

Graham City Council  
Virtual Meeting Agenda  
Tuesday, May 12, 2020 @ 6:00 P.M.



Meeting called to order by the Mayor  
Invocation and Pledge of Allegiance

**1. Consent Agenda:**

- a. Approve Minutes – March 4, 2020 Special Session
- b. Approve Minutes – March 10, 2020 Regular Session
- c. Approve Traffic Schedule Amendments
- d. Approve Clean Water State Revolving Fund (CWSRF) Resolution
- e. Petition for Voluntary Contiguous Annexation for 13.818 acres located at 919 and 957 Woody Drive (GPIN 8884821071 & 8884825405) (AN2001):
  - i. Approve Resolution Fixing Date of Public Hearing on Question of Annexation

**2. Requests & Petitions from Citizens:**

- a. Encroachment License Agreement request by Court Square Development for property located at 21 SE Court Square

**3. Issues Not on Tonight's Agenda (Public Comment Period)**

**CITY OF GRAHAM  
SPECIAL SESSION  
WEDNESDAY, MARCH 4, 2020  
8:30 A.M.**

The City Council of the City of Graham met in special session at 8:30 a.m. on Wednesday, March 4, 2020, at the Graham Civic Center located at 503 McGee Street.

**Council Members Present:**

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

**Staff Present:**

Frankie Maness, City Manager  
Aaron Holland, Assistant City Manager  
Darcy Sperry, City Clerk  
Jeff Prichard, Police Chief  
Tommy Cole, Fire Chief  
Tonya Mann, Utilities Director  
Burke Robertson, Public Works Director  
Brian Faucette, Recreation & Parks Director  
Julianne Cordon, Finance Officer  
Jeff Wilson, Information Technology Systems Mgr.  
Nathan Page, Planning Director  
Kristi Cole, Assistant Police Chief  
Mary Faucette, Downtown Development Coordinator

Mayor Jerry Peterman called the meeting to order and presided at 8:30 a.m.

**Downtown Master Plan Discussion:**

Council Members discussed various items included in the Downtown Master Plan. All agreed that some types of canopy trees are not good for the downtown area. Council Members discussed using portable containers/planters for trees and greenery. Also discussed was incorporating bump-outs in the corners of Court Square, as well as, the intersection of Pine Street and South Main Street. City Manager Frankie Maness noted that bump-outs affect stormwater flow. Council Members agreed that the roundabout at McAden Street and South Main Street should not be pursued, as noted on page 149 of the plan. Additionally, Council Members discussed sidewalk widths, parking, loading zones and truck traffic. Mayor Pro Tem Turner advised that he spoke with NCDOT and they are willing to move the stop bars back to accommodate safer truck traffic in the downtown area. Council Members discussed possible signage to divert all but downtown delivery trucks around the downtown area. Mr. Maness stated that certain industries have some exceptions and we would have to look into all laws before any signs be erected. Mayor Peterman asked staff to find out what signs the City can legally put up on City maintained streets. He stated that we can request NCDOT to eliminate trucks in the downtown area, but we cannot dictate NCDOT truck routes.

Council Members also spoke of the need to prepare for a likely increase in bike and pedestrian traffic over the next 10 years. The idea of pavers over concrete in downtown was also discussed, allowing for the installation of drip lines to help with greenery maintenance. Mayor Peterman advised that the Downtown Master Plan discussion would continue at a future meeting.

### **WWTP Upgrade Presentation by Hazen & Sawyer:**

The City contracted with Hazen & Sawyer for the State mandated Wastewater Treatment Plant upgrades. Representatives from Hazen & Sawyer gave a Power Point presentation that included a history of wastewater treatment, history of Graham, the City's current permit, challenges, timeline, recommended upgrades, capital cost and funding.

Following the presentation, Council Members, staff and the representatives from Hazen & Sawyer discussed this project. Mr. Maness mentioned that we have known this estimated \$30 million dollar project was coming, and in the history of Graham, this will have the biggest impact to the residents. He spoke of the impact this will have on future water rates. Mr. Maness recommended a gradual increase in user rates beginning this year. Included in the discussion was the repercussions if the City chose not to do anything at this time. Council Members were informed that the City would be in violation of their permit and would face fines of \$25,000 per day, potential lawsuits from third party entities and not being able to issue building permits. Various financing options were discussed. Mayor Peterman directed staff to put together a resolution for Council to consider at the April 2020 meeting.

Without objection, Mayor Peterman recessed the meeting at 11:22 a.m. for lunch and at 1:00 p.m. reconvened the meeting.

### **FY 2019-2020 Budget Review and Status Update:**

Mr. Maness presented an overall update on the status of the Fiscal Year 2019-2020 Budget and provided a snapshot of where departments are performing. He identified growing pains, cost of delay, rising cost of goods, low unemployment rates, bull or bear economy and other market forces, new regulatory requirements, rate shock, project queuing, experience of assets (employees and infrastructure) and significance of the census as those things Council should consider when adopting the 2020-2021 Budget on June 9, 2020. He added that the census is very important with the calculation of revenues.

### **Roundtable Discussion of 2020-2021 Budget and Capital Improvements with Department Heads:**

Council Members were presented with a Power Point presentation as well as hearing from each department head.

Police Chief Jeff Prichard and Assistant Police Chief Kristi Cole presented their department's Budget requests. Chief Prichard advised that he is requesting to have the HVAC system and the flooring in the Police Department replaced. He stated he does not anticipate any line item increases. Council Members and staff discussed staffing and Chief Prichard stated that he could use one more patrol officer per shift. Discussion about the amount of comp time earned in this department ensued.

Fire Chief Tommy Cole informed Council Members that his department operates at the minimum level every day. He spoke about the number of comp hours his department earns every week.

Chief Cole explained that his requests include additional staff, a satellite station and training facility and replacing a new fire engine.

He added that he would like two new satellite stations that could be shared with the Police Department. All of the Chiefs spoke of the favorable working relationship between these two departments. Chief Cole attributed the need for more stations to his department's response time to some of the outlying properties in the City. He explained that he and Public Works Director Burke Robertson have identified City owned land that could potentially accommodate new stations. Mr. Maness stated that building new stations is not the main issue, it is staffing new stations. Chief Cole also informed Council that his department would start running medical calls on March 9, 2020.

Utilities Director Tonya Mann's presentation identified Cedar Street line renewal, chemical root control, manhole rehab, risk and resilience assessment and sewer main cured in place pipe lining as requests for Water & Sewer Distribution in the upcoming Budget. Included in the Maintenance & Lift Stations requests were the Old Fields outfall project – phase 1 and 2, as well as, spare pumps for lift stations. The Water Treatment Plant is requesting funding for recoating the clear wells, resurface the Plant drive and a knife gate at the raw water station. In addition to what Hazen & Sawyer presented, the Wastewater Treatment Plant's requests include a primary scum pump, a sludge mixer pump, a deionized water system, a mechanical bar screen, an influent grit pump and base and a transport pump on the transport truck.

Mr. Robertson spoke about the volatile recycling market and how it could affect the City in the future. He informed Council Members that the City's recycling contract expires in June 2022, and that several different options are currently being researched and a general discussion ensued. Requests for the Streets & Highways Department include funding for the Marshall, Travora and Pomeroy storm drain project, a pickup replacement, a track loader replacement, the Truby Drive repair design, pedestrian sidewalks, street resurfacing, the Elm and Maple municipal parking lot, a tandem dump truck and the Public Works asphalt repair and resurface. The City's Property Maintenance Department is requesting a 3500 4WD extended cab service body truck, a bucket truck, paving at Graham Memorial, an automatic gate and a metal carport. Mr. Robertson identified equipment software as a need in the City Garage & Warehouse Department.

Recreation & Parks Director Brian Faucette reviewed his requests for the Recreation Department. It includes multi-purpose fields, lighting updates at the Recreation Center, a projection center at the Civic Center, Alamance Arts interior painting, removable bollards for East and West Elm Street, concrete barriers, a floor scrubber, a Graham Regional Park water line and retractable bleachers for the Recreation Center. The Graham Mebane Lake Department is requesting a site master plan. Athletic Facilities is requesting skid steer, repaving the parking lot and track at Cooke Park, cameras at South Graham Park and expansion of the basketball court at Bill Cooke Park.

Information & Technology Systems Manager Jeff Wilson spoke about the increased demands placed on his two-person department. In addition to requesting another person, he identified computer replacements, a network refresh, rewiring City Hall, replacing the City's phone system and vm

replacement as his requests in the upcoming Budget. Council Members and staff discussed downtown Wi-Fi and the overall network security challenges the City faces day to day.

Assistant Manager Aaron Holland presented Council Members with funding requests by the Inspections/Planning & Zoning Department. A re-write of the Development Ordinance is that department's request in the upcoming Budget.

On behalf of the Historic Resources Commission, Downtown Development Coordinator Mary Faucette requested funding for a historic building inventory. Additionally, she requested additional funds on behalf of the Appearance Commission. Mrs. Faucette briefly spoke about various projects she is currently working on and asked Council Members for direction. She and Mr. Wilson informed Council Members that the City's new website is close to going live.

Mr. Robertson advised that the City has a temporary maintenance agreement with NCDOT to maintain the Main Street interchange. He briefly spoke about grant opportunities and possible partnerships with Alamance Community College and/or Southern High School's horticulture programs to assist with maintenance.

Council Member Talley stated her desire for the City to fund a signature event, painting and up fitting the light poles in the downtown area. She also would like to see an emphasis on more residency in the downtown area. Mayor Peterman stated we could possibly look at rezoning downtown for what Council Member Talley proposed. Council Member Hall would like to see the creation of a farmer's market.

Finance Officer Julianne Cordon stated that her department is always looking for ways to save money. She updated Council on the progress of the current meter replacement project.

With no further discussion forthcoming, Mayor Peterman made a motion to adjourn at 6:19 p.m., seconded by Council Member Talley. All voted in favor of the motion.

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Darcy Sperry, City Clerk

**CITY OF GRAHAM  
REGULAR SESSION  
TUESDAY, March 10, 2020  
6:00 P.M.**

The City Council of the City of Graham met in regular session at 6:00 p.m. on Tuesday, March 10, 2020, in the Council Chambers of the Municipal Building located at 201 South Main Street.

**Council Members Present:**

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

**Staff Present:**

Frankie Maness, City Manager  
Aaron Holland, Assistant City Manager  
Darcy Sperry, City Clerk  
Bryan Coleman, City Attorney  
Bob Ward, City Attorney  
Nathan Page, Planning Director  
Tony Velez, Graham PD Lieutenant

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

**Consent Agenda:**

- a. Approve Minutes – February 11, 2020 Regular Session*
- b. Approve Tax Releases*

MARCH				
<u>ACCT#</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
644929	2019	SHARPE, ROBERT	BOAT NOT LOCATED IN CITY LIMITS	5.01
501880	2019	ROGERS, JOSHUA PRESTON	BOAT NOT LOCATED IN CITY LIMITS	54.55
674541	2019	VILLAS ON THE LAKE HOA	COMMON AREA CODED INCORRECTLY	316.87

- c. Approve Tax Collector’s Debt Set-Off Report*
- d. Approve Audit Contract with Stout, Stuart, McGowen & King, LLP*
- e. Approve the street closure request by Graham First United Methodist Church to close East Market Street on April 4, 2020 from 9:00 a.m. – 4:00 p.m. for a community Easter “Egg”stravaganza event with the following conditions:*
  - Provide a Certificate of Liability insurance meeting all City requirements (received)*
  - Schedule public safety personnel following the Extra Duty Solutions process*

Mayor Peterman asked Council Members if they would like to pull any of the items from the Consent Agenda. Council Member Jennifer Talley asked to pull item “d”.

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

Concerning item “d”, Council Member Talley questioned why the City has two accountants. City Manager Frankie Maness explained that approximately five years ago, amidst a growing concern for independence, the City chose to contract with Cobb, Ezekiel, Loy & Co. to help prepare the City’s financial statements and contract with Stout, Stuart, McGowen & King, LLP to perform the City’s audit. Council Member Talley expressed her desire to receive monthly financial statements. Mr. Maness and Mayor Peterman advised that Council Members are currently sent the monthly financial statements. Following the brief discussion, Council Member Hall made a motion to accept item “d” on the Consent Agenda, seconded by Council Member Wiggins. All voted in favor of the motion.

Mr. Tom Boney of the Alamance News stepped forward to address this agenda item with Council Members.

### **Old Business:**

***a. Public Hearing: Reserve on 54 (CR2001). Application by Brandon Martin for rezoning property from R-12 to Conditional Residential (C-R) for 37 townhomes on Sunset Drive (GPIN 8884809576)***

Planning Director Nathan Page explained this is a request to rezone the subject property from R-12 to Conditional Residential. The original proposed use was for 37 townhomes, with a mixture of quads, triples, doubles and single units. He added that there were significant amendments made before the Planning Board and the application is now for 19 single-family detached homes on the lots.

Council Member Wiggins asked Mr. Page about his staff report stating the applicant had not responded to the Technical Review Committee (TRC) comments. Mr. Page briefly described the process and advised that the applicant will go back before TRC if/when the rezoning is approved. With no further comments forthcoming for the staff, Mayor Peterman opened the Public Hearing.

Mr. Brandon Martin of 1430 Raspberry Run Graham stepped forward to answer questions from the Council. Council Member Talley expressed concern about density, traffic and lighting. Mr. Martin advised that the project would not be cost effective to develop this property under the current zoning.

Council Member Wiggins referred to the project as excellent, while Council Member Hall called it wonderful. Both commended Mr. Martin.

The following individuals stepped forward to address this agenda item with Council Members:

Kelly Jones – 958 Sunset Dr. Graham	Joey Janicki – 9 Sunset Dr. Graham
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Mayor Peterman closed the Public Hearing. Council Members and staff briefly discussed city services should this developer request annexation at some point. Council Members and Mr. Martin discussed water and sewer line installation, road construction and landscaping.

With no further discussion forthcoming, Council Member Wiggins made a motion that the application be approved, the application is consistent with The Graham 2035 Comprehensive Plan and that this action is reasonable and in the public interest for the following reason: Rezoning the property would be in consistence with Policy 3.3.2, 5.1.1 and Strategy 4.3.1 of The Graham 2035 Comprehensive Plan. Before Mayor Peterman could entertain a second, Council Member Talley asked Council Member Wiggins if she would consider amending her motion to include a reduced density to 17. Council Member Wiggins stated she would not, believing it will happen on its own going through the TRC process. Mayor Pro Tem Turner seconded the motion. Ayes: Council Member Wiggins, Mayor Pro Tem Turner, Mayor Peterman and Council Member Hall. Nays: Council Member Talley. Motion carried 4:1.

***b. Public Hearing: Text Amendment Planning Board Meeting Times (AM2001). An amendment to the existing Planning Board meeting date Ordinance, and to set voting for officers at the meeting following appointments***

Mr. Page explained that the City Council has changed their meeting time to the second Tuesday of the Month. As such, it is staff's recommendation that the Planning Board move their meeting to the fourth Tuesday of the month, and reserve flexibility to change the date at some point in the future. He added that if the Planning Board meets before the 4th Tuesday of the month, most of the time, the mailed notice for the City Council meeting would be sent out after the Planning Board meeting. Mr. Page stated it was his recommendation to increase the fee to cover an additional mailing to advertise for the Planning Board meeting, should those meetings remain on the third Tuesday of each month.

Following a brief discussion between Council Members and staff about current fees and costs for advertising, Mayor Peterman opened the discussion to the floor. Mr. Dean Ward of 1143 Challenge Drive Graham stepped forward to address this agenda item with Council.

Council Member Wiggins made a motion that the text amendment be approved, the text amendment is consistent with The Graham 2035 Comprehensive Plan and that this action is reasonable and in the public interest for the following reason: NCGS 160A-384 requires notice be sent out at least 10 but not more than 25 days. Council Member Hall seconded the motion and all voted in favor of the motion.

***c. Extra Duty Solutions Discussion***

Mr. Maness explained that in recent meetings, it was decided that there would be an opportunity to discuss the Extra Duty Solutions (EDS) process provided through the City's emergency services and public safety departments. He added that EDS is used by city businesses and non-city agencies to secure extra duty services through the City's Police Department. Mr. Maness further explained that the Police Department has been providing extra duty services throughout the years, but that the scheduling of officers is now handled through EDS and officers are paid directly by EDS. He advised that EDS is a scheduling service, which helps to mitigate staffing concerns.

Graham Police Lieutenant Tony Velez stepped forward and provided a brief overview of the EDS process. Lt. Velez made it clear that officers voluntarily sign up to work extra duty and that their



supervisor must approve all extra duty work, to ensure that it does not interfere with their scheduled shift with the City of Graham. A general discussion about the program ensued.

Following the discussion, Mayor Peterman reminded everyone that this was a discussion and that no action needed to be taken.

### **Requests & Petitions from Citizens:**

***a. Request from Maureen Dolan to change the speed limit to 20 mph for The Villas at Hanford***

Mayor Peterman asked for a consensus to have the Police Department study this request in the next month. Consensus was given.

***b. Petition for Voluntary Contiguous Annexation for 13.818 acres located at 919 and 957 Woody Drive (GPIN 8884821071 & 8884825405) (AN2001):***

- i. Approve Resolution Requesting City Clerk to Investigate Sufficiency***
- ii. Approve Resolution Fixing Date of Public hearing on Question of Annexation***

Mr. Page explained the petition seeks the Council's approval for an extension of the corporate limits to include the subject property. The area being considered for annexation is connected to Woody Drive and Whittemore Road. Water and sewer are both available at this location, with the applicant to extend private lines internal to the development. He added that the annexation process has multiple steps. The preliminary steps following receipt of a petition are to adopt two resolutions – one directing the Clerk to Investigate Sufficiency and one Fixing Date of Public Hearing. Approval of these resolutions does not finalize the annexation, as Council is required to advertise and conduct a public hearing, followed by a vote on an annexation ordinance.

Council Member Hall asked about current zoning and Council Member Talley asked about annexation process, what the property will be used for and the cost of annexing this property into the City. Mr. Page advised that this property is currently zoned Conditional Residential. Mr. Maness explained the action Council would take at this meeting and then typically the following month. He advised that the ultimate value to the City depends on the end use of the property. Mr. Maness stated he anticipates a positive yield for the City.

With no further discussion forthcoming, Council Member Wiggins made a motion to approve the Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31 for a 13.818 acre area on Woody Drive, seconded by Council Member Hall. All voted in favor of the motion.

Council Member Wiggins made a motion to approve the Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for a 13.818 acre area on Woody Drive, seconded by Council Member Hall. All voted in favor of the motion.

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-31  
FOR A 13.818 ACRE AREA OFF WOODY DRIVE (AN2001)**

WHEREAS, a petition requesting annexation of an area described in said petition was received on March 3, 2020, 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.

**RESOLUTION FIXING DATE OF PUBLIC HEARING  
ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31  
FOR A 13.818 ACRE AREA OFF WOODY DRIVE (AN2001)**

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 6:00 pm on April 14, 2020.

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

ALL of that certain piece, parcel or tract of land lying and being in the City of Graham, Graham Township, Alamance County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe on the western right of way of Whittemore Road, said iron pipe also being the northeastern property corner of T Group Land & Development, Inc. described in Deed Book 670, Page 711 in the Alamance County Register of Deeds; thence running from the right of way of Whittemore Road and running with the northern property of T Group Land & Development, Inc.; N 47°58'27" W, 370.49 feet to a new iron rod; thence following the corporate limits line described in Deed Book 696, Page 340 in the registry the next two calls, 1) N 42°37'42" E, 360.00 feet to a new iron rod, thence 2) N 47°18'34" W, 233.89 feet to a non-monumented point on the western right of way of Woody Drive; thence following the right of way on a curve to the right having a radius of 779.83 feet with a chord bearing and distance of N 36°19'07" E, 271.39 feet to a non-monumented point, thence continuing with the right of way N 22°12'19" E, 121.05 feet to a non-monumented point; thence S 81°42'09" E, 65.76 to an existing iron rod on the eastern right of way of Woody Drive, said iron rod also being the southwestern property corner of Richard and Jeanne Neal described in Deed Book 2047, Page 638 of the Registry; thence running from the right of way of Woody Drive, S 81°42'09" E, 219.82 to an existing iron pipe, also being the southeastern property corner of Richard and Jeanne Neal described in Deed Book 2047, Page 638 of the Registry and also being the southwestern property corner of Earl Smith described in Deed Book 246, Page 107 in the Registry, thence S 81°46'51" E, 310.90 to an existing iron pipe on the western right of way of Whittemore Road; thence S 84°47'46" E, 60.00 feet to a non-monumented point on the eastern right of way of Whittemore Road; thence running with the right of way for the next six calls, 1) S 05°12'13" W, 35.16 feet to a non-monumented point; thence 2) on a curve to left having a radius of 247.06 feet with a chord bearing and distance of S 05°42'21" E, 93.52 feet to a non-monumented point; thence 3) S 17°26'48" E, 106.48 feet to a non-monumented point; thence 4) S 14°04'27" E, 90.17 feet to a non-monumented point; thence 5) S 46°06'23" W, 17.58 feet to a non-monumented point; thence 6) S 46°31'20" W, 896.08 feet to a non-monumented point; thence N 55°21'14" W, 61.11 feet to the point and place of BEGINNING containing 13.818 acres more or less.

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.

**Issues Not on Tonight's Agenda:**

Mr. Ward stepped forward and explained that on behalf of the Planning Board and Board of Adjustment, he was requesting that the City provide an attorney at their meetings. Mayor Peterman stated that the Council would consider this request during the upcoming budget meetings.

Council Member Hall invited everyone to the Piedmont Triad Regional Council's Triad Public Policy Summit on April 1, 2020 at NC A&T.

Council Member Talley asked for an update on the City's new website. Mr. Maness advised that we are hoping to have it done by the end of this month.

Mayor Peterman recognized the excellent job done by the Fire Department and civilians during the recent structure fire on Cannon Street. He suggested we consider looking into a civilian life saving award. He also advised that the Fire Department went live with running EMS calls this week.

At 8:13 p.m., Council Member Wiggins made a motion to adjourn, seconded by Mayor Pro Tem Turner. All voted in favor of the motion.

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Darcy Sperry, City Clerk



# STAFF REPORT

<b>SUBJECT:</b>	ADDED STOP SIGN(S) ON PEPPERSTONE AT GREENVIEW AND COVINGTON LOOP INTERSECTIONS.
<b>PREPARED BY:</b>	CHIEF OF POLICE JEFF PRICHARD

## REQUESTED ACTION:

For the City to consider erecting a stop sign(s) at the intersection of Pepperstone Drive and Greenview Drive and Pepperstone Drive and Covington Loop.

## BACKGROUND/SUMMARY:

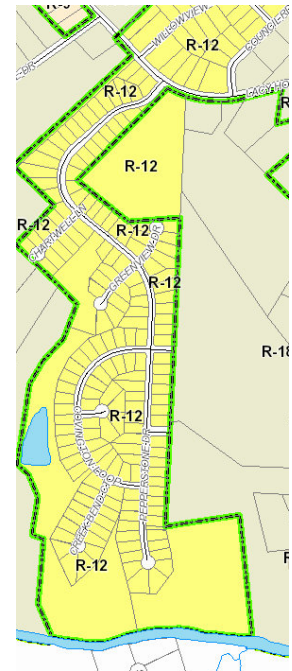
The Graham Police Department has received several complaints regarding drivers speeding on Pepperstone Drive between Chartwell Lane and Covington Loop. At the March 10<sup>th</sup>, 2020 Council meeting, Graham City Council directed the Graham Police Department study the area and make a recommendation.

## FISCAL IMPACT:

Nominal. The City's Public Works Department would be responsible for the installation and maintenance of the signage.

## STAFF RECOMMENDATION:

It is common for the Police Department to receive complaints about speeding throughout the city. The city has previously considered and approved erecting stop signs at other areas where speeding was being a problem. While I cannot say how effective erecting stop signs in the past to reduce speeding, I can say that the complaints from citizens where stop signs have been erected to curb speeding have reduced. It is my opinion that whenever we can get drivers to slow down or stop at a traffic direction sign that overall speed will be reduced and therefore the community is made safer. I recommend that all way stops be placed at the intersection of Pepperstone Drive at Greenview Drive as well as Pepperstone Drive at Covington Loop.



## SUGGESTED MOTION(S)

I move to amend Section 12 of the City of Graham Traffic Schedule to add Pepperstone Drive at Greenview Drive and Pepperstone Drive at Covington Loop to the Schedule of Stop Intersections.



## STAFF REPORT

SUBJECT:	REDUCE SPEED LIMIT WITHIN THE VILLAS AT HANFORD
PREPARED BY:	JEFF PRICHARD, CHIEF OF POLICE

### REQUESTED ACTION:

Reduce the speed limit within the Villas at Hanford neighborhood from 35 mph to 20 mph.

### BACKGROUND/SUMMARY:

The Villas at Hanford Homeowner's Association submitted a letter to the City requesting that the speed limit for the neighborhood be reduced to 20 mph due to safety concerns. The speed limit in the City is 35 mph unless otherwise posted.

At the March 2020 meeting the City Council directed the Graham Police Department to research the complaint for merit and make a recommendation.



### FISCAL IMPACT:

Nominal. The City's Public Works Department would be responsible for the installation and maintenance of the signage.

### STAFF RECOMMENDATION:

It is common for the Police Department to receive complaints about speeding throughout the city. The city has previously considered and approved reduced speed limit signs in other areas where speeding was being a problem. While I cannot say how effective erecting lower speed limit signs will be, I can say that the complaints from citizens where lowered speed limits have been posted speeding complaints have been reduced. It is my opinion that whenever we can get drivers to slow down the community is made safer. I recommend that the City replace the current 35 mph signs with 20 mph signs in The Villas community.

### SUGGESTED MOTION(S):

I move to accept the recommendation by the Police Chief that the City reduce the speed limit in The Villas at Hanford community from 35 mph to 20 mph.

## STAFF REPORT

SUBJECT:	RESOLUTION AUTHORIZING APPLICATION FOR STATE GRANTS AND/OR LOANS FOR GRAHAM WWTP IMPROVEMENTS PROJECT
PREPARED BY:	FRANKIE MANESS, CITY MANAGER

### REQUESTED ACTION:

Approve Resolution authorizing application for State grant/loan assistance for the WWTP improvements and expansion.

### BACKGROUND/SUMMARY:

Pursuant to our nutrient capacity study completed in 2019, it was concluded that a substantial upgrade to our WWTP is required in order to meet current permit requirements for nutrient removal. The proposed project will also expand our permitted capacity from 3.5mgd to 5.0mgd, allowing for a 2.5% growth rate until 2040.

A funding opportunity through the Clean Water State Revolving Fund presents the most favorable financing opportunity for the City. The City was successful in obtaining both a grant and loan through this program for the Boyd Creek Pump Station project.

### FISCAL IMPACT:

Mere application for funding has a negligible fiscal impact. The project itself is estimated at nearly \$31,000,000 and will likely represent the largest capital expenditure in the history of the City.

### STAFF RECOMMENDATION:

Approval. Staff has prepared and submitted a partially complete application prior to the April 30<sup>th</sup> deadline. Due to the COVID-19 pandemic, additional time is allowed for submittal of resolutions.

### SUGGESTED MOTION(S):

I move we approve the Resolution Authorizing Application for Grant and Loan Assistance from The State of North Carolina for Construction of Wastewater Treatment Plant Improvements and Expansion.

**RESOLUTION AUTHORIZING APPLICATION FOR GRANT AND LOAN ASSISTANCE FROM THE STATE OF NORTH CAROLINA FOR CONSTRUCTION OF WASTEWATER TREATMENT PLANT IMPROVEMENTS AND EXPANSION**

**WHEREAS**, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works; and

**WHEREAS**, The City of Graham has need for and intends to construct a wastewater treatment works project described as the Graham Wastewater Treatment Plant Improvements and Expansion Project; and

**WHEREAS**, The City of Graham intends to request state grant assistance for the project through the NC Department of Environmental Quality, Division of Water Infrastructure's Clean Water State Revolving Fund (CWSRF),

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

That City of Graham will arrange financing for all remaining costs of the project, if approved for a State grant or loan award.

That the City of Graham will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the City of Graham agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Graham to make scheduled repayment of the loan, to withhold from the City of Graham any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the City of Graham will provide for efficient operation and maintenance of the project on completion of construction thereof.

That City Manager Frankie Maness, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the City of Graham with the State of North Carolina for a grant and/or loan to aid in the construction of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; 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 Federal and State grants and loans pertaining thereto.

Adopted this the 12<sup>th</sup> day of May, 2020, at Graham, North Carolina.

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Jerry Peterman, Mayor

ATTEST:

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**CERTIFICATION BY RECORDING OFFICER**

The undersigned duly qualified and acting City Clerk of the City of Graham does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council duly held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

---

Darcy Sperry, City Clerk



# STAFF REPORT

SUBJECT:	ANNEXATION OF TWO LOTS ON WOODY DRIVE
PREPARED BY:	FRANKIE MANESS, CITY MANAGER & NATHAN PAGE, PLANNING DIRECTOR

## REQUESTED ACTION:

Approve the Resolution Fixing Date of June 9, 2020, for a Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for a 13.818 acre area on Woody Drive.

## BACKGROUND/SUMMARY:

The subject resolution was previously approved on March 11, 2020, but due to the cancelation of the April meeting, a public hearing did not take place as set forth in the previous resolution. The area being considered for annexation is contiguous along Woody Drive and Whittemore Road. Water and Sewer are both available at this location, with the applicant to extend private lines internal to the development.

Approval of this resolutions does not finalize the annexation as Council is required to advertise and conduct a public hearing, followed by a vote on an annexation ordinance.



## FISCAL IMPACT:

Based on existing rates and service levels, it is estimated that the proposed project, upon build out, will result in \$71,000 in revenues over expenditures annually in the General Fund.

## STAFF RECOMMENDATION:

Approval.

## SUGGESTED MOTION(S):

I move we approve the Resolution Fixing Date of June 9, 2020, for a Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for a 13.818 acre area on Woody Drive.

**RESOLUTION FIXING DATE OF JUNE 9, 2020 FOR A PUBLIC HEARING ON QUESTION OF ANNEXATION  
PURSUANT TO G.S. 160A-31 FOR A 13.818 ACRE AREA OFF WOODY DRIVE (AN2001)**

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

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

**WHEREAS**, a resolution fixing the date of a public hearing for April 14, 2020, was approved on March 11, 2020; and

**WHEREAS**, the meeting on April 14, 2020, was canceled in response to the COVID-19 pandemic; and

**WHEREAS**, the City Council of the City of Graham deems it advisable to proceed in response to this request for annexation by rescheduling the public hearing.

**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 or by teleconference at 6:00 pm on June 9, 2020.

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

ALL of that certain piece, parcel or tract of land lying and being in the City of Graham, Graham Township, Alamance County, North Carolina, and being more particularly described as follows:

*BEGINNING at an existing iron pipe on the western right of way of Whittemore Road, said iron pipe also being the northeastern property corner of T Group Land & Development, Inc. described in Deed Book 670, Page 711 in the Alamance County Register of Deeds; thence running from the right of way of Whittemore Road and running with the northern property of T Group Land & Development, Inc.; N 47°58'27" W, 370.49 feet to a new iron rod; thence following the corporate limits line described in Deed Book 696, Page 340 in the registry the next two calls, 1) N 42°37'42" E, 360.00 feet to a new iron rod, thence 2) N 47°18'34" W, 233.89 feet to a non-monumented point on the western right of way of Woody Drive; thence following the right of way on a curve to the right having a radius of 779.83 feet with a chord bearing and distance of N 36°19'07" E, 271.39 feet to a non-monumented point, thence continuing with the right of way N 22°12'19" E, 121.05 feet to a non-monumented point; thence S 81°42'09" E, 65.76 to an existing iron rod on the eastern right of way of Woody Drive, said iron rod also being the southwestern property corner of Richard and Jeanne Neal described in Deed Book 2047, Page 638 of the Registry; thence running from the right of way of Woody Drive, S 81°42'09" E, 219.82 to an existing iron pipe, also being the southeastern property corner of Richard and Jeanne Neal described in Deed Book 2047, Page 638 of the Registry and also being the southwestern property corner of Earl Smith described in Deed Book 246, Page 107 in the Registry, thence S 81°46'51" E, 310.90 to an existing iron pipe on the western right of way of Whittemore Road; thence S 84°47'46" E, 60.00 feet to a non-monumented point on the eastern right of way of Whittemore Road; thence running with the right of way for the next six calls, 1) S 05°12'13" W, 35.16 feet to a non-monumented point; thence 2) on a curve to left having a radius of 247.06 feet with a chord bearing and distance of S 05°42'21" E, 93.52 feet to a non-monumented point; thence 3) S 17°26'48" E, 106.48 feet to a non-monumented point; thence 4) S 14°04'27" E, 90.17 feet to a non-monumented point; thence 5) S 46°06'23" W, 17.58 feet to a non-monumented point; thence 6) S 46°31'20" W, 896.08 feet to a non-monumented point; thence N 55°21'14" W, 61.11 feet to the point and place of BEGINNING containing 13.818 acres more or less.*

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.

Adopted this the 12<sup>th</sup> day of May, 2020.

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Gerald R. Peterman, Mayor

ATTEST:

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Darcy L. Sperry, City Clerk

P.O. Drawer 357  
 201 South Main Street  
 Graham, NC 27253  
 (336) 570-6705  
 Fax (336) 570-6703  
 www.cityofgraham.com



# Petition for ANNEXATION

To the City Council of the City of Graham, NC:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed into the City of Graham.

If applicable as "income-based": We believe that this petition meets the requirements of G.S. 160A-31(b1).

If applicable as "distressed": We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is  contiguous  non-contiguous to the City of Graham and the boundaries of such territory are as follows:

*General description of area to be annexed*

Property located at 919 and 957 Woody Drive in Graham (PIN(s) 8884821071; 8884825405)

Attach the following:

Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

Metes and Bounds Description – 1 paper and 1 digital copy

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate yes below and attach proof.)

Name	Address	Vested rights?	Signature
Graham Exchange, LLC	305 Blandwood Ave.	Yes	
H. Frank Auman, III	Greensboro, NC 27401		
Manager			

attach additional sheets if necessary...

# City of Graham

P.O. Drawer 357  
201 South Main Street  
Graham, North Carolina 27253  
(336) 570-6700 Fax (336) 570-6703  
www.cityofgraham.com

March 8, 2019

Brian Wise  
305 Blandwood Ave  
Greensboro, NC 27401

RE: Approval of application, with conditions, for 919 and 957 Woody Drive (CR 1803)

Dear Mr. Wise,

The Graham City Council, at its meeting on March 5, 2019, approved with conditions your request to rezone property located at 919 and 957 Woody Drive from Low Density Residential (R-18) to Conditional Residential (CR). The site is identified by GeoPIN 8884821071 and 8884825405 and tax identification numbers 147616 and 147620. The Council approved up to 28 townhomes, up to 264 multi-family units, as well as between 3,000 and 5,000 square feet of commercial space.

The following conditions are applied:

- Façade of all structures shall include brick and hardiplank or similar composite produce, with appearances similar to submitted photographs
- Amenity Center with a pool shall be provided
- A final site plan must be approved by the TRC prior to the issuance of any multi-family building permits
- A TRC approved sidewalk connection to Highway 54 be installed or bonded to be completed after NCDOT enlargement of the culvert on Woody Drive
- The landscaping shown on the concept plan by Deborah Brown on February 12, 2019 be adhered to.
- The structures and layout as shown on the sketch plan by CPT Engineering with revisions through March 4<sup>th</sup>, 2019 be adhered to.
- A 6 foot high privacy fence towards Noah Road on the North of the property replace the current proposed fence.

If you have any questions, please contact Nathan Page, Planning Director, at 336-570-6705 or [npage@cityofgraham.com](mailto:npage@cityofgraham.com).

Sincerely,



Nathan Page, MCRP  
Planning Director  
City of Graham

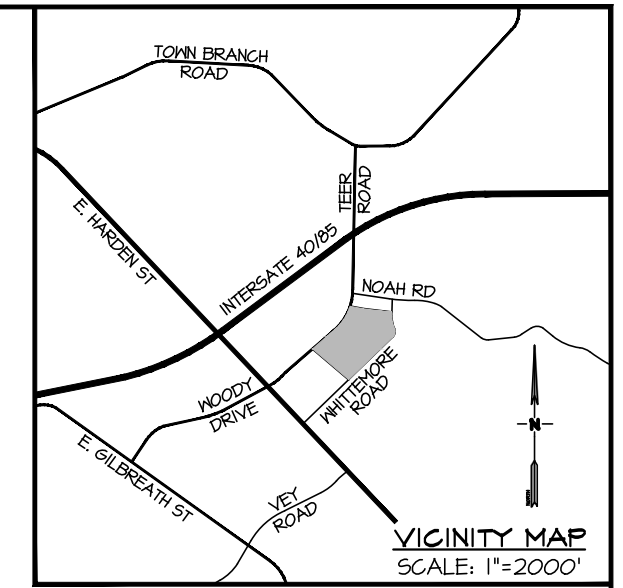
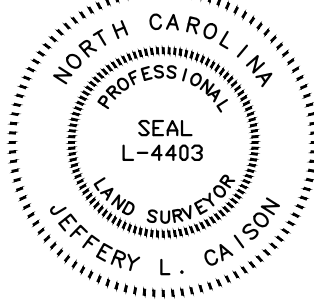
Certificate of Accuracy.

I, Jeffery L. Caison, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book AS, page SHOWN, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, page SHOWN; that the ratio of precision or positional accuracy as calculated is 1:10,000; that this plat was prepared in accordance with NCGS 47-30 as amended. Witness my original signature, license number and seal this day of \_\_\_\_\_, A.D., 2020.

d. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption or exception to the definition of subdivision.

The provisions of this section shall not apply to boundary plats of state lines, county lines, areas annexed by Municipalities, nor to plats of municipal boundaries, whether or not required by law to be recorded.

Jeffery L. Caison
Surveyor
L-4403
License Number



REVIEW OFFICER CERTIFICATION

STATE OF NORTH CAROLINA, COUNTY OF ALAMANCE
I, REVIEW OFFICER OF ALAMANCE COUNTY, CERTIFY THAT THE MAP OF THE PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER DATE

SITE INFORMATION:

- 1. SITE ADDRESS: 919 & 957 WOODY DR
2. OWNER: ELEVATE HAW RIVER, LLC aka (GRAHAM EXCHANGE, LLC)
3. PARCEL: 147616 & 147620
4. PIN: 8884821071 & 8884825405
5. DEED REFERENCE: DB 3909 PG 749
6. PLAT REFERENCE: PB 40 PG 150 - LOT 2
7. CURRENT ZONING: CR (CONDITIONAL RESIDENTIAL)
8. TOTAL SITE AREA: 13.818 AC±
9. THIS SITE IS NOT LOCATED IN A FLOOD RISK AREA PER FIRM PANEL 3710888400K EFFECTIVE DATE NOV. 17, 2017.

NOTE:

- 1. NO GEODETIC HORIZONTAL CONTROL MONUMENT FOUND WITHIN 2000' OF SUBJECT PROPERTY.
2. IRON RODS AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
3. ANNEXATION LINE MAY OR NOT BE COINCIDENT WITH PROPERTY LINES OF RECORD.
4. AREA BY COORDINATE GEOMETRY.

ZONING ENFORCEMENT OFFICER CERTIFICATION

NO APPROVAL REQUIRED BY THE CITY OF GRAHAM DEVELOPMENTAL ORDINANCE.

ZONING ENFORCEMENT OFFICER PLANNER DATE

TOTAL ANNEXATION AREA:
13.818 AC. / 601,900 S.F.
0.021590625 SQUARE MILES

Curve Table with columns: Curve #, ARC. DIST., RADIUS, DELTA, CH. BEARING, CH. DIST. Rows include C1 and C2 with specific measurements.

GRAPHIC SCALE



( IN FEET )
1 inch = 100 ft.

- LEGEND:
EXISTING IRON PIPE
NEW IRON ROD
NON-MONUMENTED POINT
D.B. DEED BOOK
E.I.R. EXISTING IRON ROD
I.R.S. IRON ROD SET
N.I.P. NEW IRON PIN
E.I.P. EXISTING IRON PIN
E.I.P. EXISTING IRON PIPE (ONLINE)
R/W RIGHT-OF-WAY
C CENTERLINE
T.C.A. TREE CONSERVATION AREA
MON. MONUMENT
CONC. CONCRETE
POB POINT OF BEGINNING

Statement That No Approval Is Required by NCDOT Division of Highways

This plat does not require certificate of approval by the N.C. Division of Highways as provided in G.S. 136-102.6, Subsection (g).

FINAL PLAT
CONTIGUOUS VOLUNTARY ANNEXATION
OF
919 & 957 WOODY DRIVE

SHEET 1 of 1
GRAHAM TOWNSHIP ~ ALAMANCE COUNTY
GRAHAM ~ NORTH CAROLINA

CPT ENGINEERING AND SURVEYING, INC.
LAND DEVELOPMENT CONSULTING
CORPORATE LICENSE NUMBER C-1375
4400 TYNING STREET

HIGH POINT, NORTH CAROLINA 27265
PHONE: (336) 812-8800 ~ FAX: (336) 812-8780
PROJECT: 1581-18 DRAWN BY: JES
DATE: JANUARY 3, 2020 SCALE: 1" = 100'



**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE**  
**A PETITION RECEIVED UNDER G.S. 160A-31**  
**FOR A 13.818 ACRE AREA OFF WOODY DRIVE (AN2001)**

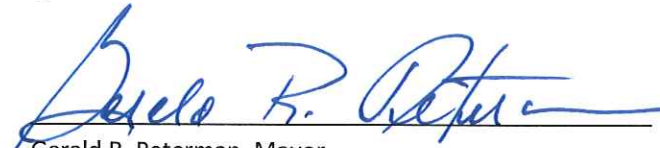
**WHEREAS**, a petition requesting annexation of an area described in said petition was received on March 3, 2020, by the Graham City Council; and

**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

# STAFF REPORT

<b>SUBJECT:</b>	ENCROACHMENT LICENSE AGREEMENT REQUEST BY COURT SQUARE DEVELOPMENT GROUP, LLC
<b>PREPARED BY:</b>	AARON HOLLAND, ASSISTANT CITY MANAGER

## REQUESTED ACTION:

Authorize the City manager and City Attorney to enter into an encroachment license agreement with Court Square Development Group, LLC for a proposed grease trap at 21 SE Court Square.

## BACKGROUND/SUMMARY:

Chuck Talley (Court Square Development Group, LLC) has submitted a written request and supporting photos for a proposed grease trap to be installed adjacent to the sidewalk at 21 SE Court Square. The intent of the grease trap is to serve a future restaurant at the location. An encroachment license agreement approved by City Council is required pursuant to [Sec. 18-2\(c\)](#) of the City's Code of Ordinances.

City staff has met and concurs with the proposed location of the grease trap. Historic Resources Commission approval is not required for this installation.



## FISCAL IMPACT:

There is a nominal expense to the City for costs associated with processing and monitoring of the license.

## STAFF RECOMMENDATION:

Staff recommends approval. The proposed project has received all necessary reviews and approvals, and there appears to be no conflict with other uses within the Right of Way.

## SUGGESTED MOTION(S):

I move to authorize the City Manager and City Attorney to enter into an encroachment license agreement with Court Square Development Group, LLC for a proposed grease trap at 21 SE Court Square as identified by the submitted photos with the following condition(s):

- Provide proof and maintenance of \$1,000,000 in liability insurance with the City as additional insured.
- Provide a final survey to confirm approved use of public space.
- Improvements under the Encroachment License must be made prior to the expiration of the building permit.



336-229-4225

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## ENCROACHMENT REQUEST FOR GREASE TRAP INSTALLATION

21 SE Court Square, Graham

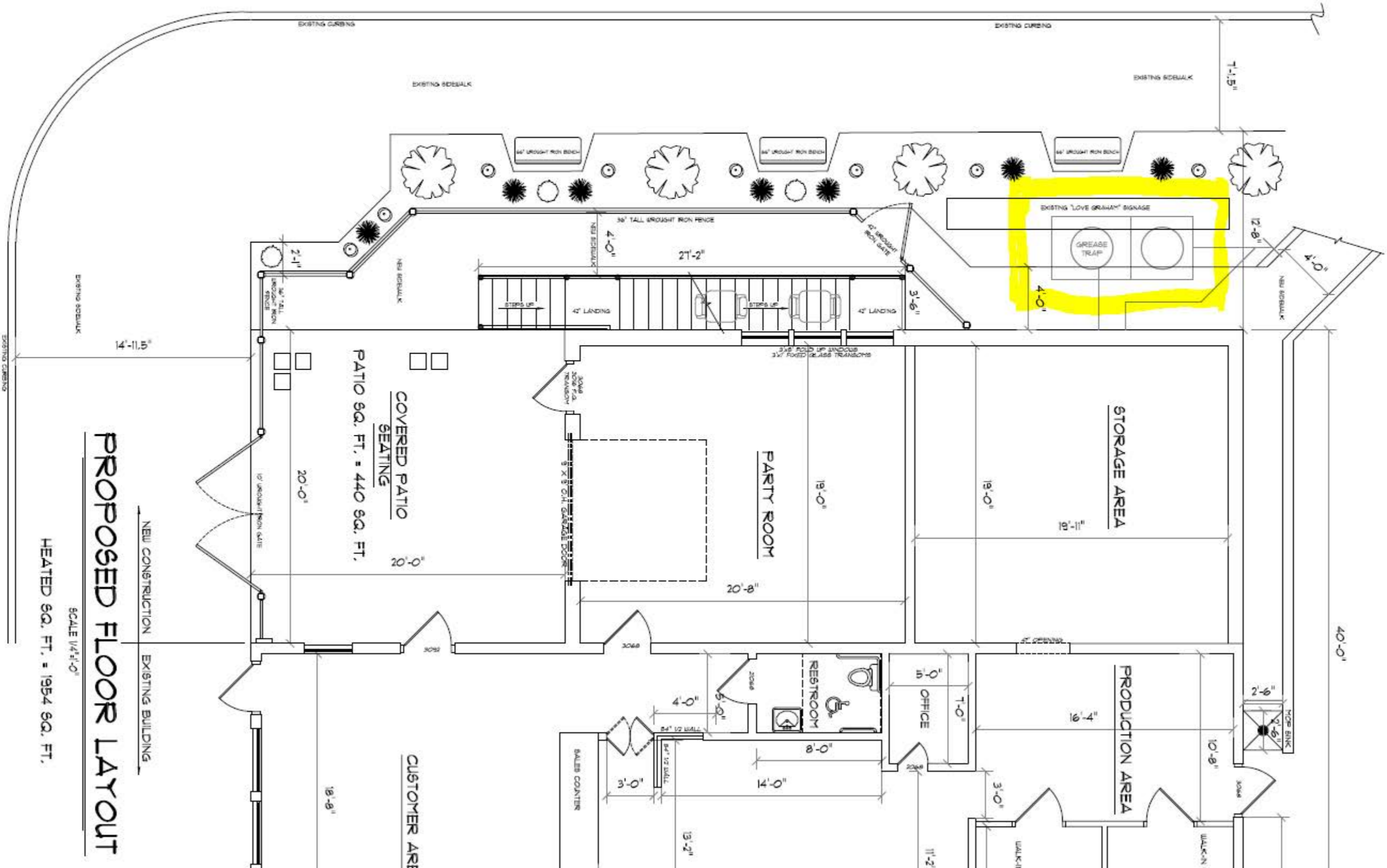
In order to prepare the above property for future use as a restaurant, a grease trap must be installed for this property.

After utility locating and an on-site review with City Water and Sewer staff members. It was determined that the best location for such to be installed is in the natural area behind the sidewalk on E Elm St.

Any installation will meet any building code & City ordinance requirements, is subject to inspection by applicable City Staff.







# PROPOSED FLOOR LAYOUT

NEW CONSTRUCTION      EXISTING BUILDING

HEATED SQ. FT. = 1954 SQ. FT.

SCALE 1/4"=1'-0"

Grease Trap to be installed in natural area and landscaping will be installed around it so that it is not noticeable.



Manufacturer for grease trap is High Point Precast Products

