

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, NOVEMBER 1, 2016
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, November 1, 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

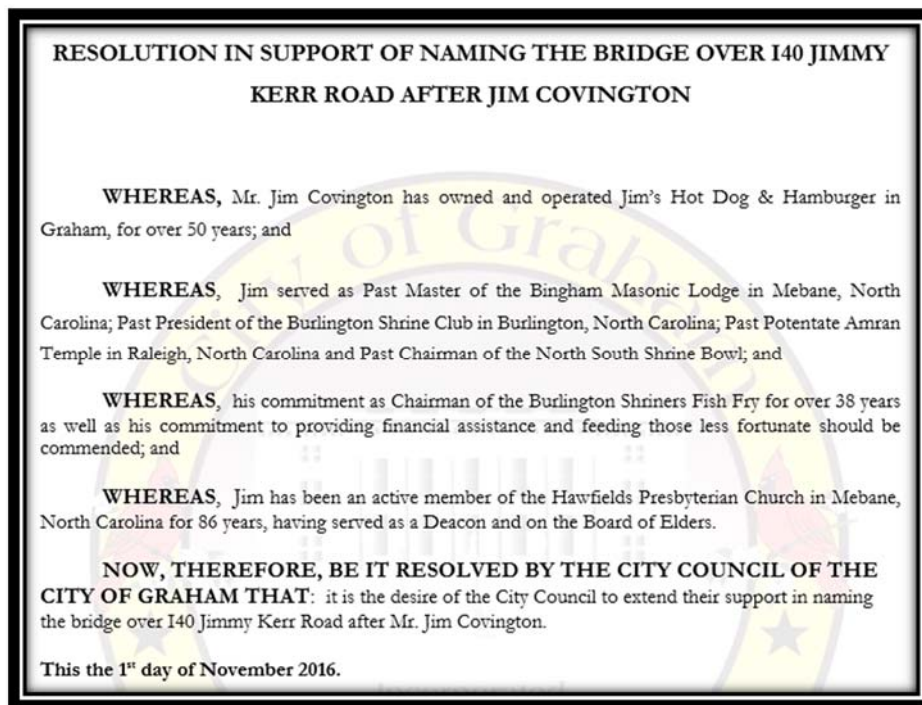
Also Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Nathan Page, Planning Director
Keith Whited, City Attorney
Melody Wiggins, Recreation & Parks Director

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.

Consent Agenda:

- a. Approval of Minutes – October 4, 2016 Regular Session*
- b. Honorary Resolution of Support*



Mayor Peterman asked to pull item “b. Honorary Resolution of Support” from the Consent Agenda. Mayor Pro Tem Jimmy Linens made a motion to approve item “a” on the Consent Agenda, seconded by Council Member Turner. All voted in favor of the motion.

Mayor Peterman read and presented the Resolution of Support to members of Mr. Jim Covington's family. Council Member Chip Turner made a motion to approve item "b" on the Consent Agenda, seconded by Council Member Lee Kimrey. All voted in favor of the motion.

Recommendations from Planning Board:

- a. Public Hearing: Peak Resources (CR1401_A1). Request to change the approved Conditional Zoning site plan to permit a fence along North Main Street and remove front steps***

Planning Director Nathan Page advised that the applicant had withdrawn this request after public notice had been given, thus prompting Council to formally accept the withdrawal. Council Member Griffin McClure made a motion to accept the withdrawal, seconded by Council Member Turner. All voted in favor of the motion.

- b. Public Hearing: Text Amendments for the City of Graham Development Ordinances:***
i. Overlay Districts (AM1620). Remove the 50% exemption for repainting from the Overlay, as well as to align the prohibited uses between the East Harden Street/Highway 54 and South Main Street/Highway 87 Overlay Districts

Mr. Page explained that this proposed amendment takes the change that Council made last month to the East Harden Street/Highway 54 Overlay District and applies it to South Main Street/Highway 87 Overlay District. In addition, it is being proposed that Section 10.420, Nonconforming Uses and Situations be removed. Mr. Page stated that the thought behind removing this section is so that if any portion of one's building is to be painted, it would have to adhere to the colors approved in the Overlay District.

Council Member McClure asked for clarification on what the colors might be. Mr. Page referred to and read Section 10.441(c) Building Standards of the Development Ordinance. With no further comments forthcoming, Mayor Peterman opened and closed the Public Hearing.

Council Member Kimrey made a motion that the text amendment be approved, 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: The proposed amendment will promote a more uniform appearance along both of our primary gateways. Council Member McClure seconded the motion and all voted in favor of the motion.

- ii. Loading Berths (AM1621). Remove the requirement for new construction or renovations to install loading berths***

Mr. Page explained that this was a request by Council Member Kimrey to amend Section 10.240 - Off Street Parking, Section 10.243 - Off-Street Loading in Business and Industrial Districts and Section 10.244 - Additional Parking Requirements for the B-1 District of the Development Ordinance. Staff proposes removing the following language: Where the City Council determines that the off-street parking requirements of this section would impose undue hardship upon development it may reduce or waive off-street parking for that lot. Mr. Page advised he has determined that there are other avenues, such as variances and conditional rezoning's that could address off-street parking and loading berths. Mr. Page stated that this would not preclude someone from installing a loading berth if they wanted one but rather removes the requirement to do so.

Council Members and Staff had a general discussion about the B-1 District and how this might apply to parcels who may have access to a public alley, as well as, how many public and private alleys there are in the B-1 District. Mr. Page advised that it is sometimes difficult to differentiate between what is considered to be public versus private alleys when looking at land records that might very well be from the mid 1850's.

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

Council Member Kimrey disclosed that he has a financial interest in a project that he initially thought might force him to recuse himself from this vote, however, after doing his due diligence and consulting with Staff and his own attorney, the alley in which he was researching proved to be private and not public. Council Member McClure disclosed that he believed that he may potentially have a financial interest in a project affected by this change and asked to be recused. Mayor Pro Tem Linens made a motion to recuse Council Member McClure, seconded by Council Member Turner. All voted in favor of the motion.

Mayor Peterman re-opened the Public Hearing by request of Tom Boney of the Alamance News. Mr. Boney inquired as to the location of the project Council Member Kimrey referred to. Council Member Kimrey stated it was where Carver's Restaurant used to be located. Mr. Boney stated that the alley behind that parcel is also the same alley behind the parcel he owns and said it's his belief that is a public alley. Council Member Kimrey and Staff advised that it is private. Mayor Peterman closed the Public Hearing once again.

Mayor Peterman 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.

Council Member Turner made a motion to have Council Member McClure re-join the proceedings, seconded by Mayor Peterman. All voted in favor of the motion.

Boards & Commissions Appointments:

a. Historic Resources Commission Appointment (1 Vacancy)

Mayor Pro Tem Linens made a motion that Ms. Denise Baker be appointed to fulfill the vacancy on the Historic Resources Commission, seconded by Council Member McClure. All voted in favor of the motion.

Business Beautification Grant:

a. Approve Resolution

Assistant City Manager Aaron Holland advised that at the October 4, 2016 City Council meeting, the Council and Staff discussed the potential of creating and offering a grant opportunity for nonresidential properties within the city. It was the general consensus of the Council to move forward with a resolution and formal application to be considered at tonight's meeting for the establishment of the Business Beautification Grant Program.

He added that the program intends to offer financial assistance in the form of a grant to nonresidential property owners and is to be used to help offset the cost of improving the street-side appearance of existing buildings and site features in accordance with current regulations.

Projects are funded up to a 50% match with the maximum City contribution being \$5,000. Site work eligible for funding includes, but is not limited to: installation of public or handicap accessible sidewalks, signage and landscaping. Funding may also be used toward the removal of non-conforming or illegal site elements such as signage. The Council requested that the grant program be modeled similar to the existing Façade Grant Program with the Graham Appearance Commission administering the program.

Council Members and Staff discussed that upon approval, this program would become effective November 1, 2016. Council requested that the grant program be modeled similar to the existing Façade Grant Program with the Graham Appearance Commission administering the program. Council Members directed Staff to advise the Appearance Commission that they would like to see a deadline given for applications to ensure that all projects are considered at the same time and funds distributed accordingly.

Ms. Jan Searls, 526 E. Pine Street Graham and Co-Chairman of the Appearance Commission, stepped forward and voiced approval for this program.

Ms. Grace Baldwin, 900 East Hanover Road Graham and member of the Appearance Commission, stepped forward to encourage the Council to address the appearance of the Graham Historical Museum.

Council Member McClure made a motion to approve the Resolution establishing the City of Graham Business Beautification Grant Program, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

RESOLUTION ESTABLISHING THE BUSINESS BEAUTIFICATION GRANT PROGRAM

WHEREAS, the Graham City Council strongly supports the beautification and enhancement of the of the City and has determined that it is in the best interest of the residents to establish a Business Beautification Grant Program; and

WHEREAS, the Business Beautification Grant is a matching grant program designed to encourage private investment through the renovation and rehabilitation of existing properties within the corporate limits of Graham.

NOW, THEREFORE, BE IT RESOLVED by the Graham City Council that a Business Beautification Grant Program is hereby authorized and established, and shall include the following criteria at a minimum:

1. Eligible properties must be nonresidential and within the corporate limits;
2. Current or proposed uses of the property must conform to applicable zoning regulations and non-conforming uses are not eligible;
3. Applicant shall not have any outstanding debt to the city and must be in good standing with all city departments;
4. Eligible projects must improve the street-side appearance of existing buildings and site features which include but are not limited to: installation of public or handicap accessible sidewalks, signage, and landscaping. Funding may also be used toward the removal of non-conforming or illegal site elements such as signage;
5. Grants are limited to 50% of the project cost with the maximum City contribution being \$5,000.

BE IT FURTHER RESOLVED that the City of Graham Appearance Commission is charged with administering the Business Beautification Program.

Adopted this 1st day of November 2016.

b. Approve Budget Amendment

City Manager Frankie Maness requested that \$15,000 be allocated towards the Business Beautification Grant Program for this Fiscal Year and in order to effectuate that, he is proposing a Budget Amendment that would appropriate \$15,000 from the General Fund Balance to the Business Beautification Program.

Council Member Turner made a motion to approve the 2016-2017 Budget Ordinance Amendment to provide \$15,000 in funding for the City of Graham Business Beautification Program, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

BE IT ORDAINED BY THE CITY COUNCIL of the City of Graham that the 2016 - 2017 Budget Ordinance shall be and is hereby amended as follows:

Section 1: General Fund Expenditures			
	APPROVED	AMENDED	DIFFERENCE
10-6600-5750 Business Beautification Grant	0	15,000	15,000
Section 2: General Fund Revenues			
10-3900-0000 Fund Balance	892,000	907,000	15,000

This the 1st day of November, 2016.

The Park on Jim Minor Road:

a. Approve Recommended Name of New Park

Recreation and Parks Director Melody Wiggins advised that the Recreation and Parks Commission was tasked with coming up with a name for the new park on Jim Minor Road. She stated that while several names were considered, by consensus, the Commission is recommending the new park be known as the Graham Regional Park.

Council Members and Staff discussed the ability to change the name of this park in the future, should Council choose to do so. Ms. Wiggins advised that the proposed signage for the park entrance will be of such that will allow for renovations that will not have much of a fiscal impact on the City. She added that in order to open the park and satisfy grant requirements at this time and for future grant applications, the park needs a name now. Ms. Wiggins stated that should Council wish to change the name at some point in the future, there would be no adverse effect on the grant application process. Council Members commended Ms. Wiggins on all of her hard work in bringing this park to fruition.

Council Member Turner made a motion to name the new park on Jim Minor Road, temporarily, the "Graham Regional Park", seconded by Council Member Kimrey. All voted in favor of the motion.

Connect NC Grant:

a. Authorization to Make Application for Grant Funds

Ms. Wiggins explained that she is requesting Council's permission for Staff to apply for a grant through the Connect NC Bond Grant Program. She added that this is a one-time grant that requires at least a 20% match by the City and has a maximum award of \$500,000.00.

Council Members and Staff discussed the timeline for this grant as well as parking and amenities should the City be awarded grant monies.

Council Member McClure made a motion to authorize the Recreation and Parks Department Staff to apply for the Connect NC Bond Grant for an inclusive playground, seconded by Council Member Kimrey. All voted in favor of the motion.

Issues Not on Tonight's Agenda:

Mayor Peterman asked Ms. Wiggins and Recreation and Park Program Supervisor Brian Faucette to convey his gratitude to their Staff for the fantastic job they did with the First Annual Halloween Bash.

Ms. Baldwin passed out literature from the Montford Point Marines and asked Council to consider expanding the Graham Historical Museum to include information and items pertaining to this period of time in our history. She suggested that the City open a gift shop at the Museum. She also gave a brief history of the Freeland Cemetery located at 802 Sycamore Road.

Council Member Kimrey advised that at the last TAC meeting, he presented the Resolution Withdrawing Support for the Proposed Southern Loop that Council approved at last month's meeting. He stated he inquired as to what the next course of action would be and that DOT representatives indicated that because of the importance of having a bypass route, they would determine a location for other possible routes. Council Member Kimrey expressed the Council's desire that the route be outside of the City's jurisdiction.

Mr. Page reiterated Mayor Peterman's comment about the Halloween Bash and said that was the most people he has seen in downtown Graham at one time.

City Attorney Keith Whited updated Council on the progress of the Cooper Estates Assessment Foreclosure proceedings.

Mayor Pro Tem Linens asked Mr. Maness about the status of the Welcome to Graham sign proposed earlier this year. Mr. Maness explained that we appropriated funds in last year's budget for an entrance sign on Highway 54, but when the project was halted, funds were not appropriated this year. Mayor Pro Tem Linens stated that he feels we need some sort of signage and Staff was asked to look into alternative sign options.

Council Member McClure agreed with Mayor Pro Tem Linens that the City needs signs and he thanked Alamance Arts for having the Chihuly exhibit on display for the past four months. He stated that over 27,000 people from 27 countries and all 50 states visit the exhibit.

Council Member Kimrey asked Mr. Maness for an update on the new animal shelter costs. Mr. Maness said he hopes to revisit this before the next budget cycle. Mr. Maness said he has received calls from several of his colleagues, and citizens alike that have concerns about what they are paying now that there is a greater understanding of cost sharing. Council Member Kimrey stated that there is still discussion out in the communities about how unfair the cost of maintaining the facility is to the cities.

At 8:15 p.m. Mayor Pro Tem Linens made a motion to adjourn, seconded by Council Member Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk