u> | <u>NAME</u> | <u>RE/PP</u> | <u>REASON FOR RELEASE</u> | <u>RELEASED</u> |
|---------------|-------------|----------------|----------------------------|--------------|-------------------------------------|-----------------|
| 153645 | 2014 | 4908 | MARTIN, NANCY BOOKOUT | PP | SOLD BOAT 3 YRS AGO. OWNER DECEASED | 5.51 |
| 153645 | 2014 | 4909 | MARTIN, NANCY BOOKOUT | PP | SOLD BOAT 3 YRS AGO. OWNER DECEASED | 2.55 |
| 558936 | 2015 | 1049 | BUNTING, JENNIFER MITCHELL | PP | DID NOT OWN BOAT JAN 2015 | 13.11 |
| 644656 | 2015 | 1840 | COX, JASON MONROE | PP | DID NOT OWN BOAT JAN 2015 | 95.35 |

c. Request from the Graham Police and the Graham Parks and Recreation Departments to close North Main, South Main, East Elm and West Elm Streets in the Downtown Business District on October 28, 2016 from 5:00p.m.-10:00p.m. for a Halloween Festival

Mayor Peterman asked that item “c. Request from the Graham Police and the Graham Parks and Recreation Departments” be pulled from the Consent Agenda.

Council Member Chip Turner made a motion to approve items “a” and “b” on the Consent Agenda, seconded by Mayor Pro Tem Jimmy Linens. All voted in favor of the motion.

Mayor Peterman asked Lieutenant Duane Flood from the Graham Police Department and Graham Recreation and Parks Program Supervisor Kristen Herndon to speak about foregoing their individual department events in favor of one large event including live music in the downtown area. Council asked if there is a rain date scheduled and Ms. Herndon advised that the rain date is currently scheduled for October 31, 2016. Mayor Peterman asked City Manager Frankie Maness if we would have get approval from NCDOT to close North and South Main Streets. Mr. Maness advised that we would need concurrence from DOT to close North and South Main Streets but that Council can approve to close East and West Elm Streets. Lieutenant Flood added that if DOT does not approve their request to close North and South Main Streets, the event would be scaled back and be held in the parking lot here at City Hall.

Mayor Pro Tem Linens made a motion to approve item “c” on the Consent Agenda, seconded by Council Member Turner. All voted in favor of the motion.

Requests and Petitions of Citizens:

a. Petition for Voluntary Contiguous Annexation on Rogers Road (AN1601):

City Planner Nathan Page explained that this is an application to annex a contiguous lot on Rogers Road into the City of Graham. Mr. Page added that this is the first step in the annexation process which would require approval of the following:

- i. Approve Resolution requesting City Clerk to Investigate the Sufficiency.
- ii. Approve Resolution fixing date of Public Hearing on Question of Annexation.

Council Member Griffin McClure made the motion to approve the Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31 for Property on Rogers Road, seconded by Council Member Lee Kimrey. All voted in favor of the motion.

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31
FOR PROPERTY ON ROGERS ROAD**

WHEREAS, a petition requesting annexation of an area described in said petition was received on April 27, 2016, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Graham deems it advisable to proceed in response to this request for annexation.

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

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.


Gerald R. Peterman, Mayor

ATTEST:

Darcy L. Sperry, City Clerk

Council Member Kimrey made the motion to approve the Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for Property on Rogers Road – the date being June 7, 2016, seconded by Council Member Turner. All voted in favor of the motion.

**RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31
FOR PROPERTY ON ROGERS ROAD**

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the area described herein will be held at the City Hall, 201 S. Main Street, Graham, NC at 7:00pm on June 7, 2016

Section 2. The area proposed for annexation is described as follows:

ALL of that certain piece, parcel or tract of land lying and being in the City of Graham, Graham Township, Alamance County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing 5/8" iron rod at the northeast corner of Bradley H. Qualls and Stacy H. Qualls, either now or formerly, as described in instrument recorded in Deed Book 3254, Page 130, in the Alamance County Registry (the "Qualls Property"); said point being, North 50 deg. 01 min. 56 sec. East 21.66 feet to an existing iron pipe and South 86 deg. 18 min. 22 sec. East 512.65 feet from an existing iron pipe in the eastern margin of Rogers Road, a 60' public right-of-way, said point being South 01 deg. 28 min. 55 sec. West 1281.94 feet from a published NCGS monument, "Lacy" and having NAD 83\2011 coordinates of, Northing = 829,089.634 and Easting = 1,878,148.730; and thence from the Point of Beginning and running in a northerly direction with the Qualls Property and Daniel S. Lester and Shaharazad Lester, either now or formerly, as described in instrument recorded in Deed Book 1003, Page 0343, in the Alamance County Registry (the "Lester Property"), the following five (5) courses and distances: (i) North 86 deg. 18 min. 22 sec. West 127.05 feet to an existing iron pipe; (ii) North 67 deg. 45 min. 39 sec. West 188.56 feet to an existing iron pipe; (iii) North 03 deg. 50 min. 39 sec. East 369.75 feet to an existing iron pipe; (iv) North 67 deg. 58 min. 45 sec. West 47.89 feet to a point; (v) North 86 deg. 14 min. 03 sec. West 174.54 feet to a point on the eastern margin of Rogers Road; thence with the eastern margin of Rogers Road, North 04 deg. 00 min. 29 sec. East 509.94 feet to a new iron pipe, the southwest corner of James M. Alcon and Lisa M. Alcon, either now or formerly, as described in instrument recorded in Deed Book 1043, Page 955, in the Alamance County Registry (the "Alcon Property"); thence leaving the eastern margin of Rogers Road and with the line of the Alcon Property, the following four (4) courses and distances: (i) South 70 deg. 41 min. 25 sec. East 228.30 feet to an existing iron pipe; (ii) North 04 deg. 01 min. 01 sec. East 196.06 feet to an existing iron pipe; (iii) along a curve to the left having a radius of 241.02 feet with an arc distance of 219.46 feet and said arc being subtended by a chord having a course and distance of North 59 deg. 48 min. 41 sec. West 211.95 feet to an existing iron pipe; (iv) North 85 deg. 48 min. 20 sec. West 29.76 feet to an existing nail in the eastern margin of Rogers Road; thence with the eastern margin of Rogers Road, North 03 deg. 39 min. 47 sec. East 50.00 feet to a point, the southwest corner of Ernest Mims, Jr. and Geraldine Mims, either now or formerly, as described in instrument recorded in Deed Book 2793, Page 461, in the Alamance County Registry (the "Mims Property"); thence leaving the eastern margin of Rogers Road and with the line of the Mims Property, the following four (4) courses and distances: (i) South 85 deg. 48 min. 20 sec. East 30.34 feet to an existing iron pipe; (ii) along a curve to the right having a radius of 291.02 feet with an arc distance of

153.54 feet and said arc being subtended by a chord having a course and distance of South 70 deg. 40 min. 59 sec. East 151.77 feet to an existing iron pipe; (iii) North 34 deg. 27 min. 49 sec. East 46.45 feet to an existing iron pipe; (iv) North 04 deg. 10 min. 57 sec. East 169.91 feet to an existing iron pipe, the southeast corner of Cecil W. Eakes and Kristi L. Eakes, either now or formerly, as described in instrument recorded in Deed Book 2728, Page 926, in the Alamance County Registry (the "Eakes Property"); thence with the eastern line of the Eakes Property North 04 deg. 10 min. 37 sec. East 83.38 feet to an existing iron pipe, in the southern line of Stephen M. Rogers, Nancy R. Lindsay, George C. Rogers, Jr. and Elizabeth R. Gatto, either now or formerly, as described in instrument recorded in Deed Book 550, Page 473, in the Alamance County Registry (the "Rogers Property"); thence with the southern line of the Rogers Property the following four (4) courses and distances: (i) South 51 deg. 51 min. 52 sec. East 726.37 feet to an existing stone; (ii) South 03 deg. 19 min. 42 sec. East 1319.33 feet to an existing iron pipe; (iii) North 76 deg. 46 min. 40 sec. East 660.21 feet to an existing iron pipe; (iv) South 29 deg. 17 min. 27 sec. East 1197.90 feet, passing over an existing iron pipe at 1029.99 to a point on the northern bank of Big Alamance Creek; thence along the northern bank of Big Alamance Creek, the following four (4) courses and distances: (i) South 84 deg. 17 min. 00 sec. West 302.37 feet to a point; (ii) South 80 deg. 42 min. 07 sec. West 236.25 feet to a point; (iii) South 74 deg. 26 min. 40 sec. West 427.35 feet to a point; (iv) South 55 deg. 24 min. 02 sec. West 239.86 feet to a point in the northern line of Joseph E. Frazier and Dian R. Frazier, either now or formerly, as described in instrument recorded in Deed Book 942, Page 175, in the Alamance County Registry (the "Frazier Property"); thence with the northern line of the Frazier Property North 43 deg. 01 min. 12 sec. West 770.00 to the southeast terminus of Cesar Court, a un-improved 60' public right-of-way; thence with the terminus, North 42 deg. 48 min. 44 sec. West 59.90 feet to the northeast corner of John M. Hall, either now or formerly, as described in instrument recorded in Deed Book 3183, Page 811, in the Alamance County Registry (the "Hall Property"); thence with the northern line of the Hall Property the following two (2) courses and distances: (i) North 43 deg. 07 min. 17 sec. West 195.44 feet to an existing iron pipe; (ii) North 47 deg. 13 min. 29 sec. West 80.64 feet to an existing iron pipe, the southeast corner of the Qualls Property; thence with the eastern line of the Qualls Property, North 20 deg. 13 min. 37 sec. East 714.41 feet to the Point and Place of Beginning and containing 59.763 acres more or less.

Section 3. Notice of the public hearing shall be published once in The Alamance News, a newspaper having general circulation in the City of Graham, at least ten (10) days prior to the date of the public hearing.


Gerald R. Peterman, Mayor

ATTEST:

Darcy L. Sperry, City Clerk

Recommendations from Planning Board:

a. **Public Hearing: Rogers Contractor (CR1602).** *This is a request from Charles Terry to rezone property at 1129 Rogers Road from R-12 to C-B*

Mr. Page explained that the applicant is proposing to use the place where he lives as his business. He reminded Council that with this application, they have the ability to place conditions on rezoning.

Council Members inquired with Mr. Page and City Attorney Keith Whited as to the definition of spot zoning. Both gentlemen stated that they felt that if this request was approved, it would fall under the category of spot zoning. With no further discussion, Mayor Peterman opened the Public Hearing.

Mr. Andy Shanklin, 1129 Rogers Road Graham, stepped forward to speak to the Council. Mr. Shanklin is the tenant at the property requesting the rezoning and is currently using the property for his home business. He told Council that he has made several improvements to the property to help with water drainage and by doing so, has improved water drainage for neighboring properties as well. He added that his customers don't actually come to the property.

Council Members expressed concern with the amount of equipment being kept on the property without being enclosed by a garage or building.

Additionally, Council Members admitted that while they believe Mr. Shanklin has good intentions with improving the property, it certainly appears that he has exceeded the accessory use for a residentially zoned property and has gone beyond what our Ordinance allows for a home occupation. Mr. Shanklin told Council that if given more time, he's planning on installing a privacy fence which will not allow for any of the equipment on the property to be seen. Mr. Maness explained to Mr. Shanklin that the Council is a Legislative body and that enforcement of the City's Ordinances is done by the Zoning Enforcement Officer. He suggested that Mr. Shanklin speak to the City's Zoning Enforcement Officer to determine how best to bring the property into compliance.

Ms. Rebecca Fecher, 207 Aloha Drive Graham, stepped forward in support of Mr. Shanklin.

With no further comments forthcoming, Mayor Peterman closed the Public Hearing.

Mayor Pro Tem Linens made a motion that the application be denied, that the application is not fully consistent with The Graham 2035 Comprehensive Plan and this action is reasonable and in the public interest because the development has grown beyond the scope of what the Development Ordinance permits as a home occupation, the business shall now move into a zone more suitable for the storage of gravel, dump trucks and bulldozers. Council Member Kimrey seconded the motion and all voted in favor of the motion.

b. Public Hearing: Text Amendments for the City of Graham Development Ordinances:

i. Tree Cutting Permit (AM1607)

Mr. Page explained that this request is to change Section 10.312 from what currently says "no license shall be required of any public service company or city employee" to "no license shall be required of any public service company, city employee or contractor hired by the city".

Council Members and Staff discussed City policy with regards to having a contractor's certificate of insurance on file. Mr. Maness stated that this amendment is an attempt to align our Ordinances with current practice. He added that our Finance Department receives certificates of insurance on an annual basis.

Mayor Peterman opened the Public Hearing and with no comments forthcoming, Mayor Peterman closed the Public Hearing.

Council Member McClure made a motion that the text amendment be approved and that the text amendment is consistent with The Graham 2035 Comprehensive Plan. Council Member Turner seconded the motion and all voted in favor of the motion.

b. Public Hearing: Text Amendments for the City of Graham Development Ordinances:

ii. B-1 District Uses (AM1609)

Mr. Page explained that this request changes the uses permitted in the Downtown Business District by removing automobile accessory and supply sales, automobile body and fender repair conducted within completely enclosed building, automobile dealers (new and used), automobile rental or leasing, automobile repair shops, not including body or fender repair, convenience store (with gasoline pumps), drive in restaurants, equipment rental and leasing (no outside storage), insurance agency (with on site claims inspections), lodges, civic and social clubs, medical or dental laboratory, motor vehicle sales (new and used), motorcycle sales, recreational vehicle sales, restaurant (with drive-thru), service station (provided not gas or oil pump or concession is located within 15 feet of a property line unless within a building, tire recapping and retreading (accessory use) and tire sales.

Mr. Page added that this request is to also align with the North Carolina General Statutes regarding the distances bars must be from churches and schools.

Both Mayor Peterman and Mayor Pro Tem Linens disclosed that they have a brother-in-law who owns a used car dealership in the Downtown Business District and asked Council if they felt that they should recuse themselves from this agenda item. Council Members determined that with there being no financial interest for either Council Member, that recusal was not necessary.

Council Members expressed concern with the removal of medical and dental laboratories and lodges, civic and social clubs. Mr. Page explained that the removal of the medical and dental laboratories was based on the frequency by which people would be entering and exiting that location. He added that a business of this type would be entirely enclosed and have little interaction with downtown visitors, contradicting the vision set forth by The Graham 2035 Comprehensive Plan for the downtown area. Mr. Page stated that currently our Ordinance requires a minimum two (2) acre parcel for a lodge, civic and social club. Council Members and Staff discussed how current businesses who may fall under the requested removals would be allowed to continue to operate and be grandfathered in as non-conforming uses.

Mayor Peterman opened the Public Hearing. With no comments forthcoming, he closed the Public Hearing.

Council Member Kimrey made a motion that the text amendment be approved and that the text amendment is consistent with The Graham 2035 Comprehensive Plan and this action is reasonable and in the public interest because as declared in the 2035 Plan, policies 2.2.1 and 2.3.1 identify the downtown as a priority to improve walkability, entertainment and infill development. This amendment furthers those goals by discouraging large-lot users with low volumes of foot traffic. Mayor Pro Tem Linens seconded the motion and all voted in favor of the motion.

**b. Public Hearing: Text Amendments for the City of Graham Development Ordinances:
iii. Decommissioning of Cell Towers (AM1610)**

Mr. Page explained that this request adds “Prior to final approval of the Electrical Permit, a Decommissioning Plan (see definitions) shall be approved by the City” to Section 10.149 Special Uses Listed, Telecommunications Towers (Cellular, PCS, Radio, TV, etc.), Cessation in Use.

Following a brief discussion of how this would not affect the existing crown on the City’s water tower or the placement of antennae on utility poles, Mayor Peterman opened the Public Hearing. With no comments forthcoming, he closed the Public Hearing.

Council Member McClure made a motion that the text amendment is consistent with The Graham 2035 Comprehensive Plan, seconded by Council Member Turner. All voted in favor of the motion.

**b. Public Hearing: Text Amendments for the City of Graham Development Ordinances:
iv. Unified Business Development (AM1611)**

Mr. Page explained that these are two (2) potential amendments with option B adding Unified Business Development (UBD) to and allowing for more than one tenant in large heavy industrial zones. Mr. Page further explained that option A adds a UBD, Light and redefines our current UBD as UBD, Heavy. He added that when the anticipated traffic load is less than two hundred and fifty (250) vehicles per day, the approval for this UBD may be treated as a UBD, Light and be considered use by right by the City Planner or referred to Council as they so choose. However, if the traffic increases beyond this amount, or is anticipated to increase beyond this amount, the applicant must

come before the City Council to be approved or the parcel must have only one use. Mr. Page added that there is also a recommendation to remove automobile repair in the B-2 and I-1 Districts.

Council Members and Staff discussed screening requirements, appeal procedures for those who wish to appeal an administrative decision, whether it be denial or sending it to Council. Council Members also inquired as to how many current UBD's in the City of Graham that generate more than two hundred and fifty (250) vehicles per day. Mr. Page said he believed that number to be four (4). Mr. Page also stated that the way this is written, if he should recommend it goes before Council for a Special Use permit, it goes before Council. If he should deny a request for a UBD, the applicant may appeal the decision to the Board of Adjustment.

Mayor Peterman opened the Public Hearing and with no comments forthcoming, he closed the Public Hearing.

Council Member Turner made a motion that the text amendment be approved and that the text amendment is consistent with The Graham 2035 Comprehensive Plan and this action is reasonable and in the public interest because the proposed amendment permits the redevelopment of old, large mills on heavy industrial properties as well as adding automobile repair shops to our Unified Business Developments. Council Member McClure seconded the motion and all voted in favor of the motion.

Old Business:

a. Public Hearing: Text Amendments for the City of Graham Development Ordinance i. Narrow Residential Road (AM1602)

Mr. Page explained that this request is to bring our current Development Ordinance in line with North Carolina Fire Code. He added that this has the recommendation from the City Fire Chief as well as the City's Street Superintendent. Mr. Page highlighted that this would change the width of a street with curb and gutter to twenty four feet (24') and the typical right of way for Narrow Residential to forty seven feet (47').

Following discussion between Council and Staff, Mayor Peterman opened the Public Hearing. With no comments forthcoming, he closed the Public Hearing.

Council Member McClure made a motion that the text amendment be approved and that the text amendment is consistent with The Graham 2035 Comprehensive Plan and this action is reasonable and in the public interest for the following reason: being in accordance with the North Carolina Fire Code. Council Member Turner seconded the motion and all voted in favor of the motion.

Issues Not Included on Tonight's Agenda

Mr. Page read the letter from the Planning Board included with this month's agenda packet. In that letter, the Planning Board was requesting Council to increase the focus of City Staff and funds towards the downtown area. Mayor Peterman stated that Council would not take any action on this at this time, but asked Staff to formally prepare reports for each item in the letter and present them at next month's meeting.

Council Member McClure stated that the Graham Business Association has expressed concern about the lack of parking enforcement in the downtown area. Mr. Maness indicated that some of that is due to staffing levels.

Mr. Chuck Granger, 404 Stonehedge Drive Graham, stepped forward to express his concern over water meter reading dates, water pressure in his home, manholes on Main Street and vehicles not stopping at the stop sign located at the intersection of Castle Drive and Stonehedge Drive.

Assistant City Manager Aaron Holland advised that the Annual Stormwater Public Meeting is set for May 12, 2016 from 5:30p.m.-6:30p.m.

Mr. Maness reminded Council that the Budget Workshop will be held on May 17, 2016 at 5:00p.m.

Mayor Peterman mentioned the recent retirement of Mr. Jay Ashley of the Burlington Times News. He stated that he felt like the Council should pen a letter to Mr. Ashley and asked for a consensus to do so. Consensus was given.

Council Member Kimrey asked Mr. Maness to highlight the proposed Budget given to Council. Mr. Maness advised that the General Fund and Water Fund books look good and added that he is proposing the following:

- no tax increase
- increase in Water Department staffing levels
- increase in garbage rate from \$2.75 per month to \$3.00 per month
- Increase in stormwater rate from \$1.00 per month per household to \$2.00 per month per household

At 9:00 p.m. Council Member Turner made a motion to adjourn, seconded by Council Member McClure. All voted in favor of the motion.

Darcy Sperry, City Clerk