

**CITY OF GRAHAM
REGULAR SESSION
THURSDAY, APRIL 2, 2019
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, April 2, 2019, 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 Chip Turner
Council Member Griffin McClure
Council Member Melody Wiggins

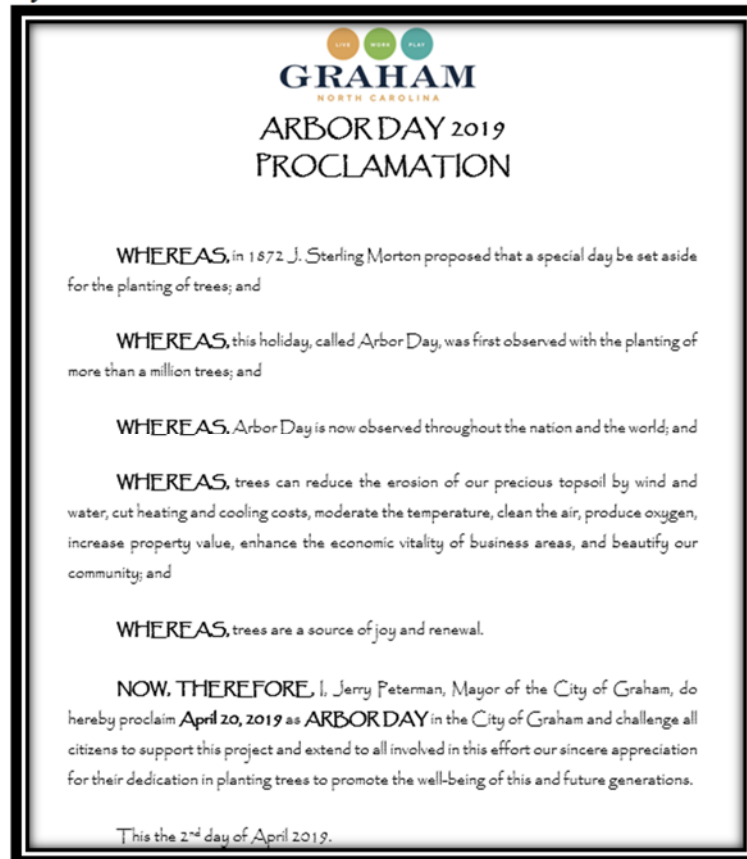
Also Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Bryan Coleman, City Attorney
Nathan Page, Planning Director
Alexa Powell, City Planner

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. *Approve Minutes – March 5, 2019 Regular Session*
- b. *Approve Minutes – March 14, 2019 Special Session*
- c. *Approve Arbor Day Proclamation*



- d. Approve Request from North Graham Baptist Church to close off the 300 block of West Whitsett Street on Saturday, April 27, 2019 from 8:00 a.m. – 3:00 p.m. for a Community Block Party, pending receipt of a certificate of insurance listing the City of Graham as additional insured prior to the event***

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

Old Business:

- a. East Interstate Service Road Property Update***

City Manager Frankie Maness reminded Council that at last month's meeting, Council decided to initiate the upset bid process and ordered an appraisal for this property. He informed Council Members that the appraisal is complete. The estimated value from the appraiser is \$266,000. Mr. Maness advised that the City did receive a qualifying upset bid in the amount of \$252,050. This requires the process be repeated until no additional qualifying offers are presented.

Following a brief discussion between Council Members and staff, Mayor Peterman opened the discussion to the floor.

Mr. Chuck Talley of 808 Sideview Street Graham stepped forward and asked for clarification of the current offer's net to the City.

Mrs. Jennifer Talley of 808 Sideview Street Graham stepped forward and stated that it was her understanding that the upset bid would not start until the appraisal had been done.

With no further comments forthcoming, Mayor Peterman move on to the next agenda item.

- b. Quasi-Judicial Public Hearing: Kronbergs Campground (SUP1901). Application by Chuck Talley for a Special Use Permit to permit a Commercial Campground with up to 75 Recreational Vehicle spots upon site (GPIN 8894743697)***

Mayor Peterman reminded everyone that this Quasi-Judicial Public Hearing was continued from last month. Planning Director Nathan Page explained that this is a request for a Special Use Permit for a Commercial Campground for property located on Kronbergs Court.

Mr. Talley stepped forward and informed Council that after meeting with City staff, there are still some details that need to be worked out and he asked the Council for another 30 days.

Mayor Peterman made a motion to postpone this until next month, seconded by Council Member Turner. All voted in favor of the motion.

Recommendations from Planning Board:

- a. Public Hearing: Feather Flags (AM1901). Application by Richard Shevlin to permit feather flags within the City of Graham***

Mr. Page explained that there was an application by Richard Shevlin to permit feather flags within the City of Graham. He informed Council of the various proposed language options included in the agenda packet. Mr. Page stated that the Planning Board recommends approval with their proposed language.

Council Members and staff briefly discussed what, if any control in the overlay and historic districts, size limitations and the City's current ordinance which has an avenue in place where one can submit a request for permission from the City Manager for the use of signs that may be prohibited by our ordinance. Also discussed was how this proposed language would affect a unified business development. With no further discussion forthcoming, Mayor Peterman opened the Public Hearing.

Mr. Richard Shevlin of 510 Wildwood Lane Graham stepped forward and informed the Council that he owns a business at 909 Washington Street Graham which currently houses three businesses. He stated that when one turns the corner from Providence Road onto Washington Street, you have about six seconds to notice the driveway into his building. He added that without flags, he doesn't know how anyone would see his driveway. Mr. Shevlin fielded general questions from Council Members.

Mrs. Talley stepped forward and spoke in favor of this text amendment. She spoke of the pressure business owners are under to get brands advertised. She also pointed out that the City puts banners up advertising various events.

Mr. Tom Boney of the Alamance News asked what current signs at Mr. Shevlin's property are not in compliance. Mr. Page stated that there are currently four monument signs of one sort or another as well as free standing signs that are not permitted. Mr. Page advised what the current ordinance does permit.

Mr. Ricky Hall of 2501 Pepperstone Drive Graham stepped forward to address Council. Mr. Hall, Chairman of the Planning Board, asked Council to adopt the Planning Board's recommendations.

Mr. Talley stepped forward and stated that while he knows they don't have anything in writing, the former City Manager gave him permission to use banners. He stated his support for flags.

Mrs. Talley returned to the podium to pass out copies of advertising signage and to continue lobbying for this amendment. Mrs. Talley stated that at the time the current ordinance was done, it was never supposed to affect them and they were told it was never going to affect them. Mayor Peterman reminded Mrs. Talley that she was on the Council when the current ordinance was adopted. Mrs. Talley responded that existing businesses were to be grandfathered in.

Mayor Pro Tem Lee Kimrey asked staff how is it that a non-conforming site element that is temporary in nature ever be grandfathered in. Mr. Page advised that he is not aware of any interpretation where that would be the case. With no further comments forthcoming, Mayor Peterman closed the Public Hearing.

Council Members discussed in length amongst themselves the difficulty of regulating signs of this nature. Also discussed were concerns about location of flags and possibly more attractive landscaping and permanent signage being more beneficial to business. Council Member Turner stated that he would like to see something brought back to Council that would benefit all business. Mayor Peterman expressed concern with the City being allowed to do something others cannot do and stated that he has always been concerned with our current concert series signs. Council Member McClure stated that the City breaks its own rules every day, noting speeding police vehicles and fire trucks, but it is for communal good.

Council Member McClure made a motion that the text amendment be denied and that the text amendment is not fully consistent with The Graham 2035 Comprehensive Plan. Council Member Wiggins seconded the motion. Ayes: Council Member McClure, Council Member Wiggins, Council Member Turner and Mayor Pro Tem Kimrey. Nays: Mayor Peterman. Motion carried 4:1.

Downtown Small Area Plan Update – Toole Design Group:

Mr. Jared Draper of 1119 East Martin Street Raleigh and Mr. Chris Lambka of 262 East Autumn Ridge Road Spartanburg, South Carolina spoke on behalf of the Toole Design Group. They summarized who they are and why they are here. Mr. Lambka stated that they are currently looking at not just the downtown area, but also the corridors leading into downtown. He mentioned that they are looking at ways to possibly remove some of the 18-wheeler traffic from the downtown area and making it a more pedestrian friendly environment. Mr. Lambka went on to speak about the public survey work they have been doing. He informed Council that they have held ten stakeholder group meetings over the past couple of months. He added that Graham is a happening place and they want to push Graham forward and build upon the economic development Graham is already doing. He did inform Council that there are going to be changes they recommend.

Mr. Draper advised that they are doing some designing this week, but that nothing is set in stone. He invited everyone to stop by and look at the design concepts they are actively working on. He added that some of the possible changes being looked at revolve around stormwater and utilities. Also being looked at is public space, green space, parking, furniture amenities, understanding some of the pedestrian crossings and safety as well as the multi-modal access throughout the downtown and corridor areas.

Council Members took turns asking both gentlemen about the surveyors who have been downtown, stormwater management, parking and defining the downtown area. Following this question and answer period, Mayor Peterman opened the discussion to the floor.

Mr. Boney stepped forward to express concern with the reports he is hearing in terms of the parking recommendations. He stated that he is hearing that the plan calls for the elimination of parking spaces in downtown. Mr. Draper stated that there are several options being looked at and there may be some parking spaces eliminated and nothing is written into stone at this time.

Council Members assured everyone that this is in the planning stages and nothing has been finalized at this time. They reminded everyone that this is the public input section of this plan design. The elimination of some parking is most likely going to happen to help with the City's stormwater and utilities in the downtown area. We have to fix the aging water and sewer situation in the downtown area before we can think of growing. If the City wants to have a say in the future NCDOT paving project that will encompass the downtown area, this plan is required.

Mrs. Talley stepped forward and echoed Mr. Boney's concern about parking.

Ms. Sherrie Pate of Ivey Road Graham stepped forward and said she has appreciated being able to be involved with City staff and Toole Design by attending the free work sessions that have been put on for the public. She asked Council to consider making downtown friendly for everyone and not just business owners.

With no further comments forthcoming, Mayor Peterman encouraged everyone to go look at the designs tomorrow.

Historic Resources Commission Annual Update:

City Planner Alexa Powell and Historic Resources Commission (HRC) Chairman Cary Worthy presented Council with an overview of what the Commission has accomplished this past year and highlighted their upcoming goals. They reviewed the Certificate of Appropriateness Applications, gave an update of the Façade Grants, HRC members and staff training and their desire to someday achieving Certified Local Government (CLG) status for its local preservation commission activities.

Council Members applauded the efforts by all HRC members and asked Ms. Powell and Mr. Worthy to relay a job well done to all members.

Issues Not on Tonight's Agenda:

Ms. Janet Eckleberger of 2872 Nereus Drive Mebane expressed concern for two historic buildings that were recently torn down within the past couple of years. She asked Council to come up with a way to preserve materials that are currently going to the landfill.

Downtown Development Coordinator Mary Faucette informed Council that she and Ms. Powell had recently attended the Main Street Conference. Mrs. Faucette and Mayor Peterman spoke about a project involving the original Oneida Mill houses. Brief discussion ensued about the potential project rehabbing these old mill houses. Referencing Mrs. Eckleberger's concerns, Mr. Page advised that staff may be able to come up with a pamphlet that lists the benefits of salvaging material and a few names of organizations that may be willing to buy or remove material at no cost to the home owner and/or demolition contractor. Consensus was given by Council to have staff come up with a pamphlet.

Council Member Wiggins informed Council that there will be a ribbon cutting ceremony at 4:00 p.m. on May 9, 2019 at the Graham Historical Museum. She also asked Council for consensus to study all boards and commissions appointments terms and how we appoint. Consensus was given.

Council Member McClure reported on the Mountain Valley Pipeline Southgate Project. After many conversations with various local and state officials and much research on the project, he stated that he does not feel that the Graham City Council has to follow in the footsteps of the Alamance County Commissioners and take action against this project. A general discussion ensued between Council Members and staff.

Mayor Peterman introduced Officer Daniel Sisk from the Graham Police Department.

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

Darcy Sperry, City Clerk