

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, OCTOBER 2, 2018
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, October 2, 2018, in the Council Chambers of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Lee Kimrey
Council Member Griffin McClure
Council Member Chip Turner
Council Member Melody Wiggins

Also Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Keith Whited, City Attorney
Mary Faucette, Downtown Development Coordinator

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.

City Manager Frankie Maness introduced the City's new Downtown Development Coordinator Mary Faucette. In the three weeks since joining the City of Graham staff, Mrs. Faucette stated that she has met with several business owners and looks forward to meeting many more in the days to come.

Consent Agenda:

- a. *Approval of Minutes – September 4, 2018 Regular Session*
- b. *Approval of Minutes – September 19, 2018 Special Session*
- c. *Tax Releases*

CITY OF GRAHAM RELEASE ACCOUNTS				
OCTOBER COUNCIL MEETING				
ACCT#	YEAR	NAME	REASON FOR RELEASE	AMOUNT RELEASED
597235	2018	EDWARDS, JUSTIN COOK	JET SKI NOT IN CITY OF GRAHAM ON JAN 1	13.08
667214	2018	DBD/MONROE X LLC (PRESS)	VALUE CORRECTION-NON DEPRICIABLES	9.76
28725-1784	2018	CONCEPT BUILDERS		\$159.25
539936-8326	2018	WINDSOR INVESTMENTS LLC		\$5.58
539936-8323	2018	WINDSOR INVESTMENTS LLC	BUILDERS INVENTORY DEFERMENT REMOVED	\$5.07
660352-1457	2018	CENTRAL ALAMANCE SCENIC	& FULL VALUE BILLED TO NEW OWNER	\$6.12
660352-1466	2018	CENTRAL ALAMANCE SCENIC		\$5.71
660352-1458	2018	CENTRAL ALAMANCE SCENIC		\$5.33
660352-1482	2018	CENTRAL ALAMANCE SCENIC		\$5.25
660352-1477	2018	CENTRAL ALAMANCE SCENIC		\$4.55
660352-1480	2018	CENTRAL ALAMANCE SCENIC		\$5.42
660352-1479	2018	CENTRAL ALAMANCE SCENIC		\$4.61
33635	2018	THOMPSON, MATTIE G.	QUALIFIED FOR HOMESTEAD EXEMPTION	200.09
652020	2018	LEBERT, DONALD	QUALIFIED FOR HOMESTEAD EXEMPTION	15.93
539936	2018-8510	WINDSOR INVESTMENTS LLC		102.38
539936	2018-8511	WINDSOR INVESTMENTS LLC	BLDRS INVENTORY DEFERMENT SHOULD NOT	102.38
539936	2018-8512	WINDSOR INVESTMENTS LLC	HAVE BEEN REMOVED, RELEASE BILL	493.38
539936	2018-8513	WINDSOR INVESTMENTS LLC	CREATED ON 9/5/18 THAT WAS BILLED TO THE	102.38
539936	2018-8514	WINDSOR INVESTMENTS LLC	NEW OWNER.	102.38
539936	2018-8515	WINDSOR INVESTMENTS LLC		102.38
539936	2018-8516	WINDSOR INVESTMENTS LLC		102.38
TOTAL RELEASES				1553.41

- d. Approve First United Methodist Church's request to close East Market Street on Sunday, October 28, 2018 from 3:00 p.m.-8:00 p.m. for a Community Trunk-or-Treat event*
- e. Approve Graham Historical Museum Advisory Board Mission Statement*

The Graham Historical Museum will offer an environment that exhibits artifacts in a well-organized and visually appealing setting and shows the unique physical and cultural history that reflects the story of the City of Graham, NC. It will be the goal of the Historical Museum Advisory Board to serve as responsible stewards of all artifacts entrusted to the Museum and use those items to provide educational and informative programs for the public. The Museum will be a resource for scholars, historians and educators as well as history buffs.

- f. Approve Graham Recreation & Parks request for October 11, 2018 to serve as a rain date for the Thursday @ 7 Concert Series*

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

Old Business:

- a. **Public Hearing: Home Occupation in CZ (AM1806). Request by Kevin Ingold to amend the Development Ordinance, Article IV, Division 6, Section 10.135 to permit Home Occupations within our Conditionally zoned residential areas***

Mr. Holland explained that at the September 4, 2018 City Council meeting, Council voted to continue this item to this month's meeting. Last month, staff advised that Mr. Ingold had been unable to make the Planning Board's August meeting, therefore the Planning Board had not made a recommendation prior to the Public Hearing. Due to inclement weather, the Planning Board's September meeting was cancelled. Mr. Holland advised that Council could choose to continue the Public Hearing to next month or could proceed with a vote on the matter.

Council Members and staff briefly discussed the overall application of the text amendment and by consensus, chose to proceed with this item. Mayor Peterman reconvened the Public Hearing.

Mr. Tom Boney of the Alamance News stepped forward and expressed concern with the Council's procedure with voting on something when the applicant is not present. Mayor Peterman and Mr. Maness explained that applicants are not required to be at Public Hearings. Council sometimes has questions for the applicant, but with this request, it will have general application throughout the City. With no further questions forthcoming, Mayor Peterman closed the Public Hearing.

Mayor Pro Tem Lee Kimrey advised that he is planning on having a future home office in the B-1 district. Mayor Peterman made a motion to recuse Mayor Pro Tem Kimrey, seconded by Council Member Turner. All voted in favor of the motion.

Council Member Griffin McClure made a motion that the text amendment be approved, the text amendment is consistent with The Graham 2035 Comprehensive Plan and that this action is reasonable and in the public interest for the following reasons: The proposed amendment will allow for a home to be used by the citizen to a higher standard, while not disrupting the residential character of the neighborhood. Council Member Turner seconded the motion and all voted in favor of the motion. Mayor Pro Tem Kimrey rejoined the Council.

Vote 3 for Education Resolution:

Mayor Peterman advised that he was asked to present this resolution to the Council. He advised that during the City's workshops for our Comprehensive Plan, most every resident attending identified the schools as the biggest problem in Graham. He spoke of the positive effect that this bond referendum will have on the citizens of Graham should it pass this November. He concluded by reading a copy of the proposed resolution.

Council Member McClure stated he supports this resolution and Graham supporting this resolution. He stated that he has worked for three years with the school system trying to figure out a solution for Graham and the kids in the public sector. He added that you can make the argument for repurposing old schools, but that is looking back and not looking forward.

Council Member Turner stated that he definitely supports the Graham schools and the construction of a new high school, but expressed concern with this Council approving a resolution.

Mayor Pro Tem Kimrey stated that regardless of where this Council's supports is on this issue individually, he respects the County Commissioners decision to allow every voter to have a voice in this matter. He expressed his support for schools, but had reservations about the language in the proposed resolution. He expressed concern with this Council endorsing a political vote on an issue on behalf of all its citizens.

Council Member Wiggins stated that she sees both sides, however, she feels that the local governing bodies, as elected leaders, should be in support of this resolution and improving our school system.

With no further discussion forthcoming, Mayor Peterman opened the discussion to the floor.

Mr. Boney expressed concern with some of the language included in the proposed resolution, specifically paragraph four. He stated that he has not seen anything that suggests residents of Graham would go to the proposed new school. Mr. Boney passed out an envelope which contained a letter expressing his concerns, a sample ballot, a copy of the minutes from a March 26, 2018 Alamance County Commissioners meeting, a copy of the resolution passed by the City of Burlington earlier in the day and a copy of the September 27, 2018 edition of the Alamance News.

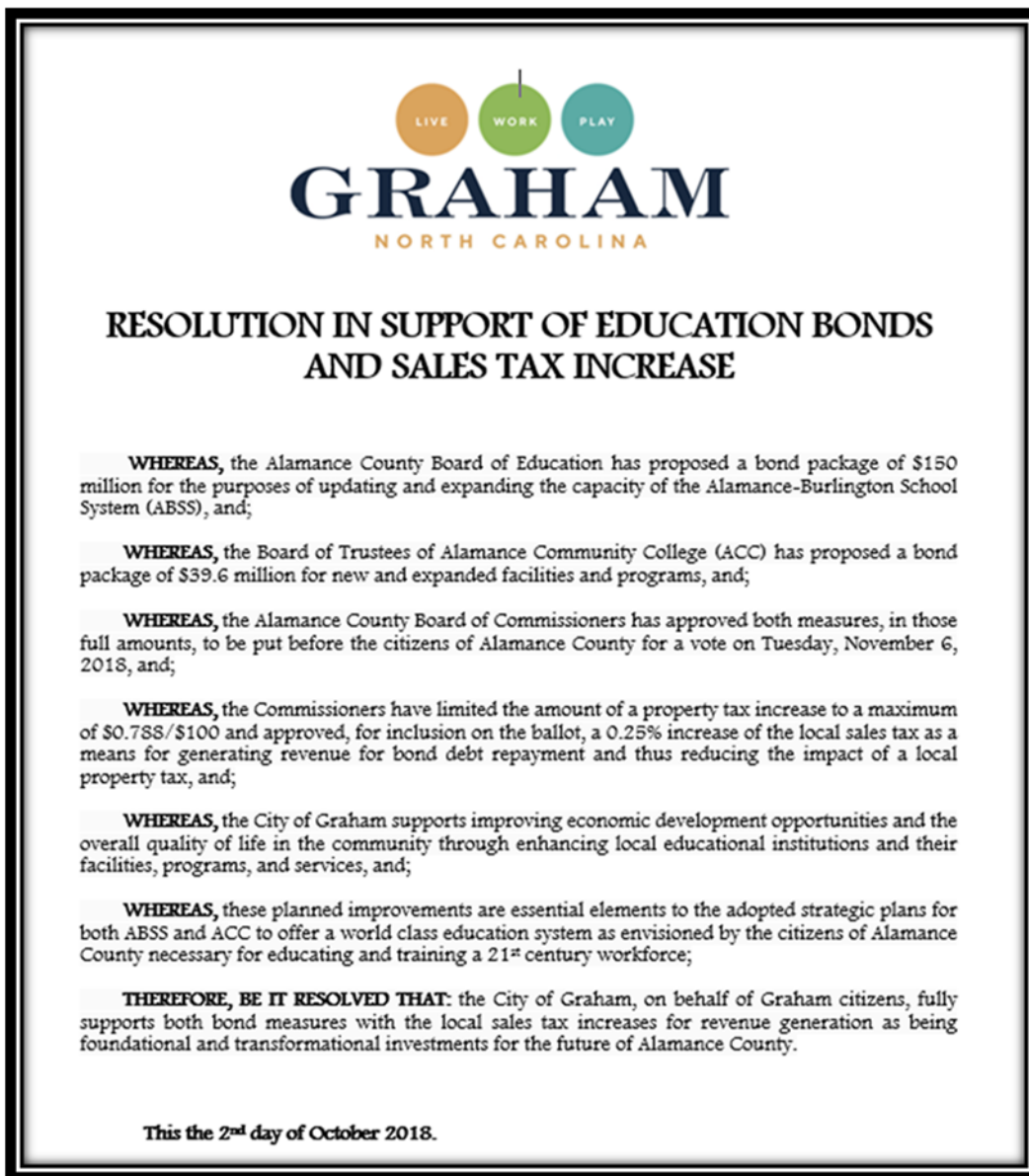
Mr. Jay Martin of 405 Ivey Road Graham stepped forward and expressed his support for the bond. He added that to his knowledge, every Graham City resident would attend the new school.

Council Members continued to debate the issues brought up and worked on amending some of the language in the proposed resolution. Mayor Peterman asked City Clerk Darcy Sperry to read back those proposed changes to the language in this resolution. The change to paragraphs four and seven were as follows:

***WHEREAS,** the Commissioners have expressed an expected impact of a property tax increase to a maximum of 0.0788/\$100 and approved, for inclusion on the ballot, a 0.25% increase of the local sales tax as a means for generating revenue for bond debt repayment and thus reducing the impact of a local property tax, and;*

***THEREFORE, BE IT RESOLVED THAT:** the Graham City Council supports both bond measures.*

Mayor Pro Tem Kimrey made a motion that the original resolution as proposed in the agenda be approved, seconded by Council Member Wiggins. Ayes: Mayor Peterman, Council Member Wiggins and Council Member McClure. Nays: Mayor Pro Tem Kimrey and Council Member Turner. Motion carried 3:2.



ABC Interlocal Agreement Amendment:

City Attorney Keith Whited advised that this amendment to the Interlocal Agreement for Merged “Alamance Municipal Alcoholic Beverage Control System” has been in the works for almost 10 years. He stated that the various parties have been working on cleaning up the original agreement and summarized the proposed changes.

Council Members briefly discussed revenue sharing, membership appointments by the various municipal boards and how the local ABC board is responsible for determining the location of their stores.

Council Member Wiggins made a motion to approve the Third Amended and First Restatement of Interlocal Agreement for Merged “Alamance Municipal Alcoholic Beverage Control Systems”, seconded by Mayor Pro Tem Kimrey. All voted in favor of the motion.

Issues Not on Tonight's Agenda:

Ms. Perry Slade of 871 Border Lake Trail Burlington stepped forward to express various concerns with the proposed Mountain Valley Pipeline (MVP) extension that will run across her property. She challenged Council to research the facts that MVP has reported and determine what is true and what is not.

Mr. Jeff Eichinger of 2230 Cherry Lane Graham stepped forward to voice his opposition to the pipeline and challenged Council to take a position opposing it much like the County Commissioners have done.

Mr. Whited mentioned that he failed to advise Council of changes made to the ABC Interlocal Agreement voted on earlier. He stated that the changes were made to page 4, sections 4 & 5, after the agenda packet went out. A copy of those changes were placed in front of each Council Member prior to tonight's meeting. He recommended Council amend their earlier motion to include those changes. Council Member Wiggins amended her previous motion and motioned to approve the agreement with the amended changes, seconded by Mayor Pro Tem Kimrey. All voted in favor of the amended motion.

Council Member McClure stated that he would support a resolution to oppose the MVP project should one come before this Council.

Mayor Pro Tem Kimrey asked for an update on the progress of a Small Area Downtown Plan. Mr. Holland and Mr. Maness advised that request for proposals went out about a week ago and we are starting to field phone calls. Mr. Maness stated that he will forward Council a copy of the request for proposals.

Mayor Peterman reminded everyone that there is a Thursday at 7 concert this Thursday at 7:00 p.m.

At 8:49 p.m. Council Member Turner made a motion to adjourn, seconded by Council Member Wiggins. All voted in favor of the motion.

Darcy Sperry, City Clerk