

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, JANUARY 14, 2020
6:00 P.M.**

The City Council of the City of Graham met in regular session at 6:00 p.m. on Tuesday, January 14, 2020, in the Council Chambers of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Chip Turner
Council Member Melody Wiggins
Council Member Jennifer Talley
Council Member Ricky Hall

Staff Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Bryan Coleman, City Attorney
Bob Ward, City Attorney
Nathan Page, Planning Director
Jeff Prichard, Police Chief
Tommy Cole, Fire Chief
Duane Flood, Police Lieutenant
Billy Clayton, GPD Administrative Support
Jason Cook, Volunteer Fire Captain

Mayor Jerry Peterman called the meeting to order and presided at 6:00 p.m. Mayor Peterman gave the invocation and everyone stood to recite the Pledge of Allegiance.

Consent Agenda:

- a. Approve Minutes – December 2, 2019 Special Session*
- b. Approve Minutes – December 3, 2019 Regular Session*
- c. Approve Minutes – December 12, 2019 Special Session*
- d. Approve Tax Releases*

CITY OF GRAHAM RELEASE ACCOUNTS				
JANUARY				
<u>ACCT#</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
663553	2019	BURGNER, HANS NEWTON	BOAT WAS DOUBLE LISTED	165.49
440666	2019	SHOFFNER, RICHARD W	BOAT NOT LOCATED IN CITY LIMITS	29.18

- e. Approve Agreement for Emergency Dispatch and Communications Services with the City of Burlington*
- f. Approve Amendments to the Code of Ordinances - Officials Page*

AMEND AS FOLLOWS: Effective 1/14/2020

Gerald R. Peterman
Mayor

Brice Caldwell Turner II
Mayor Pro Tem

Melody L. Wiggins
Ricky C. Hall
Jennifer L. Talley
City Council

Jesse Franklin Maness
City Manager

J. Bryan Coleman
City Attorney

Robert M. Ward
City Attorney

Darcy L. Sperry
City Clerk

g. Approve Acceptance of Public Streets and ROW's for The Challenge Subdivision

h. Approve Graham Public Library Lease Agreement with Alamance County

Mayor Peterman asked Council Members if they would like to pull any of the items from the Consent Agenda. Council Member Ricky Hall asked to pull item “e”.

Council Member Melody Wiggins made a motion to approve items “a”, “b”, “c”, “d”, “f”, “g”, “h” and “i” on the Consent Agenda, seconded by Mayor Pro Tem Chip Turner. All voted in favor of the motion.

Concerning item “e”, Council Member Hall stated that he believed this move would be a disservice to the City and City residents. Mayor Peterman asked City Manager Frankie Maness to read the staff report.

Mr. Maness, Police Chief Jeff Prichard, Fire Chief Tommy Cole, Police Lieutenant Duane Flood, Volunteer Fire Captain Jason Cook and Police Department Administrative Support Billy Clayton fielded questions from Council Members. A lengthy discussion about cost, safety, radio transmission failure, Viper Network, Tron Network, maintenance of radios and coverage area ensued. Council Members were informed of situations where radio transmission failed, putting first responders and victims at risk.

Mr. Tom Boney of the Alamance News stepped forward and expressed concern with Graham approving this agreement after the Burlington City Council. Additionally, Mr. Boney expressed concern with the lack of discussion about the current level of service from the County.

Mr. Boney asked about designated staff, installation costs and the timeframe for the switchover should this be approved.

With no further discussion forthcoming, Council Member Wiggins made a motion to approve the Interlocal Agreement for Emergency Dispatch and Communications Services with the City of Burlington and authorize the City Manager, Police Chief and Fire Chief to execute the agreement on behalf of the City. Mayor Peterman seconded the motion. Ayes: Council Member Wiggins, Mayor Peterman, Mayor Pro Tem Turner and Council Member Jennifer Talley. Nays: Council Member Hall. Motion carried 4:1.

Boards & Commissions Appointments:

a. Appearance Commission (2 vacancies: expires 2021, 2022)

Council Member Hall recommended Mr. John Byrd, Council Member Wiggins recommended Ms. Cheryl Ray and Council Member Talley recommended Mr. John Whittington. By consensus, Mr. Byrd was appointed to fulfill a term to expire on June 30, 2022. By consensus, Mr. Whittington was appointed to fulfill a term to expire on June 30, 2021.

b. Historical Museum Advisory Board (1 vacancy: expires 2022)

Mr. Bobby Chin withdrew his application for consideration. Ms. Karen Chin and Ms. Bonnie Hutchinson stated it would be an honor to serve on this board. Voting in favor of Ms. Chin were Mayor Pro Tem Turner, Council Member Wiggins, Council Member Talley and Council Member Hall. Voting in favor of Ms. Hutchinson was Mayor Peterman. By a majority vote, Mrs. Chin was appointed to fulfill a term to expire on June 30, 2021.

c. Historic Resources Commission (1 vacancy: expires 2021)

Council Member Talley recommended Mr. Scott Pickard for appointment. Mr. Pickard and Ms. Stephanie Ruiz expressed interest in serving on this commission. Voting in favor of Mr. Pickard were Mayor Peterman, Mayor Pro Tem Kimrey, Council Member Talley and Council Member Hall. Voting in favor of Ms. Ruiz was Council Member Wiggins. By a majority vote, Mr. Pickard was appointed to fulfill a term to expire on June 30, 2021.

d. Local Firefighter's Relief Fund (1 vacancy)

By consensus, Mr. Alan Stacey was appointed to this board.

e. Recreation Commission (1 vacancy: expires 2021)

By consensus, Ms. Amy Graus was appointed to a term to expire on June 30, 2021.

f. Tree Board (2 vacancies: expires 2022, 2022)

By consensus, Ms. Stephanie Ruiz was appointed to serve a term to expire on June 30, 2022.

City Council Appointments for Outside Agencies:

Mayor Peterman stated that the Council Member with the most seniority would choose first. Council Member Talley expressed concern with the selection process.

- a. Alamance County Community Services Agency* – Mayor Peterman
- b. Alamance County Economic Development Committee* – Mayor Pro Tem Turner
- c. Piedmont Triad Regional Council* – Council Member Hall
- d. Piedmont Triad Regional Council (Alternate)* – Council Member Talley
- e. Transportation Advisory Committee* – Council Member Wiggins
- f. Transportation Advisory Committee (Alternate)* – Council Member Talley

City Council Liaison Discussion/Appointments:

Mayor Peterman stated that the Council Member with the most seniority would choose first. Council Member Talley and Council Member Hall opted not to make a selection.

- a. Appearance Commission* – Mayor Peterman
- b. Audit Committee* – Mayor Peterman
- c. Historic Resources Commission* – Council Member Wiggins
- d. Historical Museum Advisory Board* – Council Member Wiggins
- e. Recreation Commission* – Mayor Pro Tem Turner
- f. Tree Board* – Mayor Peterman

Water Tower Image Design:

Mr. Maness and Assistant City Manager Aaron Holland advised that re-painting the water tower is part of the routine maintenance contract the City pays for. Mr. Holland presented Council with a couple of draft renderings. He advised that the Water Department is looking to possibly use a blue and white color scheme and would like some guidance from the Council. Council Members took turns talking about what they liked and did not like with the renderings shown.

The following individuals stepped forward to address the water tower image with Council Members:

Eric Crissman – 208 Albright Ave. Graham
Laurie Pickard – 101 Southwood Ct. Graham
Janet Ecklebarger – 604 Washington St. Graham
Jan Searls – 526 E. Pine St. Graham

With no further comments forthcoming, by consensus, Council Members stated they prefer using two tones of blue for the tank, the word Graham with lettering to be in black with white outline on both sides of the tank.

Also included in the preferred design is a water droplet following Graham on both sides of the tank. Mr. Holland advised that he would take those recommendations back to the contractor to see how feasible it would be.

Downtown Master Plan Discussion – Council Member Jennifer Talley:

Council Member Talley explained that this is the first opportunity she and Council Member Hall had to address this plan since elected to the Council. She addressed several concerns she has with the plan and voiced her desire to have the plan rescinded. Mayor Peterman, Mayor Pro Tem Turner and Council Member Wiggins voiced their opposition to rescinding the plan, with Mayor Peterman and Mayor Pro Tem Turner stating that they would be willing to amend some aspects of the plan.

Mr. Holland disclosed to Council that NCDOT had just reached out to the City this week and notified them that they are looking to begin paving sooner rather than later. He added that would commence only if the City does not have any impending plans to do anything in their space. A general discussion about water and sewer infrastructure improvements in the downtown area ensued. Mr. Maness stated he would be happy to ask DOT to delay paving if Council would like more time to look at the plan.

Following a lengthy discussion between Council Members and staff, Council Members came to a consensus that nothing will be built, torn up or planted downtown without the Council being notified and given time to act on it, except water and sewer underneath the ground. The city will go forward with water and sewer infrastructure upgrades. Mayor Peterman will reach out to DOT on behalf of the Council. Council Member Talley stated she would like to see any plans for the street improvements and see if it is going to affect any businesses downtown.

Issues Not on Tonight's Agenda:

Ms. Erin Page of 651 Williamsdale Road Graham stepped forward and expressed concern with the appearance of the hotel located at the 148 exit here in Graham. Mayor Peterman informed Ms. Page that the property does meet the minimum standards in our Code of Ordinances and there is little the City can do concerning the appearance of the property. Council Member Talley informed her that she knows of something in the works concerning that property.

Downtown Development Coordinator Mary Faucette invited everyone to the kickoff event for the Downtown Associate Community program at 5:30 p.m. on January 23, 2020 at Alamance Arts.

Mr. Nick Odomaga of 1017 B Ivey Road Graham stepped forward and expressed concern for the amount of litter along Ivey Road. Mayor Peterman asked Mr. Maness to pass along that concern to staff.

Council Member Talley expressed concern with the traffic pattern and safety resulting from the recent striping for the bike lanes along Pine Street.

Mayor Peterman echoed Council Member Talley's concerns and asked staff to reach out to DOT. Mr. Maness advised that staff had provided three alternative designs to DOT. Mayor Peterman directed staff to give DOT 2-3 more days and if they do not take care of it, the City will.

Council Member Talley expressed concern with the Boards & Commissions handbook recently developed by the Boards & Commissions Task Force. She would like the handbook to be approved

by the Council. Mayor Peterman asked that this be put on a study plan and see if there are changes Council would like to make to it.

Council Member Talley expressed concern for the City's current water policy. She asked that this be put on next month's agenda, as she has two citizens coming to speak about their water charges. She stated that the current policy allows for back charging people up to three years if their meter is found to have not been operating properly. Council Member Talley stated she disagrees with this policy and would like to see it changed. Mayor Peterman asked staff to look into this and directed Council Member Talley to provide staff with either the customer's name and/or account number.

Council Member Talley expressed concern with the Extra Duty Solutions scheduling program the City is currently using. Mayor Peterman asked that this item be put on the March agenda.

Council Member Talley expressed concern with the issue of voting on things not on the agenda. She stated that she believes there needs to be better advertising or extend the advertising period.

Mr. Boney asked if it is the Council's intention to continue holding agenda meetings and urged Council not to continue them. Mayor Peterman advised that we would look into the state statutes concerning meetings.

Council Member Talley made a motion to go into closed session in accordance with General Statute 143-318.11(a) (7) regarding investigations. Mayor Peterman asked the City Attorneys for their guidance about whether or not the Council could go into closed session if it was not advertised. City Attorney Bob Ward advised that Council can vote to go into closed session without advertising such and in light of not knowing the nature for Council Member Talley's concerns, recommended that Council vote to go into closed session. Mr. Boney expressed concern about Council Member Talley's previous concern about voting on something not on the agenda, yet then asks for an item not advertised. Mayor Peterman asked counsel who should go into closed session. Mr. Ward recommended, Mr. Maness and Chief Prichard along with Council and the attorneys. Council Member Talley stated her preference to only have the Council and attorneys go into closed session. Mayor Peterman advised that all parties will go in and hear everything at once. Mr. Boney once again expressed concern for Council going into closed session without it being advertised. At 8:30 p.m., Mayor Peterman seconded the motion and advised that Council would go into closed session at 8:40 p.m., following a 10 minute recess. Ayes: Council Member Talley, Mayor Peterman, Mayor Pro Tem Turner and Council Member Hall. Nays: Council Member Wiggins. Motion carried 4:1.

At 9:01 p.m., Mayor Peterman made a motion to come out of closed session and come back into open session, seconded by Council Member Wiggins. All voted in favor of the motion. Mayor Peterman stated that they will turn over to Chief Prichard a criminal investigation pursuant to State Statute 14-234. Chief Prichard will report back to Council.

At 9:02 p.m., Council Member Wiggins made a motion to adjourn, seconded by Mayor Pro Tem Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk