

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, JANUARY 3, 2017
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, January 3, 2017, 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
Keith Whited, City Attorney
Sandra King, Finance Director
Becky Loy, Cobb Ezekiel Loy & Company

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

Mayor Peterman recognized Ms. Tammy Harton & Kiya Gordon from the “Give a Child a Smile” program. Council Members and members of the audience made personal donations to the program, which raises awareness to stop child abuse.

Consent Agenda:

- a. Approval of Minutes – December 6, 2016 Regular Session*
- b. Appoint Debarah Wilson to Tree Board*

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

Old Business:

- a. “Welcome to Graham” Sign*
 - i. Approve Budget Amendment*

Assistant City Manager Aaron Holland explained that per Council’s request at last month’s Council meeting, staff has proceeded with the design process for constructing a “Welcome to Graham” sign on City owned property located at the corner of Highway 54 and Cooper Road. Mr. Holland added that no funds were appropriated for the proposed sign in the current FY 2016-17 budget. A budget amendment is required to increase total General Fund expenditures by \$20,000 for FY 2016-2017.

Council Members and staff discussed the construction timeline, size, building materials, lighting, location and cost of this proposed sign. City Manager Frankie Maness advised that funds for this sign would come from the Fund Balance.

Council Member Lee Kimrey expressed concern with regards to the overall cost and scale of the proposed sign. He stated that he believes we can make a bigger impact by putting the sign somewhere else – specifically along the I40/I85 corridor.

Mayor Peterman explained that at last month's meeting, Council directed staff to work on putting together a 3-5 year plan for constructing gateway signs throughout the City.

With no further discussion forthcoming, Council Member McClure made a motion to approve the 2016-2017 Budget Ordinance Amendment to provide \$20,000 in funding for the proposed "Welcome to Graham" sign, seconded by Mayor Pro Tem Jimmy Linens. Ayes: Council Member McClure, Mayor Pro Tem Linens, Mayor Peterman and Council Member Turner. Nays: Council Member Kimrey. Motion carried 4:1.

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
10-6600-7300 Capital Outlay Improvements	0	20,000	20,000
Section 2: General Fund Revenues			
10-3900-0000 Fund Balance	907,000	927,000	20,000

This the 3rd day of January, 2017.

Requests and Petitions of Citizens:

- a. ***Public Hearing: Petition for Voluntary Contiguous Annexation at Jimmie Kerr Road (AN1603)***
 - i. ***Approve Annexation Ordinance***

Assistant City Manager Aaron Holland explained that the annexation process has multiple steps and this is the final step in annexing property that belongs to Alamance Community College (ACC), located at 1247 Jimmie Kerr Road (29.74 acres) into the City of Graham.

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

Council Member Turner made a motion to approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina, for the property at Jimmie Kerr Road, seconded by Council Member Kimrey. All voted in favor of the motion.

ANNEXATION ORDINANCE
TO EXTEND THE CORPORATE LIMITS
OF THE
CITY OF GRAHAM, NORTH CAROLINA
FOR PROPERTY ON JIMMIE KERR ROAD

WHEREAS, the Graham City Council has been petitioned under G.S. 160A-31 to annex the area described below;
and

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Hall, 201 South Main Street, Graham at 7:00 P.M. on January 3, 2017, after due notice by publication on December 22, 2016; and

WHEREAS, the Graham City Council finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Graham as of January 3, 2017:

Lying and being in the County of Alamance and being currently known as a portion PID 152801 and all of PID 152800 and being the same parcels as conveyed to Alamance Community college by Deed Book 549 Page 313, Deed Book 709 Page 712 and Deed Book 849 Page 125 and being more particularly described as follows to wit:

Commencing at NCGS Monument "HESS" bearing NC Grid coordinates of N:844,225.05 and E:1,895,704.03 and running thence S 36°02'03"W 2631.85' to a found ½" iron pipe with said iron pipe being the Point Of Beginning and being located in the southern line of the property of Alamance Community College recorded in Deed Book 512 Page 132 and the current line of the City of Graham as represented on the Alamance County GIS system, and bearing NC Grid Coordinates of N:842,096.86 and E:1,894,155.87, said iron also marking the western edge of a 60' Right of Way of Jimmie Kerr Road; thence leaving said Point of Beginning S68°46'57"E 30.05' to a point in the center of Jimmie Kerr Road (S.R.1928); thence along the center of Jimmie Kerr Road on a curve to the left having a chord bearing and distance of S06°08'32"W 298.00' and a radius of 739.71' to a point, said point also marking the northeast corner of the property of Alamance Community College recorded in Deed Book 709 Page 712 and Map Book 42 Page 188; thence continuing along the center of Jimmie Kerr Road on a curve to the left having a chord bearing and distance of S09°35'48"E 105.19' and a radius of 733.84' to a point; thence S13°42'01"E 97.82' to a point; thence leaving said center of road N76°01'21"W 33.62' to a found ½" pinch iron pipe located in the western edge of the 60' right of way of Jimmie Kerr Road, thence continuing along the western right of way edge of said road S13°47'02"E 76.16' to a point, thence along a curve to the right having a chord bearing and distance of S04°43'03"W 203.22' and a radius of 649.14' to a point, thence along a curve to the right having a chord bearing and distance of S12°11'05"W 193.67' and a radius of 705.41' to a found ½" iron pipe marking the southeast corner of the property of Alamance Community College recorded in Deed Book 849 Page 125 and Map Book 49

Page 15 and bearing NC Grid coordinates of N:841,133.31 and E:1,894,154.06; thence leaving the western edge of said right of way and running along a common line with the property of David K. Naylor 2014 Trust described in Deed Book 3369 Page 927 N78°45'04"W the following 5 distances, 252.47' to a found ½" iron pipe, thence 159.55' to a found ½" pinch iron pipe, thence 285.24' to a found ½" pinch iron pipe, thence 749.69' to a found ½" pinch iron pipe bearing NC Grid coordinates of N:841,415.54 and E:1,892,734.99 and continuing 30.00' to a point located at the top of bank of the Haw River, the south west corner of the property described in Deed Book 849 Page 125 and Map Book 49 page 15, thence with the top of bank of the Haw River the following 7 calls; N25°32'35"E 123.27' to a point, thence N27°42'05"E 349.16' to a point, thence N24°46'11"E 64.97' to a point, thence N24°55'54"E 186.30' to a point, thence N24°55'49"E 49.96' to a point, thence N25°15'09"E 343.05' to a point, thence N18°18'54"E 42.01' to a point being the north west corner of the property described in Deed Book 549 Page 313, thence leaving the bank of the Haw River and running with the northern line of Deed Book 549 Page 313 and the current line of the Corporate Limits of the City of Graham as currently represented in the Alamance County GIS system S68°46'57"E the following 3 distances; 29.82' to a found ½" iron pipe bearing NC Grid coordinates of N:842,454.31 and E:1,893,235.18, thence 785.46' to a found ¾" pinch top pipe, thence 202.23' to a found ½" iron pipe and being the Point and Place of Beginning and containing 29.74 Acres+/- as shown on a plat prepared by John P. Scoville III, PLS L-3343 of ESP Associates, P.A., dated September 2nd 2016 and bearing ESP Project Number ET07.800.

Issues Not on Tonight's Agenda (Public):

Mr. Robert Trahan, 713 New Street Graham, expressed concern with basketball being played in the street in his neighborhood. Mr. Maness advised that he will ask staff to address this issue.

Mr. Larry Ray, 609 Walker Avenue Graham, expressed concern over the tethering of a dog in his neighborhood. Mr. Maness advised that he will ask staff to investigate.

Audit Presentation:

Ms. Patricia Rhodes of Stout Stuart McGowen & King LLP spoke about the City's audit report for Fiscal Year 2015-2016. Ms. Rhodes stated that this is the second year in which her firm has done the audit and spoke favorably about the arrangement that the City maintains with Becky Loy of Cobb Ezekiel Loy & Company. She further stated that all operating funds yielded a surplus for the year, no findings were found and the City received an unmodified opinion – the cleanest and best opinion one can receive. Ms. Rhodes added that there were no difficulties or disagreements with management during this audit.

Mayor Peterman noted that this is the third year in a row in which all three operating funds have been in the "black" and asked Mr. Maness to pass along Council's thank you and appreciation to staff for all of their hard work. He thanked the staff of Stout Stuart McGowen & King, LLP for their work as well.

Council Member Kimrey inquired with Mr. Maness about the City's projected operational cost of \$90,000 for the animal shelter. He asked Mr. Maness to confirm that the City has not been asked to contribute any money towards the cost of building the new animal shelter and Mr. Maness confirmed that to be the case.

Issues Not on Tonight's Agenda (Council & Staff):

Mr. Maness asked that we remember the family of the late Rex Moser.

Mayor Peterman asked that we remember the family of the late Bobby James and Ms. Nell Clapp.

Council Member McClure advised that the Graham Area Business Association raised over \$11,000 that will be used towards purchasing new Christmas decorations for the City.

Mayor Peterman stated that going forward, requests from citizens to speak about fundraising, be heard under the Issues Not on Tonight's Agenda portion of the meeting.

At 7:55 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