

**CITY OF GRAHAM
VIRTUAL SESSION
TUESDAY, May 12, 2020
6:00 P.M.**

The City Council of the City of Graham met in virtual session at 6:00 p.m. on Tuesday, March 10, 2020, via livestreaming media.

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

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

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*

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| <p style="text-align:center">RESOLUTION AUTHORIZING APPLICATION FOR GRANT AND LOAN ASSISTANCE FROM THE STATE OF NORTH CAROLINA FOR CONSTRUCTION OF WASTEWATER TREATMENT PLANT IMPROVEMENTS AND EXPANSION</p> <p>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</p> <p>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</p> <p>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),</p> <p>NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF GRAHAM:</p> <p>That City of Graham will arrange financing for all remaining costs of the project, if approved for a State grant or loan award.</p> <p>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.</p> <p>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.</p> <p>That the City of Graham will provide for efficient operation and maintenance of the project on completion of construction thereof.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Adopted this the 12th day of May, 2020, at Graham, North Carolina.</p> |
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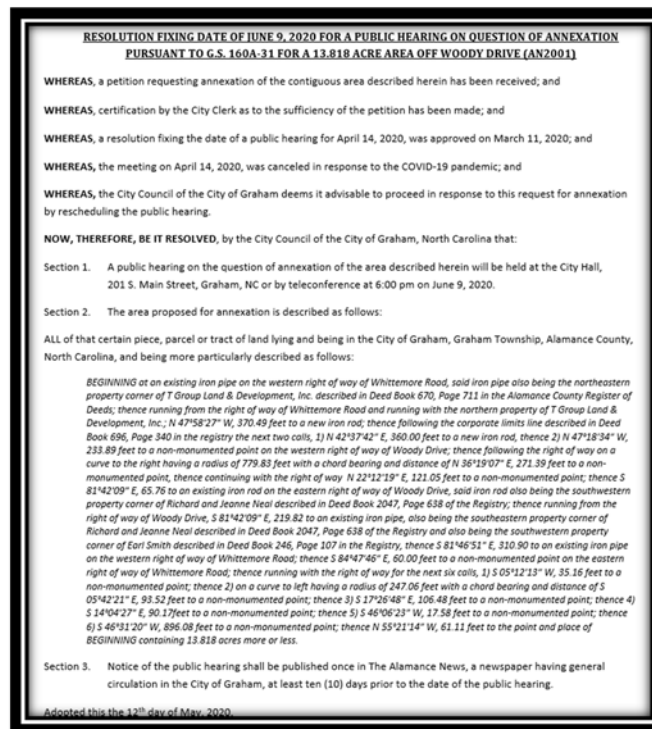
e. Petition for Voluntary Contiguous Annexation for 13.818 acres located at 919 and 957 Woody Drive (GPIN 8884821071 & 8884825405) (AN2001):

i. Approve Resolution Fixing Date of Public Hearing on Question of Annexation

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 “e”.

Council Member Ricky Hall made a motion to approve items “a”, “b”, “c”, and “d” on the Consent Agenda, seconded by Council Member Melody Wiggins. All voted in favor of the motion.

Concerning item “e”, Council Member Talley asked that adjoining property owners be sent notification letters. She expressed concern that COVID-19 may prevent some people from seeing posted signs. Mayor Peterman agreed and asked staff to send notification letters to the adjoining property owners. With no further discussion, Mayor Peterman made a motion to approve item “e” on the Consent Agenda, seconded by Council Member Hall.



Requests & Petitions from Citizens:

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

Assistant City Manager Aaron Holland explained that this is a request by Court Square Development Group, LLC 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. Mr. Holland advised that Council has approved similar requests in the past year.

Council Member Talley asked that she be recused, as her husband is the one asking for this request. Council Member Wiggins made a motion to recuse Council Member Talley, seconded by Mayor Pro Tem Chip Turner. All voted in favor of the motion.

With no discussion forthcoming about this request, Mayor Peterman made a motion 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.

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.

Council Member Talley returned to the meeting.

Issues Not on Tonight's Agenda (Public Comment Period):

Mayor Peterman advised that the City had received an email from Jeanne Neal of 967 Woody Drive Graham. Mayor Peterman read the email. Ms. Neal asked what the City was doing to support small, locally owned businesses during this COVID-19 crisis. Ms. Neal asked if a fund could be set up which would allow people to donate to their favorite restaurant or business to help them when they are able to reopen. Mayor Peterman advised that this might be something that Council Members and staff could discuss during the upcoming budget meetings.

Council Member Talley inquired about resources for personal protective equipment (PPE) and for legal aid for small business owners, citing the challenges small business owners are facing. Mr. Maness advised that the City is faced with the same challenges concerning PPE.

Mayor Peterman thanked the City staff for everything they are doing during these challenging times.

At 6:36 p.m., Council Member Hall made a motion to adjourn, seconded by Mayor Pro Tem Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk