

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, JANUARY 6, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, January 6, 2015, 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 Jim Albright
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Melissa Guilbeau, City Planner
Jimmy Lloyd, Chief Code Enforcement Officer
Sandra King, Finance Officer

Council Members Absent:

Council Member Chip Turner

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Mayor Pro Tem Jimmy Linens gave the invocation and everyone stood to recite the Pledge of Allegiance.

Oath of Office – City Clerk

Mayor Peterman administered the Ceremonial Oath of Office to Darcy Sperry, City Clerk.

Presentation of Art Donation to the City

Cary A. Worthy, Executive Director of The Alamance County Arts Council, presented the City of Graham a donation of artwork from the Alamance Arts Council. The piece, “Moby” by Mike Roig, will be placed in front of the Graham Public Library.

Consent Agenda:

- *Approval of Minutes – December 2, 2014 Regular Session.*
- *Tax Releases and Refunds*

CITY OF GRAHAM RELEASE ACCOUNTS						
JANUARY CITY COUNCIL MEETING						
<u>ACCT #</u>	<u>YEAR</u>	<u>RECIEPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR RELEASE</u>	<u>RELEASED</u>
596556	2014	2642	FAULKNER, JEANINE	PP	SOLD JET SKI	2.28
436068	2014	367	ARTHURS, BEVERLY	RE	QUALIFIED FOR HOMESTEAD EXEMPTION	228.26

CITY OF GRAHAM REFUNDS						
JANUARY CITY COUNCIL MEETING						
<u>ACCT #</u>	<u>YEAR</u>	<u>RECEIPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR REFUND</u>	<u>AMOUNT REFUNDED</u>
641528	2014	3588	HENSLEY, ANNIE	RE	QUALIFIED FOR HOMESTEAD EXEMPTION	149.94

Council Member Lee Kimrey made a motion to approve the Consent Agenda, seconded by Council Member Jim Albright. All voted in favor of the motion.

Recommendations from Planning Board:

Public Hearing: Peak Resources (CR1404). Request by Harold Nunn to rezone property located at 600 N Main St & 217 College St (GPIN 8884075145 & 8884072069) from Office and Institutional (O-I) to Conditional Office and Institutional (C-O-I) to construct a 75,000sf, single-story nursing home.

Mayor Peterman informed the Council that Peak Resources had requested their item be pulled from the Agenda to allow additional time to look into stormwater concerns. Mayor Peterman asked for a motion to continue the hearing. Mayor Pro Tem Jimmy Linens made the motion as requested, seconded by Council Member Kimrey. All voted in favor of the motion.

Public Hearing: Text Amendment for Sidewalk Payment-in-Lieu. Request by staff to amend the Development Ordinance to provide an option for payment in lieu of constructing required sidewalks.

City Planner Melissa Guilbeau explained that we currently require some developments to construct sidewalks, namely the ones in the overlay districts. She further explained that this would provide that if there were certain site characteristics that make constructing that sidewalk difficult, the developer could make a payment to the City in an amount equal to the value of construction for that developer instead of constructing the sidewalk. Council Members discussed between themselves, City Manager Frankie Maness and Ms. Guilbeau the potential benefits, drawbacks and other options to developers and the City pursuant to this Text Amendment.

Mayor Peterman opened the Public Hearing. No comments were forthcoming and the Public Hearing was closed.

Council Member Kimrey made the motion that the application be denied and that the application is not consistent with the City of Graham Growth Management Plan 2000-2020, seconded by Council Member Linens. Ayes: Council Member Kimrey and Mayor Pro Tem Linens Nays: Mayor Peterman and Council Member Albright. Motion failed 2:2.

Council Member Albright then made the motion that the application be approved and that the application is consistent with the City of Graham Growth Management Plan 2000-2020, seconded

by Mayor Peterman. Ayes: Council Member Albright, Mayor Peterman and Mayor Pro Tem Linens
Nays: Council Member Kimrey. Motion carried 3:1.

Audit Presentation

Mayor Peterman called Becky Loy with Cobb Ezekiel Loy & Company P.A. to speak on the City's Audit report for Fiscal Year 2013-2014. Ms. Loy gave an overview of the financial condition of the General, Water/Sewer, and Garage Funds of the City. She commented that on an operational basis, all three funds had revenues in excess of expenditures for the first time in many years but cautioned the Council to be mindful of fund balance expenditures. Ms. Loy explained that there were two findings this year in the Audit but that the City received an unmodified opinion, the cleanest and best opinion. Ms. Loy explained that the first finding was a missed billing to which procedures have since been put in place to ensure that does not happen again. The second finding was in Capitalization of Assets where multiple assets had not been recorded properly. She stated there were no disagreements with management and no indications of fraud were observed.

Issues Not Included on Tonight's Agenda

Council Member Kimrey suggested that the Council discuss the possibility of getting City Manager Maness some assistance. Mayor Peterman asked for City Manager Maness to make a staff recommendation on the February 2015 City Council Agenda.

At 8:08 p.m. Council Member Kimrey made a motion to adjourn, seconded by Council Member Albright. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, FEBRUARY 3, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, February 3, 2015, 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 Jim Albright
Council Member Lee Kimrey
Council Member Chip Turner

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Melissa Guilbeau, City Planner
Jimmy Lloyd, Chief Code Enforcement Officer
Melody Wiggins, Graham Recreation & Parks Director
Nathan Page, City Planning Intern

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Rev. Marcia Isley, Pastor of St. James A.M.E. Church in Oak Ridge, NC gave the invocation and everyone stood to recite the Pledge of Allegiance.

Presentation of 2014 Graham Recreation and Parks Department Appreciation Awards

Ms. Melody Wiggins, Graham Recreation and Parks Director, and Mr. Jay Cook, Chairman of the Graham Recreation and Parks Commission, presented awards to Shamrock Nutrition and Conklin Oil Co.


Consent Agenda:

- *Approval of Minutes – January 6, 2015 Regular Session.*
- *Tax Releases and Refunds.*

CITY OF GRAHAM RELEASE ACCOUNTS						
FEBRUARY CITY COUNCIL MEETING						
<u>ACCT #</u>	<u>YEAR</u>	<u>RECIEPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR RELEASE</u>	<u>RELEASED</u>
435049	2014	867	BOWMAN, MAC DONALD	PP	SOLD BOAT IN 2013	7.10
115922	2014	535	BARE MARK ANTHONY	PP	SOLD BOAT IN 2013 (MOTOR)	18.43
115922	2014	534	BARE MARK ANTHONY	PP	SOLD BOAT IN 2013	24.30
565780	2014	7491	TAYLOR, ANNE R	RE	ALA CO CORRECTED SQUARE FOOTAGE	170.21

CITY OF GRAHAM REFUNDS						
FEBRUARY CITY COUNCIL MEETING						
ACCT#	YEAR	RECEIPT	NAME	RE/PP	REASON FOR REFUND	AMOUNT REFUNDED
565780	2010	7686	TAYLOR, ANNE R	RE	ALA CO CORRECTED SQUARE FOOTAGE	166.47
565780	2011	7567	TAYLOR, ANNE R	RE	ALA CO CORRECTED SQUARE FOOTAGE	164.60
565780	2012	7587	TAYLOR, ANNE R	RE	ALA CO CORRECTED SQUARE FOOTAGE	164.60
565780	2013	7506	TAYLOR, ANNE R	RE	ALA CO CORRECTED SQUARE FOOTAGE	164.60
633826	2014	3688	HOLLAR, SHIRLEY WADDELL	RE	QUALIFIED FOR HOMESTEAD EXEMPTION	232.11

➤ *Tax Collector's Mid-Year Report and Date to Advertise Liens.*

MID YEAR REPORT January 28, 2015			
	TOTAL PROPERTY VALUATION	RATE	AMOUNT OF LEVY
TAX LEVY - CITY WIDE	918,008,031	0.0455	4,176,938.98
<u>DISCOVERIES:</u>			
CURRENT YEAR & PRIOR YEARS WITH VARIOUS TAX RATES	1,277,126		5,810.92
<u>ANNEXATIONS:</u>	11,083		50.43
<u>ABATEMENTS:</u>	(683,663)		(3,093.88)
CURRENT LEVY	918,612,577		4,179,706.45
OUTSTANDING REAL PROPERTY TAXES:			277,213.86
OUTSTANDING PERSONAL PROPERTY TAXES:			<u>42,808.15</u>
TOTAL OUTSTANDING TAXES			320,022.01
CURRENT YEAR TAXES COLLECTED:			3,859,684.44
TO DATE, THE PERCENT OF CURRENT YEAR COLLECTED:			92.34%
I REQUEST THAT THE DATE BE SET FOR LIEN ADVERTISEMENT TO BEGIN ON THURSDAY, MARCH 12, 2015 IN THE ALAMANCE NEWS. COST FOR ADVERTISING WILL BE APPROXIMATELY \$4.00 PER PARCEL ADVERTISED AND WILL BE CHARGED ONE TIME TO THE TAXPAYER.			
Submitted by Sandy P. Callahan, Tax Collector 			

- *Removal of Appearance Commission Member: Jeffrey LaGrange.*
- *Appointment of Planning Board Member: Kenneth Dixon.*
- *Annual Certification of Fire Fighters.*

Council Member Jim Albright made a motion to approve the Consent Agenda, seconded by Mayor Pro Tem Jimmy Linens. All voted in favor of the motion.

Old Business

Public Hearing: Peak Resources (CR1404). Request by Harold Nunn to rezone property located at 600 N Main St & 217 College St (GPIN 8884075145 & 8884072069) from Office and Institutional (O-I) to Conditional Office and Institutional (C-O-I) to construct a 75,000sf, single-story nursing home.

City Planner Melissa Guilbeau explained that the preliminary site plan has been reviewed by TRC and shows the main entrance to the facility to be off College St. with additional entrances to be off N. Main St. and W. Parker St. Council Member Lee Kimrey asked Ms. Guilbeau if she had received any concern about landscaping requirements, to which Ms. Guilbeau replied no. She indicated that the applicant has expressed verbally that they will meet the landscaping standards.

Mayor Peterman opened the Public Hearing.

Mr. Harold Nunn of 1100 Kelly Rd, Apex NC and Mr. Hugh J. Gilleece of 875 Walnut St, Cary NC stepped forward to speak. Mr. Nunn stated that he is the President of Peak Resources and Mr. Gilleece is the engineer for this project. Council Members inquired about bio-retention, landscaping and drainage. Both Mr. Nunn and Mr. Gilleece indicated that they will meet and/or exceed all required development standards.

Mayor Peterman closed the Public Hearing.

Council Member Kimrey made a motion that the application be approved with the following conditions:

- The final landscaping plan shall conform to the landscaping requirements of the Development Ordinance;
- All signage shall conform to the requirements of the Development Ordinance; a freestanding sign up to 100sq² is not approved;

And the application is consistent with the *City of Graham Growth Management Plan 2000-2020*. Mayor Pro Tem Linens seconded the motion. All voted in favor of the motion.

Recommendations from Planning Board:

Public Hearing: Watercourse Apartments (CR1403). Request by ECO Watercourse, LLC to amend the preliminary site plan for the Conditional Residential (C-R) zoning for property located at 1050 Woody Dr (GPIN 8884724405).

Ms. Guilbeau explained that the applicant is requesting to amend the preliminary site plan previously approved with the conditional rezoning. The applicant is requesting the following:

- Removal of trail along Town Branch, adjacent park area, and pedestrian bridge.
- Monument signs proposed both at the entrance to the development on Woody Dr. and at the corner of E Harden St and Woody Dr.
- Relocation of westernmost garage unit to across from Building 200 (this reflects an amendment that was administratively approved on October 17, 2014).
- Garbage compactor area reconfigured and reoriented to main drive (this reflects an amendment that was administratively approved on October 17, 2014).

- Relocation of mail kiosk from end of pool area to between Buildings 100 and 300 (this reflects an amendment that was administratively approved on October 17, 2014).

Council Member Kimrey asked Ms. Guilbeau if the three (3) administrative amendments listed are the only administrative approvals since Council approved the original plat. Ms. Guilbeau answered yes. Council Members discussed the parameters of the previously approved site plan including, but not limited to, the walking trail, sidewalk and gates. Council Member Jim Albright asked Ms. Guilbeau what options are available to the applicant with regards to constructing a sidewalk. Ms. Guilbeau indicated that the applicant can build a sidewalk as required by the overlay district or use the City's new Payment in Lieu option.

Mayor Peterman opened the Public Hearing. No comments were forthcoming and the Public Hearing was closed.

Council Member Kimrey asked Mayor Peterman to re-open the Public Hearing so that he may ask the applicant some questions. Mayor Peterman re-opened the Public Hearing.

Mr. John Fugo of 100 Arland Park Dr, Chapel Hill NC and Mr. John Ashness of 301 Glenwood Ave, Raleigh NC stepped forward to speak. Mr. Fugo is with Montgomery Development and Mr. Ashness is with the CE Group. Council Member Kimrey questioned Mr. Fugo about the designated wetland area of the property and the location of the previously proposed walkway and park areas. Mr. Fugo explained that they determined after much thought that the wetland map delineation made it difficult to construct a walkway that would be safe for its users. Council Member Kimrey expressed concern over the proposed removal of the park, pedestrian bridge, and eight (8) foot wide path. In addition, Council Member Kimrey questioned both gentlemen about the parking lots, clubhouse, maintenance buildings and garages, as well as the relocation of parking spaces, common area sidewalks and emergency access gate. Mr. Ashness explained that the conditional use zoning map used building templates that are not as refined as what is seen on the final plan. He stated that any adjustments, changes or refinements to the plan have been made to ensure the intensities towards the residential lots to the northern edge of the property have not been affected.

Mayor Peterman closed the Public Hearing.

Council Members further discussed between themselves the ideas of eliminating the sidewalk and the trail, the addition of the sidewalk easement, and the proposed signage.

Council Member Albright made a motion that the application be approved with the following condition:

- An easement for a future public sidewalk/trail along E Harden St (between Town Branch Creek and the street right-of-way) shall be recorded prior to issuance of the final Certificate of Occupancy.

Ayes: Council Member Albright, Mayor Pro Tem Linens, Mayor Peterman and Council Member Chip Turner Nays: Council Member Kimrey. Motion carried 4:1.

Quasi-Judicial Public Hearing: Conklin UBD (SUP1405). Request by Jordan Conklin for a Special Use Permit for a Unified Business Development on property located at 1268 E Harden St (GPIN 8883997150).

Mayor Peterman recessed the regular Council meeting in order to convene a Quasi-Judicial Public Hearing. Mayor Peterman polled the Council for any financial interests, fixed opinions or communications regarding the property. Mayor Peterman disclosed that he is neighbors with the Conklin's and has spoken to them about this project. He further stated that he believes that this will not affect his decision making capabilities but would recuse himself if the Council asked him to. No Council Member objected.

City Attorney Keith Whited swore in Ms. Guilbeau and Mr. Jordan Conklin.

Ms. Guilbeau explained that this is a request to add two (2) additional store fronts onto the existing building, currently Conklin Oil & Propane., making it a Unified Business Development. She further explained that the preliminary site plan submitted with the application includes the two (2) additional store fronts in addition to paving the parking lot which would allow for thirteen (13) parking spaces. Ms. Guilbeau pointed out to the Council that Mr. Conklin submitted a revised site plan on January 27, 2015, after the deadline for the February 2015 Agenda Packet. The revised site plan now includes a five (5) foot sidewalk vs the four (4) foot sidewalk, shown in this agenda packet, and also calls for the existing septic system to be abandoned and existing sections of gravel to be removed.

Council Member Kimrey asked Ms. Guilbeau if the two (2) existing properties to the western part of the property are single family homes. Ms. Guilbeau stated that from the Tax Assessor's data, they appear to be even though they are zoned Light Industrial.

Council Member Kimrey asked if single family homes are allowed as a permitted use in I-1. Ms. Guilbeau said that they are not so they would be non-conforming.

City Attorney Whited directed the staff report to be labeled Exhibit "A".

Council Member Albright asked Mr. Conklin if he had any tenants to go in there. Mr. Conklin stated that they are going to expand into the middle space themselves with a retail store and there is someone who's already spoken to move into the other building. Council Member Chip Turner asked Mr. Conklin who the other business would be. Mr. Conklin responded that it would be an insurance business.

Council Member Kimrey asked Mr. Conklin if he had any proposed plans for a sign. Mr. Conklin stated that he has not drawn his sign yet. Council Member Kimrey stated that with a Unified Business Development, one thing looked for is common signage along with common drive, common landscape and common parking.

City Manager Maness advised the Council that signage is not part of this approval.

Mr. Conklin asked the Council to do away with the Planning Board's recommended eight (8) foot evergreen buffer. He indicated that they are planning on replacing the existing wooden fence with a vinyl fence that would extend twenty-five (25) feet closer to the road.

Mayor Peterman closed the Quasi-Judicial Public Hearing.

Council Members discussed if they could change the screening buffer requirement to an eight (8) foot vinyl fence. Ms. Guilbeau advised that Council can change that requirement.

Council Member Kimrey made a motion that the application be approved with the following conditions:

- That a vinyl fence, eight (8) foot tall, be put on the western part of the property buffering it from the residential use;

And moved to adopt the Findings of Fact and Conclusions of Law as presented in the staff report and the application is consistent with *the City of Graham Growth Management Plan 2000-2020*, seconded by Council Member Albright. All voted in favor of the motion.

Findings of Fact and Conclusions of Law

1. All applicable regulations of the zoning district in which the use is proposed are complied with.

The property is zoned I-1 and E Harden St/Highway 54 Overlay. "Unified Business Development" is permitted in the I-1 zoning district with a Special Use Permit and is not prohibited in the overlay district. The proposed development meets the area, height and yard regulations. Signs will require a sign permit. The proposed development complies with the site standards of the overlay district, with the exception of providing a 5' wide sidewalk (the proposed sidewalk is 4' wide). All other standards specific to the overlay district will be complied with before a building permit is issued.

2. Conditions specific to each use, identified by the Development Ordinance, are complied with.

The following requirements are specific to this use:

- *Such developments shall abut a major thoroughfare, minor arterial, or collector street (existing or proposed). The property abuts NC 54/E Harden St, which is a minor arterial.*
- *All uses permitted in the B-2 district are permitted in a Unified Business Development, with the exception of certain uses which are not permitted. The only use specified for this Unified Business Development is the existing business, which is petroleum and petroleum products storage. That use is permitted in the B-2 district and is not prohibited in Unified Business Developments. All future uses to be located within the UBD will be required to obtain a Zoning Permit prior to occupancy.*
- *All business establishments shall be retail or service establishments dealing directly with the public. The only specified use – the existing petroleum business – directly serves the public. All future uses to be located within the UBD will be required to obtain a Zoning Permit prior to occupancy.*
- *All uses shall be completely enclosed in buildings except for plant sales, sidewalk cafes, and permitted drive-in uses. The only specified use – the existing petroleum business – includes area that is not enclosed in a building. The preliminary site plan indicates that the applicant wishes to not include that area in this Special Use Permit. That area is located to the rear of the proposed Unified Business Development and behind a gate.*
- *An opaque screen shall be provided wherever, in the city council's judgment, such screening is necessary to shield adjacent residential districts. The property to the rear of this property is zoned residential, but it is currently heavily wooded. The properties to the west of this property are zoned light industrial but are occupied by single family homes.*

3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.

The proposed Unified Business Development will not materially endanger the public health or safety.

4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.

The proposed Unified Business Development will not substantially injure the value of adjoining property.

5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.

The proposed Unified Business Development is a commercial use that will be located along a five-lane highway corridor and is in general conformity with the Growth Management Plan 2000-2020.

6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.

Satisfactory provision has been made for vehicle circulation, parking and loading, service entrances and areas, and utilities.

Request by Friends of Graham Recreation and Parks for Appropriation

Graham Recreation and Parks Director Melody Wiggins explained that this request is for seed money for the recently formed non-profit “Friends of Graham Recreation and Parks” 501c3 organization. She advised that many Parks and Recreation Departments across the state and country have always had “Friends” groups set up in order to receive tax deductible donations and gifts. The seed money would be for the cost of the non-profit application and other start-up expenses incurred.

Mr. Jay Cook of 924 Hanford Rd, Graham NC stepped forward to speak. Mr. Cook is the Chairman of the “Friends of Graham Recreation and Parks” organization. Mr. Cook told the Council that they did not feel it was appropriate to use donations for start-up expenses which is why they are asking the City for funding.

Mayor Peterman moved to approve two-thousand (\$2,000.00) dollars to the “Friends of Graham Recreation and Parks”, seconded by Council Member Kimrey. All voted in favor of the motion.

Discussion of Staffing Levels

City Manager Maness wanted to point out to Council and the general public his thought process when considering staffing. He explained that with any decision he or his staff make, they try to look at the bigger picture such as the revenue needed to support things and the recurring vs non-recurring expense. Mr. Maness identified Animal Control Officer, Assistant City Manager and Code Enforcement Officer (Building Inspector) as positions that merit consideration in the upcoming budget cycle.

Council Members and Mr. Maness discussed the impact these positions and future staffing level needs may have on the general fund. Mr. Maness indicated that the need for an additional Code

Enforcement Officer may be top priority in the coming months due to the increase in new building projects.

Mayor Pro Tem Linens asked if there was money in the budget to go ahead and hire a Code Enforcement Officer now. Mr. Maness said that there are standing agreements with the Cities of Burlington and Mebane and Alamance County that allow for sharing of resources if need be. It was agreed by all that they would further discuss staffing levels at the upcoming budget retreat.

Mr. Maness advised Council of the tentative date of February 24, 2015 for the budget retreat. He advised that City Clerk Darcy Sperry would send an email to Council to advise exact date and time.

Issues Not Included on Tonight's Agenda

Mayor Peterman announced that this is Ms. Guilbeau's last Council meeting – as she and her family will be relocating. Both Mayor Peterman and Mr. Maness thanked Ms. Guilbeau for her hard work and dedication to the City over the past two and a half (2 ½) years. Mayor Peterman introduced Planning Intern Nathan Page and announced that Mr. Page would be filling in as City Planner when Ms. Guilbeau leaves.

Mayor Peterman also made mention of the new LED streetlights that are being installed in the City.

At 8:34 p.m. Council Member Kimrey made a motion to adjourn, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
SPECIAL SESSION
THURSDAY, FEBRUARY 19, 2015
4:00 P.M.**

The City Council of the City of Graham met in special joint session with the Alamance County Board of Commissioners and the Mebane City Council at 4:00 p.m. on Thursday, February 19, 2015, in the Mebane Arts & Community Center located at 622 Corregidor Street, Mebane, NC 27302.

Graham Council Members & Staff Present: **Mebane Council Members & Staff Present:**

Mayor Jerry Peterman
Mayor Pro Tem Jimmy Linens
Council Member Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey
Frankie Maness, City Manager
Darcy Sperry, City Clerk

Mayor Glendel Stephenson
Mayor Pro Tem Ed Hooks
Council Member Patty Phillips
Council Member Tim Bradley
Council Member Everette Greene
Council Member Jill Auditori
David Cheek, City Manager
Chris Rollins, Assistant City Manager
Stephanie Shaw, City Clerk

Alamance County Board of Commissioners & Staff Present:

Chairman Dan Ingle
Vice Chair Eddie Boswell
Commissioner Bob Byrd
Commissioner Linda Massey
Craig Honeycutt, County Manager
Tory Frink, Clerk to the Board

Alamance County Board of Commissioners Absent:

Commissioner David Smith

Also Present:

Mac Williams, President, Alamance County Area Chamber of Commerce

Alamance County Chairman Dan Ingle called the Alamance County Board of Commissioners meeting to order at 4:00 p.m. City of Graham Mayor Jerry Peterman and City of Mebane Mayor Glendel Stephenson then called their respective Council's to order. Mayor Stephenson gave the invocation.

Chairman Ingle introduced Alamance County Manager Craig Honeycutt. Mr. Honeycutt, Graham City Manager Frankie Maness and Mebane City Manager David Cheek informed the Boards that the property currently referred to as the Hawfields Economic Development Zone has been a twenty-five (25) month project thus far. They spoke of the important role Alamance County, the City of

Graham, the City of Mebane, Alamance County Area Chamber of Commerce and the landowners have in promoting this area for economic development.

Mr. Honeycutt, Mr. Maness and Mr. Cheek talked about the Development Team formed and the proposed new name for the economic development zone – North Carolina Commerce Park (NCCP). Alamance County Area Chamber of Commerce President Mac Williams explained the NC Site Certification process and the role his agency would play should the Board's choose to recommend his agency handle this facet of the process. He explained that since 2001, North Carolina has offered an official Certified Sites program to provide a statewide inventory of industrial sites that have undergone a rigorous prequalification process to ensure they are "shovel ready" for immediate development.

Mr. Cheek then gave an overall summary of the project while Mr. Honeycutt asked the Governing Boards to consider the following recommendations of the organizational committee:

- a. Approve the name of the zone as the "North Carolina Commerce Park"
- b. Appoint the Chamber of Commerce as the "NCCP Representative" to work with property owners to:
 - 1) Negotiate an agreed upon option to sell their land;
 - 2) In exchange for providing services for site certification, marketing and master planning of the NCCP
- c. Appropriate \$100,000 each (\$300,000 total) to Alamance County Chamber of Commerce to be placed in a NCCP Fund to pay for expenses associated with site certification, marketing and master planning within the NCCP
- d. Approve the creation by Graham and Mebane of an overlay zoning district that will maintain development standards within the park
- e. Appoint the Organizational Committee as the NCCP Oversight Committee for the administration of future activities and operations
- f. Require the Oversight Committee to provide a semiannual report and accounting of the revenues, expenditures and activities of the NCCP in April and October of each year

Chairman Ingle thanked Mayor Stephenson, Mr. Cheek, the Mebane City Council and the entire Mebane Staff for hosting this event. He stated that he, Mayor Peterman and Mayor Stephenson had spoken briefly before the meeting and all three (3) gentlemen agree with what is being proposed and by consensus, will take it to their next Board meeting(s) for approval.

Chairman Ingle then opened the meeting to the general public.

Mr. Sam Kaiser Jr. inquired about what type of businesses might be located within the park. Mr. Maness explained that at this time, they don't know what type of businesses may want to locate here. He further explained that once the master plan is developed, they might have a better idea of what industries or business might work best and where.

Mr. Lee Vernon asked if a landowner can sell the entire portion of their property and not just a section. Mr. Williams replied yes, the landowner is in charge of the sale.

Board and Council members discussed between themselves the idea of Commercial vs. Manufacturing jobs within the development as well as spending vs investing in this project. They discussed costs associated with recertifying and marketing the development and asked about the time frame to get this underway. Mr. Cheek stated that if funds are appropriated, they estimate six (6) to twelve (12) months to pull it all together.

Chairman Ingle asked the Alamance County Board of Commissioners for consensus on the following:

- a. Approve the name of the zone as the “North Carolina Commerce Park”
- b. Appoint the Chamber of Commerce as the “NCCP Representative” to work with property owners to:
 - 1) Negotiate an agreed upon option to sell their land;
 - 2) In exchange for providing services for site certification, marketing and master planning of the NCCP
- c. Appropriate \$100,000 each (\$300,000 total) to Alamance County Chamber of Commerce to be placed in a NCCP Fund to pay for expenses associated with site certification, marketing and master planning within the NCCP
- d. Approve the creation by Graham and Mebane of an overlay zoning district that will maintain development standards within the park
- e. Appoint the Organizational Committee as the NCCP Oversight Committee for the administration of future activities and operations
- f. Require the Oversight Committee to provide a semiannual report and accounting of the revenues, expenditures and activities of the NCCP in April and October of each year

Alamance County Board of Commissioner unanimously voted to approve the recommendation and will add it to their March 2, 2015 meeting agenda.

Mayor Peterman asked the Graham City Council to agree to have items “a” thru “f” put on their March 2015 Consent Agenda. All approved the recommendation.

Mayor Stephenson asked the Mebane City Council to agree to have the same recommendations to be put on their March 2015 meeting agenda. All approved the recommendation.

There being no further business, the meeting was officially adjourned at 5:21 p.m.

At 5:21 p.m. Council Member Kimrey made a motion to adjourn, seconded by Council Member Albright. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
SPECIAL SESSION
TUESDAY, FEBRUARY 24, 2015
8:00 A.M.**

The City Council of the City of Graham met in special session at 8:00 a.m. on Tuesday, February 24, 2015, in the Conference Room of the City of Graham Police Department located at 216 S. Maple Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Jimmy Linens
Council Member Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Michael Leinwand, Special Projects Coordinator
Melody Wiggins, Recreation & Parks Director
Jeff Prichard, Police Chief
John Andrews, Fire Chief
Terry Worth, Public Works Director
Victor Quick, Utilities Director
Sandra King, Finance Director

Mayor Jerry Peterman called the meeting to order and presided at 8:22 a.m.

Mayor Pro Tem Jimmy Linens gave the invocation.

Council Members engaged in breakfast with the attendees and Police Department staff followed by a tour of the Department led by Police Chief Jeff Prichard.

Council Members discussed with Chief Prichard implementing monthly “Town Meetings” with Graham residents. It was suggested that the meetings could take place in the morning at various restaurants thru out the City.

Prefacing the Fiscal Year 2015-2016 Budget

City Manager Frankie Maness briefly discussed the purpose of the meeting – which was to provide information about major topics that will affect the upcoming budget cycle. Mr. Maness presented an overall update on the status of the FY 2014-2015 Budget and various projects underway. He stated that generally speaking, our Budget numbers look good, despite receiving less support from the State. In addition, he stressed the importance of preserving the City’s assets – material as well as staff. Mr. Maness noted that the last pay study for Graham was done in 2007.

Mr. Maness indicated that tax revenues look good while sales tax revenue is better than expected – which bodes well for the General Fund. He stated that the Water & Sewer Fund numbers look to be in line with what was projected. He further advised that the Garage Fund revenues are down mainly due to Alamance County’s decision to take their vehicles elsewhere for service – leading to less billable hours. Mr. Maness informed Council Members that the City’s Wellness Program

achieved one hundred (100) percent employee participation as of December 31, 2014. This will lead to a five (5) percent credit in the City's insurance premium.

Discussion of 2016-2020 Capital Improvement Plan

Mr. Maness spoke of several areas that need attention throughout the City. He alerted Council Members to the fact that there are many costs that are State and Federally mandated and have to be paid. Council Members and Mr. Maness discussed the proposed 2016-2020 Capital Improvement Plan Summary draft. Mr. Maness advised Council that more information will be provided later in the Budget process as the two processes will run concurrent.

Roundtable Discussion with Department Heads

Chief Prichard stated that his priorities in the upcoming FY is the addition of an Animal Control Officer, two (2) Canine Officers.

Utilities Director Victor Quick discussed the need to repair/replace the Boyd Creek and Back Creek lift stations. He spoke of the need to replace media filters and mixers at the Graham-Mebane Water Plant, installing fire protection systems where needed and parking lot resurfacing.

Public Works Director Terry Worth identified street resurfacing as his Department's biggest need. He indicated that we are currently averaging one (1) mile of paving per year – while we should be completing four (4) miles per year. He indicated that the money that was allocated for resurfacing is being used for repairs instead. He also advised the need for a new rear loading garbage truck and a new street sweeper.

Fire Chief John Andrews advised Council that renovations to the existing fire station, a new brush truck and a new vehicle for the Fire Inspector are his priorities. He also suggested that we start the planning process for a new fire substation that will help to better serve Graham as it grows.

Recreation and Parks Director Melody Wiggins addressed the need for renovations on multiple buildings. In addition, she suggests purchasing thirty-two (32) acres of land adjacent to the old dam as well as installing security fencing at the lake to protect from landowner intrusion into our buffers. She also pointed out the need for four (4) new vehicles throughout the Recreation, Graham Mebane Lake and Athletic Facilities Budgets.

Finance Director Sandra King pointed out the increase in transactions from previous years, with less staff. She stated that she would like to add a full time Meter Reader in the upcoming budget. She also presented the Council with an alternative to the audit and financial statement preparation process.

Following lunch, Mayor Pro Tem Jimmy Linens made a motion to adjourn at 12:55 p.m., seconded by Council Member Chip Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, MARCH 3, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, March 3, 2015, 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 Lee Kimrey
Council Member Chip Turner

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Nathan Page, City Planner
Michael Leinwand, Special Projects Coordinator
Victor Quick, Utilities Director

Council Members Absent:

Council Member Jim Albright

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Mayor Pro Tem Jimmy Linens gave the invocation and everyone stood to recite the Pledge of Allegiance.

Resolution of Commendation and Appreciation

Mayor Jerry Peterman presented Clarence Baldwin with a gift from the City of Graham and thanked him for his twenty-one (21) years, nine (9) months of service to the City of Graham. Graham Utilities Director Victor Quick also thanked Mr. Baldwin for his dedication and service to the City.

**RESOLUTION OF COMMENDATION AND APPRECIATION TO
CLARENCE BALDWIN
FOR 21 YEARS 9 MONTHS SERVICE TO THE CITY OF GRAHAM**

WHEREAS, Clarence Baldwin diligently served the City of Graham as Operator I of the Waste Water Treatment Plant from June 10, 1993 until March 1, 2015; and

WHEREAS, Clarence retired as Operator I of the Graham Waste Water Treatment Plant from the City of Graham on March 1, 2015 with 21 years 9 months of service; and

WHEREAS, his wisdom, care and dedication has commanded the utmost respect from his colleagues and employees; and

WHEREAS, it is the desire of the City Council to extend their deepest appreciation to Clarence for the excellent time and service he has afforded the citizens of Graham and his fellow employees.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT: Clarence be commended for his outstanding public service to the City of Graham.

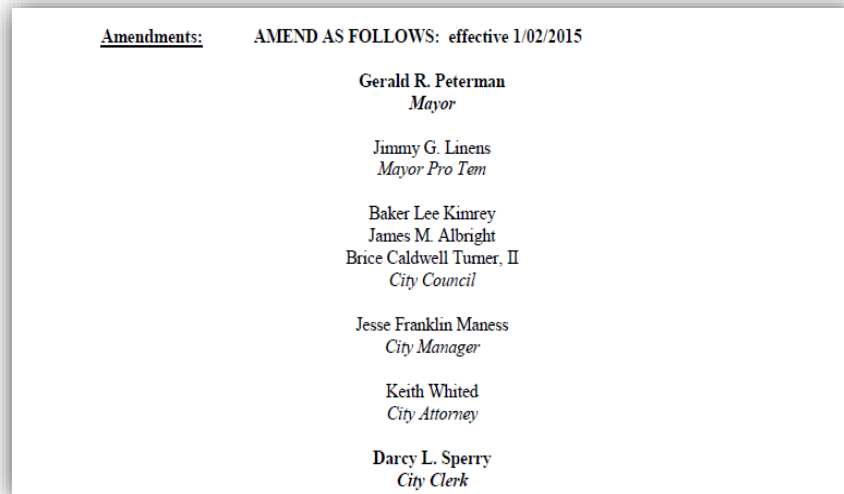
BE IT FURTHER RESOLVED THAT: an expression of appreciation be extended to Mr. Clarence Baldwin in the form of this Resolution of Commendation and Appreciation, and that this Resolution become a part of the official records of the City of Graham for all of time, and the original thereof be presented to him in person.

This the 3rd day of March 2015.

Jerry Peterman, Mayor
City of Graham

Consent Agenda:

- *Approval of Minutes – February 3, 2015 Regular Session*
- *Approval of Minutes – February 19, 2015 Special Session*
- *Approval of Minutes – February 24, 2015 Special Session*
- *Amend date of Advertisement of Tax Liens to March 26, 2015*
- *Amend City of Graham Code of Ordinances Officials page*



- *Request from the Recreation and Parks Department to close the 100 block of W. Elm Street from 5:00 p.m. – 11:00 p.m. for the Thursday at Seven Concert Series on May 28, 2015, June 25, 2015, July 23, 2015, August 27, 2015 and September 24, 2015.*

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

Recommendations from Planning Board:

Public Hearing: *Apex View UBD & Community Center (SUP1501). Request by Thangaraju Muruegsan for a Special Use Permit for a Community Center and Unified Business Development on property located at 602 W Elm St (GPIN 8874759635).*

City Planner Nathan Page explained that the applicant was not present at their meeting to answer questions therefore the Graham Planning Board voted to postpone this agenda item until their March 17, 2015 meeting.

Council Member Kimrey motioned to postpone this agenda item until the next monthly meeting, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

North Carolina Commerce Park (NCCP):

- a. Approve Committee Recommendations*

City Manager Frankie Maness explained that in May 2013, the City approved entering into a compact with Alamance County and the City of Mebane to establish an Economic Development Zone in the Hawfields area. The compact called for the establishment of an organizational committee to develop policies and procedures as well as make recommendations to the governing boards to effectuate the development of the Zone. The recommendations include:

- a. Approve the name of the zone as the "North Carolina Commerce Park."
- b. Appoint the Chamber of Commerce as the "NCCP Representative" to work with property owners to:
 - i. Negotiate an agreed upon option to sell their land;
 - ii. In exchange for providing services for site certification, marketing and master planning of the NCCP.
- c. Appropriate \$100,000 each (\$300,000 total) to the Alamance County Chamber of Commerce to be placed in a NCCP Fund to pay for expenses associated with site certification, marketing and master planning within the NCCP.
- d. Approve the creation by Graham and Mebane of an overlay zoning district that will maintain development standards within the park.
- e. Appoint the Organizational Committee as the NCCP Oversight Committee for the administration of future activities and operations.
- f. Require the Oversight Committee to provide a semiannual report and accounting of the revenues, expenditures, and activities of the NCCP in April and October of each year.

Council Member Kimrey motioned to approve the six (6) recommendations of the NCCP Organizational Committee, seconded by Council Member Turner. All voted in favor of the motion.

b. Approve Budget Amendment

Mr. Maness indicated that for it to be legal to spend money, we have to have it appropriated in our budget. He further explained that this is a Budget Amendment to allocate one hundred thousand (100,000) dollars for the marketing and site certification effort for the NCCP.

BE IT ORDAINED BY THE CITY COUNCIL of the City of Graham that the 2014 - 2015 Budget Ordinance shall be and is hereby amended as follows:

Section 1: General Fund Expenditures			
	APPROVED	AMENDED	DIFFERENCE
Non-Departmental Administration	722,520	822,520	100,000
Section 2: General Fund Revenues			
Fund Balance	714,750	814,750	100,000

This the 3rd day of March, 2015.


Jerry Peterman - Mayor

ATTEST:


Darcy Sperry, City Clerk

Council Member Kimrey motioned to approve the Amendment to the Fiscal Year 2014-2015 Budget Ordinance for the appropriation to NCCP, seconded by Mayor Pro Tem Jimmy Linens. All voted in favor of the motion.

Issues Not Included on Tonight's Agenda

Mr. Maness advised Council of the United Way sponsored "Municipal Madness Basketball Tournament" taking place this month.

Mr. Maness advised Council of "Town Hall Day" which takes place in Raleigh on March 18, 2015.

Mayor Peterman welcomed Mr. Page and Mr. Michael Leinwand to Graham. He explained that both gentlemen will be working together to assume the duties of former City Planner Melissa Guilbeau.

Council Member Turner thanked Staff and Council Members for their acts of kindness shown him recently as he recuperates from shoulder surgery.

Council Member Kimrey followed up Mr. Maness' comments on the United Way Basketball Tournament. He mentioned that he has been fortunate to have served on a Committee with United Way this year. He stated that there will be a trophy along with a signed basketball by the coaches of the ACC awarded to the winning team and displayed at the winning Municipality for the next twelve (12) months – not to mention the sense of pride associated with winning.

Mayor Peterman asked Mr. Maness to pass along a "well done" to the City Staff for their recent snow removal efforts.

Mr. Buster Goodman of 320 Moser St gave an update on the current health condition of Coach Don Amos.

Mayor Peterman encouraged those in attendance to purchase tickets to the upcoming Graham Sports Hall of Fame induction ceremony (which is scheduled for April 11, 2015).

Mayor Peterman also advised he will be out of town for the April 7, 2015 Council Meeting. Council Members discussed what alternatives are available to them.

Council Member Kimrey made a motion to move the regularly scheduled business meeting to April 14, 2015, seconded by Council Member Turner. All voted in favor of the motion.

At 7:36 p.m. Council Member Kimrey made a motion to adjourn, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
SPECIAL SESSION
TUESDAY, APRIL 14, 2015
7:00 P.M.**

The City Council of the City of Graham met in special session at 7:00 p.m. on Tuesday, April 14, 2015, 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 Jim Albright
Council Member Lee Kimrey
Council Member Chip Turner

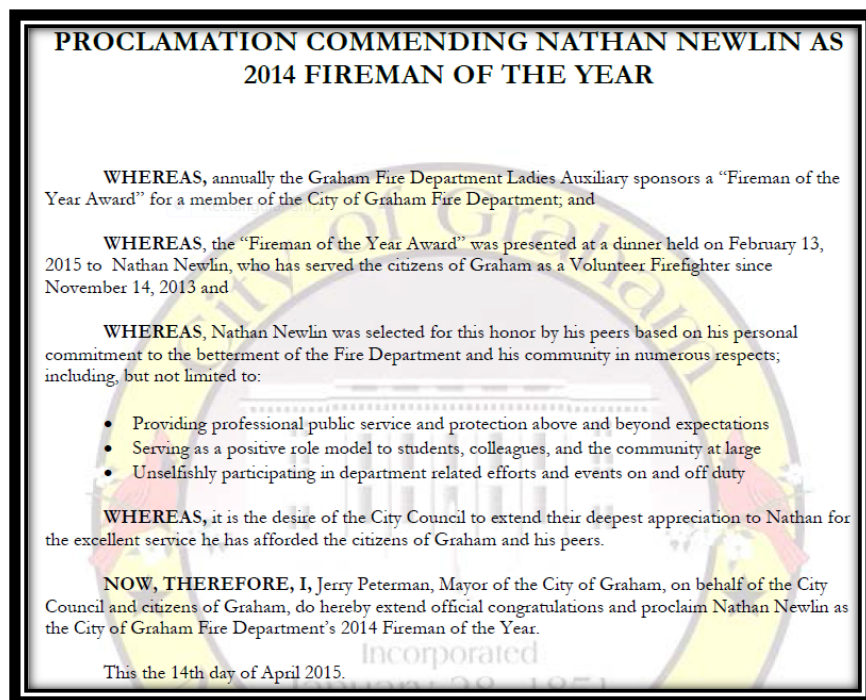
Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Nathan Page, City Planner
Michael Leinwand, Special Projects Coordinator
Keith Whited, City Attorney
John Andrews, Fire Chief

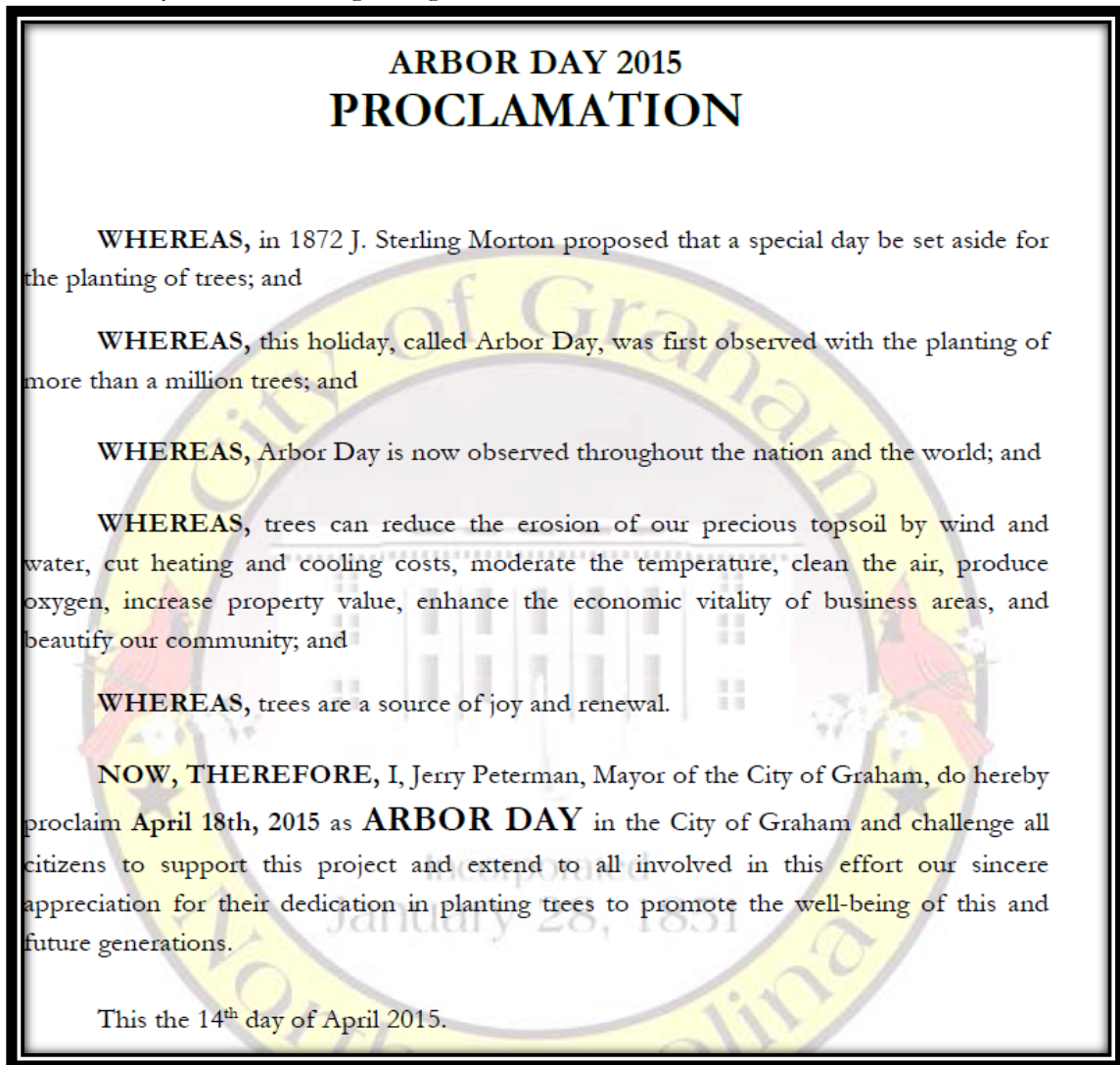
Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Mayor Pro Tem Jimmy Linens gave the invocation and everyone stood to recite the Pledge of Allegiance.

Honorary Proclamations:

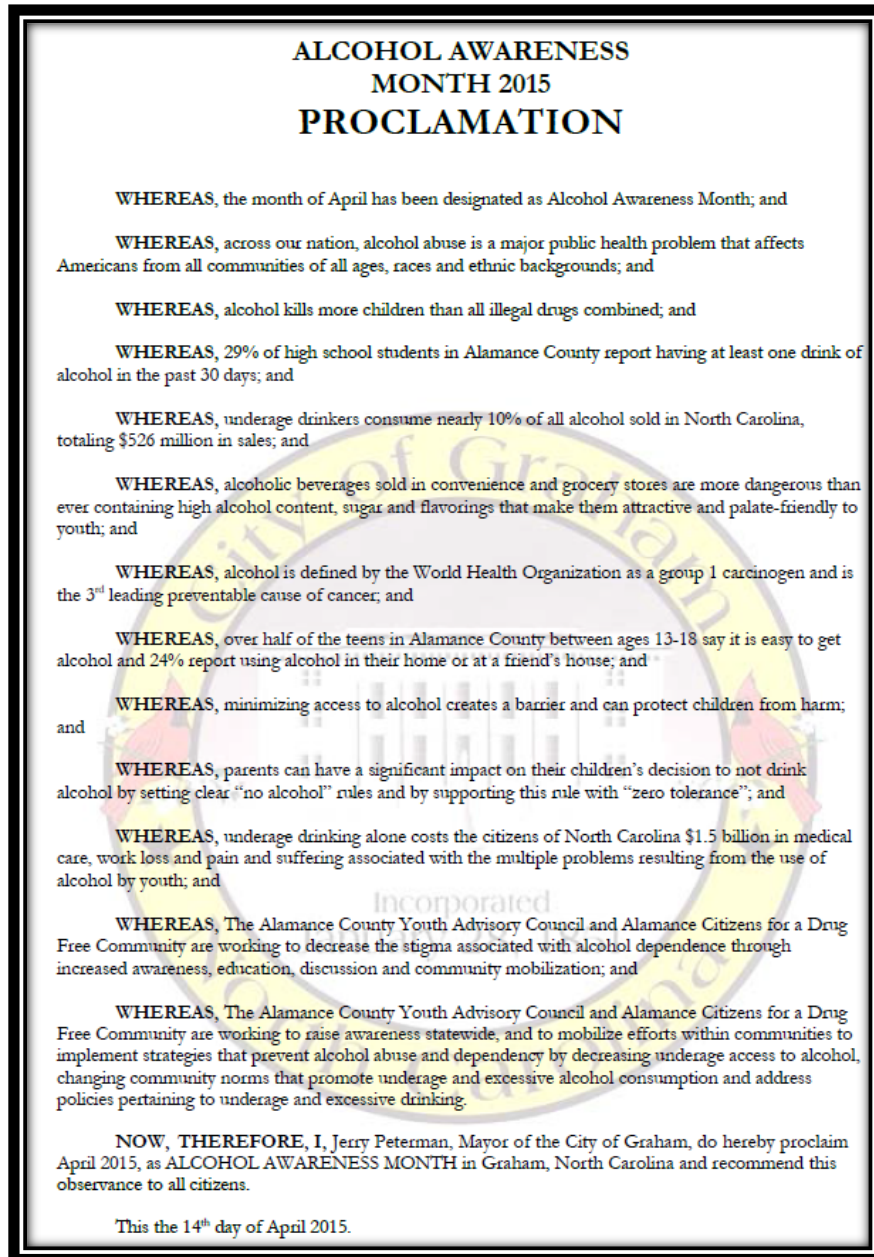
- **Fireman of the Year** - Mayor Jerry Peterman presented a proclamation to Nathan Newlin recognizing him as the 2014 Graham Fire Department's Fireman of the Year. Fire Chief John Andrews thanked Mr. Newlin for his service. Mr. Newlin thanked everyone for this award.



- **Arbor Day** – Mayor Peterman presented a proclamation to City of Graham Appearance Commission Chairman Elaine Murrin and declared April 18, 2015 as Arbor Day within the City of Graham. Ms. Murrin stated that the Annual Arbor Day Celebration will take place on Saturday, April 18, 2015 at the Children’s Museum of Alamance and welcomed all to attend the day’s festivities beginning at 11:00 a.m.



- **Alcohol Awareness Month** – Mayor Peterman presented a proclamation to Ms. Haley Ross of the Alamance County Advisory Council and declared April 2015 as Alcohol Awareness Month within the City of Graham. Ms. Ross advised that she is a freshman at the Burlington School and mentioned that the Advisory Council is currently working on a bill which would prohibit powdered alcohol to be sold in North Carolina. Ms. Ross thanked everyone for being such active members in our community.



Consent Agenda:

- a. Approval of Minutes – March 3, 2015 Regular Session.*
- b. Budget Amendment; Riverwalk Subdivision Improvements.*
- c. Resolution to Amend the Regional Geographic Information System Agreement.*

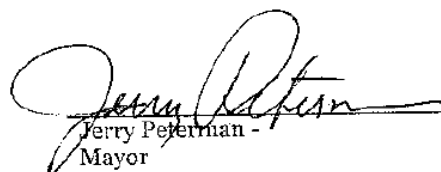
Mayor Peterman asked the Council Members if they would like to pull any of the items from the Consent Agenda. Council Member Lee Kimrey asked to pull item “c. Resolution to Amend the Regional Geographic Information System Agreement.”

Council Member Kimrey made a motion to approve items “a” and “b” on the Consent Agenda, seconded by Council Member Jim Albright. All voted in favor of the motion.

BE IT ORDAINED BY THE CITY COUNCIL of the City of Graham that the 2014 - 2015 Budget Ordinance shall be and is hereby amended as follows:

Section 1: General Fund Expenditures			
	APPROVED	AMENDED	DIFFERENCE
10-3150-0000 LOC Funds	100	144,257	144,157
Section 2: General Fund Revenues			
10-5600-9904 Riverwalk LOC	0	144,257	144,257

This the 14th day of April, 2015.


 Jerry Peterman -
 Mayor

ATTEST:


 Darcy Sperry, City Clerk

Council Member Kimrey questioned City Manager Frankie Maness about the cost of the Regional Geographic Information System (GIS) appropriated in this year's budget versus what is being proposed in next year's budget. Mr. Maness stated that the cost is split between the General Fund and the Water/Sewer Fund and therefore the difference can be found in the Water/Sewer Fund by adding it to the appropriation in the General Fund.

Council Member Kimrey made a motion to approve item "c" on the consent agenda, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA, TO AMEND THE REGIONAL GEOGRAPHIC INFORMATION SYSTEM (ReGIS) AGREEMENT

WHEREAS, Part 1 of Article 20 of Chapter 160A of the North Carolina General Statutes authorizes units of local government to enter into contracts or agreements with each other in order to execute joint undertaking; and

WHEREAS, on August 14, 2001, the City of Burlington (hereinafter, "City"), and City of Graham and Town of Elon (hereinafter, "Partners") entered into a Regional Geographic Information System (ReGIS) Agreement; and

WHEREAS, the City and Partners have a continued compelling and mutual interest in developing and maintaining accurate and current electronically-retrievable geographic information about themselves and their extraterritorial planning jurisdictions; and

WHEREAS, the City and Partners recognize that at this time, neither Partner can afford to individually develop and maintain efficiently and effectively, a GIS for themselves; and

WHEREAS, the City and Partners recognize that a regional GIS benefits their citizens by improving the efficiency and effectiveness of local government and enhancing the regional economic competitiveness of the individual municipal corporations; and

WHEREAS, the City and Partners want to ensure continued cooperation and mutual support for a successful and cost effective implementation of GIS-related management information systems,

WHEREAS, the current ReGIS Agreement will expire at the end of the fiscal year 2014-2015; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA, THAT:

Section 1:

Item 2 of the Regional Geographic Information System (ReGIS) Agreement—"Duration of Agreement"— be amended to extend the agreement through fiscal year 2018-2019.

Section 2:

This resolution will take effect upon passage of identical resolutions by all ReGIS Partners.

Adopted this 14th day of APRIL, 2015, by the City Council of the City of Graham, North Carolina.


Jerry Peterman, Mayor
City of Graham

Old Business

Quasi-Judicial Public Hearing: Apex View UBD & Community Center (SUP1501). Request by Thangaraju Muruegsan for a Special Use Permit for a Community Center and Unified Business Development on property located at 602 W Elm St (GPIN 8874759635).

Mayor Peterman opened the Quasi-Judicial Public Hearing and polled the Council for any financial interests, fixed opinions or communications regarding the property. Council Member Kimrey disclosed that he attended the Planning & Zoning Board meeting and that at that meeting he heard testimony and evidence presented according to this item. Mayor Peterman asked Council Member Kimrey if he felt that it would sway his decision one way or another. Council Member Kimrey replied no. Mayor Peterman asked if anyone objected. No one objected.

City Clerk Darcy Sperry swore in City Planner Nathan Page and Special Projects Coordinator Michael Leinwand.

Mr. Page explained that this is a request by Thangaraju Muruegsan who intends to have a Unified Business Development which allows for multiple tenants. He further explained that there are three (3) buildings on site and the applicant is requesting to use one of the smaller units (approximately four-thousand (4,000) sq. ft.) as a Community Center.

Mayor Pro Tem Linens asked Mr. Page what the Planning Board's argument was on the drive thru. Mr. Page indicated that drive thru is currently going against the flow of traffic and that according to Graham Police Chief Prichard, there is a high likelihood of pedestrian conflict. Council Member Jim Albright asked Mr. Page what the current zoning is. Mr. Page advised that this site is split zoned between B-2 and I-1. Council Member Chip Turner asked Mr. Page if he knew what type of business the applicant wanted to put in here. Mr. Page stated that they would be able to do anything that is permitted in a Unified Business Development – which is similar to that which is permitted in the B-2 district. Council Member Kimrey asked Mr. Page if he knew what the building at the rear is currently used for or what it might be used for in the future. Mr. Page said he does not know. Mayor Peterman asked Mr. Page if the owner had any qualms about the removal of the drive thru. Mr. Page said none had been voiced to him. Council Member Albright asked Mr. Page if a previously mentioned possible grocery store or office space is permitted B-2 now. Mr. Page explained that currently they are permitted any single use or any single tenant occupy all three (3) spaces. He went on to say that the Unified Business Development restricts the uses, for example a daycare, but permits multiple business tenants in the same location.

Mayor Peterman asked if anyone from the floor wanted to speak on this. None were forthcoming. Being no further testimony, Mayor Peterman closed the Quasi-Judicial Public Hearing.

Council Members expressed concern that the applicant was not in attendance to answer questions. City Attorney Keith Whited advised the Council that they are within the legal guidelines should they choose to table this item to the May 5, 2015 regularly scheduled Council Meeting. Mr. Whited suggested a letter be sent to the applicant advising him of this.

Mayor Peterman made the motion that we table this until next month and during that time, we ask the staff to send him a letter telling him about us desiring him to be here next month, seconded by Council Member Turner. All voted in favor of the motion.

Requests and Petitions of Citizens

City Manager Frankie Maness explained that this is a request for two (2) action items, both on the same application for a Non-Contiguous Annexation on Kimrey Road. Mr. Maness indicated the subject property is divided into two (2) tracts, totaling approximately eighty-eight (88) acres. Mr. Maness further explained that this is the first step in the annexation process which would require approval of the following:

- i. Approve Resolution requesting City Clerk to Investigate the Sufficiency.
- ii. Approve Resolution fixing date of Public Hearing on Question of Annexation.

Council Member Kimrey questioned Mr. Maness about the Inter-Local Agreement between the Cities of Graham, Mebane and the County. He asked if that agreement gives us the right to annex this property that is not in either Graham or Mebane's ETJ (Extra Territorial Jurisdiction). Mr. Maness advised that with an annexation, permission is not required by the County as long as we stay within the bounds of the State Statutes.

Council Member Kimrey made the motion to approve the Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-58.1 for Property on Kimrey Rd., seconded by Council Member Albright. All voted in favor of the motion.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-58.1
FOR PROPERTY ON KIMREY ROAD


WHEREAS, a petition requesting annexation of an area described in said petition was received on March 31st, 2015, by the Graham City Council; and

WHEREAS, G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the City of Graham City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Graham deems it advisable to proceed in response to this request for annexation:

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Graham that:

The City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.


 Gerald R. Peterman, Mayor

ATTEST:


 Darcy L. Sperry, City Clerk

CERTIFICATE OF SUFFICIENCY

To the Graham City Council of the City of Graham, North Carolina:

I, Darcy L. Sperry, City Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

I further find that the area meets the standards for a noncontiguous area as specified in G.S. 160A-58.1(b), in that:

1. The petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area in relation to the City of Graham and the City of Mebane primary corporate limits.
2. The petition includes the names and addresses of all owners of real property lying in the area described therein.
3. The petition includes the signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S. 160A-58.1(a).
4. The nearest point on the proposed satellite corporate limits is no more than three (3) miles from the primary corporate limits of the City;
5. Although closer to the City of Mebane, there is an annexation agreement in place that allows the annexation of the proposed satellite;
6. The satellite area is so situated that the City will be able to provide the same services as are provided within its primary corporate limits;
7. The proposed satellite area does not contain any portion of a subdivision;
8. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the City, does not exceed ten percent (10%) of the area within the primary corporate limits of the City [or indicate that the municipality has a modification to this requirement pursuant to an act of the General Assembly].

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Graham, this the 14th day of April, 2015.


City Clerk

SEAL



Mayor Peterman made the motion to approve the Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-58.2 for Property on Kimrey Rd – the date being May 5, 2015, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2
FOR PROPERTY ON KIMREY ROAD

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

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

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the area described herein will be held at the City Hall, 201 S. Main St., Graham, NC at 7:00pm on May 5, 2015.

Section 2. The area proposed for annexation is described as follows:

TRACT 1 AREA TO BE ANNEXED
METES & BOUNDS DESCRIPTION

BEING A TRACT OF LAND SITUATED AT THE NORTHWEST RIGHT OF WAY OF KIMREY ROAD (S.R. 2125), A PORTION OF TAX IDS: 159502 & 159503, SITUATED IN THE UNINCORPORATED AREA OF ALAMANCE COUNTY, NORTH CAROLINA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT NCGS STATION "GUVNOR" HAVING NC GRID COORDINATES IN U.S. SURVEY FEET OF NORTH 839,741.12 AND EAST 1,897,712.00;

THENCE, S 72°50'06" E, A HORIZONTAL GRID DISTANCE OF 2,798.27 FEET TO A CALCULATED POINT, THE POINT OF BEGINNING;

THENCE, IN A CLOCKWISE DIRECTION, N 54°37'42" E, 1,141.25 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 2,030.00', A DELTA OF 003°31'27", AN ARC LENGTH OF 124.87 FEET AND A CHORD OF 124.85 FEET BEARING N 52°51'58" E TO A CALCULATED POINT;

THENCE, N 51°06'15" E, 149.89 FEET TO A FOUND ¾" PIPE, THE WESTERN CORNER OF THAT WAL-MART STORES EAST LP PARCEL RECORDED IN BOOK 3352, PAGE 601, ACR;

THENCE, S 40°31'34" E, 2,757.64 FEET TO A FOUND ¾" PIPE ON THE NORTHERLY RIGHT OF WAY LINE OF KIMREY ROAD (60' PUBLIC RIGHT OF WAY), MAP BOOK 65, PAGE 177, ACR;

THENCE, WITH THE NORTHERLY RIGHT OF WAY OF KIMREY ROAD THESE FOLLOWING SEVEN (7) COURSES;

1. S 62°26'38" W, 214.93 FEET TO A CALCULATED POINT;
2. S 63°31'49" W, 130.18 FEET TO A CALCULATED POINT;
3. S 67°35'48" W, 218.73 FEET TO A CALCULATED POINT;
4. S 68°20'37" W, 305.36 FEET TO A CALCULATED POINT;
5. S 67°47'44" W, 316.89 FEET TO A CALCULATED POINT;
6. S 68°42'20" W, 171.75 FEET TO A CALCULATED POINT;
7. S 69°59'44" W, 129.24 FEET TO A CALCULATED POINT;

THENCE, N 40°23'47" W, 2,423.69 FEET TO POINT OF BEGINNING, AND CONTAINING 84.433 ACRES OR 3,677,901.57 SQUARE FEET OF LAND, AS SHOWN ON THAT "FINAL PLAT SHOWING: CORPORATE LIMITS EXTENSION CITY OF GRAHAM" MAP PREPARED BY THE SURVEY COMPANY INC., DATED MARCH 27, 2015. SIGNED BY CHARLES S. LOGUE, NC PLS #L-4212.

TRACT 2 AREA TO BE ANNEXED
METES & BOUNDS DESCRIPTION

BEING A TRACT OF LAND SITUATED AT THE NORTHEAST RIGHT OF WAY GOVERNOR SCOTT FARM ROAD (S.R. 2124), A PORTION OF TAX IDS: 159502 & 159503, SITUATED IN THE UNINCORPORATED AREA OF ALAMANCE COUNTY, NORTH CAROLINA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT NCGS STATION "GUVNOR" HAVING NC GRID COORDINATES IN U.S. SURVEY FEET OF NORTH 839,741.12 AND EAST 1,897,712.00;

THENCE, S 42°43'16" E, A HORIZONTAL GRID DISTANCE OF 2205.66 FEET TO A FOUND #4 REBAR IN THE CENTERLINE OF GOVERNOR SCOTT FARM ROAD (A 60' WIDE PUBLIC RIGHT OF WAY); **THE POINT OF BEGINNING**;

THENCE, IN A CLOCKWISE DIRECTION, N 49°51'03" E, 35.78 FEET TO A CALCULATED POINT, ON THE EASTERN PROPERTY LINE OF THAT CARL A. WESTMAN PARCEL RECORDED IN BOOK 2976, PAGE 166, ACR;

THENCE, S 46°24'08" E, 40.91 FEET TO A CALCULATED POINT;

THENCE, N 60°06'44" E, 61.91 FEET TO A CALCULATED POINT;

THENCE, N 51°58'56" E, 192.96 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 2,970.00', A DELTA OF 001°23'56", AN ARC LENGTH OF 72.51 FEET AND A CHORD OF 72.51 FEET BEARING N 51°16'58" E TO A CALCULATED POINT;

THENCE, N 50°34'59" E, 713.53 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 2,430.00', A DELTA OF 004°02'43", AN ARC LENGTH OF 171.56 FEET AND A CHORD OF 171.53 FEET BEARING N 52°36'21" E TO A CALCULATED POINT;

THENCE, N 54°37'42" E, 1,307.72 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 1,970.00', A DELTA OF 003°31'27", AN ARC LENGTH OF 121.17 FEET AND A CHORD OF 121.16 FEET BEARING N 52°51'58" E TO A CALCULATED POINT;

THENCE, N 51°06'15" E, 148.18 FEET TO A CALCULATED POINT ON THE WESTERLY LINE OF THAT KIMREY FARMS LLC PARCEL RECORDED IN BOOK 3304, PAGE 397, ACR;

THENCE, S 40°31'38" E, 60.00 FEET TO A FOUND ¾" PIPE, THE WESTERN CORNER OF THAT WAL-MART STORES EAST LP PARCEL RECORDED IN BOOK 3352, PAGE 601, ACR;

THENCE, S 51°06'15" W, 149.89 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 2,030.00', A DELTA OF 003°31'27", AN ARC LENGTH OF 124.87 FEET AND A CHORD OF 124.85 FEET BEARING S 52°51'58" W TO A CALCULATED POINT;

THENCE, S 54°37'42" W, 1,141.25 FEET TO A CALCULATED POINT;

THENCE, S 54°37'42" W, 166.48 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 2,370.00', A DELTA OF 004°02'43", AN ARC LENGTH OF 167.32 FEET AND A CHORD OF 167.29 FEET BEARING S 52°36'21" W TO A CALCULATED POINT;

THENCE, S 50°34'59" W, 713.53 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 3,030.00', A DELTA OF 001°23'56", AN ARC LENGTH OF 73.98 FEET AND A CHORD OF 73.98 FEET BEARING S 51°16'58" W TO A CALCULATED POINT;

THENCE, S 51°58'56" W, 194.25 FEET TO A CALCULATED POINT;

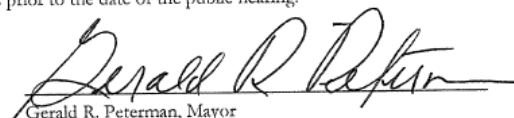
THENCE, S 42°53'55" W, 62.14 FEET TO A CALCULATED POINT;

THENCE, S 30°08'32" E, 85.24 FEET TO A CALCULATED POINT;

THENCE, S 51°43'22" W, 27.77 FEET TO A CALCULATED POINT IN THE CENTERLINE OF GOVERNOR SCOTT FARM ROAD;

THENCE, N 38°16'38" W, 202.27 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 3.901 ACRES OR 175,618.05 SQUARE FEET OF LAND, AS SHOWN ON THAT "FINAL PLAT SHOWING: CORPORATE LIMITS EXTENSION CITY OF GRAHAM" MAP PREPARED BY THE SURVEY COMPANY INC., DATED MARCH 27, 2015. SIGNED BY CHARLES S. LOGUE, NC PLS #L-4212.

Section 3. Notice of the public hearing shall be published once in The Alamance News, a newspaper having general circulation in the City of Graham, at least ten (10) days prior to the date of the public hearing.


Gerald R. Peterman, Mayor

ATTEST:

Darcy L. Sperry, City Clerk

Recommendations from Planning Board:

Public Hearing: Graham Manor (CR1501). Request by James B. Smith, United Developers, Inc. for a 56 unit senior apartment housing complex located on Auto Park Drive (GPIN 8883091817).

Mr. Page explained that this request is to rezone the property from R-18 & I-1 to Conditional Residential. The purpose of the rezoning is to allow a senior rental community.

Mayor Peterman opened the Public Hearing. Council Member Kimrey asked Mr. Page if he was accurate with saying in neighborhood residential development, apartments are not listed as a use in a development checklist. Mr. Page replied that is correct.

Mr. Bill Owen, 1416 Pine Valley Loop Fayetteville N.C., addressed the Council on behalf of United Developers. Mr. Owen advised Council that United Developers has been in the affordable housing market for over thirty-five (35) years. He went on to say that they currently have built, own and manage over thirty-five hundred (3,500) units in N.C. and S.C. Mr. Owen said this community would be restricted to individuals over the age of fifty-five (55). He further stated that they commissioned a third party market feasibility for a senior development. Mr. Owen advised that the results of the study were very favorable and as a result, they notified by letter all adjacent property owners of their plan. They invited all of the property owners to an open meeting at the Civic Center to hear of their proposal. Mr. Owen showed those in tonight's attendance artist renderings of the development and indicated that all of the City's requirements with construction will be met.

Council Member Kimrey asked Mr. Owen about their guest policy. Mr. Owen stated that all guests must be registered and cannot stay longer than two (2) weeks per year. In addition, Council Member Kimrey inquired about on site management as well as tax credit repayment. Mr. Owen said that he anticipates that on site management would exceed thirty (30) hours per week. He further stated that annual federal tax credits to the states require the property to be maintained in how it is presented for a thirty (30) year period.

Council Member Albright inquired as to the tax credit application process. Mr. Owen stated that the preliminary application was submitted in January of this year. He went on to say that at that time, NC Housing Finance conducts a review of and scores each site. He indicated that they received the maximum score for this site. The final part of the application must be submitted by May 15, 2015. Council Member Albright asked Mr. Page what could happen to the property after thirty (30) years. Mr. Page stated that if this Conditional Residential is approved, then it would have to come before City Council to amend the Conditional Residential down the line.

Mr. Jim Smith, 2004 Raeford Rd Fayetteville N.C., stepped forward to answer additional questions from the Council regarding the monitoring of the guest policy. Mr. Smith explained that very rarely is a guest on site for the maximum two (2) week period. He said that with their other properties, it's normally the residents themselves that will bring to management's attention that there is someone on site that isn't supposed to be there. He stated that it's not an issue in their other developments. He went on to say that the reality of it is that most of their units, whether it be a one (1) bedroom or two (2) bedroom unit, only have one (1) person living in it.

Mayor Peterman asked about the buffering. Mr. Owen said that the fencing that they have been requested to include would be on three (3) sides. He anticipates that it will be a black chain link fence that will be located within the buffer area and would not be visible from the road. Mayor Peterman asked what the estimated time frame of the project will be if they are approved. Mr. Owen stated that they expect to be operational by the end of 2016.

Mr. Tom Boney, of the Alamance News, asked if only one (1) of these projects can be approved in Alamance County. Mr. Owen stated yes. Mr. Boney asked for confirmation that the Conditional Rezoning being requested was for this project only and could not be modified in the future should this project be approved and not receive funding. Mr. Page replied yes.

Being no further questions, Mayor Peterman closed the Public Hearing. Council Members discussed amongst themselves subjects such as the age requirement and the impact on schools being a non-factor with a project of this nature. Council Member Albright stated that the lack of opposition to the project speaks volumes.

Mayor Pro Tem Linens made the motion that the application be approved with the following conditions:

- The final site plan must be submitted to and approved by the TRC before a building permit and/or certificate of occupancy will be issued.
- The size and layout of the stormwater treatment device will be evaluated as part of final site plan review. If these necessitate a shift in the location of buildings or parking, these revisions will maintain the general layout of the site as proposed and will conform to all ordinance requirements for multifamily, or they will be considered major revisions.
- A fence be provided between the undisturbed areas to the rear and sides of the property with the intention of safeguarding the residents from the undisturbed areas.
- The undisturbed area be undisturbed for at least 30 years;

And the application is consistent with the *City of Graham Growth Management Plan 2000-2020*. Council Member Albright seconded the motion. Ayes: Mayor Pro Tem Linens, Council Member Albright and Mayor Peterman Nays: Council Member Kimrey and Council Member Turner. Motion carried 3:2.

Quasi-Judicial Public Hearing: Da Vita Dialysis (SUP8301). Request by Richard Porterfield to amend the Special Use Permit at Kourescent Properties (currently the Just Save), to allow for a new tenant on the vacant parcel on the corner of Auto Park and W Crescent Square Drive (GPIN 8883192554).

Mayor Peterman opened the Quasi-Judicial Public Hearing and polled the Council for any financial interests, fixed opinions or communications regarding the property. Council Member Kimrey disclosed that he attended the Planning & Zoning Board meeting. Mayor Peterman asked Council Member Kimrey if he felt that would sway his decision one way or another. Council Member Kimrey replied no. Mayor Peterman asked if anyone objected. No one objected.

Ms. Sperry swore in Mr. Maness, Mr. Page, Mr. Leinwand, Mr. Greg Hill and Mr. Allen Hill.

Mr. Page explained that this is an application from Richard Porterfield, with Total Renal Care, to amend the Special Use Permit for the Kourescent Properties located on South Main Street along Crescent Square Drive and Auto Park. He further explained that the application is to build on the parcel to the extreme southwest proposed to be used for a DaVita Dialysis Center.

Council Member Kimrey asked Mr. Page about Staff's recommendation of sidewalks. Mr. Page indicated that the sidewalk request was to complete the network extending from South Main Street to Hanford Road. He stated that they were aware of the possible development of the senior housing complex previous to this request.

Mayor Peterman asked if anyone from the floor wanted to speak on this.

Mr. Greg Hill, 901 Moss Lane Winter Park, FL., addressed the Council. He indicated that he was representing Mr. Porterfield in this matter. Mr. Hill and Mr. Maness both advised that the engineers for both the project and the City have resolved storm water runoff issues and asked that the sidewalk in-lieu-of payment request be eliminated as a condition of approval. Council Member Kimrey inquired about offsite improvement vs. an onsite improvement pertaining to sidewalks. Mr. Maness stated that most of the sidewalks would be on existing DOT right of way, making the sidewalk not part of the site itself.

Being no further testimony, Mayor Peterman closed the Quasi-Judicial Public Hearing.

Council Member Kimrey made the motion that the application be approved with the following condition:

- A final site plan must be submitted to and approved by the TRC before a building permit and/or certificate of occupancy will be issued. As part of final site plan review, the layout of the parking and sidewalks may change to meet *Development ordinance* and other requirements, including NCDOT;

And adopt the Findings of Fact and Conclusions of Law as presented in the staff report and the application is consistent with the *City of Graham Growth Management Plan 2000-2020*. Council Member Turner seconded the motion. All voted in favor of the motion.

Findings of Fact and Conclusions of Law

1. All applicable regulations of the zoning district in which the use is proposed are complied with.

The property is zoned B-2. "Unified Business Development" is permitted in the B-2 zoning district with a Special Use Permit. The proposed development meets the area, height and yard regulations. Signs will require a sign permit.

2. Conditions specific to each use, identified by the Development Ordinance, are complied with.

The following requirements are specific to this use:

- Such developments shall abut a major thoroughfare, minor arterial, or collector street (existing or proposed). This existing Unified Business Development abuts NC 87/S Main St, which is a major thoroughfare.

- All uses permitted in the B-2 district are permitted in a Unified Business Development, with the exception of certain uses which are not permitted. Doctor's offices are permitted in the B-2 district and are not prohibited in a Unified Business Development.
 - All business establishments shall be retail or service establishments dealing directly with the public. The proposed office directly serves the public.
 - All uses shall be completely enclosed in buildings except for plant sales, sidewalk cafes, and permitted drive-in uses. The proposed office is completely enclosed.
 - An opaque screen shall be provided wherever, in the city council's judgment, such screening is necessary to shield adjacent residential districts. There are no adjacent residential districts that would require screening.
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.

The proposed office, to be located within an existing Unified Business Development, will not materially endanger the public health or safety.

4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.

The proposed office, to be located within an existing Unified Business Development, will not substantially injure the value of adjoining property.

5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.

The proposed office, to be located within an existing Unified Business Development, is a commercial use that will be located in an existing highway commercial corridor and is in general conformity with the Growth Management Plan 2000-2020.

6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.

Satisfactory provision has been made for vehicle circulation, parking, service entrances and areas, utilities, and lighting.

Public Hearing: Border St. Multifamily (RZ1501). Request by Chris Foust to rezone a parcel located at 515 Border Street from R-7 to R-MF (GPIN 8874877208).

Mr. Page explained that this is a request by Chris Foust to rezone the property from R-7 to R-MF. He advised that the property is currently vacant. He said the stated reason for this rezoning is to allow for two (2) to three (3) attached duplex units.

Mr. Chris Foust, 1851 South Main Street Graham, N.C., stepped forward to give a brief overview of the project and to answer questions. He pointed out that the units would be similar to those he has previously built on Washington Street. A picture of that project was shown to those in attendance.

He indicated that the units would face Oakley Street and that he would be cutting down the lot a little – as it is a little steep right now. Council Member Turner asked Mr. Foust how much he intends to drop the grade. Mr. Foust replied probably two (2) feet. Mr. Boney asked Mr. Foust how many total units would be on the site. Mr. Foust indicated that there will be four (4) to five (5) total units.

Being no further questions, Mayor Peterman closed the Public Hearing.

Council Member Albright made the motion that the application be approved and that the application is consistent with the *City of Graham Growth Management Plan 2000-2020*, seconded by Council Member Kimrey. All voted in favor of the motion.

Public Hearing: Patterson Place (CR0502). Request by Mark Richardson to amend the original Conditional Mixed-Use Residential application located on Cheeks Lane (GPIN 8883552739, 8883569808, 8883359916 and 8883367159).

Mr. Page explained that this is a request by Mr. Mark Richardson to amend the original Conditional Mixed-Use Residential that was approved in 2005. He stated that amendment is just for the originally planned one hundred-twelve (112) unit townhomes in the southeast corner of the property accessible off of Cheeks Lane. The applicant is proposing an eighty (80) rental multi-family dwelling units for seniors. Mr. Page indicated that the site must now conform to storm water regulations due to the change from the original proposal.

Council Members and Mr. Page discussed the buffer area, the reduction in the number of units as well as how this new proposal impacts the proposed Southern Loop. Mr. Page pointed out that the new proposal does include buffering internal to the site and the right of way. In addition, Mr. Page said the developer would ensure the proposed Southern Loop location remain unchanged. He also indicated that the developer is reducing the number of units on this proposal but maintaining the same shape as the original townhome portion of the plan. Mr. Page stated that these units will not be owner occupied.

Mr. Nate Gainey, 413 Old Farm Drive Graham, N.C., expressed concern over a possible increase in heavy equipment in his neighborhood. Mr. Glenn Patterson, 1310 South Main Street Graham, N.C., spoke on behalf of the developer. He stated that the area to be developed is only on the Cheeks Lane side of the property. He mentioned that they will have to access the sewer on the Old Farm Dr. side of the property, but that should be the only time heavy equipment will be present in that area.

Mr. David Vanover, 506 Cheeks Lane Graham, N.C., asked about buffering between the proposed project and his property. Mr. Page indicated that the developer will be required to plant a type “B” standard planting yard which is required between a Multi-Family Residential and a Single Family Residence. Mr. Maness indicated that a type “B” planting yard is the second densest planting yard we have. Mr. Vanover also expressed concern over an increase in traffic and the inability to discharge firearms on his property due to units being located directly behind his rear property line. Mr. Maness pointed out that the density in what is being proposed is less than what has already been approved.

Mr. Brad Parker of Greenway Development stepped forward to speak on behalf of the developer. Mr. Parker gave a brief overview of the project – stating that it is similar to the Graham Manor project presented earlier in the evening. He said his project consists of single story, cottage style units with every unit having a front porch and rear patio. Mr. Parker stated that there is a high demand for affordable housing for seniors.

Mr. John Wood, 125 North Harrington Street Raleigh, N.C., spoke on behalf of Cline Design Associates. He stated that there will be twelve (12) separate buildings with six (6) to seven (7) units in it. He further stated that the project is designed for the active over fifty-five (55) year old community. Mr. Wood stated that because this proposal is for seniors and is a lesser unit count than previously proposed, the traffic volume is expected to be significantly lower than what a townhome project would produce.

Council Members asked Mr. Wood if the age restriction, on site management and the preliminary application steps would be similar to the Graham Manor project. Mr. Wood indicated they would be. Mr. Wood was asked if they exercise a management style similar to that of Graham Manor pertaining to visitors and to how many residents allowed per bedroom. Mr. Wood stated that they follow the same policies.

Being no further questions, Mayor Peterman closed the Public Hearing.

Council Member Kimrey made the motion that the application be approved with the following conditions:

- The project will supply a sidewalk along Cheeks Lane.
- The final site plan must be submitted to and approved by the TRC before a building permit and/or certificate of occupancy will be issued;

And the application is consistent with the *City of Graham Growth Management Plan 2000-2020*. Council Member Albright seconded the motion. Ayes: Council Member Kimrey, Council Member Albright, Mayor Peterman and Mayor Pro Tem Linens Nays: Council Member Turner. Motion carried 4:1.

Public Hearing: City of Graham Comprehensive Plan 2035. Review of the final draft and adoption.

Mr. Roger Walden of Clarion Associates gave an overview of the plan being proposed. He stated that he believes the Comprehensive Plan should answer three (3) questions:

- Where are we today?
- Where do we want to go?
- How do we get there?

Mr. Walden stated that they have spent the past year and a half working on this plan. He stated that during this time, they gathered information from a variety of interviews done with members of the community.

In addition, Clarion Associates interviewed stakeholders, held several public meetings and reviewed internet inquiries. Based on these interviews, they built the components of this plan – identifying the key issues as:

- Building upon our Community Character
- Bringing Business to Graham
- Accessing Local and Regional Opportunities
- Enhancing our Public Facilities and Services
- Expanding our Housing Options
- Conserving our Natural Environment

Mr. Walden spoke of existing land use patterns as well as future land use. He stated that the future land use map will establish desired development patterns and will serve as a blueprint for future growth. He also explained that the future land use map will also serve as a guide for future zoning decisions made in Graham. Mr. Walden identified the key issues with the land use map as the North Carolina Commerce Park (NCCP), the downtown area, the areas around the interstate interchanges, residential developments and several policy statements that try to take advantage of the infrastructure already in place.

Council Members discussed with Mr. Walden the Planning Board's recommendation that there be notification given to all citizens about the change their property may encounter with the adoption of this plan. It was noted that there has been an extensive outreach to the public, including but not limited to, multiple public meetings, mailings and information posted on the internet. Mr. Walden was asked if he felt there were any key areas that would need personal notification. He said he did not believe there were. Council Members expressed concern over adopting this plan without further reviewing it. Council Members ultimately decided that they would like to schedule a workshop to review the plan and make any changes in the plan or decisions regarding notification at that time.

Mayor Peterman asked Mr. Maness to schedule a future workshop to review the 2035 Comprehensive Plan in greater detail.

An Ordinance of the City Council of the City Of Graham, Amending Chapter 10 – Cemeteries of the Code of Ordinances of the City of Graham, North Carolina

Mr. Leinwand explained that Staff has been working on an ordinance creating a Cemetery Perpetual Care Fund, to be used as a guide for Staff and Council to spend funds collected from Graham's two (2) cemeteries. Mr. Leinwand stated that without a Perpetual Care Fund Ordinance, the monies in the cemetery fund will continue to accumulate and earn interest. The funds cannot be expended nor earmarked without an ordinance, and the City's General Fund will continue to be used exclusively for the operation and maintenance of the cemeteries.

Council Members and Staff discussed costs associated with maintaining the City's cemeteries. Mr. Maness stated that the interest we earn is nowhere near enough to cover the expenses of maintaining the cemeteries. Mr. Maness further explained that the principal in this fund will never be spent while the interest would be expendable for the maintenance and appearance of the cemeteries.

Mr. Maness went on to say that this Ordinance would help supplement those funds currently allocated in the General Fund.

Council Member Turner made the motion to approve the Ordinance to adopt Sect. 10-34 Cemeteries Perpetual Care Fund, seconded by Council Member Albright. All voted in favor of the motion.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAHAM,
AMENDING CHAPTER 10 – CEMETERIES OF THE CODE OF ORDINANCES
OF THE CITY OF GRAHAM, NORTH CAROLINA**

The City Council of the City of Graham, North Carolina, does ORDAIN:

Sec. 1. That Chapter 10, Sec. 10-34 of the Code of Ordinances, City of Graham, North Carolina, is hereby added;

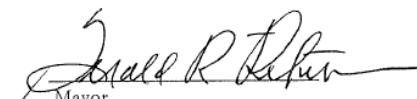
Sec. 10-34. Cemeteries perpetual care fund.

- (a) *Definition.* The term "perpetual care" means the cutting of grass upon plots in the cemeteries described in subsection (b) of this section at reasonable intervals, the pruning of shrubs and trees that may be placed by the city, the general preservation of the lots, grounds, walks, roadways, boundaries and structures, to the end that such grounds shall remain and be reasonably cared for as cemetery grounds forever. The term "perpetual care" shall in no case be construed as meaning the maintenance, repair or replacement of any grave markers placed upon lots or grave spaces, the planting of flowers or ornamental plants; the reconstruction of any bronze, marble, granite or concrete work on any section or lot or any portion or portions thereof in the cemetery, mausoleum or other buildings or structures, caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or by order of any military or civil authority, whether the damage be direct or collateral, other than that as provided in this section.
- (b) *Established.* A fund, known as the Cemeteries Perpetual Care Fund, shall be established for the purpose of perpetually caring for and beautifying the city cemeteries. The city may accept gifts and bequests to the fund upon such terms as the donor may prescribe.
- (c) *Management of fund.* The principal of the fund shall be invested in the same manner as other city funds. Principal is defined as income from the sale of cemetery plots.
- (d) *Expenditure of income.* Perpetual care expenditure shall be limited to the income received from the investments of the fund with no part of the principal being expended.

Secs. 10-35 – 10-54. – Reserved.

Sec. 2. That this Ordinance shall be in full force and effect on April 14, 2015 and upon publication, as provided by law

This the 14th day of APRIL, 2015.


Mayor

ATTEST:


City Clerk

P:\Agenda Pending Items\2015\04-14-2015\Cemetery Perpetual Care Fund\Municipal - Perpetual Care Fund Ordinance.docx

Issues Not Included on Tonight's Agenda

Council Member Albright informed those in attendance that they hoped that the fountain located between the Graham Library and the Children's Museum of Alamance would be dedicated next week commemorating the children of Alamance County.

At 10:06 p.m. Mayor Peterman made a motion to adjourn, seconded by Council Member Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, MAY 5, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, May 5, 2015, 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 Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Nathan Page, City Planner
Michael Leinwand, Special Projects Coordinator
Keith Whited, City Attorney
James Lloyd, Chief Code Enforcement Officer

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Mayor Pro Tem Jimmy Linens gave the invocation and everyone stood to recite the Pledge of Allegiance.

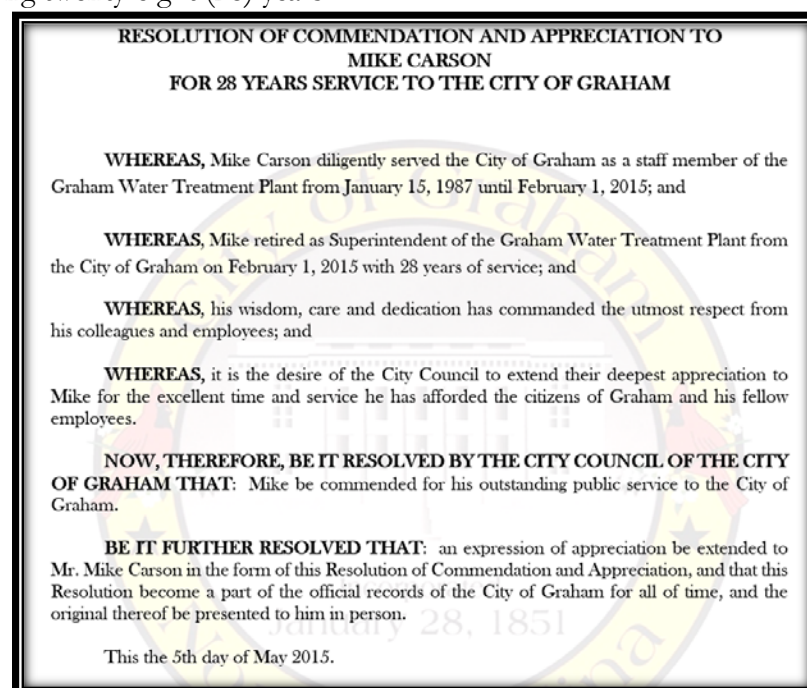
Honorary Recognitions, Resolutions and Proclamations:

➤ ***Sister City Fountain Dedication***

Mayor Peterman introduced Ann Honeycutt with the Sister Cities Program who thanked the City of Graham for their efforts in bringing this fountain to Alamance County.

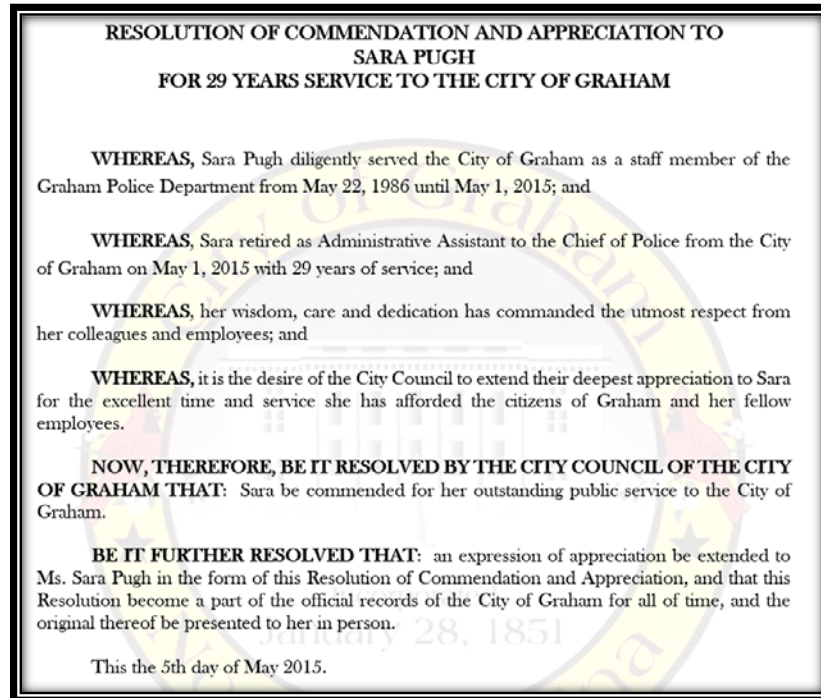
➤ ***Resolution of Commendation and Appreciation***

Mayor Peterman presented Mr. Mike Carson with a gift from the City of Graham and thanked him for his twenty-eight (28) years of service to the City of Graham. Mr. Carson thanked the City for an amazing twenty-eight (28) years.



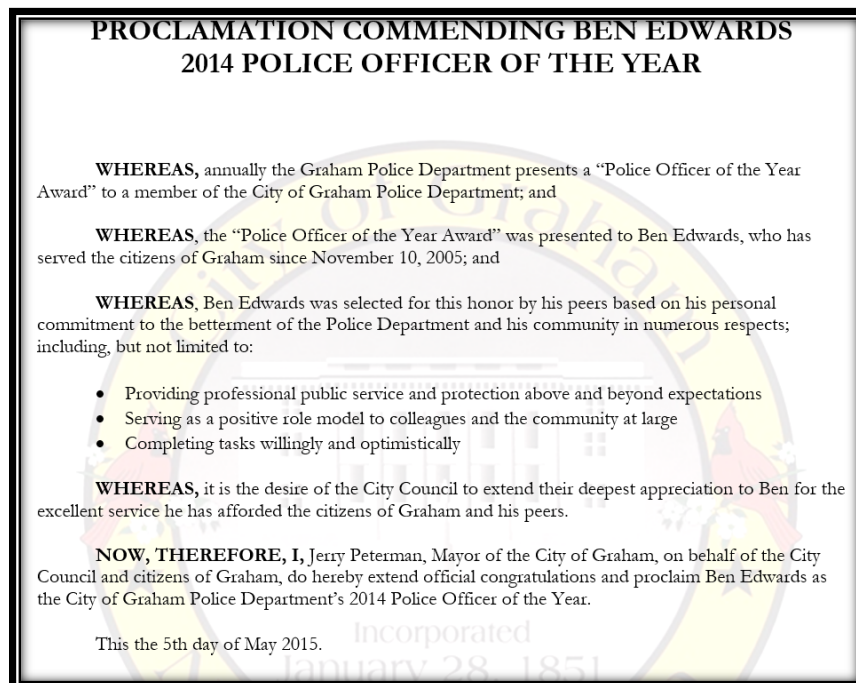
➤ ***Resolution of Commendation and Appreciation***

Mayor Peterman presented Ms. Sara Pugh with a gift from the City of Graham and thanked her for her twenty-nine (29) years of service to the City of Graham. Ms. Pugh thanked the City for the opportunity.



➤ ***Police Officer of the Year Proclamation***

Mayor Peterman presented a proclamation to Mr. Ben Edwards recognizing him as the 2014 Graham Police Department's Police Officer of the Year. Mr. Edwards thanked everyone for this award.



Consent Agenda:

- a. Approval of Minutes – April 14, 2015 Special Session.*
- b. Tax Releases and Refunds.*

CITY OF GRAHAM RELEASE ACCOUNTS						
MAY CITY COUNCIL MEETING						
ACCT #	YEAR	RECEIPT	NAME	RE/PP	REASON FOR RELEASE	RELEASED
44827	2014	5873	PATEL, JAYENDRA A	RE	ALA CO CORRECTED SQUARE FOOTAGE	223.80
254908	2012	27223	FARRELL, CHRISTOPHER C	PP	SOLD BOAT IN 2011	11.72
254908	2012	2724	FARRELL, CHRISTOPHER C	PP	SOLD BOAT MOTOR IN 2011	11.13
254908	2013	2650	FARRELL, CHRISTOPHER C	PP	SOLD BOAT IN 2011	10.85
254908	2013	2651	FARRELL, CHRISTOPHER C	PP	SOLD BOAT MOTOR IN 2011	11.13
254908	2014	2618	FARRELL, CHRISTOPHER C	PP	SOLD BOAT IN 2011	11.21
254908	2014	2619	FARRELL, CHRISTOPHER C	PP	SOLD BOAT MOTOR IN 2011	11.52

CITY OF GRAHAM REFUNDS						
MAY CITY COUNCIL MEETING						
ACCT #	YEAR	RECEIPT	NAME	RE/PP	REASON FOR REFUND	AMOUNT REFUNDED
44827	2010	5933	PATEL, JAYENDRA A	RE	ALA CO CORRECTED SQUARE FOOTAGE	218.89
44827	2011	5877	PATEL, JAYENDRA A	RE	ALA CO CORRECTED SQUARE FOOTAGE	216.43
44827	2012	5931	PATEL, JAYENDRA A	RE	ALA CO CORRECTED SQUARE FOOTAGE	216.43
44827	2013	5893	PATEL, JAYENDRA A	RE	ALA CO CORRECTED SQUARE FOOTAGE	216.43

- c. Request from the Recreation and Parks Department to close the 100 block of W. Elm Street from 5:00 p.m. – 11:00 p.m. for the Thursday at Seven Concert Series on September 10, 2015.*
- d. Request from Alamance County Manager Craig Honeycutt to block off the North and South side of West Elm Street from Maple Street to the first turnaround in the island past the Criminal Courts Building for the annual Memorial Day Ceremony on Monday, May 25, 2015 from 9:30 a.m. to 1:00 p.m.*

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

Old Business:

Quasi-Judicial Public Hearing: Apex View UBD & Community Center (SUP1501). Request by Thangaraju Muruegsan for a Special Use Permit for a Community Center and Unified Business Development on property located at 602 W Elm St (GPIN 8874759635).

Mayor Peterman opened the Quasi-Judicial Public Hearing and polled the Council for any financial interests, fixed opinions or communications regarding the property. None were forthcoming.

Council Member Lee Kimrey made a motion to open the evidence from last month, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

City Clerk Darcy Sperry administered an oath to City Planner Nathan Page and Mr. Thangaraju Muruegsan.

Mr. Page explained that this is a request by Thangaraju Muruegsan who is requesting two (2) special use permits for a community center as well as a Unified Business Development on the property located at 602 W. Elm Street. He further explained that there is a single existing building divided into three (3) units. One unit is approximately fifteen thousand (15,000) sq. ft. and the other two (2) each being approximately four thousand (4,000) sq. ft.

Mr. Muruegsan, 503 Front Ridge Drive Cary, N.C., stepped forward to answer any questions the Council may have. Council Member Albright asked Mr. Muruegsan what he has planned to go in there if this is approved. Mr. Muruegsan stated that they are currently taking applications, some of which have been for a community center, church and grocery store, but do not have anything definite at this time. Council Member Kimrey asked Mr. Muruegsan about the building adjacent to the back of the building as well as plans for the existing sign in front of the building. Mr. Muruegsan stated that it is a loading dock equipped with a freezer and cooler. He also advised that the sign will be modified to reflect tenant names, but he does not have any plans to make any major modifications to the existing sign. Council Member Kimrey also asked Mr. Muruegsan if he has any problems with removing the drive thru lane as per the Planning Board's request. Mr. Muruegsan said no.

Mayor Peterman asked if anyone from the floor wanted to speak on this. None were forthcoming. Being no further testimony, Mayor Peterman closed the Quasi-Judicial Public Hearing.

Council Member Kimrey made the motion that the application be approved with the following condition:

- The existing drive-thru window be closed and the lane removed;

And adopt the Findings of Fact and Conclusions of Law as presented in the staff report and the application is consistent with the *City of Graham Growth Management Plan 2000-2020*. Council Member Albright seconded the motion. All voted in favor of the motion.

Findings of Fact and Conclusions of Law

1. All applicable regulations of the zoning district in which the use is proposed are complied with.
 - *The property is zoned B-2 and I-1. "Unified Business Development" is permitted in both the B-2 and I-1 districts. The property will allow all uses allowed in a B-2 district, with the exceptions as noted our ordinance, under section 10.149.*
 - *The existing signs appear to conform to our ordinance. Any new or replaced signs will need sign permits.*
 - *The existing building may be nonconforming with respect to side and rear yard setbacks, but no new construction is proposed that would increase these nonconformities.*
 - *The property may also be nonconforming with regards to screening of adjacent residentially zoned properties.*

2. Conditions specific to each use, identified by the Development Ordinance, are complied with.

- *There are no conditions specific to “community centers.”*
- *All uses permitted in the B-2 district are permitted in a Unified Business Development, with the exception of certain uses which are not permitted. The only use specified for this Unified Business Development is the community center. That use is permitted in the B-2 district with a special use permit, and is not prohibited in Unified Business Developments. All future uses to be located within the UBD will be required to obtain a Zoning Permit prior to occupancy.*
- *All uses shall be completely enclosed in buildings except for plant sales, sidewalk cafes, and permitted drive-in uses. The proposed uses are completely enclosed, with the exception of the proposed drive-thru window. Drive-in establishments offering goods or services directly to customers in parked cars shall be permitted only when the locations of the builds and access drives have been approved by the city council. This proposal includes a drive-thru window, which is seeking the approval of City Council.*
- *An opaque screen shall be provided wherever, in the city council’s judgment, such screening is necessary to shield adjacent residential districts. There is a residential zone to the rear of the building, zoned R-7, and currently occupied by single family residential.*
- *Off-street parking for 110 spaces is currently provided. A 15,000 sq. ft. grocery would require 75 spaces, the 4,100 sq. ft. community center 21 spaces, and a 4,000 sq. ft. service establishment dealing frequently with the public another 20. This would require a total of 116. However, if the uses are service establishments dealing infrequently with the public and low-volume retailers, the smaller units could require as little as 14 additional parking spaces, for a total of 89. If all three units require 1 spot per 200 sq. ft. (the required for high volume retail, service establishments dealing frequently with the public, and community centers), the site would require 6 additional spaces.*
- *The property is located along a major thoroughfare, minor arterial, or collector street (existing or proposed). This UBD abuts West Elm Street/Highway 87, which is a principal arterial.*
- *The property is also nonconforming for landscaping, but would not be required to meet current ordinances unless the site adds more than 3,000 sq. ft. or constructs a new building. In which case, said modifications would only be required in relation to the expansion or new construction.*

3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.

- *The reuse of the location as a shopping center will not materially endanger the public health or safety.*

4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.

- *The proposed UBD will not substantially injure the value of adjoining property.*

5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.

- *The community center and unified business district will be located along a major road in a highway commercial corridor and is in general conformity with the Growth Management Plan 2000-2020*

6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.
- *Public water and sewer, parking and loading, service entrances and areas, utilities, and signs and lighting are satisfactorily provided.*
 - *Vehicle circulation is being proposed to remain as is. City Council must approve the proposed location of the drive-thru window, as well as access drives.*
 - *Parking is being proposed to remain as is.*

Requests and Petitions of Citizens:

a. Public Hearing: Petition for Voluntary Non-Contiguous Annexation Kimrey Road.

Special Projects Coordinator Michael Leinwand explained that the Ordinance presented to the Council is a request to extend the corporate limits of the City of Graham. He indicated that this satellite annexation consists of approximately eight-eight (88) acres.

Mayor Peterman opened the Public Hearing. No public comment was received and Mayor Peterman closed the Public Hearing.

Council Member Albright made the motion to approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina for property at Kimrey Road, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

ANNEXATION ORDINANCE

TO EXTEND THE CORPORATE LIMITS OF THE CITY OF GRAHAM, NORTH CAROLINA FOR PROPERTY AT KIMREY ROAD

WHEREAS, the Graham City Council has been petitioned under G.S. 160A-58.1 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 May 5, 2015, after due notice by publication on April 23, 2015; and

WHEREAS, the Graham City Council finds that the petition meets the requirements of G.S. 160A-58.1;

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-58.1, the following described territory is hereby annexed and made part of the City of Graham as of May 5, 2015:

TRACT 1 AREA TO BE ANNEXED METES & BOUNDS DESCRIPTION

BEING A TRACT OF LAND SITUATED AT THE NORTHWEST RIGHT OF WAY OF KIMREY ROAD (S.R. 2125), A PORTION OF TAX IDS: 159502 & 159503, SITUATED IN THE UNINCORPORATED AREA OF ALAMANCE COUNTY, NORTH CAROLINA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT NOGS STATION "GUNWON" HAVING NC GRID COORDINATES IN U.S. SURVEY FEET OF NORTH 830,741.12 AND EAST 1,897,712.00;

THENCE, S 72°50'06" E, A HORIZONTAL GRID DISTANCE OF 2,798.27 FEET TO A CALCULATED POINT, THE POINT OF BEGINNING;

THENCE, IN A CLOCKWISE DIRECTION, N 54°37'42" E, 1,141.25 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 2,090.00', A DELTA OF 003°31'27", AN ARC LENGTH OF 124.87 FEET AND A CHORD OF 124.85 FEET BEARING N 52°51'58" E TO A CALCULATED POINT;

THENCE, N 51°08'15" E, 149.89 FEET TO A FOUND 1" PIPE, THE WESTERN CORNER OF THAT WAL-MART STORES EAST 1/4 PARCEL RECORDED IN BOOK 3852, PAGE 601, ACR;

THENCE, S 40°31'34" E, 2,757.64 FEET TO A FOUND 3/4" PIPE ON THE NORTHERLY RIGHT OF WAY LINE OF KIMREY ROAD (60' PUBLIC RIGHT OF WAY), MAP BOOK 65, PAGE 177, ACR;

THENCE, WITH THE NORTHERLY RIGHT OF WAY OF KIMREY ROAD THESE FOLLOWING SEVEN (7) COURSES;

1. S 62°26'38" W, 214.93 FEET TO A CALCULATED POINT;
2. S 63°31'49" W, 130.18 FEET TO A CALCULATED POINT;
3. S 67°35'48" W, 218.73 FEET TO A CALCULATED POINT;
4. S 68°20'37" W, 305.36 FEET TO A CALCULATED POINT;
5. S 67°47'44" W, 316.89 FEET TO A CALCULATED POINT;
6. S 68°42'20" W, 171.75 FEET TO A CALCULATED POINT;
7. S 68°58'44" W, 129.24 FEET TO A CALCULATED POINT;

THENCE, N 40°23'47" W, 2,423.69 FEET TO POINT OF BEGINNING, AND CONTAINING 84.433 ACRES OR 3,677,901.57 SQUARE FEET OF LAND, AS SHOWN ON THAT "FINAL PLAT SHOWING: CORPORATE LIMITS EXTENSION CITY OF GRAHAM" MAP PREPARED BY THE SURVEY COMPANY INC., DATED MARCH 27, 2015, SIGNED BY CHARLES S. LOGUE, NC PLS #1-4232.

TRACT 2 AREA TO BE ANNEXED METES & BOUNDS DESCRIPTION

BEING A TRACT OF LAND SITUATED AT THE NORTHEAST RIGHT OF WAY GOVERNOR SCOTT FARM ROAD (S.R. 2124), A PORTION OF TAX IDS: 159502 & 159503, SITUATED IN THE UNINCORPORATED AREA OF ALAMANCE COUNTY, NORTH CAROLINA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT NOGS STATION "GUNWON" HAVING NC GRID COORDINATES IN U.S. SURVEY FEET OF NORTH 830,741.12 AND EAST 1,897,712.00;

THENCE, S 42°45'16" E, A HORIZONTAL GRID DISTANCE OF 2205.86 FEET TO A FOUND #4 REBAR IN THE CENTERLINE OF GOVERNOR SCOTT FARM ROAD (A 60' WIDE PUBLIC RIGHT OF WAY), THE POINT OF BEGINNING;

THENCE, IN A CLOCKWISE DIRECTION, N 49°51'05" E, 35.78 FEET TO A CALCULATED POINT, ON THE EASTERN PROPERTY LINE OF THAT CARL A. WESTMAN PARCEL RECORDED IN BOOK 2976, PAGE 166, ACR;

THENCE, S 40°24'08" E, 40.91 FEET TO A CALCULATED POINT;

THENCE, N 60°00'44" E, 61.91 FEET TO A CALCULATED POINT;

THENCE, N 51°58'56" E, 192.96 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 2,970.00', A DELTA OF 001°25'56", AN ARC LENGTH OF 72.51 FEET AND A CHORD OF 72.51 FEET BEARING N 51°16'58" E TO A CALCULATED POINT;

THENCE, N 50°34'56" E, 713.53 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 2,430.00', A DELTA OF 004°02'45", AN ARC LENGTH OF 171.56 FEET AND A CHORD OF 171.56 FEET BEARING N 52°51'58" E TO A CALCULATED POINT;

THENCE, N 54°37'42" E, 1,207.72 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 2,370.00', A DELTA OF 003°31'13", AN ARC LENGTH OF 121.17 FEET AND A CHORD OF 121.36 FEET BEARING N 52°51'58" E TO A CALCULATED POINT;

THENCE, N 53°06'15" E, 148.18 FEET TO A CALCULATED POINT ON THE WESTERLY LINE OF THAT KIMREY FARMS LLC PARCEL RECORDED IN BOOK 3304, PAGE 397, ACR;

THENCE, S 40°31'38" E, 62.00 FEET TO A FOUND N° PIPE, THE WESTERN CORNER OF THAT WAL-MART STORES EAST LP PARCEL RECORDED IN BOOK 3352, PAGE 601, ACR;

THENCE, S 51°06'15" W, 149.89 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 2,030.00', A DELTA OF 003°31'23", AN ARC LENGTH OF 124.87 FEET AND A CHORD OF 124.85 FEET BEARING S 52°51'58" W TO A CALCULATED POINT;

THENCE, S 54°37'42" W, 1,141.25 FEET TO A CALCULATED POINT;

THENCE, S 54°37'42" W, 166.48 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 2,370.00', A DELTA OF 004°02'43", AN ARC LENGTH OF 167.32 FEET AND A CHORD OF 167.29 FEET BEARING S 52°51'58" W TO A CALCULATED POINT;

THENCE, S 50°34'58" W, 713.53 FEET TO A CALCULATED POINT;

THENCE, WITH AN ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 3,030.00', A DELTA OF 003°23'56", AN ARC LENGTH OF 73.98 FEET AND A CHORD OF 73.98 FEET BEARING S 52°51'58" W TO A CALCULATED POINT;

THENCE, S 51°58'56" W, 194.25 FEET TO A CALCULATED POINT;

THENCE, S 42°53'55" W, 62.24 FEET TO A CALCULATED POINT;

THENCE, S 30°08'32" E, 85.24 FEET TO A CALCULATED POINT;

THENCE, S 51°43'22" W, 27.77 FEET TO A CALCULATED POINT IN THE CENTERLINE OF GOVERNOR SCOTT FARM ROAD;

THENCE, N 38°16'38" W, 202.27 FEET TO THE POINT OF BEGINNING, AND CONTAINING 3.901 ACRES OR 175,618.05 SQUARE FEET OF LAND, AS SHOWN ON THAT "FINAL PLAT SHOWING CORPORATE LIMITS EXTENSION CITY OF GRAHAM" MAP PREPARED BY THE SURVEY COMPANY INC., DATED MARCH 27, 2015, SIGNED BY CHARLES S. LOGUE, NC PLS #L-4212.

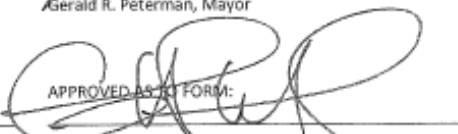
Section 2. Upon and after May 5, 2015, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Graham and shall be entitled to the same privileges and benefits as other parts of the City of Graham. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Graham shall cause to be recorded in the office of the Register of Deeds of Alamance County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory described in Section 1 above, together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Alamance County Board of Elections, as required by G.S. 163-288.1.

Adopted this, the 5th day of May, 2015.


Gerald R. Peterman, Mayor

ATTEST: 
Darcy L. Sperry, City Clerk


APPROVED AS TO FORM:
Keith Whited, City Attorney

b. Petition for Voluntary Contiguous Annexation 351 Longdale Drive.

Mr. Page explained that this is an application by Mr. John L. Foust Sr. to annex a contiguous lot into the City of Graham. He advised that the lot is .55 acres and is located at 351 Longdale Drive - currently in the City's Extra Territorial Jurisdiction (ETJ). Mr. Page explained that this is the first step in the annexation process which would require approval of the following:

- i. Approve Resolution requesting City Clerk to Investigate the Sufficiency.
- ii. Approve Resolution fixing date of Public Hearing on Question of Annexation.

Mayor Pro Tem Linens made the motion to approve the Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31 for Property at 351 Longdale Drive, seconded by Council Member Kimrey. All voted in favor of the motion.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31
FOR PROPERTY AT 351 LONGDALE DRIVE

WHEREAS, a petition requesting annexation of an area described in said petition was received on May 1, 2015, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Graham deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Graham:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.


 Gerald R. Peterman, Mayor

ATTEST:


 Darcy L. Sperry, City Clerk

CERTIFICATE OF SUFFICIENCY
FOR PROPERTY AT 351 LONGDALE DRIVE

To the City Council of the City of Graham, North Carolina:

I, Darcy L. Sperry, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Graham, this the 5th day of May, 2015.


 Darcy L. Sperry, City Clerk



SEAL

Mayor Pro Tem Linens made the motion to approve the Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for Property at 351 Longdale Drive – the date being June 2, 2015, seconded by Council Member Turner. All voted in favor of the motion.

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31
FOR PROPERTY AT 351 LONGDALE DRIVE

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

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

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the area described herein will be held at the City Hall, 201 S. Main Street, Graham, NC at 7:00pm on June 2, 2015.

Section 2. The area proposed for annexation is described as follows:

A certain tract or parcel of land in Graham Township, Alamance County, North Carolina, adjoining the lands of Noah Road (S.R. 2218), Longdale Drive, City of Graham Corporate Limits, Lot Nos. 1 and 6 of Final Plat Property of J. L. Foust and others, and more particularly described as follows:

BEGINNING at an iron stake at the intersection of the right-of-way lines of Noah Road (S.R. 2218) and Longdale Drive, and corner with the City of Graham existing corporate limits line, running thence along the right-of-way line of Longdale Drive and City of Graham existing corporate limits line the following two courses and distances: (1) S11° 36' 18"E 19.32 feet to an iron stake; (2) S38° 08' 18"W 157.28 feet to an iron stake and corner between Lot Nos. 6 and 7 of the Final Plat Property of J. L. Foust, a plat of which is recorded in Plat Book 75, at Page 492, in the office of the Alamance County Register of Deeds, running thence along the line between said Lot Nos. 6 and 7 N48° 15' 00"W 156.86 feet to an iron stake corner between said Lot Nos. 6 and 7, and in the line of Lot No. 1; running thence along the line between Lot Nos. 1 and 7 N36° 03' 13"E 105.39 feet to an iron stake corner between Lot Nos. 1 and 7, and in the south 60 foot right-of-way line of Noah Road (S.R. 2218); running thence along the said south right-of-way line of Noah Road (S.R. 2218) and along a curve to the right having a chord bearing and distance of S75° 23' 56"E 155.52 feet, radius of 445.11 feet to the POINT OF BEGINNING and being all of Lot No. 7 of the Final Plat Property of J. L. Foust, containing 22,860 square feet or 0.0008 square miles, a plat of which is recorded in Plat Book 75, at Page 492, in the office of the Alamance County Register of Deeds.

Section 3. Notice of the public hearing shall be published once in The Alamance News, a newspaper having general circulation in the City of Graham, at least ten (10) days prior to the date of the public hearing.


 Gerald R. Peterman, Mayor

ATTEST:


 Darcy L. Sperry, City Clerk

Recommendations from Planning Board

Public Hearing: Kimrey Road Rezoning (RZ 1502). Application by the City of Graham to initiate I-1 zoning for a portion of a parcel on Kimrey Road (GPIN 9803172212).

Mr. Page explained that this is an application by the City of Graham to initiate zoning on the tracts just annexed into the City. He stated that it is standard operating procedure of the City to have all parcels within the City be zoned. Mayor Peterman opened the Public Hearing.

Mr. Ed Freshwater asked for clarification as to what parcels would be rezoned. City Manager Frankie Maness pointed out the parcels on the map.

Being no further questions, Mayor Peterman closed the Public Hearing.

Council Member Kimrey made the motion that the application be approved and that the application is consistent with the *City of Graham Growth Management Plan 2000-2020*, seconded by Mayor Pro Tem Linens. All voted in favor of the motion

Project Quarter Incentive Agreement

a. Public Hearing: To receive comments on a proposal to extend economic development incentives for a proposed distribution facility to be constructed in the North Carolina Commerce Park (NCCP). The proposed incentive would include a total cash grant in the amount of \$3,375,000 over a 5 year period and the construction of a roadway estimated at \$2,000,000 by the Cities of Graham and Mebane and the County of Alamance in accordance with the provisions of NCGS 158-7.1, NCGS 158-7.2, and NCGS 160A-20.1. The consideration for the incentives will be the company's agreement to construct upon the site, improvements consisting of a distribution center and related facilities which will employ not less than 80 full time positions with average salaries of \$80,000 and which will increase the tax base by not less than \$125,000,000.

b. Consider Incentive Agreement

Mr. Maness explained that this Public Hearing is to consider incentive agreements with a proposal by MGP Retail to construct a distribution center and regional headquarters in the NCCP. He reminded Council that this property is also the subject of the approved annexation and rezoning done earlier in this meeting. Mr. Maness indicated that the proposed incentives are as such:

(1) Roadway construction:

- a. Extending from Gov. Scott Farm Rd to serve the property and provide interconnection with roadway currently under construction;
- b. City of Graham will be responsible for ROW acquisition, roadway design, and construction;
- c. Approximately 4,425' of roadway and 24' in width;
- d. Estimated cost: \$2,000,000.
- e. Paving and improvement to Gov. Scott Farm Road by NCDOT (\$750,000)

(2) Cash Grant:

- a. Total incentive of \$3,375,000;

- b. Payable over 5 year period upon satisfaction of tax base investment;
 - c. Cash Grant will be pro-rated if investment target is not reached.
- (3) Waiver of local impact, permit and inspection fees associated with the initial construction with an estimated value of \$200,000.

In addition, Mr. Maness outlined the fiscal impact which includes:

- Total Road Construction: \$2,000,000 Graham Share = \$ 666,667
- Total Cash Grant: \$3,375,000 Graham Share = \$1,125,000
- \$5,375,000 \$1,791,667
- Annual Tax Revenue: \$410,416

Council Members and Mr. Maness discussed paving, fees associated with the Inter-Local Agreement with the City of Mebane and Alamance County, as well as this project being the largest single development investment in Alamance County's history. Mr. Maness was asked to break down how the cash grant might look like over a five (5) year period. Mr. Maness stated that the initial trigger is a deadline that they would hope to have their building constructed by the end of 2017. At that time, the first cash incentive would be triggered and then in each year thereafter in five (5) equal installments they would receive a cash incentive assuming they have met the obligations under the agreement.

Mr. Mac Williams, President of the Alamance County Chamber, thanked the Council for the consideration given this project and for the previous actions taken to establish the NCCP and get it to the point it is today. He commended Graham Staff, in particular Mr. Maness. He explained that this project has many moving parts and there has been a lot to do.

Mr. Williams introduced Mr. Robert Lester, Development Manager for MGP Retail Consulting, LLC. Mr. Lester said it has been a pleasure to work with Mr. Maness and the rest of the team thru this process and looks forward to continue working with everyone. Council Members asked Mr. Lester when the company plans to start construction, when the company anticipates meeting the job criteria and water consumption. Mr. Lester stated that they intend to start construction as soon as they close on the property chosen. Additionally, he said they anticipate filling the eighty (80) jobs in the incentive agreement by the end of 2017. Mr. Lester said they anticipate using a significant amount of water. Council Members also inquired as to whether or not there are any plans for access to the property from Kimrey Road. Mr. Lester indicated that they would like to have an employee entrance off Kimrey Road.

Mayor Peterman opened the Public Hearing.

Mr. Todd May, 2280 S. Church St. Ste. 206 Burlington, N.C., asked what the distribution area radius would be. Mr. Lester said that they are still in the planning phase but said it may be a couple of hundred miles.

Mr. Freshwater asked out of the eighty (80) jobs, how many of them would be filled by employees transferred from another country. Mr. Lester stated if he had to guess, it would be very few, if any.

Mr. Tom Boney of the Alamance News asked if this would be the only regional headquarters. Mr. Lester said this site would service the Southeast.

Mr. Harry Porthouse, 1054 Barn Owl Avenue Graham, N.C. and Mrs. Freshwater expressed concern over truck traffic on Cherry Lane and Kimrey Road respectively. Mr. Maness stated that the newly constructed roadway has been designed to be the primary route of the trucks.

Being no further questions, Mayor Peterman closed the Public Hearing.

Council Member Kimrey made a motion to approve the Incentive Agreement for Project Quarter with MGP Retail Consulting, LLC and authorize the Mayor, City Manager, City Attorney, City Clerk and Finance Officer to execute the agreement on behalf of the City, seconded by Council Member Turner. All voted in favor of the motion.

Audit & Accounting Services:

a. Approve Engagement Agreement for Consulting, Professional Assistance and Preparation of 6/30/15 Financial Statements.

Ms. Becky Loy of Cobb, Ezekiel, Loy & Company, P.A. explained that in order to provide assistance with financial issues and the preparation of the annual financials in a more efficient process, the City will work with our previous audit firm more closely. This arrangement provides assistance to the finance staff and the hope is to streamline the year end process to gain efficiency and accuracy in our year end processes.

Council Members discussed the costs, estimated to be from twenty-five thousand (25,000) to thirty-thousand (30,000) dollars. It was determined that it's more economical for the City to contract this work out vs hiring additional Staff.

Council Member Albright made a motion to approve the Engagement Agreement with Cobb, Ezekiel, Loy and Company, P.A., seconded by Council Member Kimrey. All voted in favor of the motion.

b. Approve Audit Contract.

Mayor Pro Tem Linens made a motion to approve the Audit Contract with Stout, Stuart, McGowen & King, LLP, seconded by Council Member Kimrey. All voted in favor of the motion.

Issues Not Included on Tonight's Agenda:

Mr. Maness advised Council that in the envelopes provided to them this evening, they would find a copy of the recommended FY 2015-2016 Budget. He said that the next step in the Budget process would be to set a date for a Special Meeting for the Budget Workshop. Council Members asked Mr. Maness and Ms. Sperry to send them some suggested dates so they could look at their own calendars.

Mr. Maness indicated that we also have to select a date for the 2035 Comprehensive Plan Workshop as well. Council Members asked Mr. Maness and Ms. Sperry to send them some suggested dates for this as well.

Council Member Turner asked Mr. Maness if there has been any progress on selling the Mid-State Magic property. Mr. Maness said he has not heard of anything as of now, but advised that he does have a meeting scheduled with the real estate agent on Thursday. Council Member Turner also inquired about the property on Ray Street. Mr. Maness stated that he met with school officials several months ago and offered advice as to how they could possibly move forward with a sale. He further stated that he does not know what, if any, action has been taken with that property.

Council Member Albright mentioned that he was happy to see that Central High School is going to get a marker.

Mayor Peterman thanked the Recreation & Parks Department for the wonderful Sports Hall of Fame Ceremony held recently.

At 8:32 p.m. Mayor Pro Tem Linens made a motion to adjourn, seconded by Council Member Kimrey. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
SPECIAL SESSION
MONDAY, MAY 11, 2015
5:30 P.M.**

The City Council of the City of Graham met in special session at 5:30 p.m. on Monday, May 11, 2015, in the Conference Room of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Jimmy Linens
Council Member Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Michael Leinwand, Special Projects Coordinator
Sandra King, Finance Director
Tom Boney, The Alamance News

Mayor Jerry Peterman called the meeting to order and presided at 5:50 p.m.

City Manager Frankie Maness reviewed the highlights of the proposed Budget, beginning with a discussion on the General Fund. Mr. Maness explained that the General Fund presents challenges amid growing needs, narrowed resources and potential legislative changes. He pointed out that FY 2015-2016 Budget requests exceeded anticipated revenues by over \$4,600,000.

In a general overview of the proposed Budget, Mr. Maness explained that the proposed budget depends, in part, on the following:

- The Ad Valorem tax rate is recommended to remain at 45.5¢ per \$100 of valuation.
- User charges for water and sewer are recommended to increase by 2%.
- Computation and distribution of Local Sales Tax Revenue is assumed to remain the same despite efforts by the General Assembly to pursue changes. Proposals put forth by the General Assembly could reduce our annual revenues by approximately \$900,000.
- User fees for garbage are recommended to increase to \$2.75 per month to offset tipping fee expenditures.
- Fee schedule adjustments are proposed for Inspections, Water Billing and Sanitation.
- A Cost of Living Adjustment (COLA) of 3% is included in the proposed Budget.
- Health Insurance Rates for employees and eligible retirees decreased by 1.2% while maintaining the same benefits. Rates for the City have declined by 19.4% since FY 2012-2013.
- 100% employee completion of the new wellness program saved the City \$47,449.
- Funds not appropriated to continue the Merit pay system.
- Approved positions are budgeted at 100% with no adjustments for turnover or attrition.
- Staffing levels are slightly increased this year to 146.84 fulltime equivalent (FTE) positions vs. 145.63 from FY14-15. The addition of 1.5 FTE positions (.5 Code Enforcement Officer & Animal Control Officer) is proposed.
- Salaries and Benefits make up 45% of the total budget or about \$8,300,000.
- Established services and service levels remain unchanged.
- A new debt service payment (partial payment) began in the Water and Sewer Fund last fiscal year and the first full payment will be realized in FY 2015-2016.

Council Members expressed concern over including the Council Members as part of the proposed COLA increase of 3%. By consensus, Council asked Mr. Maness to remove the increase for Council from this proposed Budget.

Mr. Maness outlined the General Fund, Water & Sewer Fund, Garage Fund and Cemeteries Trust Fund as follows:

- **General Fund:** Mr. Maness stated that the General Fund presents the greatest challenge. The City's Ad Valorem tax collection receipts are improving and there is much less, if any, dependence on Fund Balance for the current fiscal year. Revenues for FY 2015-2016 are anticipated to increase to \$10,622,000 or 6.4%. Mr. Maness cautioned that while added revenue means greater ability to address expenditures, the revenue projected and made available for expenditure is still less than two (2) years prior (FY 13-14: \$10,685,700). Mr. Maness reviewed the summary of expenditures, capital outlay and unmet requests.
- **Water & Sewer Fund:** Mr. Maness stated that the Water & Sewer Fund continues its financial comeback as the past two (2) fiscal years have seen revenues sufficient enough to cover expenses. For FY 2015-2016, Mr. Maness proposes a 2% increase in water/sewer rates. Mr. Maness' proposal also calls for a change in the fee for delinquent accounts from a flat \$5.00 to 2% of the account balance with a minimum charge of \$5.00. In addition, Mr. Maness requested a fee of \$40.00 for disconnection and reconnection of service. An overview and discussion of the various departments and capital expenditures took place.
- **Garage Fund:** Mr. Maness stated the Garage Fund includes an increase in the labor rate to \$65 per hour. Management will continue to evaluate whether or not we should continue to operate this fund as an internal service fund or move operations under the General Fund since the County no longer receives fleet services.
- **Cemeteries Trust Fund:** Mr. Maness stated that in April 2015, The City Council adopted an Ordinance that established a Cemeteries Trust Fund to outline the management of more than \$2,300,000 in funds set aside for perpetual maintenance of the City's cemeteries. The Ordinance stipulates that interest earnings from the principal investments may be used towards maintenance of the grounds, walkways, etc... In FY 2015-2016, \$86,000 is proposed to support maintenance of the City's cemeteries.

Mr. Maness summarized his presentation by stating that the FY 2015-2016 Budget, as proposed, reflects the commitment of the City of Graham to provide a consistent level of public service.

There being no further discussion and upon a motion by Council Member Lee Kimrey, seconded by Council Member Chip Turner, the Council voted unanimously to adjourn the meeting at 9:32 p.m.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
SPECIAL SESSION
WEDNESDAY, MAY 20, 2015
5:30 P.M.**

The City Council of the City of Graham met in special session at 5:30 p.m. on Wednesday, May 20, 2015, in the Conference Room of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Jimmy Linens
Council Member Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Sandra King, Finance Director
Thomas Murawski, The Alamance News

Mayor Jerry Peterman called the meeting to order and presided at 5:52 p.m. and Pro Tem Mayor Jimmy Linens gave the invocation.

Council Members expressed concern over City Manager Frankie Maness' proposal to not fund the Assistant City Manager position in the FY 2015-2016 Budget. Council Members advised that they want to see the Assistant Manager position funded in the upcoming Budget and asked Mr. Maness for suggestions as to how this could be done without raising taxes. Mr. Maness advised that one option would be to appropriate fund balance. Mr. Maness went on to say that due to the time that would be involved in hiring an Assistant Manager, it may very well be this fall before anyone would start and by then, the City would most likely only be paying that salary for part of the FY 2015-2016.

Mayor Peterman polled the Council as to whether or not they are comfortable with having to possibly use the General Fund for this, knowing that they might be "in the red" in this upcoming Budget. All said they would be comfortable with this. Council Members also stated that they feel there is a very good chance that the revenues will be higher than what is being projected, therefore the need to fund this position with the General Fund may not have to happen.

There being no further discussion and upon a motion by Council Member Chip Turner, seconded by Council Member Lee Kimrey, the Council voted unanimously to adjourn the meeting at 6:42 p.m.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, JUNE 2, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, June 2, 2015, 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 Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

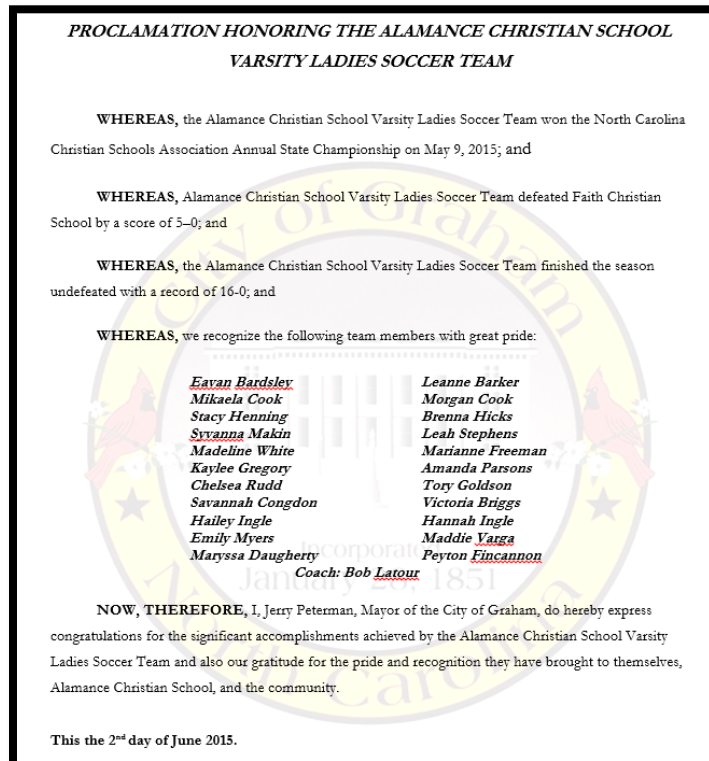
Frankie Maness, City Manager
Darcy Sperry, City Clerk
Nathan Page, City Planner
Michael Leinwand, Special Projects Coordinator
Sandra King, Finance Director
Keith Whited, City Attorney
James Lloyd, Chief Code Enforcement Officer
Melody Wiggins, Recreation and Parks Director

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Mr. Bob LaTour gave the invocation and everyone stood to recite the Pledge of Allegiance.

Honorary Proclamations and Presentations:

➤ ***Alamance Christian School Varsity Ladies Soccer Team***

Mayor Peterman presented Principal Ken Delorge, Coach Bob LaTour and members of the team in attendance with the following Proclamation:



➤ **2015 Business Beautification Award**


Appearance Commission Chairman Elaine Murrin presented the 2015 Business Beautification Award to Rich and Thompson Funeral Home. Mr. Tommy Brown accepted the award on behalf of Rich and Thompson Funeral Home.

Consent Agenda:

- a. *Approval of Minutes – May 5, 2015 Regular Session.*
- b. *Approval of Minutes – May 11, 2015 Special Session.*
- c. *Approval of Minutes – May 20, 2015 Special Session.*
- d. *Tax Releases.*

CITY OF GRAHAM RELEASE ACCOUNTS						
JUNE CITY COUNCIL MEETING						
<u>ACCT #</u>	<u>YEAR</u>	<u>RECIPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR RELEASE</u>	<u>RELEASED</u>
23296	2009	5029	MCBROOM, JOHN HEIRS	RE	PROPERTY SOLD AT TAX AUCTION	53.24
23296	2010	5059	MCBROOM, JOHN HEIRS	RE	PROPERTY SOLD AT TAX AUCTION	137.37
23296	2011	5003	MCBROOM, JOHN HEIRS	RE	PROPERTY SOLD AT TAX AUCTION	127.37
23296	2012	5085	MCBROOM, JOHN HEIRS	RE	PROPERTY SOLD AT TAX AUCTION	118.97
23296	2013	5048	MCBROOM, JOHN HEIRS	RE	PROPERTY SOLD AT TAX AUCTION	110.57
23296	2014	5022	MCBROOM, JOHN HEIRS	RE	PROPERTY SOLD AT TAX AUCTION	105.54

e. *Boards and Commissions Appointments.*

Memorandum		
To:	Graham City Council	
cc:	Frankie Maness	
From:	Darcy Sperry	
Date:	6/2/2015	
Re:	Boards and Commissions Vacancies and Requests for Re-Appointments	
		
Re-appointment Requests		
Board	Name	Term Expiration Date
Board of Adjustment Alternate	Andy Rumley	6/30/2018
Canine Review Board	Michelle Morris, DVM	6/30/2018
Graham Historical Museum	Jan Peterman	6/30/2018
Graham Housing Authority	Suzanne Moser	6/30/2020
Planning Board	Andy Rumley	6/30/2018
New Appointments		
Board	Name	Term Expiration Date
Graham Historical Museum	Marcus Orr	6/30/2018
Graham Historical Museum	Jeanette Beaudry	6/30/2018

- f. Resolution Declaring Certain Personal Property as Surplus and Authorizing Disposal via Public Electronic Auction.*
- g. Resolution to Maintain and Support the Reauthorization of the Land Water Conservation Fund (LWCF) Equitable Treatment of the State Assistance Program.*

Mayor Peterman asked the Council Members if they would like to pull any of the items from the Consent Agenda. None were forthcoming. Mayor Peterman asked to pull item “e. Boards and Commissions Appointments.”

Council Member Chip Turner made a motion to approve items “a”, “b”, “c”, “d”, “f” and “g” on the Consent Agenda, seconded by Council Member Lee Kimrey. All voted in favor of the motion.

Mayor Peterman extended an offer to speak to Ms. Jeanette Beaudry and Mr. Marcus Orr, who were both in attendance. No comments were received.

Mayor Peterman made a motion to approve item “e” on the Consent Agenda, seconded by Council Member Jim Albright. All voted in favor of the motion.

Requests and Petitions of Citizens:

a. Public Hearing: Petition for Voluntary Contiguous Annexation 351 Longdale Drive.

City Planner Nathan Page explained that the Ordinance presented to the Council is the result of an application by Mr. John L. Foust to have water and sewer services extended to this parcel with the intention of building a single family dwelling on the property in the future.

Mayor Peterman opened the Public Hearing. No public comment was received and Mayor Peterman closed the Public Hearing.

Council Member Kimrey made the motion to approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina for property at 351 Longdale Drive, seconded by Mayor Pro Tem Jimmy Linens. All voted in favor of the motion.

ANNEXATION ORDINANCE

TO EXTEND THE CORPORATE LIMITS OF THE CITY OF GRAHAM, NORTH CAROLINA FOR PROPERTY AT 351 Longdale Drive

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 June 2, 2015, after due notice by publication on May 14, 2015; 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 June 30, 2015:

A certain tract or parcel of land in Graham Township, Alamance County, North Carolina, adjoining the lands of Noah Road (S.R. 2218), Longdale Drive, City of Graham Corporate Limits, Lot Nos. 1 and 6 of Final Plat Property of J. L. Foust and others, and more particularly described as follows:

BEGINNING at an iron stake at the intersection of the right-of-way lines of Noah Road (S.R. 2218) and Longdale Drive, and corner with the City of Graham existing corporate limits line, running thence along the right-of-way line of Longdale Drive and City of Graham existing corporate limits line the following two courses and distances: (1) S11° 36' 18"E 19.32 feet to an iron stake; (2) S38° 08' 18"W 157.28 feet to an iron stake and corner between Lot Nos. 6 and 7 of the Final Plat Property of J. L. Foust, a plat of which is recorded in Plat Book 75, at Page 492, in the office of the Alamance County Register of Deeds, running thence along the line between said Lot Nos. 6 and 7 N48° 15' 00"W 156.86 feet to an iron stake corner between said Lot Nos. 6 and 7, and in the line of Lot No. 1; running thence along the line between Lot Nos. 1 and 7 N36° 03' 13"E 105.39 feet to an iron stake corner between Lot Nos. 1 and 7, and in the south 60 foot right-of-way line of Noah Road (S.R. 2218); running thence along the said south right-of-way line of Noah Road (S.R. 2218) and along a curve to the right having a chord bearing and distance of S75° 23' 56"E 155.52 feet, radius of 445.11 feet to the POINT OF BEGINNING and being all of Lot No. 7 of the Final Plat Property of J. L. Foust, containing 22,860 square feet or 0.0008 square miles, a plat of which is recorded in Plat Book 75, at Page 492, in the office of the Alamance County Register of Deeds.

Section 2. Upon and after June 30, 2015, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Graham and shall be entitled to the same privileges and benefits as other parts of the City of Graham. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Graham shall cause to be recorded in the office of the Register of Deeds of Alamance County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory described in Section 1 above, together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Alamance County Board of Elections, as required by G.S. 163-288.1.

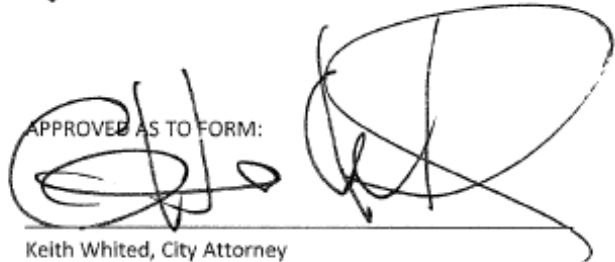
Adopted this, the 2nd day of June, 2015.


Gerald R. Peterman, Mayor

ATTEST:


Darcy L. Sperry, City Clerk

APPROVED AS TO FORM:


Keith Whited, City Attorney

Recommendations from Planning Board

Quasi-Judicial Public Hearing: Alamance Christian School (SUP1502). This is an application from an existing school who intends to achieve compliance with current regulations to allow for future expansion.

Mayor Peterman opened the Quasi-Judicial Hearing and polled the Council for any financial interests, fixed opinions or communications regarding the property. None were forthcoming.

City Clerk Darcy Sperry administered an oath to Mr. Page.

Mr. Page explained that this is an application by the school to bring their property into compliance with our current Development Ordinance. He further explained that the school wishes to add some modular classrooms that can be done with the approval of a Special Use Permit to operate as a school.

Council Members discussed with Mr. Page landscape requirements pertaining to these modular units and requirements for future additions or expansion. Mr. Page indicated that according to the Development Ordinance, projects that are ongoing at a location within a certain amount of time are considered to be the same project. He further stated landscaping requirements installed during the construction of the modular units would not have to be replaced with new landscaping at the time of a subsequent expansion.

Being no further questions, Mayor Peterman closed the Public Hearing.

Council Member Albright made the motion that the application be approved as presented and adopt the Findings of Fact and Conclusions of Law as presented in the staff report and the application is consistent with the *City of Graham Growth Management Plan 2000-2020* and this action is reasonable and in the public interest for the following reason:

- The proposed special use permit is compatible with the area and meets all six conditions required by Section 10.144 of the *Development Ordinance*.

Council Member Kimrey seconded the motion. All voted in favor of the motion.

Findings of Fact and Conclusions of Law

1. All applicable regulations of the zoning district in which the use is proposed are complied with.
 - *The property is zoned R-18, a school is permitted in this zone only with a special use permit.*
2. Conditions specific to each use, identified by the Development Ordinance, are complied with.
 - *There are no conditions specific to "school, elementary or secondary."*
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.
 - *The continued use of the location as a school will not materially endanger the public health or safety.*
4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.
 - *The continued use of the location of a school will not substantially injure the value of adjoining property.*
5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.
 - *The school is located in a neighborhood residential section of Graham, and is in general conformity with the Growth Management Plan 2000-2020*
6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.
 - *Public water and sewer, parking and loading, service entrances and areas, utilities, and signs and lighting are satisfactorily provided.*
 - *Vehicle circulation is being proposed to remain as is. City Council must approve access drives.*
 - *Parking is being proposed to remain as is.*

Termination of Zachary Field Contract

Recreation and Parks Director Melody Wiggins explained that this is a request to terminate one of the three contracts the City has with the Alamance-Burlington School System at the Graham Middle School complex. Ms. Wiggins pointed out that this contract is for the baseball field called Tom Zachary Field and added that the City has had this contract for the past thirty (30) years. Under the terms of the current contract signed sixteen (16) years ago, the City and been operating and maintaining this particular baseball facility. She went on to say that the majority of the use has been to the Graham Middle and Graham High Schools. Based on declining demand for this field by the citizens of Graham, it has been determined that keeping the contract is not cost effective any longer. She stated that Staff would like to renegotiate allowing for continued use of the restroom facilities.

Council Members asked Ms. Wiggins if the use of the restrooms were the only thing we would negotiate in a new contract. Ms. Wiggins said yes. Ms. Wiggins was asked if she had any idea of the amount of money the City has invested in this field over the last thirty (30) years. Ms. Wiggins said if she had to guess it would be “hundreds of thousands of dollars”. Ms. Wiggins was asked about the school’s response to the possibility of terminating this contract. Ms. Wiggins indicated that she has had multiple meetings with Dr. Todd Thorpe of the Alamance-Burlington School System and Dr. Thorpe has been very understanding and supportive of the City’s position on this particular contract.

Mayor Peterman asked if anyone from the floor wanted to speak on this.

Mr. Mickey Cheek, 402 Ashburn St. Graham, NC, asked if the coaches at Graham Middle and Graham High Schools are aware of what the City planned to do. Ms. Wiggins advised that they were made aware that if this contract is terminated, they will have to maintain their own field. Mr. Tom Boney of the Alamance News asked what the financial impact to the City would be. Mayor Peterman said the City will save approximately forty thousand (40,000) dollars annually.

Mayor Pro Tem Linens made a motion to terminate the current Alamance-Burlington School System contract for the Graham Middle School baseball field known as Tom Zachary Field, seconded by Council Member Turner. All voted in favor of the motion.

Public Hearing: Adoption of Budget Ordinance for FY 2015-2016

City Manager Frankie Maness presented the Budget Ordinance: The City’s financial plan for Fiscal Year 2015-2016 with the total of all operating funds being \$18,525,700. He further stated that the tax rate is unchanged at \$.455 per one hundred dollar (\$100.00) valuation and water and sewer charges reflect a 2% adjustment. Special Projects Coordinator Michael Leinwand handed out a copy of the Inspection Fee Schedule, and reviewed changes made from the copy included in the Council’s agenda packet.

Mayor Peterman opened the Public Hearing for public comment. No comments were received and the Public Hearing was closed.

Council Member Lee Kimrey made a motion to adopt the Budget Ordinance for Fiscal Year 2015-2016, including the changes submitted adding structural (total structural square feet) and changes to the plumbing schedule (for multifamily developments, each unit shall be calculated individually for plumbing permits). Council Member Jim Albright seconded the motion. All voted in favor of the motion.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the City Government and its activities for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016, in accordance with the Chart of Accounts heretofore established for the City:

City Council	53,200
Administration	439,300
Information Technology	276,800
Finance	392,100
Public Buildings	129,500
Police	3,336,600
Fire	818,000
Inspections	381,800
Traffic Engineering	28,100
Garage and Warehouse	82,400
Streets & Highways	1,485,800
Street Lights	116,000
Sanitation	619,900
Recreation	763,600
Lake	143,100
Athletic Facilities	181,000
Property Maintenance	669,300
Non-Departmental	790,900
	10,707,400

Section 2. It is estimated that the following revenues will be available in the General Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016.

Current Year Tax	4,073,000
Prior Year Taxes	45,000
Vehicle Taxes	350,000
Prior Year Vehicle Taxes	15,000
Py Vehicle Int & Coll Fees	2,500
Payt Lieu Taxes	25,000
Storm Water Fee	60,000
Tax Cost & Interest	23,000
Development Fees	1,000
Sale Of Surplus Property	15,000

Privilege License	100
Recycling Proceeds From Surplus	100
FEMA Revenue	100
Miscellaneous Grants	100
Interest On Investments	25,000
School Resource Officer	90,000
Police Donations/Grants	100
Miscellaneous Income	40,000
Insurance Proceeds	1,000
Franchise Tax	1,000,000
Beer And Wine Tax	61,000
Powell Bill	390,000
Local Sales Tax	2,850,000
Solid Waste Disposal Tax	9,000
ABC Revenues	70,000
Bldg & Elect Permits	80,000
Recreation Donations	100
Refuse Fees	288,000
Cemetery Revenue	40,000
Concert Series Donations	1,000
Concession Income	11,500
5k Run - Donations	1,000
Christmas	15,000
Recreation Income	5,000
Recreation Day Camps	40,000
Recreation Rentals	16,000
Recreation Athletics	31,000
Graham Mebane Lake	26,000
Lake Penalties & Fines	100
Lake Shelter Rentals	100
Courts & Fines	15,000
Rent On City Property	28,000
Mebane Lake Revenue	60,000
Fund Balance	903,600
	10,707,400

Section 3. The following amounts are hereby appropriated in the Water & Sewer Fund for its operations and activities for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016, in accordance with the Chart of Accounts heretofore established for the City:

Water And Sewer Billing	654,200
Water And Sewer Distribution	989,200
Maintenance & Lift Station	291,400
Water Treatment Plant	1,786,300
Wastewater Treatment Plant	1,098,700
Non Departmental Admin	1,949,700
	6,769,500

Section 4. It is estimated that the following revenues will be available in the Water & Sewer Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016.

Sale Of Surplus Property	2,000
Interest On Investments	10,000
Sewer Surcharges	18,000
Outside Sewer Surcharges	40,000
Water Acreage & Con. Fees	9,300
Sewer Acreage & Con. Fees	9,300
Water Charges	2,697,000
Sewer Charges	2,610,000
Plumbing Permits & Inspections	10,000
Water And Sewer Taps	5,000
Water & Sewer Assessments	100
Miscellaneous Income	5,000
Fund Balance	332,300
Cut Offs	80,000
Mebane Revenue	714,500
Mebane Revenue	127,000
Swordfish-Alamance County	100,000
	6,769,500

Section 5. The following amounts are hereby appropriated in the Garage Fund for operations and activities for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016, in accordance with the Chart of Accounts heretofore established for the City:

Garage Fund	895,700
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Section 6. It is estimated that the following revenues will be available in the Garage Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016.

Ala Co Fuel	267,000
City Of Graham Parts	167,200
City Of Graham Labor	134,700
City Of Graham Fuel	213,300
Graham Housing Parts	1,100
Graham Housing Labor	1,800
Graham Housing Fuel	7,600
ACTA Parts	48,300
ACTA Labor	35,400
Green Level Parts	3,500
Green Level Labor	3,300
Green Level Fuel	9,200

ABC Fuel	2,900
Interest On Investments	300
Miscellaneous Income	100
	895,700

Section 7. The following amounts are hereby anticipated and appropriated for the City's Special Funds:

	Revenues	Expenditures
Cemetery Trust Fund	86,000	86,000
Federal Drug Monies	58,000	58,000
State Drug Monies	9,100	9,100

Section 8. There is hereby levied a tax at the rate of \$.455 per one hundred dollars (\$100.00) valuation of property as listed for taxes as of January 1, 2015 for the purpose of raising the Revenue listed as "Current Year Tax" and "Vehicle Taxes" in Section 2. Such rates are based on an estimated total valuation of property for the purposes of taxation of \$999,920,000 (100%valuation) with anticipated collection rate of 97%.

Section 9. Effective upon adoption of the Ordinance, the City of Graham Rates and Fee Schedule is hereby amended as follows:

Laboratory Testing Fees

Heterotrophic Plate Count	\$ 35.00
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Inspection Fees

Building Permit

Minimum Permit Fee	\$ 50.00
Residential (total structural square feet)	\$ 0.25 per square foot
Commercial	\$ 5.00 per \$1,000.00 of value
Building Plan Review, Commercial New	\$200.00
Sign	\$ 50.00

Electrical Permit

Minimum Permit Fee	\$ 50.00
Extra Trip	\$ 25.00 each trip
Mobile Home Park Spaces (1-5)	\$ 50.00
Mobile Home Park Spaces (Extra trip)	\$ 50.00
Saw Service	\$ 50.00
Temporary Service for Construction site	\$ 50.00
Temporary Power per Sec. 10.8 N.C.E.C	\$ 50.00
Residential and Commercial Service	\$ 0.10 per square foot

Low Voltage Wiring	\$ 50.00
Security System	\$ 50.00

Heating and Air Conditioning Permit

Minimum Permit Fee	\$ 50.00 plus \$5.00 per additional
Duct Test (smoke)	\$ 50.00
New Gas Line	\$ 50.00

Insulation Permit

Single Family Dwellings	\$ 50.00
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Plumbing Permit

First Fixture	\$ 50.00
Each Additional Fixture	\$ 8.00
Water Tap Non-sewer use	\$ 50.00

Mobile Homes

On-site inspection for HUD labeled homes	\$100.00 all inclusive
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Miscellaneous Building

ABC Inspection	\$ 100.00
Driveway Permit ²	\$ 50.00
On-Site Consultations (all trades)	\$ 50.00
Tanks (50-10,000 gallons)	\$ 50.00

User Fees

Refuse Fees

* Garbage Land Fill Tipping Fee	\$ 2.75 per month
** Extra Garbage Container	\$ 2.75 per month plus one time lease at current cost of container

Sewer Rates

Monthly Rate	\$ 5.97 per thousand gallons of water used
Monthly Minimum	\$ 5.97
Residential Users without water	\$ 35.82 per month
Outside User Sewer Surcharge	\$ 22.78 per month
Delinquent Fee for sewer account without water	2% Minimum of \$5
Non-payment Fee for sewer account without water	\$ 40.00
Groundwater Remediation Discharge	\$ 5.97 per thousand gallons

Water Rates

Monthly Rate	\$ 4.81 per thousand gallons of water used
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Monthly Minimum	\$ 4.81
Monthly Rate (Outside City Limits)	\$ 9.62 per thousand gallons of water used
Monthly Minimum (Outside City Limits)	\$ 9.62
Municipal Customers	\$ 4.81 per thousand gallons of water used
Delinquent Fee	2% Minimum of \$5
Non-payment Fee	\$ 40.00
Service Initiation Fee	\$ 10.00

Water and Sewer Tap and Connection Fees

A. Applicability

This policy is effective July 13, 2004 for all new construction requiring a building permit or any water or sewer taps.

Water and Sewer Tap and Connection Fee Schedule

Water Fees

Single Family Dwelling Unit	\$150.00 Meter Fee
Sprinkler	\$150.00 Meter Fee

Section 10. For the purpose of tracking capital items, there shall be a threshold of \$5,000.

Section 11. Copies of this Ordinance shall be furnished to the City Manager and the Finance Officer to be kept on file by them for their direction in the disbursement of City Funds.

Adopted this 2nd day of June 2015.


Mayor Jerry Peterman

Attest:



FY 2014-2015 Budget Amendments

City Manager Maness explained that the Budget Amendment Ordinance for Fiscal Year 2014-2015 reflects the changes anticipated to be required in the budget to meet the City's needs for the year ending June 30, 2015. These amendments generally allocate funds to specific departments that have had unexpected expenses and many are offset by a corresponding revenue.

Council Member Kimrey recognized the anticipated surplus in the General Fund this year and asked Mr. Maness what he contributes that to. Mr. Maness credited a conservative approach with spending and an increase in sales tax revenues as factors leading to this surplus. Mr. Maness also recognized the work Human Resources Director Kim Shoffner had done pertaining to a class action lawsuit in which the City was the beneficiary of an unanticipated approximately one hundred twenty thousand dollar (\$120,000) settlement.

Council Member Albright made a motion to adopt the Budget Amendment Ordinance for Fiscal Year 2014-2015, seconded by Council Member Kimrey. All voted in favor of the motion.

Issues Not Included on Tonight's Agenda:

Mr. Robert Pugh, 605 Old Farm Drive, expressed his concern for motorcycles being worked on at a residence on Winesap Drive and those motorcycles being "test driven" in his neighborhood. He advised that he has called the Graham Police Department several times, but they have not yet witnessed any wrongdoing. Mr. Pugh asked Council about installing speed bumps and/or speed limit signs. Council said speed bumps are probably not the answer. Mr. Maness said that he would ask staff to investigate any potential zoning violations.

Mayor Pro Tem Linens reminded everyone of the City's Annual Family Fun Day this Thursday.

Mayor Peterman acknowledged the passing of former Fire Department Captain Mr. Ronnie Teague.

At 7:59 p.m. Council Member Kimrey made a motion to adjourn, seconded by Council Member Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
SPECIAL SESSION
TUESDAY, JUNE 30, 2015
6:00 P.M.**

The City Council of the City of Graham met in special session at 6:00 p.m. on Tuesday, June 30, 2015, in the Conference Room of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Jimmy Linens
Council Member Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Nathan Page, City Planner
Michael Leinwand, Special Projects Coordinator
Tanner Cook, City of Graham Intern
Roger Walden, Clarion Associates
Tom Boney, The Alamance News
Jay Ashley, The Times News

Mayor Jerry Peterman called the meeting to order and presided at 6:00 p.m.

City Manager Frankie Maness announced that City Planner Nathan Page has been named the City's new Planner. Mr. Maness also introduced Mr. Tanner Cook and advised that Mr. Cook will be interning with the City this summer.

Mr. Maness explained that Mr. Roger Walden of Clarion Associates had presented the new Graham 2035 Comprehensive Plan at a Public Hearing in April 2015. He reminded Council that the Public Hearing is a prerequisite to the formal adoption of the Plan. He further explained that it was the consensus of the Council in April to reconvene at some point in the future to discuss the plan in greater detail.

Mr. Page stated that the Planning Board has recommended adoption of the Plan and asked that a mailing be sent out to all property owners. He explained that at the time of the request, Special Projects Coordinator Michael Leinwand comprised a list of public notifications and events that have been sent, posted and/or held over the past several years.




Growth Management Plan 2015 - 2035



Important Events and Notifications


Notifications / Social Media

City Gram Newsletter inserted in Water Bills	<u>Fall 2013:</u> Newsletter mailed to approximately 5,405 (5,203 inside City, 202 outside City), "Graham is updating its comprehensive plan — the City of Graham Growth Management Plan 2000-2020. The GMP guides future growth and development in the city. The city uses this comprehensive plan to help make decisions about land use, transportation, utilities, public services and more. Stay informed and involved!" Receive updates by joining the email distribution list, liking the City of Graham Facebook Page, visiting the City of Graham Website, and contacting the City Planner.
April 8, 2014 & November 17, 2014 Public Workshop Notices	<u>Spring 2014:</u> Newsletter mailed to approximately 5,373 (5,172 inside City, 201 outside City). Public Workshop advertised for April 8, 2014. <u>Fall 2014:</u> Newsletter mailed to approximately 5,444 (5,242 inside City, 202 outside City). Public Workshop advertised for November 17, 2014.
Alamance News	<u>March 3, 2014:</u> Press Release for April 8, 2014 Public Workshop
April 8, 2014 Public Workshop Notice	<u>March 27, 2014:</u> News article stating, "The City of Graham is developing a new plan for the future and is housing a public workshop as a fun and interactive way to get input on the community's future", Workshop for April 8, 2014
Alamance News	<u>November 6, 2014:</u> Press Release published in Alamance News for November 17, 2014 Public Workshop
November 17, 2014 Public Workshop Notice	<u>November 13, 2014:</u> Press Release published in Alamance News for November 17, 2014 Public Workshop
City of Graham Website	City of Graham Planning Department Website includes information about the Plan. There was a prominent button on the front page for "Help us plan our future" that provided a direct link to the MindMixer website.
City of Graham Facebook Page	1,557 Total Visitors, 7,532 Page Views
City of Graham MindMixer Page	103 Participants & over 1,000 unique visitors. With the support of the Community Transformation Grant, the City established a MindMixer site to serve as a platform for community input on the plan. Several local establishments generously donated goods to serve as rewards to encourage participation on the MindMixer site.
Alamance County Chamber of Commerce	The Plan was presented at the 2014 Leaders Retreat.
WBAG 1150 AM	The Plan was discussed during the radio show with Mayor Peterman and Planner Melissa Guilbeau.
Flyers	Flyers were continuously available and refilled in the City Hall lobby and in the Graham Library. During the Summer of 2013, flyers were distributed to all water bill customers. On April 2, 2014, flyers were emailed to every customer that received an E-Bill.
Water Department TV	The large monitor located in the Water Department where the general public pays their water bills illustrated information about the Plan.
Civic Clubs	City Planner Melissa Guilbeau spoke to the Rotary Club, Lions Club, and Women's Fire Auxiliary.
Children's Contest	Staff printed the contest flyer for each student at both South Graham Elementary School and North Graham Elementary School. It is our understanding the flyer was sent home in each child's backpack.



Growth Management Plan 2015 - 2035

Important Events and Notifications



Important Dates

Date	Event	Description
July 23, 2013	Steering Committee Kick-Off Meeting	A Steering Committee of 19 individuals was formed. The role of the steering committee was to serve as an ambassador of the plan, provide oversight and guidance of the planning effort, review and comment on draft products, and determine the policies and strategies to be included in the plan. The steering committee met 11 times throughout the process.
July 25, 2013	Thursday at Seven	
August 8, 2013	Rotary Club	
August 12, 2013	Ladies' Auxiliary	
Summer 2013	Water Bill Flyer	Flyer describing the upcoming Plan process is distributed to all water customers.
Fall 2013	City GRAM	The CITY GRAM is distributed to all water customers inside and outside the Graham City Limits, which includes approximately 5,405 (5,203 inside City, 202 outside City). "Graham is updating its comprehensive plan — the City of Graham Growth Management Plan 2000-2020. The GMP guides future growth and development in the city. The city uses this comprehensive plan to help make decisions about land use, transportation, utilities, public services and more. Stay informed and involved!"
September 2013	Consultant RFP	The City issued a Request for Proposals with the intent to hire a consulting firm to prepare the new comprehensive plan. Proposals were due October 4 th . The City received 10 proposals, with fees ranging from \$49,950 to \$172,188. Staff reviewed and ranked the proposals, and chose the three highest-ranked to be invited to interview with the Steering Committee.
October 17, 2013	Steering Committee Meeting	The Steering Committee met with presentations and interviews of the three top-ranked consultants. Following the presentations, the Steering Committee discussed and voted Clarion Associates as their first choice consultant, with Renaissance Planning Group as their second.
November 26, 2013	Steering Committee Meeting	Melissa Guilbeau opened the meeting and had the Steering Committee and consultant team introduce themselves. Leigh Anne King of Clarion Associates then led a presentation to the committee providing an overview of comprehensive plans - what they are, how they are used, and how they differ from zoning.
January 27, 2014	Steering Committee Meeting	Recap and discussion from recent kickoff Steering Committee meeting. Objectives since last meeting. Next steps





Growth Management Plan 2015 - 2035



Important Events and Notifications

January and February 2014	Stakeholder Interviews	Over four days, Clarion interviewed 37 stakeholders, which included the following representatives, City of Graham Staff, local school principals and school boards, neighborhood activists, business owners, environmentalists, staff from surrounding jurisdictions, economic developers, Alamance Area Chamber of Commerce, local developers, health sector, pastor of local Hispanic Church, Housing Authority, United Way, and multiple community leaders. Based on these interviews, combined with review of data and existing plans and trends, the Planning Conditions Report was prepared.
February 19, 2014	Steering Committee Meeting	Highlights from Planning Conditions Report and Public Engagement Exercise
Spring 2014	City GRAM	The CITY GRAM is distributed to all water customers inside and outside the Graham City Limits, which includes approximately 5,373 (5,172 inside City, 201 outside City). Public Workshop advertised for April 8, 2014.
September 9, 2014	Steering Committee Meeting	Policy Direction Discussion and Review Draft of Future Land Use Map
March 3, 2014	Press Release	Press Release for April 8, 2014 Public Workshop
March 27, 2014	Steering Committee Meeting	Discussion of Final Planning Conditions Report and Future Workshop to be held on April 8, 2014.
March 27, 2014	Newspaper Article	Alamance News publishes article to advertise April 8, 2014 public workshop.
April 2, 2014	Flyer	Flyers were emailed to every customer that received an E-Bill.
April 8, 2014	Public Workshop	A public workshop was held on April 8, 2014 at the Graham Recreation Center. About 40 residents attended and provided input on the plan via small group discussion, sticky notes and interactive polling.
May 21, 2014	Steering Committee Meeting	Future of Graham Public Workshops Results and Future Land Use Alternatives (Scenario Testing)
July 23, 2014	Steering Committee Meeting	Future Growth Options in Graham
Summer 2014	Scenario Planning Exercise	Staff and Clarion conducted a scenario planning exercise. That exercise forecasted future population and commercial/industrial growth then described two different development scenarios – status quo and compact, nodal development – both based on the forecasted growth. The results of this exercise were presented in a Growth Options Report.
Fall 2014	City GRAM	The CITY GRAM is distributed to all water customers inside and outside the Graham City Limits, which includes approximately 5,444 (5,242 inside City, 202 outside City). Public Workshop advertised for November 17, 2014

<div style="display: flex; justify-content: space-between; align-items: center;">  <div style="text-align: center;"> <h2 style="margin: 0;">Growth Management Plan 2015 - 2035</h2> <h3 style="margin: 0;">Important Events and Notifications</h3> </div>  </div>		
October 28, 2014	Steering Committee Meeting	Discussion and Review of Plan, Presentation and Review of Future Land Use Map, Discussion of Priority Areas, Review of Plan for Public Forum
November 6, 2014	Press Release	Press Release published in Alamance News for November 17, 2014 Public Workshop
November 13, 2014	Press Release	Press Release published in Alamance News for November 17, 2014 Public Workshop
November 17, 2014	Public Workshop	A second and final public workshop was held at the Graham Recreation Center. About 20 residents attended and provided input on the draft comprehensive plan, again using sticky notes and interactive polling.
November, 2014	Alamance County Chamber of Commerce	2014 Community Leaders Retreat
January 26, 2015	Steering Committee Meeting	Review of Final Draft Plan.
March 17, 2015	Graham Planning Board	The Graham Planning Board recommended approving the Growth Management Plan 2015-2035 with a recommendation Graham City Council notify all property owners affected by the Plan.
March 26	Newspaper Article	News article and editorial published in the Alamance News, summarizing the Planning Board meeting from March 17, 2015.
April 14, 2014	Graham City Council	Public Hearing, Graham City Council had some questions and comments so a future workshop was recommended.
June 30	Graham City Council	Workshop

Council Members expressed concern over the notifications by mail being in the bi-annual CityGram publication. They fear that while residents do receive those with their water bill, most may not read the CityGram. Mr. Maness indicated that there are over ten thousand (10,000) parcels in the City. He stated that while the cost would be significant, the time required by staff to put together and mail such a large number of letters is something the City cannot afford at this time. He went on to say that due to various projects going on at this time, staff just doesn't have time to do a mass mailing. After further discussion, Council by consensus decided that the City would post signs throughout the City advertising a Public Workshop and Public Hearing to be held on Tuesday, August 4, 2015 at 6:00 p.m. Mayor Peterman and Council Member Lee Kimrey, along with staff and members of the Graham 2035 Comprehensive Plan Steering Committee, will be in attendance to answer questions the public may have. Following this Public Workshop will be the regularly scheduled Council Meeting, which will include a Public Hearing on the Plan. Adoption of the new Plan is currently scheduled for September 1, 2015.

Mr. Roger Walden of Clarion Associates pointed out that a Zoning Map is by definition parcel by parcel. He went on to say that a Zoning Map is regulatory which defines what you can and cannot do on property. Mr. Walden advised that a Land Use Map is not regulatory and explained that its purpose is to serve as a policy guide to be used in contemplating future changes to zoning, capital improvements programming and how we are managing the City.

Mayor Peterman expressed concern over currently using the Comprehensive Plan in our motion format, therefore making it a legal reason for decisions. Mr. Walden explained that while State Statutes require Council to adopt a Statement of Consistency, it doesn't preclude you from taking a zoning action that doesn't conform to your Comprehensive Plan. Mr. Walden went on to say that Council, as an elected body, are a legislative body who can make legislative decisions. He stated that zoning is a legislative decision. He stated that elected bodies are given great latitude in State Law to make a legislative decision about how a property should be zoned.

Mr. Tom Boney of the Alamance News asked if there has ever been a time where a decision was passed which was not consistent with the Growth Management Plan. Mr. Maness said there have been times when that has occurred.

Council Member Kimrey showed support for the Plan's call for an annual "check-up" to look at growth throughout the City so that Council on an annual basis can make changes to the Growth Management Plan as Council sees fit. Mr. Leinwand pointed out that in addition to the annual reviews, the Plan calls for review every five (5) years at which time significant updates may possibly be made.

Council Members asked for clarification from Mr. Walden as to the proposed Mixed Use Residential areas on the Draft Future Land Use Map. Mr. Walden stated that there were a couple of factors that played into certain areas being proposed as Mixed Use Residential. One factor was transportation. The areas seem to have good transportation accessibility and a walkable community that has a good mix of single family and multifamily homes. Council Member Kimrey expressed concern that the proposed Mixed Use Residential Zone would blanket the Old Fields Subdivision. Mr. Page stated that there are multiple apartment and townhome complexes listed in the current Planned Urban Development (PUD) for Old Fields as well as some commercial development along Cherry Lane.

Mr. Maness pointed out that the Riverwalk and Challenge Subdivisions are examples of what would be considered Mixed Use Residential. He stated that the golf course at the Challenge would be non-residential as well as a community clubhouse. Mr. Maness asked Council to look at how Graham has grown. He stated that Graham has grown in what could be determined as the most inefficient way. He went on to say that that works for about twenty (20) to thirty (30) years, but eventually the "rent" will come due on your sidewalks, curbs, gutters and streets. He noted that we are already starting to see that. He stated that now we have the opportunity to look at the City from a bird's eye view and make a decision on how the City will grow, in the most efficient way possible, over the next twenty (20) years. Mr. Maness pointed out that the growth Graham has seen in the last few decades has been primarily low density residential. He stated that he is pleased to see industry projects coming to and looking to come to Graham. His belief is industry and in-fill projects is how we should be growing Graham for the future.

He advised that we do not have to expand the footprint of our City for in-fill projects. Mr. Maness cautioned Council that when tailoring our Zoning and Future Land Use Maps, we don't zone out a particular use.

Council Members discussed the language used in the proposed Plan with Mr. Walden. Mr. Walden said that based on the April meeting, he changed the name of the property formerly known as the Alamance Interstate Corridor Development Zone (AICDZ) to the North Carolina Commerce Park (NCCP). He also explained that he went through the Plan and anytime there was reference to support for regional transit, he left that in the Plan. He went on to say that he removed anytime there was talk in the Plan of reconfiguring Graham's land use patterns for transit support. He also said that in the action plans, he removed reference for vigorously and aggressively pursuing trying to get fixed route transit in the City.

Mr. Walden noted that at the April meeting, the Council had expressed concern over the use of the word "require" in the Plan. He said he has not made any changes to that in the Plan. Council Member Kimrey suggested that Council could decide to use the word "encourage" in place of "required" when referenced in the Plan. In addition, Council Member Kimrey asked about the use of the word "should" throughout the Plan. Mr. Walden said that he has seen other municipality's use the word "accommodate" or "encourage" in place of "should". Council Members were in support of both suggestions.

Council also recommended changing the Draft Future Land Use Map by identifying only the area south of the Little Alamance Creek as Rural Residential. Mallard Creek Subdivision will be the only exception and will remain Suburban Residential.

Based on Council's recommendation, Mr. Walden will make the above changes in language throughout the Plan as well as redefining the Rural Residential area on the Draft Future Land Use Map. He stated that he will have a revised copy of the Plan back to Staff next week for review.

At 8:04 p.m. Council Member Chip Turner made a motion to adjourn, seconded by Council Member Jim Albright. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, JULY 7, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, July 7, 2015, 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 Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Nathan Page, City Planner
Michael Leinwand, Special Projects Coordinator
Melody Wiggins, Recreation & Parks Director
James Lloyd, Chief Code Enforcement Officer
Tanner Cook, City Intern

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 – June 2, 2015 Regular Session.*
- b. Approval of Minutes – June 30, 2015 Special Session.*
- c. Tax Collector Year End Report.*
- d. 2014 Outstanding Tax Listing.*
- e. Request by the City of Graham Police Department to close the 100 block of West Elm St. on August 4, 2015 from 5:00pm-10:00pm for the National Night Out.*

Mayor Peterman asked the Council Members if they would like to pull any of the items from the Consent Agenda. Mayor Peterman asked to pull item “a. Approval of Minutes - June 2, 2015 Regular Session.” Council Member Lee Kimrey asked to pull item “d. 2014 Outstanding Tax Listing.”

Mayor Pro Tem Jimmy Linens made a motion to approve items “b”, “c” and “e” on the Consent Agenda, seconded by Council Member Jim Albright. All voted in favor of the motion.

Mayor Peterman informed Council that there had been a misspelling of his name in the June 2, 2015 Regular Session Minutes and verified with City Clerk Darcy Sperry that the correction had been made.

Mayor Peterman made a motion to approve item “a” on the Consent Agenda, seconded by Council Member Turner. All voted in favor of the motion.

Council Member Kimrey questioned City Manager Frankie Maness about the reason(s) as to why Bank of America would show up on the 2014 Outstanding Tax Listing.

Mr. Maness stated that if he had to guess, it could be a property that they have foreclosed on or a property that has transitioned from one party to another and hasn't been finalized.

Council Member Kimrey made a motion to approve item "d" on the consent agenda, seconded by Council Member Turner. All voted in favor of the motion.

Requests and Petitions of Citizens

a. *Connect NC Bonds.*

Ms. Cheryl McQueary, Board Member of the North Carolina Board of Transportation gave a presentation to the Council on the Connect NC Bond Initiative with the hope of gaining support, in the form of a Resolution, for the Highway Bond and the Infrastructure Bond to be put on the November 2015 Ballot. She explained that the Resolution does not mean the Council Members are in favor or opposed to the Bonds, but rather that Council supports that the General Assembly give the citizens of North Carolina the right to vote on these Bonds.

Ms. McQueary indicated that North Carolina has six (6) modes of transportation. She identified those as Highway, Aviation, Bicycle & Pedestrian, Ferry, Public Transportation and Rail. Ms. McQueary stated that two (2) years ago, the Governor, the General Assembly and the Department of Transportation created a new way to fund transportation projects. She added that projects are divided into three (3) levels: State, Regional and Division. In addition, she mentioned that North Carolina has the second largest highway system in the United States and highlighted the following facts:

State Transportation System

- Largest State Capital Asset
- Over \$47 billion Invested
- Replacement Value - \$570 billion
- Vehicle Miles Traveled (VMT) – 104 billion miles yearly
- Tons of Freight Moved ~ 760 million tons yearly
- Time Spent in Congestion – 30 hours yearly

Statewide Transportation Improvement Program (STIP)

- 2015-2025 \$24.6 Billion Draft STIP contains:
 - 1,931 roadway projects totaling \$19.1 billion including:
 - 785 projects to improve highways
 - 829 bridge replacements
 - 433 congestion mitigation, bicycle and pedestrian, passenger rail, ferry, safety, environmental and enhancement projects
 - 57 aviation projects granted annually
 - 57 Grant Anticipation Revenue Vehicle (GARVEE) Projects; \$1.9 billion;

By consensus, the Council offered support of the Resolution presented.

RESOLUTION IN SUPPORT OF PLACING THE CONNECT NC BOND INITIATIVE ON THE NOVEMBER 2015 BALLOT

WHEREAS, enhanced mobility across North Carolina's transportation network is a major factor impacting economic growth and job creation; and

WHEREAS, addressing critical mobility and congestion issues across the state is dependent on all modes of transportation; and

WHEREAS, our state's rapidly growing population presents critical infrastructure needs, and

WHEREAS, our state has a long and successful history of judiciously using long-term financing to meet its infrastructure needs; and

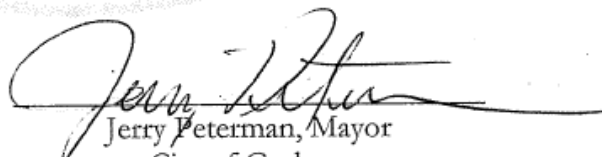
WHEREAS, it has been 15 years since the last general obligation bond was authorized to improve public infrastructure, which has resulted in years of deferred investment; and

WHEREAS, no tax increases are necessary to finance bonds given the ample debt service capacity within our existing revenue profile; and

WHEREAS, interest rates are at historical lows and it has never been less expensive to make long-term investments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, that the NC General Assembly should place before the voters for their consideration on the November 2015 Ballot, the Connect NC Bond Initiative.

Adopted this 7th day of July, 2015.


Jerry Peterman, Mayor
City of Graham

b. Petition for Voluntary Contiguous Annexation on and Adjacent to 401 Longdale Drive.
 City Planner Nathan Page explained that this is an application by Mr. John L. Foust Sr. to annex a contiguous lot into the City of Graham. The property is currently in the City's Extra Territorial Jurisdiction (ETJ). Mr. Page explained that this is the first step in the annexation process which would require approval of the following:

- iii. Approve Resolution requesting City Clerk to Investigate the Sufficiency.
- iv. Approve Resolution fixing date of Public Hearing on Question of Annexation.

Mayor Pro Tem Linens made the motion to approve the Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31 for Property on and adjacent to 401 Longdale Drive, seconded by Council Member Kimrey. All voted in favor of the motion.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31
FOR PROPERTY ON AND ADJACENT TO 401 LONGDALE DRIVE

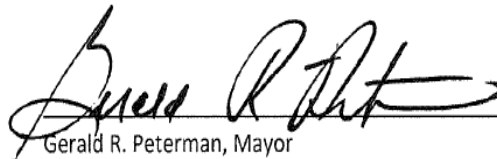
WHEREAS, a petition requesting annexation of an area described in said petition was received on June 12, 2015, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Graham deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Graham:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.


 Gerald R. Peterman, Mayor

ATTEST:



 Darcy L. Sperry, City Clerk

CERTIFICATE OF SUFFICIENCY
FOR PROPERTY ON AND ADJACENT TO 401 LONGDALE DRIVE

To the City Council of the City of Graham, North Carolina:

I, Darcy L. Sperry, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Graham, this the 7th day of July, 2015.


Darcy L. Sperry, City Clerk

SEAL



Council Member Albright made the motion to approve the Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for Property on and adjacent to 401 Longdale Drive – the date being August 4, 2015, seconded by Council Member Turner. All voted in favor of the motion.

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31
FOR PROPERTY ON AND ADJACENT TO 401 LONGDALE DRIVE

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

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

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

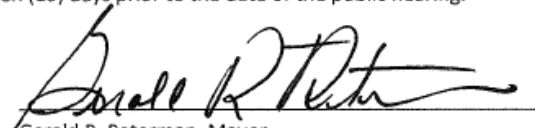
Section 1. A public hearing on the question of annexation of the area described herein will be held at the City Hall, 201 S. Main Street, Graham, NC at 7:00pm on August 4, 2015.

Section 2. The area proposed for annexation is described as follows:

A certain tract or parcel of land in Graham Township, Alamance County, North Carolina, adjoining the lands of Longdale Drive, Lot No. 4 of Property of J. L. Foust, recorded in Plat Book 69, at Page 119, Lot Nos. 1 and 7 of Property of J. L. Foust, recorded in Plat Book 75, at Page 492 and others, and more particularly described as follows:

BEGINNING at an existing iron pipe corner between Lot No. 1 of Property of J. L. Foust, recorded in Plat Book No. 75, at Page 492 and Lot No. 4 of Property of J. L. Foust, recorded in Plat Book 69, at Page 119, and the existing City of Graham corporate limits line, running thence with the southeastern line of Lot No. 1, N36° 03' 13"E 180.00 feet to an existing iron pipe in the line of said Lot No. 1 and corner with Lot No. 7 of Property of J. L. Foust, recorded in Plat Book 75, at Page 492, and corner with the existing City of Graham corporate limits line; running thence along the said Lot No. 7 and existing City of Graham corporate limits line S48° 15' 00"E 156.86 feet to an existing iron pipe in the northwestern 50 foot right-of-way line of Longdale Drive; continuing along said existing City of Graham corporate limits line and the said right-of-way line of Longdale Drive S38° 08' 18"W 170.00 feet to an existing iron pipe corner with Lot No. 4 of Property of J. L. Foust, recorded in Plat Book 69, at Page 119; continuing along said existing City of Graham corporate limits line and Lot No. 4, N51° 51' 42"W 150.00 feet to the POINT OF BEGINNING and containing 26,798 square feet.

Section 3. Notice of the public hearing shall be published once in The Alamance News, a newspaper having general circulation in the City of Graham, at least ten (10) days prior to the date of the public hearing.


 Gerald R. Peterman, Mayor

ATTEST:

 Darcy L. Sperry, City Clerk

Capital Project Ordinance: Boyd Creek Pump Station:

City Manager Frankie Maness explained that the Boyd Creek Pump Station has served the City well since 1959, but it is old and a risk to the City's collection system. He reminded Council that this project first came to the attention of the Council approximately two and one half (2 ½) years ago. Mr. Maness added that due to the design of the Station, it has become very difficult to maintain. In an effort to get this project started, Mr. Maness is requesting \$175,000 for preliminary engineering and surveying. This money is proposed to come from the Water and Sewer Fund's Fund Balance.

Council Member Albright asked Mr. Maness if the \$175,000 is included in the cost of the project or if it's in addition to. Mr. Maness stated that the \$175,000 is included in the total cost.

Mr. Tom Boney of the Alamance News asked Mr. Maness if this project was included in this year's budget. Mr. Maness answered no. He added that when you have projects of this size that can go across fiscal years, the most appropriate thing you can do is adopt a Capital Project Budget.

Being no further questions, Council Member Turner made the motion to approve the project budget ordinance for Boyd Creek Pump Station, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

CAPITAL PROJECT ORDINANCE BOYD CREEK PUMP STATION

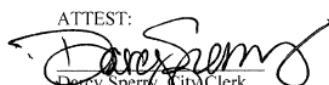
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is hereby adopted:

- Section 1. The Project authorized is Boyd Creek Pump Station.
- Section 2. The officials of the City of Graham are hereby directed to proceed with this program within the terms of the project. Staff is authorized to execute change orders within the budget ordinance.
- Section 3. The following revenues are anticipated to be available to the City to complete the project:
- | | |
|--|-----------|
| Proceeds from Water/Sewer Fund Balance | \$175,000 |
|--|-----------|
- Section 4. The following amounts are appropriated for this project:
- | | |
|-----------------------|-----------|
| Professional Services | \$175,000 |
|-----------------------|-----------|
- Section 5. The Finance Director shall report on the financial status of this project as directed by the City Council and will inform the Council of any unusual occurrences.
- Section 6. Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project.
- Section 7. That this ordinance shall take effect upon passage.

This the 7th day of July, 2015.


Jerry Peterman - Mayor

ATTEST:


Darcy Sperry, City Clerk

Capital Project Ordinance: Jim Minor Road Park:

Mr. Maness explained that this is a request to appropriate funds for Phase 1 of the Jim Minor Road Park. Mr. Maness added that the City acquired a 115.6 acre tract of property along Jim Minor Road in 2010 and another three (3) acre tract in 2014 for the purpose of constructing a park. The City received financial assistance in the amount of \$500,000 from the North Carolina Parks and Recreation Trust Fund in July 2011, which stipulated that the City begin development of the park by July 2016. He added that the grant requires that the land be held in perpetuity as a public park. As such, the City recorded restrictive covenants in 2012 to perpetually designate the property for public recreational use. Mr. Maness went on to say that City Staff has developed three (3) options to begin development through a phased approach. Phase 1 options seek to build passive recreation facilities and basic infrastructure. Phase 1 options include: a park entrance, parking lot, natural playground, open mall area, fit zone and shelter with restrooms. Mr. Maness advised that option B is the recommended approach.

Parks & Recreation Director Melody Wiggins gave a brief overview of the three (3) different options proposed. In addition to Parking/Drive/Trail Improvements by City Purchase and Forces, the options include the following:

- Option A: Picnic Shelters, Walking Trails, Lawn, Fitness, Playground and Water/Sewer System - \$1,645,000
- Option B: Picnic Shelters, Walking Trails, Lawn, Fitness, Playground and Water/Sewer System - \$850,000
- Option C: Picnic Shelter, Nature Walking Trail and Water/Sewer System - \$500,000

Council Member Kimrey asked Ms. Wiggins what we have to have open to satisfy the grant requirements. Ms. Wiggins stated that we have to have some facilities open. She stated that this is the least expensive area of the park to develop. Mayor Pro Tem Linens asked Ms. Wiggins what has been done to date with this property. Ms. Wiggins explained that we have just completed the timbering. She added that we have been working for months on the planning and design of the different areas of the park as well as the establishment of a non-profit organization called the Friends of the Graham Recreation and Parks. Ms. Wiggins added that they will soon be releasing a gift catalogue to the public for those parties interested in purchasing items needed for the park.

Mr. Boney asked Mr. Maness if this project was in this year's budget. Mr. Maness answered no and referred to the same reason he had given for the previously discussed Boyd Creek Pump Station.

Council Members expressed their desire to have City Engineers Alley, Williams, Carmen & King look at which shelter makes the most sense to construct first. Option B calls for the construction of shelter 1, however, Council noted that shelter 4 is in closer proximity to the proposed recreation areas.

Being no further discussion, Council Member Turner made the motion to approve the project budget ordinance for Phase 1 of the Jim Minor Road Park, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

CAPITAL PROJECT ORDINANCE JIM MINOR ROAD PARK

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is hereby adopted:

- Section 1. The Project authorized is Jim Minor Road Park.
- Section 2. The officials of the City of Graham are hereby directed to proceed with this program within the terms of the project. Staff is authorized to execute change orders within the budget ordinance.
- Section 3. The following revenues are anticipated to be available to the City to complete the project:
- | | |
|--|-----------|
| Proceeds from Fund Balance in General Fund | \$850,000 |
|--|-----------|
- Section 4. The following amounts are appropriated for this project:
- | | |
|-----------------------|----------------|
| Professional Services | 84,000 |
| Construction | <u>766,000</u> |
| | \$850,000 |
- Section 5. The Finance Director shall report on the financial status of this project as directed by the City Council and will inform the Council of any unusual occurrences.
- Section 6. Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project.
- Section 7. That this ordinance shall take effect upon passage.

This the 7th day of July, 2015.


Jerry Peterman - Mayor

ATTEST:

Darcy Sperry, City Clerk

Project Quarter:

a. Resolution by the City Council of the City of Graham Authorizing Application to the NCDOT Infrastructure Grants Program.

Mr. Maness explained that this is one of two (2) action items being requested for Project Quarter. He added that approval of the resolution finalizes the City's grant application and helps pave the way for funding to support the construction of the roadway to serve Project Quarter and other properties within the North Carolina Commerce Park (NCCP). Mr. Maness advised that the grant program is through the Economic Infrastructure Program of the North Carolina Department of Commerce, Rural Economic Development Division. The grant will contribute \$500,000 towards roadway construction in the NCCP.

Council Member Kimrey asked Mr. Maness how long we will have to maintain the road before NCDOT takes it over. Mr. Maness advised that it's either this grant or the Golden Leaf Grant that requires us to maintain the road for three (3) years before NCDOT takes it over.

Being no further questions, Council Member Kimrey made the motion to approve the Resolution by the City Council of the City of Graham Authorizing Application to the NCDOT Infrastructure Grants Program, seconded by Council Member Turner. All voted in favor of the motion.

City of Graham

P. O. Drawer 357
201 South Main Street
Graham, North Carolina 27253
Tel: (336) 570-6700 / Fax: (336) 570-6703

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF GRAHAM AUTHORIZING APPLICATION TO THE NCDOT ECONOMIC INFRASTRUCTURE GRANTS PROGRAM

WHEREAS, the North Carolina Rural Infrastructure Authority (RIA) has authorized the awarding of grants from appropriated funds to aid eligible units of government in financing the cost of infrastructure activities needed to create jobs; and

WHEREAS, the City of Graham desires assistance in financing a building project that may qualify for Rural Grants/Programs funding; and

WHEREAS, the City of Graham intends to request grant assistance for the Public Roadway Improvements Serving Project Quarter (MGP) from the Economic Infrastructure Grants Program;

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF GRAHAM:

That the City of Graham will arrange financing for all remaining costs of the project, if approved for a grant;

That Jerry Peterman, Mayor and successors so titled, is hereby authorized to execute and file an application on behalf of the City of Graham with the Rural Grants/Programs Section for a grant to assist in the above-named infrastructure project;

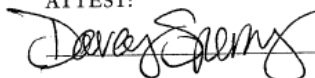
That Frankie Maness, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as Rural Grants/Programs Section may request in connection with an application or with the project proposed; to make assurances as contained in the application; and to execute such other documents as may be required in connection with the application.

That the City of Graham has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 7th day of July, 2015 at Graham, North Carolina.


Jerry Peterman, Mayor

ATTEST:


Clerk



b. Capital Project Ordinance.

Mr. Maness explained the Project Quarter incentive package calls for the NCCP partners to construct a roadway to serve Project Quarter and other properties within the NCCP. He informed Council that the estimated cost for the roadway project is \$2,000,000. Grant funding from the Golden Leaf (\$250,000) and the NCDOC Rural Economic Development Division (\$500,000) will be used towards the project leaving the three (3) local governments to share the \$1,250,000 balance (\$416,667 each).

Council Member Albright made the motion to approve the project budget ordinance for Project Quarter, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

**CAPITAL PROJECT ORDINANCE
PROJECT QUARTER**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is hereby adopted:

Section 1. The Project authorized is Project Quarter.

Section 2. The officials of the City of Graham are hereby directed to proceed with this program within the terms of the project. Staff is authorized to execute change orders within the budget ordinance.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

Proceeds from General Fund Balance	416,666
City of Mebane	416,667
Alamance County	416,667
Golden Leaf Grant	250,000
Rural Center Grant	<u>500,000</u>
	\$2,000,000

Section 4. The following amounts are appropriated for this project:

Professional Services	240,000
Construction	1,510,000
Contingencies	<u>250,000</u>
	\$2,000,000

Section 5. The Finance Director shall report on the financial status of this project as directed by the City Council and will inform the Council of any unusual occurrences.

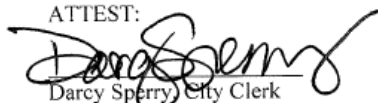
Section 6. Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project.

Section 7. That this ordinance shall take effect upon passage.

This the 7th day of July, 2015.


Jerry Peterman - Mayor

ATTEST:


Darcy Sperry, City Clerk

Resolution by the City Council of the City of Graham Authorizing Application to the NCDOC Rural Economic Development Division Building Reuse Grant Program for Rural Health Care.

Mr. Maness explained that this is a request to approve the Resolution by the City Council of the City Of Graham Authorizing Application to the NCDOC Rural Economic Development Division Building Reuse Grant Program for Rural Health Care.

Mr. Maness added that the City of Graham is eligible to solicit grant funding through the Building Reuse Program under the Rural Grants/Programs Section of the North Carolina Department of Commerce to assist in the development of health care related jobs. He added that the Peak Resources project will invest ten million (\$10,000,000) dollars in Graham and will create forty (40) new jobs. Mr. Maness stated that this is an opportunity for the City to be a conduit to assist Peak Resources in their building. As part of their project, the City will see some sidewalk infrastructure as well as stormwater infrastructure that currently doesn't exist. Mr. Maness advised that Peak Resources has agreed to provide the required matching funds for the grant. The anticipated amount of the grant is four hundred thousand (\$400,000) dollars.

Council Member Kimrey asked Mr. Maness about the cash match. Mr. Maness explained that it's a five (5) percent match where the City will act as the responsible agency.

Mr. Skip Green, 123 Wingate Drive Clayton, NC, spoke on behalf of the project. He gave a brief overview of the Building Reuse Program. He added that with this project there will be no cost to the City as Peak Resources has agreed to pay for administrative costs incurred.

Mr. Boney asked what the benefit to the City was. Mayor Peterman answered that eventually the stormwater, hydrants and utilities will be deeded to the City. He added that the City is doing the paperwork because Peak Resources needs to have a municipality act as the conduit for this grant which will help Peak Resources cut their costs a little.

Council Member Turner made a motion to approve the Resolution by the City Council of the City of Graham Authorizing Application to the NCDOC Rural Economic Development Division Building Reuse Grant Program for Rural Health Care, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

City of Graham

P. O. Drawer 357
201 South Main Street
Graham, North Carolina 27253
Tel: (336) 570-6700 / Fax: (336) 570-6703

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF GRAHAM AUTHORIZING APPLICATION TO THE NCDOT RURAL ECONOMIC DEVELOPMENT DIVISION BUILDING REUSE GRANT PROGRAM FOR RURAL HEALTH CARE

WHEREAS, the North Carolina Rural Infrastructure Authority (RIA) has authorized the awarding of grants from appropriated funds to aid eligible units of government in financing the cost of building activities needed to create jobs; and

WHEREAS, the City of Graham desires assistance in financing a building project that may qualify for Rural Grants/Programs funding; and

WHEREAS, the City of Graham intends to request grant assistance for the new Peak of Graham, LLC nursing home facility project at 600 North Main from the Building Reuse Grant Program – Rural Health Care;

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF GRAHAM:

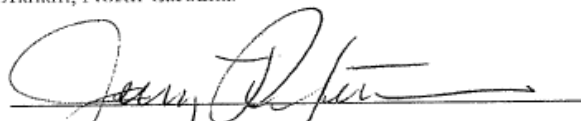
That the City of Graham will provide 5% of the Building Reuse Program Grant toward project construction costs, if approved for a grant with Peak Resources Inc. providing the match.

That Jerry Peterman, Mayor and successors so titled, is hereby authorized to execute and file an application on behalf of the City of Graham with the Rural Grants/Programs Section for a grant to assist in the above-named Building Reuse project.

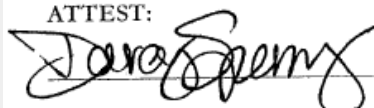
That Frankie Maness, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as Rural Grants/Programs Section may request in connection with an application or with the project proposed; to make assurances as contained in the application; and to execute such other documents as may be required in connection with the application.

That the City of Graham has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 7th day of July, 2015 at Graham, North Carolina.


Jerry Peterman, Mayor

ATTEST:


Clerk



Issues Not Included on Tonight's Agenda

Mayor Peterman advised that he was moving this item up on the agenda prior to Council going into Closed Session. No comments were forthcoming.

Closed Session Pursuant to the Terms of [N.C.G.S. §. 143-318-11 \(a\) \(6\)](#): to consider the performance of the City Manager and City Attorney.

At 8:29 p.m. Mayor Pro Tem Linens made a motion to go into closed session to consider the performance of the City Manager and City Attorney pursuant to N.C.G.S. 143-318-11 (a) (6), seconded by Council Member Turner. All voted in favor of the motion.

At 9:53 p.m. Mayor Peterman reconvened the regular session. Mayor Peterman explained that the Council Members discussed City Attorney Keith Whited's performance and advised that Council and Mr. Maness feel Mr. Whited's job performance is very good. Mayor Peterman added that they would like to continue to retain Mr. Whited at his current rate of one hundred seventy-five (\$175) dollars per hour.

Mayor Peterman also explained that Council had discussed Mr. Maness' job performance and believe that this has been an exceptional year for the City of Graham and Mr. Maness has been a driving force to accomplish this. He added that they would like to congratulate him on a job well done but with the policy of pay raises as it currently stands, his salary will remain the same.

At 9:56 p.m. Council Member Turner made a motion to adjourn, seconded by Council Member Kimrey. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, AUGUST 4, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, August 4, 2015, 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 Lee Kimrey
Council Member Chip Turner

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Nathan Page, City Planner
James Lloyd, Chief Code Enforcement Officer

Council Members Absent:

Council Member Jim Albright

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Mayor Pro Tem Jimmy Linens gave the invocation and everyone stood to recite the Pledge of Allegiance.

Honorary Letter of Commendation

Mayor Peterman read and presented a Letter of Commendation to Graham Police Captain Steve McGilvray. Mayor Peterman congratulated Captain McGilvray for the excellent service he provided during the demonstration held at the Alamance County Historic Courthouse on July 18, 2015.

Consent Agenda:

- a. *Approval of Minutes – July 7, 2015 Regular Session*
- b. *Tax Releases*

CITY OF GRAHAM RELEASE ACCOUNTS						
AUGUST						
ACCT #	YEAR	RECEIPT	NAME	RE/PP	REASON FOR RELEASE	RELEASED
87959	2015	4540	LYON, BOBBY HTG & COOLING	PP	OUT OF BUSINESS DEC 2014	15.78
87959	2015	4541	LYON, BOBBY HTG & COOLING	PP	OUT OF BUSINESS DEC 2014	1.44
149442	2015	3670	HUNTER, VICKIE PHILLIPS	PP	DID NOT OWN BOAT JAN 2015	2.59
161566	2015	5848	POE, RICHARD ALLEN JR	PP	DOES NOT LIVE IN CITY OF GRAHAM - REL BOAT	3.00
231813	2015	4737	MASTERCRAFT, CASKET CO INC	PP	PROPERTY LISTED IN CASWELL CO	40.40
231813	2015	4738	MASTERCRAFT, CASKET CO INC	PP	PROPERTY LISTED IN CASWELL CO	24.02
401802	2015	7228	TEAGUE, TYSON SHEA	PP	DID NOT OWN BOAT JAN 2015	35.99
475054	2015	4054	KEENEY, MARK STEVEN JR	PP	BOAT NOT LOCATED IN CITY OF GRAHAM	5.32
521137	2015	7377	THORNTON, WILLIAM J REVOC	RE	QUALIFIED FOR HOMESTEAD EXEMPTION	204.75
619924	2015	679	BLACKWELL, DAMIAN AVERY	PP	SOLD BOAT DEC 2013	4.55
619924	2014	743	BLACKWELL, DAMIAN AVERY	PP	SOLD BOAT DEC 2013	4.55
627572	2015	3915	JOHNSON, JERRY GLEN	PP	BOATS LOCATED IN VANCE CO	1.41
627572	2015	3916	JOHNSON, JERRY GLEN	PP	BOATS LOCATED IN VANCE CO	0.98
627572	2015	3917	JOHNSON, JERRY GLEN	PP	BOATS LOCATED IN VANCE CO	23.48
643313	2015	6131	REYNOLDS, LARRY GEORGE	PP	BOAT DOUBLE LISTED	86.45
643740	2015	933	BROWN, CHRISTIE DAWN	PP	DID NOT OWN BOAT JAN 2015	5.01
654001	2015	6922	STANFIELD, TOBY	PP	BOAT LISTED IN PERSON COUNTY	10.01
TOTAL RELEASES						469.73

c. Boards & Commissions Appointments

Mayor Peterman asked the Council Members if they would like to pull any of the items from the Consent Agenda. Council Member Lee Kimrey asked to pull item “a. Approval of Minutes – July 7, 2015 Regular Session.”

Council Member Chip Turner made a motion to approve items “b” and “c” on the Consent Agenda, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

Council Member Kimrey questioned the following from the Peak Resources section of the July 2015 minutes: *“He added that Peak Resources will pay either the City or the five (5) percent match for the project”*. Council Member Kimrey expressed concern that the statement was inaccurate. Mr. Maness stated that we would be better served to remove the entire sentence from the July 2015 minutes. Mr. Maness went on to say that the Resolution speaks to how that five (5) percent match will be accomplished.

Council Member Kimrey made a motion to approve the minutes as written with the exception of the one sentence on page thirteen (13) (agenda packet) that states: *“He added that Peak Resources will pay either the City or the five (5) percent match for the project”* and that sentence be eliminated, seconded by Council Member Turner. All voted in favor of the motion.

Requests and Petitions of Citizens:

a. Graham Area Business Association to Discuss Purchase of Holiday Decorations

City Manager Frankie Maness explained that the Graham Area Business Association advised they would like to remove this item from consideration.

Council Member Kimrey made a motion to postpone this item, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

b. Public Hearing: Petition for Voluntary Contiguous Annexation on and Adjacent to 401 Longdale Drive

City Planner Nathan Page explained that this is an application by Mr. John L. Foust to annex a portion of his property along Longdale Drive into the City. Mr. Page further stated that this property was originally two (2) lots that have been reconfigured and portions combined with adjoining lots so as to meet the requirements of the City’s Development Ordinances.

Mayor Peterman opened the Public Hearing. No public comment was received and Mayor Peterman closed the Public Hearing.

Council Member Turner made the motion to approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina for property on and adjacent to 401 Longdale Drive, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

ANNEXATION ORDINANCE

TO EXTEND THE CORPORATE LIMITS OF THE CITY OF GRAHAM, NORTH CAROLINA FOR PROPERTY ON AND ADJACENT TO 401 Longdale Drive

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 August 4, 2015, after due notice by publication on July 23rd, 2015; 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 August 31, 2015:

A certain tract or parcel of land in Graham Township, Alamance County, North Carolina, adjoining the lands of Longdale Drive, Lot No. 4 of Property of J. L. Foust, recorded in Plat Book 69, at Page 119, Lot Nos. 1 and 7 of Property of J. L. Foust, recorded in Plat Book 75, at Page 492 and others, and more particularly described as follows:

BEGINNING at an existing iron pipe corner between Lot No. 1 of Property of J. L. Foust, recorded in Plat Book No. 75, at Page 492 and Lot No. 4 of Property of J. L. Foust, recorded in Plat Book 69, at Page 119, and the existing City of Graham corporate limits line, running thence with the southeastern line of Lot No. 1, N36° 03' 13"E 180.00 feet to an existing iron pipe in the line of said Lot No. 1 and corner with Lot No. 7 of Property of J. L. Foust, recorded in Plat Book 75, at Page 492, and corner with the existing City of Graham corporate limits line; running thence along the said Lot No. 7 and existing City of Graham corporate limits line S48° 15' 00"E 156.86 feet to an existing iron pipe in the northwestern 50 foot right-of-way line of Longdale Drive; continuing along said existing City of Graham corporate limits line and the said right-of-way line of Longdale Drive S38° 08' 18"W 170.00 feet to an existing iron pipe corner with Lot No. 4 of Property of J. L. Foust, recorded in Plat Book 69, at Page 119; continuing along said existing City of Graham corporate limits line and Lot No. 4, N51° 51' 42"W 150.00 feet to the POINT OF BEGINNING and containing 26,798 square feet.


Section 2. Upon and after August 31, 2015, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Graham and shall be entitled to the same privileges and benefits as other parts of the City of Graham. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Graham shall cause to be recorded in the office of the Register of Deeds of Alamance County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory described in Section 1 above, together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Alamance County Board of Elections, as required by G.S. 163-288.1.

Adopted this, the 4th day of August, 2015.

ATTEST:


Darcy L. Sperry, City Clerk


Gerald R. Peterman, Mayor

APPROVED AS TO FORM:


Keith Whited, City Attorney

c. Public Hearing: Petition for Designation of Historic Landmark for Oneida Mills Property

City Planner Nathan Page explained that this is an application by Third Wave Housing, LLC to adopt the Oneida Mill Complex as a National Historic Landmark. Mr. Page stated that we have recommendations for approval from the State and the Graham Historic Resources Commission. In addition, Mr. Page advised that this property has already been adopted into the National Register.

Mayor Peterman opened the Public Hearing.

Mr. Richard Angino, representative with Third Wave Housing, gave a brief overview of their intentions with the property. He explained that this is a project that he has been working on for a couple of years and that they have recently been accepted into the Mill Credit Program. Mr. Angino advised that he anticipates closing on the property in October or November of this year and that construction of one hundred thirty-four (134) units of loft apartments would commence. He said he anticipates it would take about fourteen (14) months to build.

Council Member Kimrey asked Mr. Angino if any of the slow burn construction heavy lumber will be preserved and used architecturally on the interior. Mr. Angino answered that it all will be used.

Mayor Pro Tem Linens asked Mr. Angino to explain what the Historic Landmark designation means for the property and its owners. Mr. Angino stated that they have a combination of about three (3) different tax credit programs that they are receiving. He explained that this allows for them to receive tax credits that come from the property itself. They then turn around and sell those credits to corporate investors. The investors then contribute cash back into the property that finance it.

Being no further questions, Mayor Peterman closed the Public Hearing.

Council Member Kimrey made a motion to adopt the Oneida Mill Property located at 219 W. Harden Street as a Local Historic Landmark, seconded by Council Member Turner. All voted in favor of the motion.

AN ORDINANCE DESIGNATING ONEIDA COTTON MILLS IN THE PLANNING JURISDICTION OF THE CITY OF GRAHAM, NORTH CAROLINA, A HISTORIC LANDMARK

WHEREAS, the property located at 219 West Harden Street, Graham NC, is owned by Jay Burke Rentals INC; and

WHEREAS, the General Assembly of the State of North Carolina authorized the creation of the Graham Historic Resources Commission for the City of Graham and otherwise provided for the preservation of certain historic sites and buildings by the passage of Part 3C, Chapter 160A, Article 19 of the North Carolina General Statutes; and

WHEREAS, the Graham Historic Resources Commission has made an investigation and recommended the following property be designated a historic landmark; and

WHEREAS, the National Park Service has declared the Oneida Cotton Mills as entered in the National Register; and

WHEREAS, the North Carolina Department of Cultural Resources has made an analysis and recommendation that the following property be designated a historic landmark; and

WHEREAS, on the 4th day of August, 2015 a public hearing was held in the Council Chamber of Graham City Hall, Graham, North Carolina before the City Council of the City of Graham to determine whether the hereinafter described property should be designated a historic landmark; and

WHEREAS, all requirements of Part 3C, Chapter 160A, Article 19 of the North Carolina General Statutes, preceding the adoption of this ordinance, have been complied with.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA THAT:

Section 1. The property designated as Oneida Cotton Mills, in the planning jurisdiction of the City of Graham, North Carolina, be and is declared a Graham Historic Landmark. Said property being more particularly described as follows:

The property located at 219 West Harden Street, Graham NC, owned by Jay Burke Rentals, INC, that property described in deed book 2722, page 613 recorded in Alamance County Registry, comprising approximately 6.843 acres.

Section 2. Those elements of the property that are integral to its historical, prehistorical, architectural, archeological and/or cultural significance or any combination thereof are as follows:

The Oneida Cotton Mill is an intact collection of late nineteenth and early twentieth century industrial buildings. The floor plan, rectangular footprint, brick construction, heavy-timber interior framing, and flat and low gable roofs at the complex epitomize the types and forms of industrial buildings constructed in the Piedmont of North Carolina during this period. The Hold Mill, Scott and Donnell Mill, and the Opener Room buildings in the complex all display the principles of slow-burn construction that was common for textile mills of the late nineteenth and early twentieth centuries. Most notably among these was building material, positioning of large-capacity water tanks in the towers, heavy-timber framing, large windows for ventilation and light, and the creation of space separate from the main mill floor for activities that could lead to fires. These features remain prominent in Oneida Cotton Mill. The recent removal of vertical metal siding and simulated masonry siding reveals a collection of industrial buildings that clearly demonstrate the use of slow-burn construction. Although windows on the Hold Mill have been infilled, some on the Scott and Donnell Mill building and the Opener Room retain their historic sash and did so because of the siding that was applied to the buildings in the late 1950s. All windows retain their decorative brick surrounds, mostly in the form of segmental arches.

The square towers on the Scott and Donnell Mill and Holt Mill buildings have been truncated, but the iconic southeast corner round tower remains in its original form, except for the enclosure of the bays. The additions made to buildings over time illustrate the expansion of the companies located here and the evolution of industrial processes over a nearly eighty-year period.

Section 3. No portion of the exterior features of any building, site, structure, or object (including windows, walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant features), trees, nor above ground utility structure located on the hereinbefore described property that is designated in the ordinance may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material or outer appearance occurs unless and until a certificate of appropriateness is obtained from the Graham Historic Resources Commission or its successors; provided however that the Graham Development Ordinance allows for staff approvals.

Section 4. No building, site, structure, or object (including walls, fences, light fixtures, steps, pavement, paths or any other appurtenant features), trees, nor above ground utility structure located on the hereinbefore described property that is designated in this ordinance may be demolished unless and until either approval of a demolition is obtained from the Graham Historic Resources Commission or a period of three hundred sixty-five (365) days has elapsed following final review by the Commission of a request for demolition (or any longer period of time required by N.C. G.S. 160A-400.14 as it may be amended hereafter); provided however, that demolition may be denied by the Graham Historic Resources Commission in the event that the State Historic Preservation Officer determines that the building, site, or structure has statewide significance as provided by N.C. G. S. 160A-400.14.

Section 5. The Graham Historic Resources Commission shall have no jurisdiction over the interior features of the property.

Section 6. All owners and occupants of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence shall be sent by certified mail a copy of this ordinance.

Section 7. This ordinance shall be indexed after the property owner's name in the grantor and grantee indexes in the Office of the Register of Deeds in Alamance County.

Section 8. In the event the Oneida Cotton Mills complex designated by this ordinance is demolished in accordance with the ordinances of the City of Graham, this ordinance shall be automatically null and void.

Section 9. Any violation of this ordinance shall be unlawful as by law provided.

Adopted this, the 4th day of August, 2015 by the City Council of the City of Graham, North Carolina.


Gerald R. Peterman, Mayor

ATTEST:


Darcy L. Sperry, City Clerk

Approve Engineering Contracts:

a. Boyd Creek Pump Station

b. Project Quarter Roadway

Mr. Maness explained that last month Council had appropriated funds through capital project ordinances for a few projects, two (2) of which are the subject of the engineering contracts for tonight. He advised that tonight's projects are the Boyd Creek Pump Station, which includes an upfit to another pump station as well, and the Project Quarter Roadway. Mr. Maness stated that the City received a single response for a Request for Qualifications (RFQ) for each project from Alley, Williams, Carmen & King. He advised that the estimated engineering cost(s) for the roadway extension are two hundred thirty-five thousand (\$235,000) dollars and three hundred thirty-five thousand (\$335,000) dollars for the Boyd Creek Pump Station Project.

Following discussion, Mayor Pro Tem Linens made the motion to award the engineering contracts for Melville Commerce Parkway Extension and the Boyd Creek Pump Station Projects to Alley, Williams, Carmen & King, seconded by Council Member Kimrey. All voted in favor of the motion.

Lease Agreement with T-Mobile

Mr. Maness explained that for a little over a year now, he, Mr. Page and most recently Utilities Director Victor Quick, have been working with T-Mobile to find a spot to put a tower in the area near Graham Middle School. The top of the City's elevated water storage tank was identified as a location which could support the installation of cell phone antennae. Mr. Maness went on to say that engineering assessments have been completed and the tank is structurally sound and adequate to safely support the planned load. He informed Council that a contract has been negotiated with T-Mobile in which T-Mobile will pay the City twenty-three hundred (\$2,300) dollars per month or twenty-seven thousand six hundred (\$27,600) dollars annually. T-Mobile proposes to place a corral (crown) and three (3) antennae on the top of the tower.

Following discussion, Council Member Kimrey made the motion we authorize the City Manager and the City Attorney to enter into a site lease agreement with T-Mobile South, LLC for the collocation of telecommunication antennae, also to authorize the City Manager and City Attorney to look into any existing agreement we have with the school system and to please notify the school system of our intentions, seconded by Council Member Turner. All voted in favor of the motion.

Approve Piggyback Contract for Regenerative Air Street Sweeper

Mr. Maness explained that the Street Department received funding in our Annual Budget for the purchase of a new street sweeper (\$242,000). He advised that staff has located a model that fits our needs and was recently bid by a city in South Carolina. Mr. Maness explained that we are asking Council to authorize the staff to "piggyback" the bid from Clinton, South Carolina, which is allowed by North Carolina General Statute G.S. 143-129 (g) (3).

Council Members and Mr. Maness discussed the cost savings by "piggybacking" the purchase of this piece of equipment.

Being no further questions, Mayor Pro Tem Linens made a motion we award the contract to Amick Equipment Company for a Tymco 600 street sweeper in the amount of \$210,580, seconded by Council Member Turner. All voted in favor of the motion.

Pet Adoption and Welfare Society (PAWS)

Mayor Peterman explained that the Pet Adoption and Welfare Society (PAWS) is looking to expand their adoption center and would like for a Council Member to serve on the Steering Committee. He added that Graham currently funds part of the operation of the facility.

Mayor Jerry Peterman nominated Council Member Kimrey to serve on this board, seconded by Council Member Turner. All voted in favor of this nomination.

Issues Not Included on Tonight's Agenda

Mayor Peterman advised that he was moving this item up on the agenda prior to Council going into Closed Session. No comments were forthcoming.

Closed Session Pursuant to the Terms of [*N.C.G.S. §. 143-318-11\(a\)\(3\)*](#): To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged

Mr. Tom Boney, of the Alamance News, asked what litigation issues are being discussed. Mr. Whited stated that the Council hasn't been apprised of the cases yet. Mr. Whited explained that he would be updating Council on two pending cases; Golden vs. the City of Graham and JMS Investments vs. the City of Graham. Mr. Boney asked for further information on each case. Mr. Whited stated that the JMS Investments lawsuit pertains to the return of the privilege tax on old sweepstakes machines. He added that the Golden lawsuit is one in which a federal prisoner is suing the City in the Middle District of North Carolina for violation of his fourth (4th) amendment rights when he was arrested by the City of Graham Police Department.

At 7:48 p.m. Mayor Pro Tem Linens made a motion to go into closed session to consult with an attorney, seconded by Council Member Kimrey. All voted in favor of the motion.

At 8:10 p.m. Council Members and Mr. Whited returned. Mayor Peterman explained that the Council Members discussed the two (2) lawsuits with Mr. Whited and no action was taken.

Mr. Whited thanked the City for the acts of kindness shown to him and his family during the past couple of weeks with the passing of his Father. Mr. Whited also thanked the Council for their recommendation and appointment last month that he be retained as legal counsel for the City.

Mayor Pro Tem Linens asked Mr. Maness if site construction had started yet for Walmart and Lidl. Mr. Maness confirmed it has started for both projects.

Council Member Kimrey reminded Council that the Graham Planning Board has requested a joint meeting with Council. He stated that the request was made a while back and the Planning Board was told that a meeting would be scheduled after the Budget and Growth Management Plan. Mayor Peterman stated that he would get with Andy Rumley, Planning Board Chairman, and see what can be worked out.

Council Member Kimrey also inquired about the use of vacant City property for a solar farm. Mr. Maness advised that several years ago, the City was approached about a solar farm. He stated that he had submitted a potential site to the company inquiring. He further added that when he was Assistant City Manager, one of the things he did was look at unused City properties and try to get rid of them. Mr. Maness said he was able to get rid of two (2) properties that were unneeded and that he is currently trying to get rid of a third (3rd) vacant piece of land. He identified this vacant land as the Mid-State Magic property.

Council Member Kimrey asked about the status of hiring our Animal Control Officer. Mr. Maness advised that he has had brief conversations with Chief Prichard about that and plans on taking that up with him further. He also stated that he does not believe it will be a problem to have someone ready to go as of January 1, 2016.

Council Member Kimrey also inquired as to the status of advertising for an Assistant City Manager. Mr. Maness advised that this was done last week and hopes that the process of reviewing applications will begin in the next couple of weeks. He advised that the position will remain open until filled.

Mayor Peterman expressed condolences for City employees Ty and Geronki Coble, due to the recent passing of their Father and Grandfather, Mr. George Coble.

At 8:17 p.m. Council Member Kimrey made a motion to adjourn, seconded by Council Member Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, SEPTEMBER 1, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, September 1, 2015, 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 Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Nathan Page, City Planner
James Lloyd, Chief Code Enforcement Officer
Melody Wiggins, Recreation & Parks Director

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Mayor Pro Tem Jimmy Linens gave the invocation and everyone stood to recite the Pledge of Allegiance.

Consent Agenda:

- a. Approval of Minutes – August 4, 2015 Regular Session*
- b. Tax Releases & Refunds*

CITY OF GRAHAM RELEASE ACCOUNTS						
SEPTEMBER COUNCIL MEETING						
<u>ACCT #</u>	<u>YEAR</u>	<u>RECIEPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR RELEASE</u>	<u>RELEASED</u>
43036	2015	8076	WOLF, JACK H	RE	VALUE CORRECTED BY ALA CO	234.04
608932	2015	7080	STUTTS, JANICE B L/E	RE	HOMESTEAD EXEMPTION	228.57
115922	2015	476-477	BARE, MARK ANTHONY	PP	BOAT & MOTOR DOUBLE LISTED	144.42
140579	2015	7411	TINNIN, FRANK LEE	PP	BOAT DOUBLE LISTED	73.53
163572	2015	4878	MCGHEE, HOWARD LEE JR	PP	CORRECT VALUE OF BOAT	5.46
192070	2015	1068	BURKE REALTY OF ALAMANCE	PP	NOT IN CITY OF GRAHAM 2015	7.37
533662	2015	1567	COBB, EDWARD BRANELL	PP	SOLD BOAT IN 2013	2.41
611784	2015	3015-3016	GRAHAM MARINE SALES	PP	SOLD BOAT & MOTOR IN 2014	19.43
614337	2015	2081-2083	DEAN, JOEL ALAN	PP	SOLD BOAT & JET SKIS IN 2014	16.16
652020	2015	4314	LEBERT, DONALD	PP	MOBILE HOME DOUBLE LISTED	19.43

CITY OF GRAHAM REFUNDS						
SEPTEMBER COUNCIL MEETING						
<u>ACCT #</u>	<u>YEAR</u>	<u>RECEIPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR REFUND</u>	<u>AMOUNT REFUNDED</u>
172210	2015	4922	MCSWAIN, JAYSON TODD	RE	CORRECTED VALUE ON BOAT (TAX PAID IN FULL)	5.01

- c. Boards & Commissions Appointments*

Memorandum

To: Graham City Council
 cc: Frankie Maness
 From: Darcy Sperry
 Date: 9/1/2015
 Re: Boards and Commissions Vacancies and Requests for Appointments



New Appointments

<u>Board</u>	<u>Name</u>	<u>Term Expiration Date</u>
Graham Appearance Commission	Jan Searls	6/30/2019

08/26/2015

Dear City Council Members,

As required by General Statute of North Carolina, the governing body of a municipal fire district must appoint two of five members to serve on the Local Firefighter's Relief Fund Board. Due to the loss of board member James McClure and the out of fire district residency of Don Bulla I request that Ray Fogleman and Billy Braxton be appointed as Relief Fund Trustees by the Graham City Council.

Respectfully Submitted,

John C. Andrews Jr.

Chief Graham Fire Department

d. Request from Graham First United Methodist Church to close East Market Street on October 31, 2015 from 5:00pm-7:00pm for a Community Trunk or Treat event

Mayor Peterman asked the Council Members if they would like to pull any of the items from the Consent Agenda. Council Member Jim Albright asked to pull item "d. Request from Graham First United Methodist Church to close East Market Street on October 31, 2015 from 5:00pm-7:00pm for a Community Trunk or Treat event."

Council Member Lee Kimrey made a motion to approve items "a", "b" and "c" on the Consent Agenda, seconded by Council Member Chip Turner. All voted in favor of the motion.

Council Member Albright pointed out that the actual request was for East Market Street to be closed from 3:30pm-8:00pm with the event to be held from 5:00pm-7:00pm.

Mayor Peterman made a motion to approve the Request from Graham First United Methodist Church to close East Market Street on October 31, 2015 from 3:30pm-8:00pm for a Community Trunk or Treat event, seconded by Council Member Albright. All voted in favor of the motion.

Old Business:***a. Public Hearing: City of Graham Comprehensive Plan. Review of Final Draft:******i. Adoption of City of Graham Comprehensive Plan 2035***

City Planner Nathan Page explained that this is an update to the City's Growth Management Plan 2000-2020 which has served as the City's comprehensive plan since May 2, 2000. He further stated that over the past two (2) years, the City has worked to draft a new comprehensive plan to guide the City's decisions over the next twenty (20) years. Mayor Peterman opened the Public Hearing.

Mr. Roger Walden, 108 Bristol Drive Chapel Hill, NC stepped forward to answer questions from the Council. Mr. Walden represents Clarion Associates who was the City's consultant on this project. Mr. Walden offered his professional and personal thanks to the members of the Steering Committee.

Council Members expressed their desire to have Strategy 2.4.2: Establish Communications and Coordination Mechanisms with the Alamance-Burlington School System moved from a Mid-Term Priority to a Near-Term Priority. In addition, they asked for Regional Transit to be listed as a Long-Term Priority in this plan.

Ms. Marcy Green, 6808 Whitsett, and Mr. Griffin McClure, 501 Grandview Drive Graham, NC, both stepped forward to express their support for this new plan.

Council Member Kimrey expressed concern over the word "designate" used in conjunction with the North Main Street National Historic District. In addition, he expressed concern over "accessory dwelling units" and the word "should" pertaining to automobile parking on the street, which are both located in the Suburban Residential section of the plan. Council Member Kimrey stated that he felt the word "consider" would be more appropriate in place of "designate". Mr. Walden agreed and suggested that it could read something along the lines of "continue to consider the possibility of North Main Street becoming a Local Historic District".

After much discussion about the Suburban Residential section of the plan, Mr. Walden suggested moving "accessory dwelling unit" from Principal Uses to Supporting Uses and have language along the lines of "may include accessory dwelling units provided that they maintain the character of the area in which they are located." Additionally, Mr. Walden suggested "should" be changed to "it is desirable that automobile parking be located on the street." Mayor Peterman suggested that the word "encourage" could be used in place of the word "should" when talking about parking on the street. Council agreed with these changes.

Mr. Page suggested to Council that the following be used in conjunction with adding Regional Transit as a Long Term Priority: Strategy 3.2.5. Consider coordinating within the region to implement a transit system for citizens to access the governmental offices located in downtown Graham and increase accessibility to the Alamance Community College as a long term goal. Council was in agreement. Mayor Peterman closed the Public Hearing.

Mayor Peterman made the motion to approve the Comprehensive Plan as written, including the changes, and become effective September 5, 2015, seconded by Mayor Pro Tem Linens. All voted in favor of the motion. Mayor Peterman thanked Mr. Walden for all of his work on this plan and also asked staff to send thank you letters to the members of the Steering Committee.

RESOLUTION ADOPTING *THE GRAHAM 2035 COMPREHENSIVE PLAN*

WHEREAS, The *City of Graham Growth Management Plan 2000-2020* has served as the City of Graham's comprehensive plan since it was adopted on May 2, 2000; and

WHEREAS, *The Graham 2035 Comprehensive Plan* is the guiding policy document for Graham and provides the community an opportunity to outline how it will grow through visions, goals, and policies. The Plan is implemented through action-oriented strategies that address issues including opportunities downtown and in key potential growth areas, local and regional transportation, public facilities and services, the natural environment, Graham's historic character, housing and neighborhoods, and economic growth and development; and

WHEREAS, over the past year and a half, the City of Graham has worked with Clarion Associates, local steering committee members, business owners, community leaders, and several citizens to develop a new comprehensive plan to guide the City of Graham's decisions over the next 20 years; and

WHEREAS, three public workshops were held on April 8, 2014, November 17, 2014, and September 1, 2015, three notices in the City GRAM newsletter were distributed to all City of Graham Water Customers, 50 signs were placed at intersections throughout the City and our current and proposed extraterritorial jurisdiction, and various social media outlets promoted the development process of *The Graham 2035 Comprehensive Plan*; and

WHEREAS, the City of Graham Planning Board recommended approving *The Graham 2035 Comprehensive Plan* on March 17, 2015; and

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Graham, North Carolina hereby adopts *The Graham 2035 Comprehensive Plan* for the City of Graham and its jurisdiction, replacing the *City of Graham Growth Management Plan 2000-2020*. *The Graham 2035 Comprehensive Plan* as herein adopted shall be City of Graham's comprehensive plan in accordance with North Carolina General Statutes Section 160A-383.

BE IT FURTHER RESOLVED, *The Graham 2035 Comprehensive Plan* shall provide guidance to City Council of the City of Graham, North Carolina, advisory members, staff, citizens, and potential applicants in understanding the City of Graham's stated policies and preferences. The City Council of the City of Graham, North Carolina and staff may also use *The Graham 2035 Comprehensive Plan* to provide guidance on developing future work plans, strategies, and budgeting decisions.

This Resolution shall be in full force and effect on September 5, 2015.

Adopted this 1st day of September, 2015 by the City Council of the City of Graham, North Carolina.


Gerald R. Peterman, Mayor

ATTEST:

Darcy L. Sperry, City Clerk

b. Graham Area Business Association to Discuss Purchase of Holiday Decorations

City Manager Frankie Maness explained that the Graham Area Business Association advised they would like to remove this item from consideration. Council Member Turner made a motion to withdraw this item, seconded by Council Member Albright. All voted in favor of the motion.

Requests and Petitions of Citizens

- ***Roger Springs (S1501). This is an application by Green Mountain Engineering for a new Major Subdivision off of Rogers Road, east of the South Graham Municipal Park***

Mr. Page explained that this is a request to create a new major subdivision on the subject property for forty-one (41) lots. He added that the property is currently vacant and the proposal includes connecting existing road stubs and advised that the applicant has recently requested the removal of a path to the South Graham Municipal Park.

Mr. Greg Garrett, 221 Jonestown Road Winston-Salem, NC, stepped forward to answer questions from the Council. Mr. Garrett represents Shugart Enterprises, the builder for this project. Mr. Garrett advised that the homes being proposed for this project will be similar to those they are currently building in the South Park subdivision in Graham. He further stated that the target buyer for this proposed subdivision is the “empty-nest” buyer – one looking to downsize but stay in Graham. Mr. Garrett advised that there are several reasons as to why they are opposed to constructing the path to the park. He went on to say that one reason is safety. He advised that

grade change in the property would make constructing the path problematic. He also expressed concern as to where the path would tie into Rogers Road. Mr. Garrett stated that they believe the best connection and access to the Park is via Thompson Road, where there is already a handicapped accessible sidewalk. He further stated that the cost to construct the path would equate to approximately one thousand dollars (\$1,000) per lot and they don't see their buyers as wanting to pay that additional cost.

Following discussion about the path grade, the existing gravesites within the proposed plan, access roads to and from the proposed subdivision and clarification of the proposed name "Rogers Spring", Mr. McClure stepped forward to express his concern for crossing Rogers Road at Thompson Road. He believes that it would be more dangerous for citizens to cross at the crest of the hill which is where Mr. Garrett is proposing. He further stated that if the City is really committed to growing a greenway system that links parks to our neighborhoods, he encourages Council to explore constructing a path. Graham Recreation & Parks Director Melody Wiggins stepped forward and advised that ADA surfacing is not limited to asphalt. She added that access to parks is what "empty nesters" are looking for. Ms. Wiggins further stated that the Recreation & Parks Department is advocating that we get access and connectivity to parks every chance we get.

Being no further discussion, Council Member Kimrey made a motion to recommend approval with the following condition:

- A final site plan must be submitted to and approved by the TRC before a building permit and/or certificate of occupancy will be issued;

And that the application is consistent with the Growth Management Plan 2000-2020, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

Approve Engineering Contract for Phase I Graham Recreation Complex (Jim Minor Road Park)

Mr. Maness explained that just as we awarded contracts last month for projects that we are working on, we need to award the engineering contract for Phase I of our Recreation Complex which Council approved project budget funding for two months ago. Mr. Maness explained that we received two (2) proposals for this project. After he and Ms. Wiggins reviewed both proposals, they are recommending that Council award the contract to Alley, Williams, Carmen & King whose bid is estimated at eighty-eight thousand dollars (\$88,000).

Council Member Kimrey asked if changes had been made with the location of the shelter in this first phase of development. Ms. Wiggins advised that the pods have changed and the playground is now closest to the shelter proposed in this first phase.

Mayor Pro Tem Linens made the motion we award the engineering contract for the City of Graham Recreation Complex to Alley, Williams, Carmen & King, seconded by Council Member Turner. All voted in favor of the motion.

Resolution Providing Approval of a Multifamily Housing Facility to be Known as Oneida Mill Lofts in the City of Graham, North Carolina and the Financing Thereof with the Burlington Housing Authority's Multifamily Mortgage Revenue Note in an Amount Not to Exceed \$8,000,000

Mr. Maness explained that part of the funding mechanism for the Oneida Mills project is the issuance of private activity bonds, up to eight million dollars (\$8,000,000). He further explained that the City of Graham and the Graham Housing Authority can issue these bonds on behalf of the developer but neither agency has the resources or expertise to effectively manage the process. The

developer has reached out to the Burlington Housing Authority, who has experience, and they have agreed to issue these bonds. A public hearing has been held in Burlington at which both the Burlington Housing Authority and the Burlington City Council have agreed to help with the issuance of these bonds. Mr. Maness stated that because the project is located within Graham's corporate limits, consent from the City of Graham must be given to allow Burlington Housing Authority to issue these bonds.

Following discussion, Council Member Albright made the motion to approve the resolution providing approval of a multifamily housing facility to be known as Oneida Mill Lofts in the City of Graham, North Carolina and the financing thereof with the Burlington Housing Authority's multifamily mortgage revenue note in an amount not to exceed \$8,000,000, seconded by Council Member Kimrey. All voted in favor of the motion.

**RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING
FACILITY TO BE KNOWN AS ONEIDA MILL LOFTS IN THE CITY OF
GRAHAM, NORTH CAROLINA AND THE FINANCING THEREOF WITH
THE BURLINGTON HOUSING AUTHORITY'S MULTIFAMILY MORTGAGE
REVENUE NOTE IN AN AMOUNT NOT TO EXCEED \$8,000,000**

WHEREAS, the City Council of the City of Graham (the "City") met in Graham, North Carolina at 7:00 p.m. on the 1st day of September, 2015; and

WHEREAS, the Burlington Housing Authority (the "Authority"), a public body and body corporate and politic organized and operating pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (the "Act"), has tentatively agreed to issue its multifamily mortgage revenue note in an amount not to exceed \$8,000,000 (the "Note"), for the purpose of financing the acquisition of the Oneida Mills cotton mill and the renovating and equipping therein by Pumpkin Hill Mill, LLC, a North Carolina limited liability company (the "Borrower"), or an affiliate or subsidiary thereof, of a mixed income multifamily residential rental facility to be known as Oneida Mill Lofts (the "Development"); and

WHEREAS, the Development will consist of approximately 134 units, located on an approximately 6.8 acre site at 219 West Harden Street in the City of Graham, Alamance County, North Carolina; and

WHEREAS, pursuant to Section 157-39.1 of the Act, the jurisdiction of the Authority extends to up to ten miles outside the city limits of the City of Burlington, including the City of Graham, so long as the City of Graham consents to the exercise of such powers by the Authority within the borders of the City of Graham; and

WHEREAS, the City of Graham acknowledges that the acquisition of Oneida Mill and the renovation thereof into affordable housing will satisfy a need for affordable housing within the City of Graham, and further the City of Graham desires to consent to the issuance by the Authority of the Note to finance the Development within the borders of the City of Graham; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any notes issued by the Authority for the Development may only be issued after approval of the plan of financing by the City following a public hearing with respect to such plan; and

WHEREAS, on August 6, 2015, the Authority held a public hearing with respect to the issuance of the Note to finance, in part, the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the City to approve the issuance of the Note as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Note is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Note or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City of Graham, North Carolina for the payment of the principal of or premium or interest on the Note or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Authority, or to constitute the Note

or any of the agreements or obligations of the Authority an indebtedness of the City of Graham, North Carolina, within the meaning of any constitutional or statutory provision whatsoever;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAHAM:

1. The City Council hereby consents to and approves the issuance by the Authority of its multifamily mortgage revenue note to provide financing for the acquisition, rehabilitation and equipping of the Development within the jurisdiction of the City of Graham.

2. The proposed mixed income housing development consisting of the acquisition, rehabilitation and equipping of the Development described above in the City of Graham, Alamance County, North Carolina by the Borrower and the issuance of the Authority's multifamily mortgage revenue note therefor in an amount not to exceed \$8,000,000 are hereby approved for purposes of Section 147(f) of the Code. The Mayor is hereby authorized to execute such approval certificates as may be required to evidence the City's approval of the issuance of the Note for purposes of Section 147(f) of the Code.

3. This resolution shall take effect immediately upon its passage.

Council member Jim Albright moved the passage of the foregoing resolution and Council member Lee Kimrey seconded the motion, and the resolution was passed by the following vote:

Ayes: Council members Jerry Peterman, Jimmy Linens, Jim Albright, Chip Turner and Lee Kimrey

Nays: None

Not voting: None

CERTIFICATION

I, Darcy L. Sperry, City Clerk of the City of Graham, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council for the City of Graham, North Carolina, in regular session convened on September 1, 2015.

WITNESS my hand and the corporate seal of the City of Graham, North Carolina, this the 1st day of September, 2015.


City Clerk

(SEAL)



Consider Offer to Purchase City Property (former Mid-State Magic Property)

Mr. Maness explained that approximately one (1) year ago, Council sought to list this piece of vacant property owned by the City, with a real estate agent. Mr. Maness stated that the City has received an offer in the amount of one hundred seventy-five thousand dollars (\$175,000). He further stated that the City has approximately three hundred thirty-five thousand dollars (\$335,000) invested in this property.

Mr. Maness reminded Council that a few years back, Council had established a per acre price of seventy-two thousand five hundred dollars (\$72,500).

Being no further discussion, Council Member Lee Kimrey made the motion that we do not accept the offer and authorize the City Manager to seek or negotiate higher offers, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

First Reading of an Ordinance to Amend Chapter 2, Division 4 of the Code of Ordinances

Mr. Maness explained that our Fire Department has requested we amend our ordinance to allow their volunteer pool to extend up to two (2) miles outside the City's corporate limits. He advised that our current ordinance restricts residency to up to one (1) mile from the corporate limits. Mr. Maness also added that we are looking to change the reference from part-time to volunteer throughout the ordinance.

Mayor Pro Tem Linens made the motion to move the Ordinance to amend Chapter 2, Division 4 of the Code of Ordinances, seconded by Council Member Albright. All voted in favor of the motion.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAHAM, AMENDING CHAPTER 2, DIVISION 4 OF THE CODE OF ORDINANCES OF THE CITY OF GRAHAM, NORTH CAROLINA

- **DIVISION 4. - VOLUNTEER FIREFIGHTERS**

- **Sec. 2-275. - Membership qualifications; benefits generally.**

(a) All **volunteer** members of the city fire department shall be residents of the city or reside within **two miles** of the city limits. A **volunteer** firefighter moving outside the city limits or the **two-mile** limit must resign from the fire department unless he requests a hearing before a committee consisting of the mayor, city manager and fire chief. This committee, appointed by the city council, has the authority to determine if the firefighter is eligible to remain a member of the fire department. Decisions made by the committee shall be final. Applicants must be 18 years of age, of good character, and have a doctor's report attesting to their physical fitness.

(b) Any firefighter who shall have served the fire department for ten years shall be eligible for honorary membership.

(c) Any firefighter, active or retired, with 20 years service shall receive all the following benefits in acknowledgment of, and in grateful appreciation of, his devotion to public service:

- (1) North Carolina Firemen's Fraternal Life Insurance dues and North Carolina Firemen's Pension Fund dues will be paid by the city.
- (2) He shall have a life appointment to the position of honorary firefighter.
- (3) He shall have a free city firefighter tag.

(d) Full-time firefighters shall also receive benefits as may be provided by the city for regular employees.

- **Sec. 2-276. - Compensation.**

(a) Each year in the budget, the city council shall make an appropriation to the fire department for **volunteer** firefighter's fees.

(b) This sum is to be paid to each member for attendance at fires, trainings and meetings. The fees shall be distributed at the end of each November.

(c) With the exception of the full-time chief, the above shall apply to full-time firefighters when on call back duty only.

- **Sec. 2-277. - Records.**

The treasurer of the fire department shall keep a record of the funds and disbursements thereof, relating to **volunteer** firefighters, received from sources other than city appropriations, which shall be open to inspection by the city manager at all times.

- **Sec. 2-278. - Dismissal for failure to meet training requirement.**

At the end of the calendar year, any **volunteer** firefighter who has failed to meet the 36-hour training requirement required by the state shall be dismissed from the fire department.

Issues Not Included on Tonight's Agenda

Mr. Jamie Gerhart, 4605 Sycamore Shoals Durham, NC, informed Council that the Sheetz sponsored 1st Annual DC Burlington Double Elimination Cornhole Tournament will be held on September 26, 2015. All proceeds will benefit Sheetz Family Charities.

Council Member Kimrey inquired as to the status of reviewing the City's personnel policy. Mr. Maness advised that the City is currently working on the pay study and position classification plans. Like with many changes, Mr. Maness advised that this is something that we are probably going to need consultant and legal review prior to adoption.

Mr. Maness extended congratulations to Burlington City Manager Harold Owen on his recent retirement. He went on to say that he is proud to consider himself a colleague of Mr. Owen.

Mayor Peterman advised Council that the joint meeting requested by the Planning Board between Council and the Planning Board will not take place. He further advised that he will attend the Planning Board's next scheduled meeting and advise them of this decision. Mayor Peterman stated that the issue the Planning Board had was with the payment-in-lieu system for sidewalks and has since been resolved.

Mayor Peterman welcomed Mykonos, a new Greek restaurant, to Graham.

At 9:20 p.m. Council Member Kimrey made a motion to adjourn, seconded by Council Member Albright. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, OCTOBER 6, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, October 6, 2015, 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 Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Melody Wiggins, Recreation & Parks Director
Brian Faucette, Recreation & Parks Supervisor
James Lloyd, Chief Code Enforcement Officer

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Mayor Pro Tem Jimmy Linens gave the invocation and everyone stood to recite the Pledge of Allegiance.


Consent Agenda:

- a. Approval of Minutes – September 1, 2015 Regular Session*
- b. Tax Releases & Refunds*

CITY OF GRAHAM RELEASE ACCOUNTS						
OCTOBER COUNCIL MEETING						
<u>ACCT #</u>	<u>YEAR</u>	<u>RECIPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR RELEASE</u>	<u>RELEASED</u>
41738	2015	1848	CRABTREE, DONNA ALLEN	RE	QUALIFIED FOR HOMESTEAD EXEMPTION	221.18
491475	2015	2656	FOOD LION LLC	PP	CORRECT VALUES - ALA CO	8.88
491475	2015	2659	FOOD LION LLC	PP	CORRECT VALUES - ALA CO	161.63
68151	2015	6657	SIMMONS ENGINEERING	PP	SOLD IN 2014 - 1988 CHEV MP	4.55
68151	2015	6656	SIMMONS ENGINEERING	PP	SOLD IN 2014 - 1989 GMC SUBURBAN	9.56
71379	2015	834	BRADSHAW, MICKEY LYNN	PP	DOUBLE LISTED JET SKI	3.69
507650	2015	261	ANDREWS, SAMUEL CRAIG	PP	DID NOT OWN JAN 2015 - 1990 SUNBIRD	6.51
380633	2015	2214	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	11.45
380633	2014	6165	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	11.44
380633	2013	6190	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	11.06
380633	2012	6217	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	12.83
380633	2011	6163	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	14.79
380633	2010	6200	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	17.83
380633	2009	6163	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	22.16

CITY OF GRAHAM REFUNDS						
OCTOBER COUNCIL MEETING						
<u>ACCT #</u>	<u>YEAR</u>	<u>RECEIPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR REFUND</u>	<u>AMOUNT REFUNDED</u>
380633	2008	6163	PRO COLOR INC	PP	SOLD PROPERTY IN 2007 - DBL LISTED	(28.25)

c. Boards & Commissions Appointments

Memorandum			
To:	Graham City Council		
cc:	Frankie Maness		
From:	Darcy Sperry		
Date:	10/6/2015		
Re:	Boards and Commissions Vacancies and Requests for Appointments		

<u>New Appointments</u>		
<u>Board</u>	<u>Name</u>	<u>Term Expiration Date</u>
Graham Appearance Commission	Bonnie Hutchinson	6/30/2019
Graham Historical Museum	Rebecca Holmes	6/30/2018

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

Presentation from Impact Alamance

Graham Recreation & Parks Director Melody Wiggins announced that the Friends of Graham Recreation and Parks has received a two-year, two hundred and fifty thousand dollar (\$250,000) grant from Impact Alamance to support the development of the new regional Graham Recreation Complex on Jim Minor Road. She added that the donation will be used specifically for the natural playground and the youth challenge course.

Impact Alamance President, Ms. Tracey Grayzer, 104 Old Well Drive Elon, NC, stated that Impact Alamance is very excited about the investment they are making within the City of Graham. Ms. Grayzer added that they feel this project is a great fit for them and follows their healthy kid's priority area, which is to build healthy environments for children and families.

By consensus, the City Council agreed to name the youth challenge course, the Impact Alamance Challenge Course.

Award Bid for Senator Ralph Scott Parkway Extension

City Manager Frankie Maness explained that on Friday, October 2, 2015, we opened sealed bids for the roadway construction portion of the project to extend approximately forty-four hundred feet (4,400') of roadway to serve the North Carolina Commerce Park (NCCP). Mr. Maness stated that four (4) bids were received and the low bid of \$1,796,301 was from Triangle Grading & Paving, Inc. of Burlington, NC. He advised that this is a unit priced contract, meaning the total amount of the contract could go up or down.

After discussing the possible cost(s) associated with removing the dirt pile left behind by the NCDOT with Mr. Franz Holt, of Alley, Williams, Carmen & King, Council Member Kimrey made the motion we award the contract to Triangle Grading & Paving in the amount of \$1,796,301 for the Senator Ralph Scott Parkway extension, subject to final easement acquisition and permit approvals, seconded by Council Member Turner. All voted in favor of the motion.

Consider Participation in a Graham Route for Link Transit

Mr. Maness explained that this agenda item is intended to ask our City Council to revisit the fixed route bus system that the City of Burlington and the Town of Gibsonville have started. He stated the City Council considered participation in the fixed route bus system that included a Graham route in early 2014 and indicated its intentions to forgo participation. He added that since that time, other community partners and local governments have been working to investigate a route to include Graham destinations in the overall system. Mr. Maness advised that Alamance County, ACC, United Way, the Hayden-Harman Foundation and the City of Burlington are among those expressing interest in participating as partners in a Graham route. Estimates for initial annual operating costs to the partners for a Graham route are one hundred twenty thousand dollars (\$120,000), with Graham's share being approximately twenty-five thousand dollars (\$25,000).

The following individuals spoke in favor of Graham's participation in a fixed route bus system:

Mr. Harold Owen, 223 Engleman Avenue Burlington, NC
 Mr. John Thorpe, 624 W. 8th Street
 Dr. Algie Gatewood, 1247 Jimmie Kerr Road Graham, NC
 Mr. Patrick Harman, 1214 Woodland Place High Point, NC
 Ms. Heidi Norwick, 206 Gurney Court Burlington, NC
 Mr. Brian Hayes, 210 North Court Graham, NC
 Ms. Katharine Frasier, 1837 Alco Street Graham, NC
 Mr. Steve Sumner, 537 Woodland Drive Graham, NC

Council Member Jim Albright stated that a lot has happened since April 2014 when our Council decided not to participate in the fixed route bus system at a cost to our city of almost ninety-eight thousand dollars (\$98,000). He added that partnerships are formed when there are joint interests and is thankful that community partners (listed above) recognize how vitally important a Graham route is to the success of Link Transit. He went on to thank the City of Burlington for trying one last time to see if we would join the existing partners and support this proposed route.

Council Member Albright further stated that this is our time of opportunity to ensure that our citizens who have transportation barriers to employment, community services, schools, shopping, medical care, volunteering, entertainment and dining out have a chance to ride through these barriers and improve their lives as they are able to access and connect to their community.

Council Member Kimrey stated that the bigger question for him is not whether or not we want to participate but rather why we are being asked again. He went on to say that Council did not take this decision lightly when previously asked to participate. Council Member Kimrey went on to say that at that time, informational meetings and public hearings were held. He also mentioned that he personally went out and spoke to a lot of folks from different demographics throughout the City. He added that Council worked very hard to determine whether or not there was a need in the City of Graham based on the feedback they received from our residents. Council Member Kimrey stated that the overwhelming consensus he received was that now is not the time for us to have a bus transit system - the need wasn't there yet. He added that in talking to people in the community this time around, very few were aware that this was being proposed again. Council Member Kimrey said that as elected officials, Council represents the citizens of Graham and when people do speak, Council is their voice. He concluded by saying that people did speak and that was the vote he rendered when asked to decide whether Graham wanted to participate originally.

Mayor Peterman stated that this is going to happen whether or not Graham chooses to participate.

Mayor Pro Tem Linens expressed concern over the fairness of asking Graham residents to pay an extra tax for this service knowing that the County is going to tax them for it as well. He stated that he has struggled with this. He added that he is not against bus transit but he can't say he is for it now. He believes that somewhere down the road, more than five (5) or ten (10) percent of the population will need it. Mayor Pro Tem Linens said he understands that education is important but also believes that if someone wants to go to ACC, they will find a way to get there with or without a bus transit system. He reiterated what Council Member Kimrey said – Council represents the citizens of Graham.

Council Member Albright stated that some of the citizens that Council represents were at the previously held public hearing and while referring to his notes from that hearing, he stated that there were more citizens (mostly from Graham) who showed support during that advertised meeting than those who spoke against it. He added that we are spending a lot of money in a lot of different places and we have the opportunity to make a twenty-five thousand dollar (\$25,000) investment which would have buses coming in and out of Graham bringing business into Graham. He stated that if approved, Council will have the opportunity to re-evaluate participation after one (1) year and can decide to pull out if they feel it's not working.

Mayor Peterman stated that it's not about the money. He said Council did do their homework. He told of riding buses in various cities much larger than Graham where he and his wife were the only two (2) people on the bus.

He agreed with what Council Member Kimrey and Mayor Pro Tem Linens said – that the residents he has spoken with have overwhelmingly said they do not want this bus system.

Council Member Albright made the motion we participate in the Link Transit system and work towards implementation of a Graham route. Being no second, Mayor Peterman stated that the motion dies for lack of a second.

Resolution Authorizing the City Manager and Finance Officer the Authority to Determine and Dispose of Surplus Personal Property

Mr. Maness explained that this item is an attempt to streamline the way we dispose of the City's personal property. He added that this resolution would allow for the City Manager and/or Finance Officer to dispose of personal property values at less than thirty thousand dollars (\$30,000) as part of the normal administrative process via GovDeals.com. Mr. Maness added that the City of Graham has an ongoing need to dispose of surplus property throughout the year as equipment is replaced or taken out of service and could benefit from a more efficient process.

Council Members discussed with Mr. Maness about the possibility of publishing this or providing a link on the City's website so that people will be able to see items being disposed of. Mr. Maness said that would not be a problem. He further stated that all items disposed of by the City have to be accounted for through our asset program through our finance department.

Being no further discussion, Council Member Turner made the motion we approve the Resolution Authorizing the City Manager and Finance Officer the Authority to Determine and Dispose of Surplus Personal Property, seconded by Council Member Kimrey. All voted in favor of the motion.

**RESOLUTION AUTHORIZING THE CITY MANAGER AND FINANCE OFFICER
THE AUTHORITY TO DETERMINE AND DISPOSE OF SURPLUS PERSONAL
PROPERTY**

WHEREAS, The City of Graham desires to dispose of property determined to be surplus;

WHEREAS, G.S. 160A-266 allows a city council to adopt regulations prescribing procedures for disposing of personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items;

WHEREAS, regulations shall be designed to secure for the City fair market value for all property disposed of and to accomplish the disposal efficiently and economically;

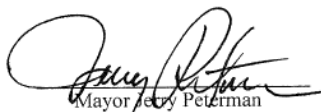
WHEREAS, a council may authorize one or more city officials to declare surplus any personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items, to set its fair market value, and to convey title to the property for the city in accord with the regulations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Graham that:

The City of Graham ("City") desires to dispose of surplus personal property valued at less than thirty thousand dollars (\$30,000) by appointing the City Manager and Finance Officer the officials responsible for declaring any personal property valued at less than thirty thousand dollars (\$30,000) as surplus, set its fair market value, and to convey title to the property for the City.

BE IT FURTHER RESOLVED, that the City Manager and Finance Officer shall keep a record of all property sold and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

Adopted this 6th day of October 2015.


Mayor Jerry Peterman

Attest:



Issues Not Included on Tonight's Agenda

Mr. Tony Cox, 3152 Mine Creek Road Burlington, NC, expressed concern for the way Alamance County elected officials treat people's constitutional rights.

Mr. Chuck Granger, 404 Stonehedge Drive Graham, NC, asked Council if anything could be done regarding the stop sign at Castle Drive and Stonehedge Drive. He indicated that people are not stopping at the stop sign at the end of Castle Drive and he fears that someone is going to get seriously hurt. Mayor Peterman said he will reach out to Mr. Keller (who handles the website for that neighborhood) and ask him to send out emails to the residents of that neighborhood. Mr. Maness said he will have the Police Department look into the matter.

Mayor Peterman introduced Mr. Aaron Holland as the new Assistant City Manager. Mr. Holland, who previously served as Graham's City Planner from 2007-2012, thanked Council and Mr. Maness for this opportunity and expressed his excitement to return to Graham.

City Attorney Keith Whited advised Council that the Sweepstakes case was dismissed in Superior Court yesterday (October 5, 2015), however, the plaintiff in the case has indicated that he plans to appeal the Court's decision.

Mr. Maness also welcomed Mr. Holland back to Graham and advised Council that with a lot of anticipation due to the recent threat of storms, Graham made out well.

Council Member Kimrey stated that there still seems to be confusion as to the start of this year's Christmas parade. Mayor Peterman stated that the parade is at 10:00 a.m. on the first Saturday in December. Council Member Kimrey referred to the recently released City Gram's advertisement stating it was at 6:00 p.m. that day. Mr. Maness stated that the time had been changed after the City Gram was printed. Mayor Peterman said the Graham Fire Department will have hot dogs and retired Fire Chief Kenneth Evans will be the Grand Marshal.

Council Member Kimrey made a formal request that the letter previously filed with the City Clerk in regards to who could assume the responsibilities of our City Manager in the event that our City Manager was absent be revoked. He made a formal request that the City's organizational chart put our new Assistant Manager in charge in the event that does occur. Mr. Maness advised that this will probably happen next week - when Mr. Holland officially begins work.

At 8:54 p.m. Mayor Pro Tem Linens made a motion to adjourn, seconded by Council Member Kimrey. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, NOVEMBER 3, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, November 3, 2015, 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 Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Darcy Sperry, City Clerk
Nathan Page, City Planner
Aaron Davis, Athletic Supervisor
James Lloyd, Chief Code Enforcement Officer

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

Honorary Resolution:

➤ ***Joshua Dameron***

Mayor Peterman presented Mr. Joshua Dameron with a resolution honoring the soccer wall he built at Bill Cooke Park as part of his Eagle Scout project. City of Graham Athletic Supervisor Aaron Davis provided a video put together by the Graham Recreation Department that was played for those in attendance. Mr. Davis thanked Mr. Dameron and his family for their efforts and stated that the soccer wall is a huge asset to the Park and will be enjoyed by many for years to come.

Mr. Davis also recognized Graham Recreation and Parks Department Director Melody Wiggins for her recent induction into the Sports Development Council Hall of Fame.

Resolution of Appreciation to Joshua Dameron

WHEREAS, Joshua Dameron designed and built a soccer wall at Bill Cooke Park for his Eagle Scout Project; and

WHEREAS, Joshua constructed the soccer wall in such a manner that allows for individuals of all ages to practice their dribbling, passing and shooting skills at any time the park is open; and

WHEREAS, Joshua's efforts coincide with the Recreation and Parks Department's goals to promote activity and fitness among the residents of Graham; and

WHEREAS, it is the desire of the City Council to extend their deepest appreciation to Joshua for his contribution to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT appreciation be extended to Joshua Dameron in the form of this Resolution for his contribution to the City and the overall fitness of our residents.

This 3rd day of November 2015.

Consent Agenda:

- a. *Approval of Minutes – October 6, 2015 Regular Session*
- b. *Tax Releases*

CITY OF GRAHAM RELEASE ACCOUNTS

NOVEMBER COUNCIL MEETING

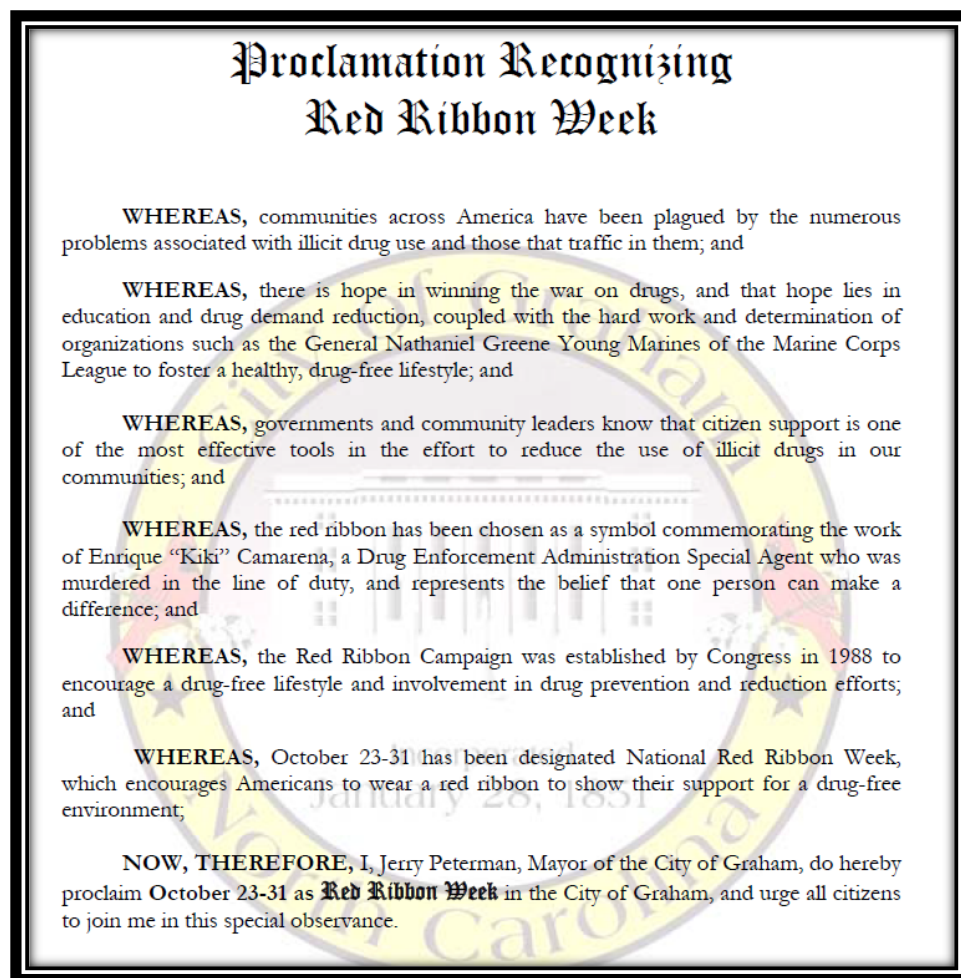
<u>ACCT #</u>	<u>YEAR</u>	<u>RECIEPT</u>	<u>NAME</u>	<u>RE/PP</u>	<u>REASON FOR RELEASE</u>	<u>RELEASED</u>
51561	2015	5756	PETTIGREW, SHIRLEY	RE	QUALIFIED FOR HOMESTEAD EXEMPTION	358.48
325434	2015	6329	RUDD, RUTH TINGEN	RE	QUALIFIED FOR HOMESTEAD EXEMPTION	239.45
353213	2015	2587	FISH-TECH INC	PP	AMENDED 2015 RETURN FROM ALA CO	11.38
502111	2015	3268	HARPER, SAMUEL	PP	DID NOT OWN BOAT JAN 2015	5.14
654117	2015	7593	VARNER, BRENT WILBUR	PP	DID NOT OWN BOAT JAN 2015	2.61
654117	2015	7594	VARNER, BRENT WILBUR	PP	DID NOT OWN MOTOR JAN 2015	1.78

- c. Proclamation Recognizing October 23, 2015-October 31, 2015 as Red Ribbon Week
- d. Resolution Authorizing a Memorandum of Agreement with Alamance County to Train and Equip Law Enforcement in the Proper Administration of Naloxone

Mayor Peterman asked the Council Members if they would like to pull any of the items from the Consent Agenda. Council Member Albright asked to pull items “c. Proclamation Recognizing October 23, 2015-October 31, 2015 as Red Ribbon Week” and “d. Resolution Authorizing a Memorandum of Agreement with Alamance County to Train and Equip Law Enforcement in the Proper Administration of Naloxone.” Council Member Lee Kimrey also asked that item “d” be discussed.

Council Member Chip Turner made a motion to approve items “a” and “b” on the Consent Agenda, seconded by Mayor Pro Tem Jimmy Linens. All voted in favor of the motion.

Council Member Albright asked that items “c” and “d” be read aloud. Mayor Peterman read the item “c” Proclamation.



City Manager Frankie Maness explained that item “d” was a resolution requested by our Police Department to partner with Alamance County Emergency Medical Services to administer Naloxone in the field. Council Member Kimrey expressed concern over the shelf life of Naloxone and how it will be stored and accounted for. Mr. Maness stated he is not familiar with the product but will get answers to Mr. Kimrey’s concerns. Council Member Albright made a motion to approve items “c” and “d” on the Consent Agenda, seconded by Council Member Kimrey. All voted in favor of the motion.

**RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT WITH
ALAMANCE COUNTY TO TRAIN AND EQUIP LAW ENFORCEMENT IN THE
PROPER ADMINISTRATION OF NALOXONE**

WHEREAS, there has been a large increase in the use of heroin and the abuse of prescription opioids in North Carolina which has been documented by the North Carolina Office of Emergency Medical Services; and

WHEREAS, heroin is a highly addictive and deadly drug and has been detrimental to the public health of Alamance County and North Carolina. In recent years there has been a sharp increase of medical emergencies where heroin use was determined to be a contributing factor; and

WHEREAS, the North Carolina General Assembly enacted Session Law 2013-23 which provides immunity from civil or criminal liability to persons dispensing an opioid antagonist to a person experiencing a drug related overdose ; and

WHEREAS, it is reported that 2.4 million people nationwide are addicted to opiates. The 2012 National Survey on Drug Use and Health, conducted by the Substance Abuse and Mental Health Services Administration, found that heroin use increased by 67.3% from 2002 to 2012 among persons aged 12 years and older; and

WHEREAS, the administration of the life-saving drug naloxone can successfully reverse the effects of opioid overdose and save lives; and

WHEREAS, U.S. Attorney General has urged federal law enforcement agencies to train and equip personnel who might interact with heroin overdose victims with naloxone; and

WHEREAS, first responders, law enforcement and healthcare members have been trained and equipped with naloxone in the counties surrounding Alamance County. Many responders have successfully administered the drug, saving numerous lives.

NOW, THEREFORE, BE IT RESOLVED that the Graham City Council authorizes the City Manager and Police Chief to execute the attached Memorandum of Agreement for the Law Enforcement Naloxone Program.

This the 3rd day of November, 2015.

Recommendations from Planning Board

Public Hearing: *Florence Street Rezoning (RZ1503). An application by Karen Tatko to rezone property at 111 Florence Street from R-12 to R-7*

City Planner Nathan Page explained that this was a request to rezone the subject property from R-12 to R-7. He stated that the property is currently vacant and the stated reason for this rezoning is to get a single family residence of equal or greater size as the one that previously existed on this parcel.

Mayor Peterman opened the public hearing. No public comment was received and the hearing was closed.

After discussing the fact that the previous house on this lot (while not meeting the setback requirements for an R-12 lot) would have been permitted to stay on the lot without any restrictions, Council Member Kimrey made a motion that the application be approved and that the application is consistent with the Graham 2035 Comprehensive Plan, seconded by Council Member Turner. All voted in favor of the motion.

Adoption of the Eno-Haw Regional Hazard Mitigation Plan

Mr. Page stated that the Eno-Haw Region is defined as Alamance, Orange and Durham Counties with the expectation that severe weather in one is likely to be shared and the risks and threats are similar. Mr. Maness added that this is the third plan Graham has had and each time the plan comes up for renewal, it's gotten larger with more jurisdictions participating.

Council Member Turner made a motion we approve the Resolution adopting the Eno-Haw Hazard Mitigation Plan, seconded by Council Member Kimrey. All voted in favor of the motion.

A RESOLUTION TO ADOPT THE ENO-HAW HAZARD MITIGATION PLAN

WHEREAS, in October 2000, the President of the United States signed into law the "Disaster Mitigation Act of 2000" (PL 106-390) to amend the "Robert T. Stafford Disaster Relief and Emergency Act of 1988" which requires local governments to adopt a mitigation plan in order to be eligible for hazard mitigation funding; and

WHEREAS, Federal mitigation planning regulations require local mitigation plans to be updated and resubmitted to the Federal Emergency Management Agency for approval every five years in order to continue eligibility for Federal Emergency Management Agency hazard mitigation assistance programs; and

WHEREAS, North Carolina General Statute §166-A - 19.41, approved by the North Carolina General Assembly in June 2001 requires local governments to have a hazard mitigation plan approved in order to receive state public assistance funds; and

WHEREAS, Alamance County staff along with representatives from partnering jurisdictions in conjunction with contract services have performed a comprehensive review and evaluation of the newly created Eno-Haw Regional Hazard Mitigation Plan and have updated the plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the North Carolina Division of Emergency Management; and

WHEREAS, the North Carolina Division of Emergency Management has deemed the Eno-Haw Regional Hazard Mitigation Plan compliant with Section 322 of the Disaster Mitigation Act of 2000, as well as with relevant state requirements; and

WHEREAS, the Federal Emergency Management Agency has received a draft of the Eno-Haw Regional Hazard Mitigation Plan and is currently reviewing;

NOW THEREFORE, BE IT RESOLVED, that the City Council of The City of Graham hereby adopt, by way of this resolution, the "Eno-Haw Regional Hazard Mitigation Plan" as approved by the North Carolina Division of Emergency Management.

Adopted this the Third day of November, 2015

Resolution Renaming Ralph Scott Road to Kronbergs Court

Mr. Maness explained that the purpose of this resolution is a proactive measure by staff to rename Ralph Scott Road to Kronbergs Court to eliminate future confusion with the recently approved name of the Senator Ralph Scott Parkway which serves the North Carolina Commerce Park.

Alamance County Addressing concurred with the assessment of the need to change the name and have approved the name change pending the approval of the resolution by the Graham City Council. The proposed name of Kronbergs Court bears historical significance to the Scott family and is suggested in consultation with them.

Council Member Albright shared with Council that his Mother was Senator Scott's secretary and that they knew the Kronbergs. He spoke of the Kronbergs' journey from Latvia to America and how they came to live with the Senator Ralph Scott family in North Carolina.

Council Member Albright made a motion we approve the Resolution Authorizing the Renaming of Ralph Scott Road to Kronbergs Court, seconded by Council Member Turner. All voted in favor of the motion.

RESOLUTION RENAMING RALPH SCOTT ROAD TO KRONBERGS COURT

WHEREAS, the road which will be renamed has no parcels that will be impacted by the change;

WHEREAS, the Alamance County Addressing Department has reviewed the request and finds that the proposed name, Kronbergs Court, does not duplicate any other street name in Alamance County; and

WHEREAS, conflicting street names have the potential to compromise 911 response, curbside services and postal delivery;

NOW, THEREFORE, BE IT RESOLVED by the Graham City Council that:

Ralph Scott Road is hereby renamed and officially designated as Kronbergs Court.

Adopted this 3rd day of November 2015.

Issues Not Included on Tonight's Agenda

City Attorney Keith Whited stated the lawsuit brought on by the federal prisoner against the City was recently dismissed in Federal Court.

Council Member Albright expressed concern over the fact that there is still much confusion over the actual start time of the Christmas Parade. The parade is scheduled for Saturday, December 5, 2015 at 10:00 a.m.

Council Member Turner asked if Mr. Maness has heard anything recently about the unused and untaxed vacant property on Main Street owned by the Alamance Burlington School System. Mr. Maness advised that he has not heard anything recently. Mr. Turner expressed concern over getting this property back on the tax books. Mr. Maness stated he will follow up with ABSS.

Mayor Pro Tem Linens stated that he has been approached by individuals who have asked if the City would consider having representation at the Alamance County Board of Education meetings. Mayor Peterman stated that with Council's permission, he would be willing to attend the School Board's meeting. Consensus was given to the Mayor.

Mayor Peterman stated that the Planning Board has requested two (2) representatives from Council meet with them to discuss the Sidewalk in Lieu of Payment program. It was determined that Council Members Kimrey and Turner will meet with the Planning Board after the Board of Adjustment Meeting on November 17, 2015.

Mayor Peterman informed Council that he has had several complaints about the City's sign ordinance and feels that it needs to be looked at soon.

At 7:32 p.m. Council Member Kimrey made a motion to adjourn, seconded by Council Member Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
SPECIAL SESSION
MONDAY, NOVEMBER 30, 2015
5:00 P.M.**

The City Council of the City of Graham met in special session at 5:00 p.m. on Monday, November 30, 2015, in the Conference Room of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Jimmy Linens
Council Member Jim Albright
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Griffin McClure, Newly Elected Council Member

Council Members Absent:

Council Member Chip Turner

Mayor Jerry Peterman called the meeting to order and presided at 5:00 p.m.

Council Members discussed current boards and commissions appointments, the time and date of the regularly scheduled monthly meeting, the possibility of adding an additional regular scheduled meeting, the appointment of City Attorney and instituting a Graham Business Appreciating Day where Council Members visit businesses throughout the City to thank them for their commitment to doing business in Graham. In addition, City Manager Frankie Maness discussed Council pay dates, change in tax withholdings and the Council's ability to participate in the voluntary 457 Retirement Plan if they so choose. Mr. Maness also spoke to Council about the City's auto pay option for water billing.

Mr. Maness and Council Members discussed scheduling a tour of the City for Council Members. In addition, Mr. Maness advised that he would like to get the budget process, especially on the capital improvement side, started a little earlier this year.

With no further business to discuss, Council Member Lee Kimrey made a motion to adjourn at 6:01 p.m., seconded by Mayor Pro Tem Jimmy Linens. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, DECEMBER 1, 2015
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, December 1, 2015, 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 Jim Albright
Council Member Chip Turner
Council Member Lee Kimrey
Council Member Griffin McClure

Also Present:

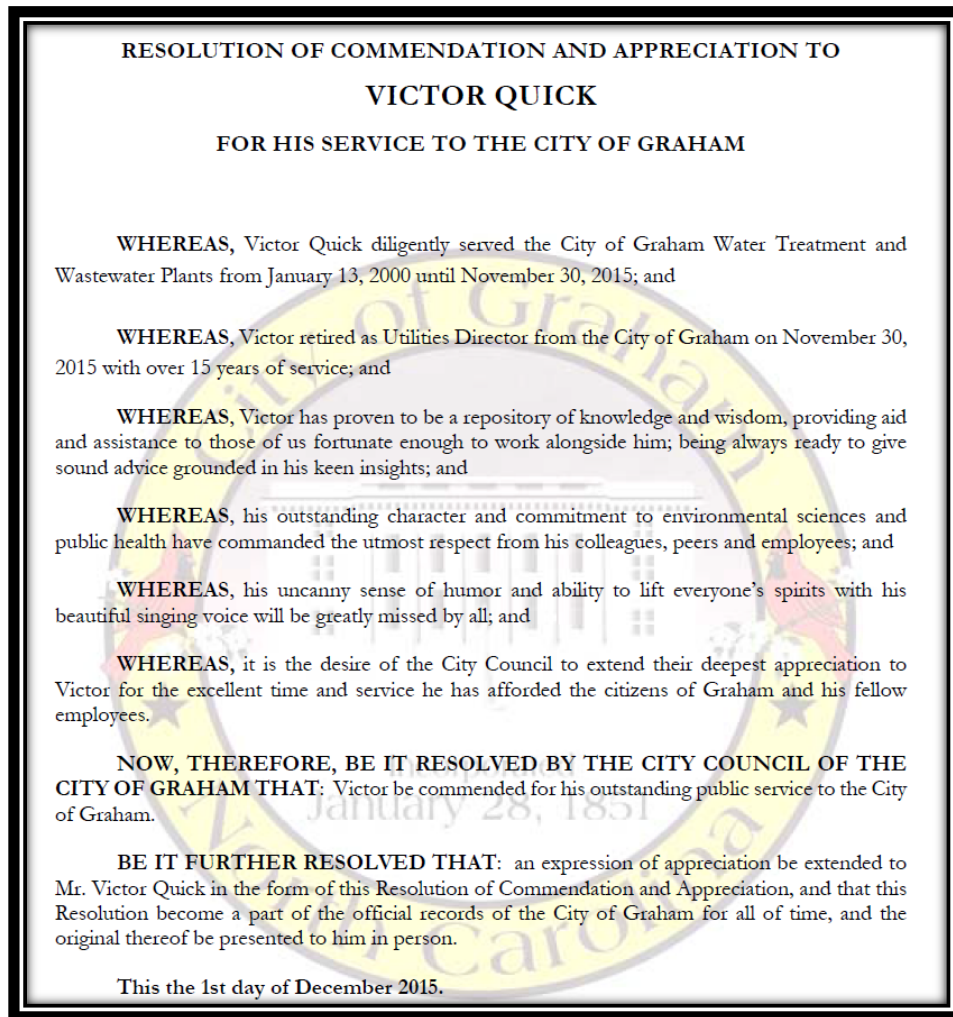
Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Melody Wiggins, Recreation and Parks Director
Aaron Davis, Athletic Supervisor
Jeff Prichard, Police Chief

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

Honorary Recognitions, Proclamations and Resolutions:

➤ ***Resolution of Commendation and Appreciation - Victor Quick***

Mayor Peterman and City Manager Frankie Maness presented Utilities Director Victor Quick with a Resolution of Commendation and Appreciation and a gift from the City. Both gentlemen thanked Mr. Quick for his fifteen (15) years eleven (11) months of service to the City. Mr. Quick expressed his appreciation to the Council, Mr. Maness and the citizens of Graham for the opportunity to serve the City of Graham.



➤ ***Honorary Recognitions – Melody Wiggins and Aaron Davis***

Ms. Michelle Wells, Director of the North Carolina Recreation and Parks Association recognized Graham Recreation and Parks Director Melody Wiggins as having recently been selected as the recipient of the Association's Meritorious Service Award and Graham Recreation and Parks Athletic Supervisor Aaron Davis as the recipient of the Young Professional Award.

Old Business:

- a. Approval of Minutes – November 3, 2015 Regular Session***
- b. Approval of Minutes – November 30, 2015 Special Session***

Council Member Chip Turner made a motion to approve the minutes from November 3, 2015, seconded by Council Member Lee Kimrey. All voted in favor of the motion.

Mayor Pro Tem Jimmy Linens made a motion to approve the minutes from November 30, 2015, seconded by Council Member Jim Albright. All voted in favor of the motion.

RECOUNT OF 2015 MUNICIPAL ELECTION
11/03/2015
ABSTRACT OF VOTES
FOR
ALAMANCE COUNTY, NORTH CAROLINA

INSTRUCTIONS

The county board shall prepare abstracts of all the ballot items in triplicate originals. The county board shall retain one of the triplicate originals, and shall distribute one each to the city or town clerk for the municipality and the State Board of Elections. The State Board of Elections shall forward the original abstract it receives to the Secretary of State. (GS § 163-182.6)

STATE OF NORTH CAROLINA
COUNTY OF ALAMANCE

The County Board of Elections for said county, having opened, canvassed, and judicially determined the original returns of the election in the precincts in this county, held as above stated, do hereby certify that the above is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office or referendum named, the name of each person or choice voted for, their party affiliation (where applicable), and the number of votes cast for each person or choice for the item named.

This is the 10th day of November, 2015.

Chairman

Secretary

Member

This day personally appeared before me, Douglas P. Fincannon, Chairman of the County Board of Elections, who being duly sworn, says the abstract of votes herein contained is true and correct, according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this the 10th day of November, 2015.

Dawn R. Hurdle
Official Signature of Notary Public

Official Signature of Notary Public

Dawn R. Hurdle

Printed/Typed Name of Notary Public

My Commission Expires: 4-8-2019

DAWN R HURDLE
NOTARY PUBLIC
ALAMANCE COUNTY, NC
My Commission Expires 4-8-2019

(Seal)

0007_GIBSONVILLE ALDERMAN					0008_GRAHAM MAYOR	0009_GRAHAM COUNCIL					0010_GREEN LEVEL COUNCIL					0011_M AN RIV ER MAY
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025 035 BOONE 5	0	0	0	0	0											
03M 03W WEST BOONE	125	102	128	169	162											
05 05 FADCEITER																
064 064 GRAHAM 4					25	280	31	63	198	232		55				
068 068 EAST GRAHAM					209	209	30	82	128	172		45				
068 068 NORTH GRAHAM					25	100	16	42	85	79		19				
068 068 SOUTH GRAHAM					38	137	30	47	133	115		28				
103 103 MELVILLE 3 - GR					0	2	0	2	1	1		0				
11 11 PLEASANT GROVE																
13 13 SAN RIVER																
TOTALS	125	102	128	169	162	316	738	107	236	526	599	147	90	112	71	

Organizational Meeting of Council:

- a. City Clerk Darcy Sperry administered the Oath of Office to Re-Elected Mayor Peterman.
- b. Ms. Sperry administered the Oath of Office to Re-Elected City Council Member Kimrey.
- c. Ms. Sperry administered the Oath of Office to Newly Elected City Council Member Griffin McClure.

Council Member Albright stepped down at 7:20 p.m. Council Member McClure took the bench at 7:21 p.m.

Mayor Peterman presented exiting Council Member Albright with a key to the City as well as a framed picture with commemorative plaque indicating the years he has served the City of Graham as Council Member. Former Council Member Albright thanked past and present Council Members, Mayors and City Managers while reminiscing about his twelve (12) years serving the citizens of Graham.

- d. Mayor Peterman nominated Mayor Pro Tem Linens as Mayor Pro Tem. With no other nominations forthcoming, Council Member Turner seconded the nomination. All voted in favor of the nomination.
- e. Council Member Kimrey made the motion to re-appoint City Attorney Keith Whited, seconded by Council Member Turner. All voted in favor of the motion.
- f. The Council discussed the regular meeting schedule and with no changes made, Council Member McClure made the motion to keep the regular session meeting at 7:00 p.m. on the first Tuesday of each month, seconded by Council Member Kimrey. All voted in favor of the motion.
- g. Mayor Pro Tem Linens made the motion to accept the following Boards and Commissions Appointments for Council Members, seconded by Council Member Kimrey. All voted in favor of the motion.

Memorandum

To: Graham City Council
cc: Frankie Maness
From: Darcy Sperry
Date: 12/1/2015
Re: Board Appointments



Below is the current listing of City Council Member appointments to various Boards and Commissions. The organizational meeting is an opportunity to make any changes to these appointments.

<u>Board</u>	<u>Name</u>	<u>Term Expiration Date</u>
Alamance County Economic Development Committee	Mayor Jerry Peterman	City Council Term
Appearance Commission	Council Member Griffin McClure	City Council Term
Audit Committee	Mayor (Jerry Peterman)	City Council Term
Cemetery Board	Council Member Chip Turner	City Council Term
Fireman Pension Fund	Mayor Jerry Peterman	City Council Term
Graham Historical Museum	Mayor Jerry Peterman	City Council Term
Historic District Commission	Mayor Pro Tem Jimmy Linens	City Council Term
Piedmont Triad Regional Council	Council Member Chip Turner	City Council Term
Piedmont Triad Regional Council, Alternate	Council Member Lee Kimrey	City Council Term
Recreation Commission	Mayor Pro Tem Jimmy Linens	City Council Term
TAC	Council Member Lee Kimrey	City Council Term
TAC, Alternate	Council Member Griffin McClure	City Council Term

Issues Not Included on Tonight's Agenda

Former Council Member Albright stepped forward and asked Council to repeal liquor by the drink and to vote for public transportation.

Council Member McClure thanked former Council Member Albright for his service to the Council.

Council Member Kimrey asked Mr. Maness about the progress of the pay and classification study the City is doing. Mr. Maness stated that employee interviews are currently being conducted and he does not anticipate having results of the study until February or March 2016.

Council Member Kimrey inquired about the status of revisions to the City's personnel policy. Mr. Maness advised that the policy has been identified as needing a complete overhaul and advised that the City is currently operating short staffed, preventing any further progress with this project.

Council Member Kimrey asked Mr. Maness if there was any progress on a possible annexation agreement with Burlington. Mr. Maness stated no.

Council Member Kimrey thanked former Council Member Albright for his service and said he considered it to be a privilege to serve with him.

Mr. Maness reminded everyone of the Christmas Parade on December 5th at 10:00 a.m.

Mayor Peterman reminded Council of the Alamance Community College's Business Leaders Breakfast on December 2nd.

Mayor Peterman mentioned that the Mayors' Committee for Persons with Disabilities Shoppers Day is Thursday, December 3rd at Rose's Department Store.

Mayor Peterman also asked Graham Police Chief Jeff Prichard to step forward to discuss his department's upcoming on-site assessment by CALEA (Commission on Accreditation for Law Enforcement Agencies, Inc.). Chief Prichard explained that this assessment is part of a program to achieve re-accreditation by verifying it meets professional standards. Chief Prichard stated that there is a Public Meeting scheduled for December 9, 2015 at 6:00 p.m. and all are welcome to attend.

Mayor Peterman invited everyone to join us at a reception honoring former Council Member Albright, Council Member McClure, Mr. Quick, Ms. Wiggins and Mr. Davis at the Captain White House following tonight's meeting.

At 7:39 p.m. Council Member Turner made a motion to adjourn, seconded by Council Member Kimrey. All voted in favor of the motion.

Darcy Sperry, City Clerk

