

**CITY OF GRAHAM  
VIRTUAL SESSION  
TUESDAY, AUGUST 11, 2020  
6:00 P.M.**

The City Council of the City of Graham met in virtual session at 6:00 p.m. on Tuesday, August 11, 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  
Nathan Page, Planning Director  
Jeff Wilson, IT Systems Manager

Mayor Jerry Peterman called the meeting to order and presided at 6:16 p.m. Mayor Peterman gave the invocation and everyone stood to recite the Pledge of Allegiance. Due to technical difficulties, Council Members lost connection at various times throughout the proceedings.

**Consent Agenda:**

- a. Approve Minutes – July 10, 2020 Special Session*
- b. Approve Minutes – July 14, 2020 Special Session (Virtual)*
- c. Approve Tax Releases*

CITY OF GRAHAM RELEASE ACCOUNTS				
<b>AUGUST</b>				
<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
182237	2020	EXECUTIVE SECRETARIAL SVCS	MOVED TO BURLINGTON	10.46
353742	2020	HARPER, SAMULE MARTIN	ADJUSTED VALUE OF BOAT	46.00
619924	2020	BLACKWELL, DAMIAN AVERY	SOLD JET SKI IN 2019	3.91
661071	2020	SHORT, JOHNNY LEE REVOC TRUST	BPP BILLED TO WRONG ACCT NUMBER	\$153.61
686691	2020	LANE, DAWN PATTISHALL	ADJUSTED VALUE OF BOAT	\$61.65
689377	2020	HANKINS, JOHN VINCENTE	BILLED TO WRONG PROPERTY OWNER	\$696.79
(PROCESSED DISCOVERY TO CORRECT OWNER)				

- d. Approve Resolution to Adopt the Eno-Haw Regional Hazard Mitigation Plan*

**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" 2020 edition as approved by the North Carolina Division of Emergency Management.

Adopted this the Eleventh day of August, 2020

- e. *Approve Ordinance Rescinding Annexation Ordinance to Extend the Corporate Limits of City of Graham, North Carolina for 1455 East Harden Street (AN2003)*

ORDINANCE  
 RESCINDING  
 ANNEXATION ORDINANCE  
 TO EXTEND THE CORPORATE LIMITS  
 OF  
 CITY OF GRAHAM, NORTH CAROLINA  
 FOR 1455 EAST HARDEN STREET (AN2003)

WHEREAS, Kenneth Smith and Anita Smith, pursuant to G.S. 160A-31 petitioned the City of Graham to annex certain property at 1455 East Harden Street (AN2003); and

WHEREAS, a public hearing on the question of this annexation was held by teleconference at 6:00 P.M. on July 14, 2020; and

WHEREAS, the City Council upon conclusion of the public hearing adopted an Ordinance annexing 1455 East Harden Street as more particularly set forth in the Annexation Ordinance (AN2003) and recorded in the Alamance County Register of Deeds on July 29, 2020 in Book 04027, Start Page 0454 and End Page 0455 which is incorporated herein by reference; and

WHEREAS, The City Council directed by resolution on June 9, 2020, that the required public notice be published 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; and

WHEREAS, the City Council has determined that the required publication of the public notice failed to occur and has therefore determined that said Ordinance (AN2003) adopted on July 14, 2020 should be rescinded; and

WHEREAS, the City Council, at a meeting of this body upon notice duly convened on August 11, 2020 in accordance with the Open Meetings Law (G.S. Section 143-318.12(b)(2)), considered the matter of the rescission of said Annexation Ordinance (AN2003); and

NOW THEREFORE, the City Council does hereby RESCIND AND REPEAL the action of July 14, 2020 adopting Annexation Ordinance (AN2003); and said action adopting said Ordinance is otherwise of no effect.

The Mayor of the City of Graham shall direct city staff to take all actions required to give full force and effect to this action and shall cause to be recorded in the office of the Register of Deeds of Alamance County, this ORDINANCE RESCINDING ANNEXATION ORDINANCE TO EXTEND THE CORPORATE LIMITS OF CITY OF GRAHAM, NORTH CAROLINA FOR 1455 EAST HARDEN STREET (AN2003).

Adopted this, the 11<sup>th</sup> day of August, 2020.

- f. *Approve Professional Services Agreement with Hazen and Sawyer for engineering services for the improvements and expansion of the Graham Wastewater Treatment Plant*
- g. *Petition for Voluntary Non-Contiguous Annexation for 21.619 acres located on Sugar Ridge Road and Jimmie Kerr Road (GPIN 8884821071 & 8884825405) (AN2004):*
  - i. *Approve Resolution Requesting City Clerk to Investigate Sufficiency*
  - ii. *Approve Resolution Fixing Date of Public Hearing on Question of Annexation*

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE**  
**A PETITION RECEIVED UNDER G.S. 160A-58**  
**FOR FIVE PARCELS ON SUGAR RIDGE RD AND JIMMIE KERR ROAD (AN2004).**

**WHEREAS**, a petition requesting annexation of an area described in said petition was received on July 24, 2020, by the Graham City Council; and

**WHEREAS**, G.S. 160A-58 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 SEPTEMBER 8, 2020 FOR A PUBLIC HEARING ON QUESTION OF**  
**ANNEXATION PURSUANT TO G.S. 160A-58 FOR A 70 ACRE LOT ON SUGAR RIDGE AND JIMMIE KERR ROADS**  
**(AN2004)**

**WHEREAS**, a petition requesting annexation of the non-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

**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 September 8, 2020.

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

Beginning at an existing railroad spike, said railroad spike having state plane coordinates (NAD 83 / NSRS 2011) of

N = 839,139.30' & E = 1,895,662.65' and being at a T-intersection on the southern right of way of Cherry Lane (S.R. 2123) and the centerline of Sugar Road; thence making the following calls:

Along the southern right of way of Cherry Lane, North 83°08'34" East, 399.98 feet to a pinched top existing iron pipe;

Thence, on a curve with a radius of 2848.41' and an arc length of 255.15 feet and having a chord bearing of North 80°42'47" East, 255.06 feet to an existing iron pipe;

Thence, leaving the southern right of way of Cherry Lane, South 9°40'08" East, 1,683.80 feet to an existing iron pipe;

Thence, South 88°51'32" West, 556.97 feet to a pinched top existing iron pipe;

Thence, South 87°25'33" West, 26.34 feet to a computed point on approximately the centerline of a creek;

Thence, following the approximate centerline of a creek and making the following calls:

-South 28°45'03" East, 134.31 feet to a computed point; thence,

-South 7°28'21" West, 108.13 feet to a computed point; thence,

-South 39°55'58" East, 230.69 feet to a computed point; thence,

-South 17°55'36" East, 87.61 feet to a computed point; thence,

-South 33°07'57" East, 81.17 feet to a computed point; thence,

-South 8°30'56" East, 130.25 feet to a computed point; thence,

-South 23°48'25" East, 84.14 feet to a computed point; thence,

-South 32°25'15" West, 97.79 feet to a computed point; thence,

-South 38°48'45" West, 55.60 feet to a computed point; thence,

-South 24°25'41" West, 130.25 feet to a computed point; thence,

-South 74°16'13" West, 99.46 feet to a computed point; thence,

-South 58°36'41" West, 53.64 feet to a computed point; thence,

-South 32°09'29" West, 37.30 feet to a computed point; thence,

-South 59°50'22" West, 66.08 feet to a computed point; thence,

-South 44°20'27" West, 48.12 feet to a computed point; thence,

-North 84°17'38" West, 44.79 feet to a computed point; thence,  
 -South 49°36'31" West, 53.73 feet to a computed point; thence,  
 -South 24°25'41" West, 130.25 feet to a computed point; thence,

Thence, leaving the approximate centerline of creek, North 32°40'57" West, 251.96 feet to an existing iron pipe;

Thence, South 60°08'43" West, 761.62 feet to an existing iron pipe;

Thence, North 8°47'07" West, 112.23 feet to an existing iron pipe;

Thence, South 67°56'49" West, 319.28 feet to a pike nail set in the centerline of Jimmie Kerr Road;

Thence, along the centerline of said road, North 23°06'44" West, 286.09 feet to a pike nail set;

Thence, North 15°52'35" West, 88.05 feet to a computed point;

Thence, leaving the centerline of Jimmie Kerr Road, North 64°18'53" East, 360.00 feet to a computed point;

Thence, North 25°39'26" West, 17.28 feet to an existing iron pipe;

Thence, North 70°52'15" East, 375.92 feet to an existing iron pipe;

Thence, North 70°52'15" East, 414.08 feet to an existing iron pipe;

Thence, North 46°02'32" East, 251.21 feet to an existing iron pipe;

Thence, North 18°44'26" East, 485.42 feet to the base of an existing iron pipe;

Thence, South 82°24'49" West, 828.00 feet to a computed point;

Thence, North 25°18'19" East, 585.00 feet to a point;

Thence North 50°03'19" East, 185.00 feet to a point;

Thence North 65°06'41" East, 75.02 feet to a point;

Thence North 65°02'24" East, 34.98 feet to a point;

Thence North 28°20'19" East, 42.56 feet to a point;

Thence North 28°20'19" East, 64.67 feet to a point;

Thence North 28°20'19" East, 42.77 feet to a point;

Thence North 6°14'19" East, 29.06 feet to a point;

Thence North 6°14'19" East, 63.05 feet to a point;

Thence North 6°14'19" East, 109.21 feet to a point;

Thence North 6°14'19" East, 68.67 feet to a point;

Thence North 41°55'41" West, 41.32 feet to a point;

Thence North 41°55'41" West, 95.01 feet to a point;

Thence North 36°34'07" West, 154.86 feet to a point;

Thence North 35°02'59" West, 260.00 feet to a point;

Thence North 25°18'59" West, 144.29 feet to a point;

Thence North 83°12'25" East, 49.96 feet to a point;

Thence North 83°11'08" East, 498.33 feet to the point and place of beginning containing 69.678 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 11<sup>th</sup> day of August, 2020.

**CERTIFICATE OF SUFFICIENCY**  
**FOR 70 ACRE AREA ON SUGAR RIDGE ROAD AND JIMMIE KERR ROAD (AN2004)**

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 an appointed representative of real property lying in the area described therein, in accordance with G.S. 160A-58.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Graham, this the 5<sup>th</sup> day of August, 2020.

*h. Petition for Voluntary Contiguous Annexation for 6.37 acres located at 1455 East Harden Street (GPIN 8893072659) (AN2003):*

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

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE**  
**A PETITION RECEIVED UNDER G.S. 160A-31**  
**FOR PROPERTY AT 1455 E HARDEN STREET**

WHEREAS, a petition requesting annexation of an area described in said petition was received on June 2, 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 SEPTEMBER 8, 2020 FOR A PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31 FOR A 6.37 ACRE LOT AT 1455 E HARDEN STREET (AN2003)**

**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

**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 September 8, 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:

*A certain tract or parcel of land situated in Graham Township, Alamance County, North Carolina, adjoining the lands of NC Highway 54 (E. Harden Street), City of Graham and Michael P Hodges and wife Brenda B. Hodges and being more particularly described as follows:*

*Beginning at an existing iron pin in the southern margin of the 120 feet right of way of NC Highway 54 (E. Harden Street) and in the western line of the City of Graham; running thence along and continuous with the existing corporate limits line of the City of Graham S 5° 49' 00" W 178.23 feet to an existing iron pin, corner with the City of Graham; running again along and continuous with the northern corporate limits line of the City of Graham, N 88° 27' 00" W 551.88 feet to an existing iron corner pin in the property line of the City of Graham, continuing with the City of Graham N 87° 42' 00" W 401.42 feet to an existing iron pin in the property line of the City of Graham, continuing with the City of Graham N 87° 42' 00" W 223.70 feet to an existing iron pin in the property line of the City of Graham, continuing with the City of Graham and the eastern boundary of Michael P Hodges and wife Brenda B Hodges, N 67° 30' 31" E 827.12 feet to an existing iron pin, continuing again with Hodges, N 83° 53' 02" E 35.15 feet to an existing iron pin, corner of Hodges, continuing again with Hodges N 60° 22' 57" E 170.18 feet to an existing iron pin corner with Hodges in the southern margin of the 120 feet right of way of NC Highway 54(E. Harden Street); thence along the southern margin of the 120 feet right of way of NC Highway 54(E. Harden Street) S 42° 41' 58" E 12.00 feet to an existing iron pin; running thence again with the southern margin of the 120 foot right of way of NC Highway 54(E. Harden Street), S 42° 48' 33" E 351.87 feet to the point of beginning and containing 6.37 acres ± (0.0099 square miles) and being an extension of the City of Graham Corporate Limits.*

*The foregoing description was taken from a map prepared by Boswell Surveyors, Inc. dated 5/21/2020 entitled Final Plat, Voluntary Satellite Annexation Corporate Limits Extension City of Graham.*

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 11<sup>th</sup> day of August, 2020.**

**CERTIFICATE OF SUFFICIENCY**  
**FOR A 6.37 ACRE LOT AT 1455 EAST HARDEN STREET GPIN# 8893072659 (AN2003)**

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 an appointed representative 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 5<sup>th</sup> day of August, 2020.

- i. Petition for Voluntary Non-Contiguous Annexation for 77 acres located on Jim Minor Road (GPIN 8893856817 & 8893762882) (AN2002):*
  - i. Approve Resolution Requesting City Clerk to Investigate Sufficiency*
  - ii. Approve Resolution Fixing Date of Public Hearing on Question of Annexation*

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE**  
**A PETITION RECEIVED UNDER G.S. 160A-58**  
**FOR TWO PARCELS ON JIM MINOR ROAD.**

**WHEREAS**, a petition requesting annexation of an area described in said petition was received on June 2, 2020, by the Graham City Council; and

**WHEREAS**, G.S. 160A-58 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 SEPTEMBER 8, 2020 FOR A PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58 FOR A 77 ACRE LOT OFF JIM MINOR ROAD (AN2002)**

**WHEREAS**, a petition requesting annexation of the non-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

**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 September 8, 2020.**

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

A CERTAIN TRACT OF LAND SITUATED IN MELVILLE TOWNSHIP, ALAMANCE COUNTY, NORTH CAROLINA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 3/4 INCH IRON PIPE ON THE NORTHERN MARGIN OF THE MAINTENANCE RIGHT OF WAY FOR N. JIM MINOR ROAD (SR #2135) AND BEING A SOUTHEAST CORNER OF HEREIN DESCRIBED, SAID EXISTING 3/4 INCH IRON PIPE ALSO BEING A SOUTHWESTERLY CORNER OF CHRISTOPHER A. MITSCHERLICH AS DESCRIBED RECORDED IN DEED BOOK 3937 PAGE 0089, THENCE WITH THE WESTERN LINE OF SAID CHRISTOPHER A. MITSCHERLICH AS DESCRIBED RECORDED IN DEED BOOK 3937 PAGE 0089 SOUTH 03 DEG. 26 MIN. 27 SEC. WEST DISTANCE BEING 31.28 FEET TO A POINT IN THE CENTERLINE OF NORTH JIM MINOR ROAD (STATE ROAD#2135) AND THE NORTHERN LINE OF FORMERLY RALPH SCOTT PROPERTY AS SHOWN RECORDED ON PLAR BOOK 15 PAGE 68 NORTH 86 DEG. 27 MIN. 08 SEC. WEST DISTANCE BEING 175.06 FEET TO A POINT IN THE CENTER OF SAID NORTH JIM MINOR ROAD, THENCE WITH AN EASTERN LINE OF GREGORY N BARKMAN AND MARTHA BARKMAN AS DESCRIBED IN DEED BOOK 801 PAGE 646 NORTH 03 DEG. 27 MIN. 57 SEC. EAST DISTANCE BEING 30.89 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH THE SAME NORTH 03 DEG. 27 MIN. 57 SEC. EAST DISTANCE BEING 402.15 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH A NORTHERN LINE OF THE SAME NORTH 86 DEG. 32 MIN. 57 SEC. WEST DISTANCE BEING 325.22 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH A WESTERN LINE OF THE SAME SOUTH 03 DEG. 25 MIN. 57 SEC. WEST DISTANCE BEING 402.23 TO EXISTING 1/2 INCH IRON PIPE, ON THE AFORESAID NORTHERN MARGIN OF THE MAINTENANCE RIGHT OF WAY FOR N. JIM MINOR ROAD, THENCE WITH A WESTERN LINE OF THE SAME SOUTH 03 DEG. 25 MIN. 57 SEC. WEST DISTANCE BEING 30.25 FEET TO A POINT IN THE CENTERLINE OF NORTH JIM MINOR ROAD (STATE ROAD#2135) AND THE NORTHERN LINE OF FORMERLY RALPH SCOTT PROPERTY AS SHOWN RECORDED ON PLAR BOOK 15 PAGE 68, THENCE WITH THE NORTHERN LINE OF SAID PROPERTY FORMERLY OWNED BY RALPH SCOTT AS SHOWN RECORDED IN PLAT BOOK 15 PAGE 68 NORTH 86 DEG. 27 MIN. 08 SEC. WEST DISTANCE BEING 116.81 FEET TO A POINT IN THE CENTER OF SAID NORTH JIM MINOR ROAD, THENCE WITH THE SAME NORTH 84 DEG. 03 MIN. 37 SEC. WEST DISTANCE BEING 203.60 FEET TO A COMPUTED POINT, THENCE WITH THE SAME NORTH 82 DEG.

26 MIN. 18 SEC. WEST DISTANCE BEING 86.92 FEET TO A NAIL IN THE SOUTHERN EDGE OF PAVEMENT ON NORTH JIM MINOR ROAD, THENCE WITH A WESTERN LINE OF HEREIN DESCRIBED ALSO BEING THE WEST LINE OF MICHAEL AND CAROLYN WHITE AS DESCRIBED IN DEED BOOK 1035 PAGE 627 AND BEING THE EASTERN LINE OF ALAMANCE ACRES SUBDIVISION AS SHOWN RECORDED ON PLAT BOOK 74 PAGE 354 NORTH 13 DEG. 24 MIN. 20 SEC. EAST DISTANCE BEING 39.09 FEET TO AN EXISTING 1/2 INCH IRON PIPE ON THE NORTHERN 30 FOOT RIGHT OF WAY FOR AFORESAID NORTH JIM MINOR ROAD AS SHOWN RECORDED ON PLAT BOOK 74 PAGE 354, THENCE WITH THE SAME NORTH 13 DEG. 24 MIN. 20 SEC. EAST DISTANCE BEING 282.61 FEET TO AN EXISTING 1/2 INCH IRON PIPE BEING THE SOUTHEAST CORNER OF LOT 2 OF THE AFORESAID ALAMANCE ACRES SUBDIVISION, THENCE WITH THE SAME NORTH 13 DEG. 16 MIN. 35 SEC. EAST DISTANCE BEING 263.92 FEET TO AND EXISTING 1/2 INCH IRON PIPE BEING THE SOUTHEASTERN CORNER OF LOT 3 OF THE SAID ALAMANCE ACRES SUBDIVISION, THENCE WITH THE SAME NORTH 13 DEG. 18 MIN. 58 SEC. EAST DISTANCE BEING 309.15 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH THE NORTH LINE OF SAID MICHAEL AND CAROLYN WHITE AS DESCRIBED IN DEED BOOK 1035 PAGE 627 AND BEING THE SOUTHERN LINE OF LOT 4 OF THE SAID ALAMANCE ACRES SUBDIVISION SOUTH 87 DEG. 07 MIN. 14 SEC. EAST DISTANCE BEING 10.05 FEET TO AN EXISTING 1/2 INCH IRON PIPE BEING THE SOUTHWEST CORNER OF SCOTT

ASSOCIATES AS DESCRIBED IN DEED BOOK 1044 PAGE 467, THENCE WITH THE EASTERN LINE SAID ALAMANCE ACRES SUBDIVISION AND A WESTERN LINE OF SCOTT ASSOCIATES AS DESCRIBED IN DEED BOOK 1044 PAGE 467 NORTH 13 DEG. 23 MIN. 39 SEC. EAST DISTANCE BEING 41.08 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH THE SAME BEING A CURVE TO THE LEFT A CHORD BEARING OF NORTH 24 DEG. 19 MIN. 53 SEC. WEST CHORD DISTANCE BEING 952.95 FEET ARC-LENGTH BEING 1,025.30 FEET AND HAVING A RADIUS OF 779.37 FEET TO A NEW IRON PIPE, THENCE WITH THE SAME NORTH 61 DEG. 59 MIN. 03 SEC. WEST DISTANCE BEING 70.09 FEET TO A NEW IRON PIPE, THENCE WITH THE SAME BEING A CURVE TO THE LEFT A CHORD BEARING OF SOUTH 76 DEG. 12 MIN. 07 SEC. WEST CHORD DISTANCE BEING 606.70 FEET ARC-LENGTH BEING 664.09 FEET AND HAVING A RADIUS OF 455.00 FEET TO A NEW IRON PIPE ON THE NORTHERN TERMINUS OF ATLAS DRIVE,

THENCE WITH THE EASTERN LINE OF LOT 11 OF THE SAID ALAMANCE ACRES NORTH 32 DEG. 21 MIN. 31 SEC. WEST DISTANCE BEING 743.90 FEET TO A PINCH TOP IRON PIPE IN THE SOUTHERN LINE OF JANET L. SCOTT AND OTHERS AS RECORDED IN DEED BOOK 323 PAGE 513 TRACT 1, SAID EXISTING PINCH TOP IRON PIPE ALSO HAVING 83 NORTH CAROLINA GRID COORDINATES OF N=835,570.3559 FEET AND E=1,896,696.1015 FEET, SAID PINCH TOP IRON ALSO BEING THE NORTHWESTERN MOST CORNER OF HEREIN DESCRIBED, THENCE WITH THE SOUTHERN LINE OF SAID JANET L. SCOTT AND OTHERS AS RECORDED IN DEED BOOK 323 PAGE 513 TRACT 1 AND AS SHOWN AS LOT 1 RECORDED IN PLAT BOOK 73 PAGE 135 NORTH 72 DEG. 59 MIN. 41 SEC. EAST DISTANCE BEING 1206.16 FEET TO AN EXISTING IRON PIPE ON THE TOP OF THE BANK FOR MILL CREEK, THENCE NORTH 72 DEG. 59 MIN. 41 SEC. EAST DISTANCE BEING 24.00 FEET TO THE CENTER OF SAID MILL CREEK, THENCE WITH THE CENTER OF MILL CREEK AND THE SOUTHERN LINE OF CARL A. WESTMAN AS DESCRIBED IN DEED BOOK 2976 PAGE 166 SOUTH THE FOLLOWING 27 CALLS:

1. SOUTH 33 DEG. 53 MIN. 04 SEC. EAST DISTANCE BEING 45.11 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
2. SOUTH 55 DEG. 57 MIN. 33 SEC. EAST DISTANCE BEING 24.07 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
3. NORTH 76 DEG. 48 MIN. 13 SEC. EAST DISTANCE BEING 130.48 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
4. NORTH 66 DEG. 17 MIN. 28 SEC. EAST DISTANCE BEING 53.20 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
5. NORTH 41 DEG. 59 MIN. 56 SEC. EAST DISTANCE BEING 38.01 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
6. NORTH 59 DEG. 48 MIN. 51 SEC. EAST DISTANCE BEING 44.91 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
7. NORTH 76 DEG. 32 MIN. 19 SEC. EAST DISTANCE BEING 35.56 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
8. SOUTH 70 DEG. 10 MIN. 34 SEC. EAST DISTANCE BEING 44.07 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK

9. NORTH 85 DEG. 16 MIN. 13 SEC. EAST DISTANCE BEING 37.48 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
10. NORTH 50 DEG. 51 MIN. 30 SEC. EAST DISTANCE BEING 47.84 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
11. SOUTH 72 DEG. 12 MIN. 13 SEC. EAST DISTANCE BEING 28.85 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
12. SOUTH 28 DEG. 12 MIN. 08 SEC. EAST DISTANCE BEING 26.02 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
13. SOUTH 64 DEG. 22 MIN. 58 SEC. EAST DISTANCE BEING 29.18 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
14. SOUTH 82 DEG. 58 MIN. 28 SEC. EAST DISTANCE BEING 77.81 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
15. SOUTH 54 DEG. 00 MIN. 59 SEC. EAST DISTANCE BEING 27.61 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
16. SOUTH 31 DEG. 08 MIN. 07 SEC. WEST DISTANCE BEING 36.79 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
17. SOUTH 17 DEG. 23 MIN. 16 SEC. WEST DISTANCE BEING 24.12 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
18. SOUTH 36 DEG. 34 MIN. 02 SEC. EAST DISTANCE BEING 29.60 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
19. NORTH 72 DEG. 03 MIN. 37 SEC. EAST DISTANCE BEING 35.84 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
20. SOUTH 81 DEG. 37 MIN. 23 SEC. EAST DISTANCE BEING 57.59 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
21. SOUTH 88 DEG. 43 MIN. 16 SEC. EAST DISTANCE BEING 14.97 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK
22. SOUTH 04 DEG. 53 MIN. 15 SEC. EAST DISTANCE BEING 54.10 FEET,  
THENCE WITH THE CENTER OF SAID MILL CREEK

23. SOUTH 33 DEG. 19 MIN. 54 SEC. EAST DISTANCE BEING 31.05 FEET,

THENCE WITH THE CENTER OF SAID MILL CREEK

24. SOUTH 80 DEG. 44 MIN. 54 SEC. EAST DISTANCE BEING 23.36 FEET,

THENCE WITH THE CENTER OF SAID MILL CREEK

25. SOUTH 42 DEG. 50 MIN. 06 SEC. EAST DISTANCE BEING 17.97 FEET,

THENCE WITH THE CENTER OF SAID MILL CREEK

26. NORTH 87 DEG. 54 MIN. 46 SEC. EAST DISTANCE BEING 152.20 FEET,

THENCE WITH THE CENTER OF SAID MILL CREEK

27. SOUTH 85 DEG. 45 MIN. 40 SEC. EAST DISTANCE BEING 22.11 FEET,

THENCE WITH THE SOUTHERN LINE OF SAID CARL A. WESTMAN AND LEAVING THE AFORESAID MILL CREEK SOUTH 49 DEG. 54 MIN. 10 SEC. EAST DISTANCE BEING 505.10 FEET TO AN EXISTING IRON PIPE, THENCE WITH THE SAME SOUTH 49 DEG. 54 MIN. 10 SEC. EAST DISTANCE BEING 461.68 FEET TO A REBAR IN CONCRETE, THENCE WITH A NORTHER LINE OF EDWARD A. FRESHWATER AND WIFE IVA FRESHWATER AS DESCRIBED IN DEED BOOK 3563 PAGE 388 SOUTH 74 DEG. 12 MIN. 04 SEC. WEST DISTANCE BEING 50.36 FEET TO AN EXISTING IRON PIPE, THENCE WITH THE SAME SOUTH 74 DEG. 12 MIN. 04 SEC. WEST DISTANCE BEING 433.94 FEET TO AN EXISTING REBAR IN CONCRETE, THENCE WITH A WESTERN LINE OF THE SAME SOUTH 03 DEG. 27 MIN. 56 SEC. WEST DISTANCE BEING 930.51 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH THE SAME SOUTH 03 DEG. 26 MIN. 55 SEC. WEST DISTANCE BEING 290.49 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH THE WESTERN LINE OF RUTH A. FRESHWATER AS DESCRIBED IN DEED BOOK 989 PAGE 370 SOUTH 03 DEG. 26 MIN. 11 SEC. WEST DISTANCE BEING 130.12 FEET TO AN EXISTING 3/4 INCH IRON PIPE, THENCE WITH A NORTHER LINE OF CHRISTOPHER A. MITSCHERLICH AS DESCRIBED RECORDED IN DEED BOOK 3937 PAGE 0089 NORTH 86 DEG. 32 MIN. 06 SEC. WEST DISTANCE BEING 149.94 FEET TO AN EXISTING 1/2 INCH IRON PIPE, THENCE WITH THE WESTERN LINE OF SAID CHRISTOPHER A. MITSCHERLICH SOUTH 03 DEG. 26 MIN. 27 SEC. WEST DISTANCE BEING 439.64 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 77.25 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 11<sup>th</sup> day of August, 2020.

**CERTIFICATE OF SUFFICIENCY**  
**FOR A 77 ACRE AREA OFF JIM MINOR ROAD GPIN# 8893856817 and 8893762882**  
**(AN2002)**

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 an appointed representative of real property lying in the area described therein, in accordance with G.S. 160A-58.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Graham, this the 5<sup>th</sup> day of August, 2020.

Following a request by Mayor Peterman to pull items “g” and “i”, Council Member Ricky Hall made a motion to approve items “a”, “b”, “c”, “d”, “e”, “f” and “h” of the Consent Agenda. Council Member Melody Wiggins seconded the motion. Mayor Peterman polled the Council Members and all voted in favor of the motion.

Mayor Peterman asked Assistant City Manager Aaron Holland to explain the changes made to items “g” and “i”. Mr. Holland stated that the wrong General Statute was referenced on the staff reports for both items included in the agenda packet. He advised that the correct General Statute is G.S. 160A-58 and Council should reference that Statute in their motion. With no discussion forthcoming, Council Member Hall made a motion to approve item “g” as written with the updated language. Council Member Wiggins seconded the motion. Mayor Peterman polled the Council Members and all voted in favor of the motion.

Council Member Hall made a motion to approve item “i” as written with the corrected language, seconded by Council Member Wiggins. Mayor Peterman polled the Council Members and all voted in favor of the motion.

### **Old Business:**

- a. **Public Hearing: Riley’s Meadow (CR2002). Application by Tony Tate for initiation of zoning for 77 acres off Jim Minor Road (GPIN 8893762882 and 8893856817)***
- b. **S2002 Riley’s Meadow. Application by Tony Tate for subdivision for 77 acres off Jim Minor Road (GPIN 8893762882 and 8893856817)***

Planning Director Nathan Page advised that due to the improper publication of the public notice, Council does not have the authority to rule on the rezoning or subdivision requests until the annexation is official. Mr. Page recommended tabling these items until the next meeting.

Mayor Peterman made a motion to postpone both items until September 8, 2020, seconded by Mayor Pro Tem Chip Turner. Mayor Peterman polled the Council Members and all voted in favor of the motion.

### **Public Hearing: Project Sort**

- a. **Approve Incentive Agreement for Project Sort with United Parcel Service, Inc. and authorize the Mayor, City Manager, City Attorney, City Clerk and Finance Officer to execute the agreement of behalf of the City***

City Manager Frankie Maness explained that staff members from the City of Graham, City of Mebane, and Alamance County have been working to entice United Parcel Service, Inc. to locate a proposed regional headquarters and distribution facility in the NCCP. The facility proposes to employ 451 full time employees with average salaries of \$65,147 and provide a taxable value of \$262,214,000. Mr. Maness added that the properties being considered are NE of the Wal-Mart Distribution Center within the North Carolina Commerce Park and the jurisdiction of the City of Mebane as determined by the existing Line of Agreement (LOA) established between the Cities. As such, the City of Mebane will be the lead agency for development reviews, inspections, and the provider of municipal services. Exact acreage of the site will depend on final facility design. Project Sort will be the fourth incentive project in the NCCP and the sixth project overall. Mr. Maness provided a brief overview of the property being considered and the proposed incentive package.

Following a brief discussion between Council Members and staff, Mayor Peterman opened the Public Hearing.

The following individuals addressed Council Members, Mr. Kevin Zaletel, UPS Senior Project Manager and Mr. Mac Williams, Alamance Chamber President via the livestream:

Patty Allen	Stephanie Ward-2072 Jimmie Kerr Rd. Graham
Maggie Blunk	Nikki Cassette
Carey Griffin	

With no further comments forthcoming, Mayor Peterman closed the Public Hearing. Council Members took turns expressing their appreciation to Mr. Maness, Mr. Williams and staff for their hard work in putting together this incentive package. They all felt that UPS would be a wonderful addition to this community.

Mayor Peterman made a motion to approve the Incentive Agreement for Project Sort with United Parcel Service, Inc. and authorize the Mayor, City Manager, City Attorney, City Clerk and Finance Officer to execute the agreement of behalf of the City. Council Member Hall seconded the motion. Mayor Peterman polled the Council Members and all voted in favor of the motion.

### **Boards & Commissions Appointments:**

Mayor Peterman explained the process by which appointments would be made. Each Council Member would be asked to choose the candidate they would like to see appointed and the candidate with the most votes would be who is appointed.

#### ***Appearance Commission – term expires 2021***

Council Member Jennifer Talley requested that an application from Z.W. Clark Baldwin, received by the City Clerk after the agenda packet deadline be allowed to be considered. Following a brief discussion, Mayor Peterman stated that Ms. Baldwin could be considered for appointment to the Appearance Commission.

City Clerk Darcy Sperry read emails received from Appearance Commission Chair Carla Smith and applicant Renee Russell.

The following represents the votes cast by Council Members:

Council Member	Applicant
Mayor Peterman	Renee Russell
Mayor Pro Tem Turner	Renee Russell
Council Member Wiggins	Renee Russell
Council Member Talley	Z.W. Clark Baldwin
Council Member Hall	Z.W. Clark Baldwin

Mayor Peterman made a motion to appoint Renee Russell to the Appearance Commission, seconded by Council Member Wiggins. Mayor Peterman polled the Council Members. Ayes: Mayor Peterman, Council Member Wiggins and Mayor Pro Tem Turner. Nays: Council Member Talley and Council Member Hall. Motion carried: 3:2.

***Historical Museum Advisory Board – 1 term expires 2023, 1 term expires 2022, 1 term expires 2021***

The following individual addressed Council Members via the livestream:

Elaine Murrin
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The following represents the votes cast by Council Members for the term expiring in 2023:

Council Member	Applicant
Mayor Peterman	Chuck Talley
Mayor Pro Tem Turner	Jennifer Brito
Council Member Wiggins	Beverly Scurry
Council Member Talley	Chuck Talley
Council Member Hall	Chuck Talley

Mayor Peterman made a motion to appoint Chuck Talley to the Historical Museum Advisory Board with a 2023 expiration term, seconded by Mayor Pro Tem Turner. Mayor Peterman polled the Council Members. Ayes: Mayor Peterman, Mayor Pro Tem Turner, Council Member Talley and Council Member Hall. Nays: Council Member Wiggins. Motion carried: 4:1.

The following represents the votes cast by Council Members for the term expiring in 2022:

Council Member	Applicant
Mayor Peterman	Jennifer Brito
Mayor Pro Tem Turner	Jennifer Brito
Council Member Wiggins	Beverly Scurry
Council Member Talley	Jennifer Brito
Council Member Hall	Jennifer Brito

Mayor Peterman made a motion to appoint Jennifer Brito to the Historical Museum Advisory Board with a 2022 expiration term, seconded by Council Member Hall. Mayor Peterman polled the Council Members and all voted in favor of the motion.

The following represents the votes cast by Council Members for the term expiring in 2021:

Council Member	Applicant
Mayor Peterman	Jeanette Beaudry
Mayor Pro Tem Turner	Jeanette Beaudry
Council Member Wiggins	Jeanette Beaudry
Council Member Talley	Jeanette Beaudry
Council Member Hall	Jeanette Beaudry

Mayor Peterman made a motion to appoint Jeanette Beaudry to the Historical Museum Advisory Board with a 2021 expiration term, seconded by Council Member Hall. Mayor Peterman polled the Council Members and all voted in favor of the motion.

The following individual addressed Council Members via the livestream:

Carey Griffin
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Mayor Peterman responded to Ms. Griffin's concern for nepotism. He stated that there is no financial gain to Council Member Talley to have voted for her husband. Council Member Wiggins stated that while it is not illegal in local government to nominate your spouse, it is highly unethical in the oaths and ethics that Council Members have taken.

### ***Recreation Commission – term expires 2023***

The following represents the votes cast by Council Members for the term expiring in 2023:

Council Member	Applicant
Mayor Peterman	Pat Moser
Mayor Pro Tem Turner	Pat Moser
Council Member Wiggins	Pat Moser
Council Member Talley	Pat Moser
Council Member Hall	Pat Moser

Mayor Peterman made a motion to appoint Pat Moser to the Recreation Commission with a 2023 expiration term, seconded by Council Member Hall. Mayor Peterman polled the Council Members and all voted in favor of the motion.

### ***Tree Board – term expires 2023***

The following individuals addressed Council Members via the livestream:

Jan Searls-526 E. Pine St. Graham	Carey Griffin
Stephanie Ward	Kait Moore
Carmen Larimore	



Prior to the vote, Mayor Peterman asked Council Member Hall to recuse himself. Council Member Hall asked to be recused.

The following represents the votes cast by Council Members for the term expiring in 2023:

Council Member	Applicant
Mayor Peterman	Judy Hall
Mayor Pro Tem Turner	Judy Hall
Council Member Wiggins	Judy Hall
Council Member Talley	Judy Hall
Council Member Hall	Recused

Mayor Peterman made a motion to appoint Judy Hall to the Tree Board with a 2023 expiration term, seconded by Mayor Pro Tem Chip Turner. Mayor Peterman polled the Council Members. Ayes: Mayor Peterman, Mayor Pro Tem Turner, Council Member Wiggins and Council Member Talley.

Council Member Wiggins asked that the minutes reflect that Mayor Peterman asked Council Member Hall to recuse himself while his wife was up for appointment, but did not ask Council Member Talley to recuse herself when her husband was up for appointment.

### **ALCOVETS Street Closure Request:**

- a. Approve Request from Jennifer Talley and Richard Shevlin on behalf of ALCOVETS to close the 100 Block of East Elm Street from 5:00pm on September 10, 2020 to 5:00pm on September 13, 2020 for the 2020 DockDogs Event*

Mayor Peterman advised that this event has been postponed to next year. He made a motion that this event not be considered until next year, seconded by Mayor Pro Tem Chip Turner. Mayor Peterman polled the Council Members and all voted in favor of the motion.

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

Ms. Janet Ecklebarger of 604 Washington Street Graham joined the livestream and expressed how uncomfortable she was after reading an article in the Washington Post about the confederate monument and how it portrayed Graham.

Ms. Patty Allen of 265 West Shannon Drive Graham joined the livestream and spoke about her frustration with virtual meetings. She also addressed volunteer appointments and taking a chance on new applicants.

Ms. Nikki Cassette joined the livestream and asked Council Member Talley to clarify public remarks about a video showing armed people inside her business outside of normal operating business hours. Mayor Peterman advised Council Member Talley to not respond to that, as that the City is still in litigation. He requested all questions be directed to him. Ms. Cassette asked Mr. Maness if the Police Department or City has followed up on the video.

Ms. Carey Griffin joined the livestream and asked if the video Ms. Cassette referenced is part of the lawsuit. Mayor Peterman stated he did not know if the video is part of the litigation or not.

Mr. Eric Crissman joined the livestream and expressed concern with Council Member Talley not appearing on screen during this meeting. He also expressed concern with the chat feature on Zoom not being visible to the public. Information Technology Systems Manager Jeff Wilson advised that he disabled the chat feature for everyone due to inappropriate comments posted during the Council's first virtual meeting. Mr. Crissman also inquired about the median salary for UPS.

Ms. Elaine Murrin joined the livestream and spoke about including fresh faces on volunteer boards.

Ms. Stephanie Ruiz joined the livestream and expressed concern with Council not addressing the confederate monument.

Ms. Sperry read public comments she received from the following individuals addressing the confederate monument and/or public safety in the City of Graham:

Von Johnson	Amy Cooper
Peter Grant	Bennett Harris

Ms. Sperry also read additional public comments received from Mr. Johnson inquiring about Police patrols in the downtown area and the City's leash law.

Council Member Hall stated that he had received a request to have a three way stop sign at Pomeroy and Water Streets. Mayor Peterman asked staff to have the Police Department look into this.

Mayor Peterman advised that the Fire Department is participating in training at the Burlington training facility.

At 8:13 p.m., Council Member Talley lost connection to the meeting.

At 8:16 p.m., Mayor Pro Tem Turner made a motion to adjourn, seconded by Council Member Hall. Mayor Peterman polled the Council Members and all voted in favor of the motion.

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Darcy Sperry, City Clerk