City of Graham City Council Regular Meeting Agenda February 8, 2022 6:00 p.m.



CALL TO ORDER: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATION/HONORARY PROCLAMATIONS

- Embers Motel Fire Resident Recognition: Crystal Porter
- Recognition of Local Eagle Scouts:
 - Nathan Philip Kreider
 - o Nicolas Burke Wolfe
 - o Zachary Michael Wolfe
- City of Graham Retirees:
 - o Richard Allgood
 - o Paul Ingerick
 - Mark Manning
- Graham Recreation and Parks 2021 9/11 Commemorative 5k and First Responders Team:
 - o Check Presentation to Children of Fallen Heroes
 - o Trophy Presentation to Graham Fire Department

CONSENT AGENDA:

- a. To approve the minutes of the January 11, 2022 Regular Meeting.
- **b.** To approve a non-competitive or "sole source" procurement of equipment for the City of Graham's Waste Water Treatment Plant Expansion project.
- **c.** To approve the donation of ten (10) surplus Self Contained Breathing Apparatus (SCBA) Air Packs, thirteen (13) SCBA Masks, and twenty-two (22) SCBA Bottles to the Graham High School Fire Program per their request pursuant to G.S. 160-A-274.
- **d.** To approve the Tax Collector's Mid-Year Tax Report.

NEW BUSINESS:

1. City Council Vacancy:

- a. Daniel Alvis
- **b.** Kyle Eckmann
- c. Adam Miller
- **d.** Edith Montoya

- e. Alton E. Myrick
- f. Richard Rohrer Sr
- g. Chip Turner
- h. Dean Ward

- i. Melody Wiggins
- j. Bonnie Whitaker
- k. Jim Young
- I. George Graus*

February 8, 2022 Regular Meeting

- 2. <u>Citizen Appeal of Civil Penalties Notification:</u> City Council will consider an appeal for a Civil Penalties notification for property located at 319 Holt Avenue. The property was cited to be in violation of Article III Section 12-70- conditions declared a nuisance, and Article VII- Abandoned/Junk motor vehicles have been declared to be a public nuisance. (County Tax Parcel ID #145412)
- 3. <u>Boards and Committees Discussion:</u> City Council will discuss the City of Graham's current and potential boards and committees.
 - a. Economic Development and Marketing Committee formation
 - **b.** Appearance Commission/Tree Board recombination
- **4.** Planning and Board of Adjustment Board Vacancy: City Council will consider filling the current vacancy on the Planning and Board of Adjustment with one of the following applications:
 - a. Melissa Clay Barnes
 - **b.** Shanelle Harvey
 - c. Keith Michaels
 - d. Emily O'Dell
 - e. John Wooten

PUBLIC HEARINGS:

- 5. Rezoning 302 North Maple Street & 203, 207, and 213 West Market Street (RZ2201): A public hearing has been scheduled to consider an application by Jason Cox on behalf of NJA Properties, LLC, and NRS Properties, LLC, to rezone approximately 1.15 acres of property located at 302 N. Maple Street and properties at 203, 207, and 213 W. Market Street. The applicant is requesting these properties be rezoned from High-Density Residential (R-7) to a Central Business (B-1) zone (GPIN: 8884151515, 8884150571, 8884059566, and 8884058556). The Planning Board has tabled this item to their February 15, 2022 regular meeting. (Planning Board requests City Council to table this item to their March 8, 2022 regular meeting)
- 6. Amendment Development Ordinance Vision Clearance, Fences, and Walls (AM2201): A public hearing has been scheduled to consider a text amendment to the Development Ordinance to create standards for fences and walls. This amendment defines fences and walls and sets types, heights, locations, and more without requiring a citizen to have a zoning permit. Staff recommended these changes to help stop the installation of incompatible fencing while allowing flexibility and providing the City with enforcement tools. The Planning Board denied this text amendment during their January 18, 2022 regular meeting. (Planning Board recommended denial of this text amendment at their January 18, 2022 regular meeting)
- 7. Amendment Development Ordinance Recreation and Amenities (AM2202): A public hearing has been scheduled to consider a text amendment to the Development Ordinance to create standards for recreation and amenities with subdivisions that have five or more units. The proposed text amendment includes a point system tied with listed amenities based on their desirability. The points are also based on the size of the development and the number of dwelling units. If considered and approved by both the Planning Board and City Council, it would be placed in the reserved section, Section 10.251, within the Development Ordinance. The Planning Board tabled this item to their February 15, 2022 regular meeting. (Planning Board requests City Council to table this item to their March 8, 2022 regular meeting)

- 8. Amendment Development Ordinance Exterior Lighting (AM2203): A public hearing has been scheduled to consider a text amendment to the Development Ordinance to create standards for exterior lighting throughout the City. The purpose of the proposed text amendment is to provide lighting standards throughout the City and help prevent site over-illumination and excess lighting from becoming a nuisance for adjacent properties. If approved by the Planning Board and City Council, this would be placed in the reserved article and section, Article VI and Section 10.290. The Planning Board tabled this item to their February 15, 2022 regular meeting. (Planning Board requests City Council to table this item to their March 8, 2022 regular meeting)
- 9. <u>Amendment Development Ordinance Accessory Dwellings Units (ADUs) (AM2204):</u> A public hearing has been scheduled to consider a text amendment to the Development Ordinance to create standards and ways to allow accessory dwellings units in single-family residential zoning districts. The Planning Board tabled this item to their February 15, 2022 regular meeting. (Planning Board requests City Council to table this item to their March 8, 2022 regular meeting)
- 10. Amendment Development Ordinance Cryptocurrency, Virtual Currency, and Blockchain Mining facilities (AM2205): A public hearing has been scheduled to consider a text amendment to the Development Ordinance to create standards for crypto mining operations. Staff recommends these changes to be adopted for the City to be proactive in setting standards for a new industry with emerging technology that is still highly inefficient, which creates noise and electronic hazardous waste, and to continue to permit local power companies the ability to offer Graham residents affordable energy. The Planning Board denied this text amendment during their January 18, 2022 regular meeting. (Planning Board recommended denial of this text amendment at their January 18, 2022 regular meeting)

PUBLIC COMMENT PERIOD

CITY STAFF COMMENTS

CITY COUNCIL COMMENTS

ADJOURN



Proclamation of Appreciation

WHEREAS, an early morning fire engulfed the Embers Motor Lodge in Graham, NC on Sunday December 19th 2021; and

WHEREAS, extensive damage occurred to the structure and lives of residents were in immediate dangers; and

WHEREAS, Crystal Porter alerted other residents of the impending devastation; and

WHEREAS, her courageous and selfless act went above and beyond to assist with the safety of other residents during this disastrous and chaotic event; and

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of Graham, North Carolina, I do hereby deem it an honor and privilege to extend to Crystal Porter our sincerest appreciation for her bravery and valor.

Presented this the 8th day of February 2022.



Proclamation Honoring Rank of Eagle Scout

WHEREAS, the Scouts BSA (formerly Boy Scouts of America) has long been respected as an organization that helps mold young people into responsible, conscientious adults; and

WHEREAS, the rank of Eagle Scout is considered to be the pinnacle of achievement within the organization, with the first class of Eagles being recognized in 1912; and

WHEREAS, Zachary Michael Wolfe is a member of Scouts BSA Troop 4001; and

WHEREAS, for his service project, Zachary built a retirement box for flags; and

WHEREAS, in order to attain the rank of Eagle Scout, a Scout must be actively involved in the troop's leadership; demonstrate that he or she lives by the principles of trust, loyalty, duty, obedience, helpfulness, and morality as stated in the Scout Oath and Scout Law; earn at least 21 merit badges; plan, develop and lead others in completing a service project; and successfully complete a review by an Eagle Scout board; and

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of Graham, North Carolina, I do hereby deem it an honor and privilege to extend to Zachary Michael Wolfe our sincerest congratulations for his outstanding Eagle Scout project and the award.

This is the 8th day of February 2022.	
	Jennifer Talley, Mayor
	City of Graham



Proclamation Honoring Rank of Eagle Scout

WHEREAS, the Scouts BSA (formerly Boy Scouts of America) has long been respected as an organization that helps mold young people into responsible, conscientious adults; and

WHEREAS, the rank of Eagle Scout is considered to be the pinnacle of achievement within the organization, with the first class of Eagles being recognized in 1912; and

WHEREAS, Nicholas Burke Wolfe is a member of Scouts BSA Troop 4001; and

WHEREAS, for his service project, Nicolas re-landscaped the grounds at the Grove Park Church; and

WHEREAS, in order to attain the rank of Eagle Scout, a Scout must be actively involved in the troop's leadership; demonstrate that he or she lives by the principles of trust, loyalty, duty, obedience, helpfulness, and morality as stated in the Scout Oath and Scout Law; earn at least 21 merit badges; plan, develop and lead others in completing a service project; and successfully complete a review by an Eagle Scout board; and

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of Graham, North Carolina, I do hereby deem it an honor and privilege to extend to Nicolas Burke Wolfe our sincerest congratulations for his outstanding Eagle Scout project and the award.

This is the 8th day of February 2022.	
	Jennifer Talley, Mayor
	City of Graham



Proclamation Honoring Rank of Eagle Scout

WHEREAS, the Scouts BSA (formerly Boy Scouts of America) has long been respected as an organization that helps mold young people into responsible, conscientious adults; and

WHEREAS, the rank of Eagle Scout is considered to be the pinnacle of achievement within the organization, with the first class of Eagles being recognized in 1912; and

WHEREAS, Nathan Philip Kreider is a member of Scouts BSA Troop 4001; and

WHEREAS, for his service project, Nathan built light boxes to benefit the visually impaired for the Alamance-Burlington School System; and

WHEREAS, in order to attain the rank of Eagle Scout, a Scout must be actively involved in the troop's leadership; demonstrate that he or she lives by the principles of trust, loyalty, duty, obedience, helpfulness, and morality as stated in the Scout Oath and Scout Law; earn at least 21 merit badges; plan, develop and lead others in completing a service project; and successfully complete a review by an Eagle Scout board; and

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of Graham, North Carolina, I do hereby deem it an honor and privilege to extend to Nathan Philip Kreider our sincerest congratulations for his outstanding Eagle Scout project and the award.

This is the 8th day of February 2022.	
	Ionnifon Talloy, Mayon
	Jennifer Talley, Mayor City of Graham



Proclamation of Commendation and Appreciation to Richard Allgood for His Service to the City of Graham

WHEREAS, Richard Allgood diligently served the City of Graham from April 22, 1999, until January 31, 2022; and

WHEREAS, Richard retired as a Waste Water Treatment Plant Operator on January 31, 2022, with nearly 23 years of service; and

WHEREAS, Richard has proven to be a repository of institutional knowledge, wisdom, and care while gaining the utmost respect from his colleagues and the citizens of Graham; and

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

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

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

Presented this the 8th day of February 2022.



Proclamation of Commendation and Appreciation to Paul Ingerick for His Service to the City of Graham

WHEREAS, Paul Ingerick diligently served the City of Graham from May 21, 2001, until January 31, 2022; and

WHEREAS, Paul retired as the Property Maintenance Supervisor on January 31, 2022, with nearly 21 years of service; and

WHEREAS, his dedication and determination resulted in transfer and advancement from the Waste Water Treatment Plant to the Cemetery Supervisor in the Public Works Department, which became the Property Maintenance Supervisor in recent years; and

WHEREAS, Paul has proven to be a repository of institutional knowledge, wisdom, and care while gaining the utmost respect from his colleagues and the citizens of Graham; and

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

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

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

Presented this the 8th day of February 2022.



Proclamation of Commendation and Appreciation to Mark Manning for His Service to the City of Graham

WHEREAS, Mark Manning diligently served the City of Graham from March 5, 2001, until January 31, 2022; and

WHEREAS, Mark retired as a Landscape Specialist on January 31, 2022, with nearly 21 years of service; and

WHEREAS, Mark has proven to be a repository of institutional knowledge, wisdom, and care while gaining the utmost respect from his colleagues and the citizens of Graham; and

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

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

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

Presented this the 8th day of February 2022.

CITY OF GRAHAM CITY COUNCIL MEETING MINUTES TUESDAY, JANUARY 11, 2022

The City Council of the City of Graham held a regularly scheduled meeting beginning at 6:00 p.m. on January 11, 2022, in the Council Chamber of the Municipal Building located at 201 South Main Street, Graham, NC.

Council Members Present:

Mayor Jennifer Talley Mayor Pro Tem Ricky Hall Council Member Bobby Chin Council Member Joey Parsons

Staff Present:

Megan Garner, City Manager Aaron Holland, Assistant City Manager Bryan Coleman, City Attorney Bob Ward, City Attorney Darby Terrell, City Clerk Justin Snyder, Planning Director

CALL TO ORDER:

Mayor Jennifer Talley called the meeting to order at 6:02 p.m. and presided. Mayor Talley asked Pastor Chris Howe, First Baptist Church of Graham, to give the invocation.

Mayor Talley thanked Pastor Howe on behalf of the City Council and City of Graham employees for his church's actions of providing a place to take donations and distributing the donations to the Embers Motor Lodge victims. Pastor Howe thanked Mayor Talley for her words.

Everyone then stood to recite the Pledge of Allegiance.

SPECIAL PRESENTATIONS:

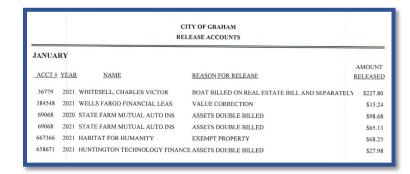
Graham Recreation and Parks 2021 9/11 Commemorative 5k Check and First Responders Team Cup Trophy Presentation:

- Check Presentation to Children of Fallen Heroes
- Trophy Presentation to Graham Fire Department

Mayor Talley stated the presenters were unable to attend tonight due to unexpected circumstances. The presentation will take place at next month's meeting on February 8, 2022.

CONSENT AGENDA:

- **a.** To approve the minutes of the December 13, 2021, Special Meeting and December 14, 2021, Regular Meeting sessions.
- **b.** To approve the following tax releases in the amount of \$503.08:



Mayor Pro Tem Hall moved to approve the consent agenda as presented, seconded by Council Member Chin. The motion passed unanimously.

PUBLIC HEARINGS:

ITEM 1: Voluntary Contiguous Annexation- 78.12 acres located on Cherry Lane (AN2103):

A public hearing had been scheduled to consider a voluntary contiguous annexation containing 78.12 acres on Cherry Lane, GPIN 8893686572 & 8894906303. (Staff requests that this item be tabled to the March 8, 2022, Council meeting.)

Mayor Talley stated that staff had informed Council that the applicant had requested this item be tabled.

Mayor Talley asked for a motion to table items 1, 2, and 3.

Mayor Pro Tem Hall motioned to table items 1, 2, and 3 until the March 8, 2022 meeting, seconded by Council Member Parsons. The motion passed unanimously.

ITEM 2: Voluntary Contiguous Annexation- 37.85 acres on Governor Scott Farm Road (AN2104):

A public hearing had been scheduled to consider a voluntary contiguous annexation containing 37.85 acres on Governor Scott Farm Road, GPIN 8893886609. (Staff requests that this item be tabled to the March 8, 2022, Council meeting.)

Mayor Talley stated that staff had informed Council that the applicant had requested this item be tabled. Mayor Talley asked for a motion to table items 1, 2, and 3.

Mayor Pro Tem Hall motioned to table items 1, 2, and 3 until the March 8, 2022 meeting, seconded by Council Member Parsons. The motion passed unanimously.

ITEM 3: Voluntary Contiguous Annexation- 9.10 acres on Cherry Lane (AN2105):

A public hearing had been scheduled to consider a voluntary contiguous annexation containing 9.10 acres on Cherry Lane, GPIN 8893796670. (Staff requests that this item be tabled to the March 8, 2022, Council meeting.)

Mayor Talley stated that staff had informed Council that the applicant had requested this item be tabled. Mayor Talley asked for a motion to table items 1, 2, and 3.

Mayor Pro Tem Hall motioned to table items 1, 2, and 3 until the March 8, 2022 meeting, seconded by Council Member Parsons. The motion passed unanimously.

ITEM 4: Rezoning- 200 S. Marshall Street (RZ2108):

A public hearing had been scheduled to consider an application by Lee Kimrey, to rezone 0.50 acres of property, on 200 South Marshall Street, from Office Institutional (O-I) to Central Business (B-1). (GPIN 8884233706) (Planning Board approved the rezoning at its December 21, 2021, regular meeting)

Justin Snyder, Planning Director, stated this was a request from Lee Kimrey to rezone 0.50 acre from Office Institutional (O-I) to Central Business (B-1). He stated there were mixed zoning uses around the property on South Marshall Street, ranging from High-Density Residential (R-7) to Business District with Neighborhood Businesses (B-3) and General Business (B-2) zoning. Mr. Snyder also stated the property is in close proximity to the Downtown Central Business District, and if approved, the new zoning would not require a significant land-use change from its current zoning and would offer commercial flexibility to help the applicant's needs. He stated the landscape and buffering requirements would help protect adjacent land uses from any potential negative effects of the rezoning. Mr. Snyder stated within the Graham 2035 Comprehensive Plan, this area should be labeled as Downtown Residential, which would include uses such as "neighborhood-oriented commercial, small professional offices, live-work units, and home occupations provided they do not generate excessive traffic and parking." He stated residential use is likely not the best-suited use, and the current zoned office use is somewhat limiting. Mr. Snyder stated the requested zoning exempts the applicant from providing off-street parking, and there is no good on-street parking in this area. He also informed Council the Planning Board did approve, and staff is recommending approval and expressed concern about the lack of parking.

Mayor Talley opened the public hearing, and the following spoke:

Lee Kimrey (104 West Elm Street) (applicant): Mr. Kimrey informed Council the initial plan to rezone as a Central Business (B-1) for this property would allow them to build a two-story building that would provide space for multiple businesses for a neighborhood commercial site. Mr. Kimrey stated their beginning planning stages for this site included a mixed-use building that included both office building spaces and a commercial-residential option. Mr. Kimrey read from the Graham 2035 Comprehensive Plan sections that he believed supported this change. Mr. Kimrey read the passages below.

The Graham 2035 Comprehensive Plan, Introduction, Page 3, second paragraph.

Grow Downtown

Downtown is critical to the City's success and should be the focus of new investments and development, including adaptive reuse projects, public art installments, building restorations, use diversification, infrastructure upgrades, small business development, and more.

The Graham 2035 Comprehensive Plan, Section 2, Introduction, Page 9, third paragraph.

Create vibrant centers, especially downtown

Graham should grow employment and a mix of uses around downtown and focus areas. Vibrant centers create spillover effects and foster small business development and innovation. Create the next generation of employment sanctuaries by facilitating development through public-private partnerships.

Mr. Kimrey stated he had contacted all the neighbors to the property, excluding the Post Office. Mr. Kimrey stated he went through with each neighbor all the Central Business (B-1) uses, and the neighbors had approved all uses for the Central Business (B-1) zoning.

Multiple Council Members asked Mr. Kimrey questions such as what he believed would go in the building, how they would accommodate parking for those businesses, and the size of the building.

Mr. Kimrey informed that the plan was to use Pine Street for public parking and on-site parking to be rezoned. Mr. Kimrey stated they planned to have the building be at least 75 square feet or 75 by 100 feet. Mr. Kimrey explained to Council he could not give them an exact number of parking spots because the plan was for this building to hold multiple businesses. Mr. Kimrey repeatedly stated there would be parking provided on-site, and it would be adequate to the required spots per each business since they did not know what type of businesses would be going into the building.

Kirk McVay (415 W Pine Street) (Neighboring Business Owner- Car Wash): Mr. McVay disagreed with Mr. Kimrey about their conversation and stated that he was not for the expansion of the Central Business (B-1) zone or this rezoning in particular because it did not require the applicant to provide parking for a Central Business (B-1) zone use.

Mayor Talley asked for a motion to close the public hearing. Council Member Chin moved to close the public hearing, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

Council discussed the rezoning, and all Council Members seemed to be concerned about the applicant not being required with the B-1 zoning to provide parking. Mayor Talley expressed she would like to see this as a conditional rezoning so the applicant would have additional requirements placed on them to ensure proper on-site parking.

Mayor Talley moved to deny the rezoning request because it was not fully consistent with the Graham 2035 Comprehensive Plan because B-1 zoning requires on-street parking, which does not meet Goal and Issue #3, which is Policy 3.1.3. She also stated that this was also not consistent with the wording: "designated neighborhood-oriented commercial, small professional offices, live-work units, and home occupations provided they do not generate excessive traffic and parking" also found in the Graham 2035 Comprehensive Plan, and there was nothing brought to Council that would suggest he would be required to provide for parking under B-1. Mayor Pro Tem Hall seconded, and it passed unanimously.

The Graham 2035 Comprehensive Plan, Goal 3.1, Issue 3.1.3 on page 16.

Policy 3.1.3: Parking Behind Buildings

Encourage off-street parking to be located in the rear of new commercial buildings with accessed provided by alleys.

The Graham 2035 Comprehensive Plan, Downtown Residential, Supporting Uses, Page 32.

Supporting Uses: Places of worship, daycares, park facilities, schools, civic spaces; designated neighborhood centers may include neighborhood-oriented commercial, small professional offices, live-work units, and home occupations provided they do not generate excessive traffic and parking

Mayor Talley stated she would like to see a revised plan for Council to consider and asked the applicant to bring that revised plan to the next Council meeting.

ITEM 5: Special Uses Permit Amendment (AM2102):

A public hearing had been continued to consider the process for Special Use Permits with the recommendation that special use permits will be referred to the Board of Adjustment for consideration. The City Council asked for this to be moved to January 11, 2021, a meeting for the new Council to review. (Continued from December 14, 2021, City Council meeting) (Planning Board approved the amendments at its October 12, 2021, regular meeting)

Mr. Snyder, Planning Director, explained to Council the text amendment request originated with the previous Council with the intent to streamline the Special Uses Permit process for the City. The current process has applicants and citizens go to two different boards, the Planning Board and City Council. Mr. Snyder stated in its final review of the proposed amendment; the Planning Board decided that it needed its own legal counsel on retainer to represent the Board in all quasi-judicial cases involving a special use permit.

Mayor Talley stated she believed that the City Council should still receive these and that the City Attorneys should be present and represent the City at these hearings since they do not receive many. Mayor Talley stated she would also like staff to send out an informational brochure explaining to citizens about quasijudicial hearings.

Mayor Pro Tem Hall moved to close the public hearing, seconded by Council Member Chin. The motion passed unanimously.

Mayor Talley moved to deny the text amendment. He added the procedure change requesting that for quasi-judicial hearings, an informational brochure explaining quasi-judicial hearings be sent out to all affected residents during the mailing process with the notice of the quasi-judicial hearing, and that the City Attorneys are to be present in all quasi-judicial hearings, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 6: Amendments to Development Ordinance for Table of Permitted Uses and Notes (AM2103):

A public hearing had been continued to consider a text amendment to the Development Ordinance reclassifying existing permitted uses and changes in the Notes to the Table of Permitted Uses. (Sections 10.135 to 10.149) (Planning Board approved the amendments at its November 16, 2021, regular meeting)

Justin Snyder, Planning Director, stated that while looking into the Special Use Permit process, staff identified several uses in the permitted uses table that were improperly classified based on type and intensity. He stated that staff had made several adjustments to the existing permitted uses table to classify these uses better. Mr. Snyder stated that staff recommends approval to simplify things for residents and developers. He stated the changes included making specific uses by right in the appropriate places and certain uses not allowed in certain areas. Mr. Snyder stated that staff is open to any suggestions that Council had.

<u>Dean Ward (483 W Moore Street)</u>: Planning Board Chair requested that Council remand agenda items six through ten back to the Planning Board for further discussion.

Mayor Talley moved to close the public hearing, seconded by Council Member Chin. The motion passed unanimously.

Mayor Talley moved to remand items six, seven, eight, nine, and ten and referred back to the Planning Board for further discussion and review, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 7: Rezoning- 1205 East Harden Street for Maple View, Inc. (RZ2107):

A public hearing had been scheduled to consider a process for an applicant to re-apply for a rezoning following a denial from City Council. (Section 10.84, part b) (Planning Board approved the amendments at its December 21, 2021, regular meeting)

Mayor Talley moved to rescind items six, seven, eight, nine, and ten back to the Planning Board for further discussion and review, seconded by Mayor Pro Tem Hall, passed unanimously.

ITEM 8: Rezoning- 1205 East Harden Street for Maple View, Inc. (RZ2107):

A public hearing had been scheduled to consider an amendment to the Development Ordinance as recommended by the UNC School of Government and under N.C.G.S. 160D-705(c), to allow staff to make administrative modifications to approved special use permits assuring all zoning requirements are met. (Planning Board approved the amendments at its December 21, 2021, regular meeting)

Mayor Talley moved to rescind items six, seven, eight, nine, and ten and refer back to the Planning Board for further discussion and review, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 9: Rezoning- 1205 East Harden Street for Maple View, Inc. (RZ2107)

A public hearing had been scheduled to consider an amendment to Article X (10) Section 10.398 to 10.399, Signage, to allow larger entry signage for multifamily, multi-use developments containing residential units, and major subdivisions. (Planning Board approved the amendments at its December 21, 2021, regular meeting)

Mayor Talley moved to rescind items six, seven, eight, nine, and ten and refer back to the Planning Board for further discussion and review, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 10: Rezoning- 1205 East Harden Street for Maple View, Inc. (RZ2107)

A public hearing had been scheduled to consider an amendment to Sections 10.249.2 to 10.249.6 regarding open space provisions. (Planning board approved the amendments at its December 21, 2021, regular meeting)

Mayor Talley moved to rescind items six, seven, eight, nine, and ten and refer back to the Planning Board for further discussion and review, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

PUBLIC COMMENT PERIOD

Eric Crissman (208 Albright Avenue): Mr. Crissman spoke in reference to the non-actions of the Council in appointing a Planning Board member at the last Council meeting. He stated there were valid applicants for Council to consider. Mr. Crissman voiced concern on making decisions privately. He used as an example how the Council recently approved the questionnaire application without any input from citizens and without discussion during a meeting for the public to hear. Mr. Crissman stated that the Council should have considered individuals on the ballot instead of the application process. Mr. Crissman expressed the need for Council to be transparent in their decisions.

<u>Keith Westbrook (604 Trock Wilder Court):</u> Mr. Westbrook spoke in reference to a crosswalk issue near the city schools and his conversation with the North Carolina Department of Transportation.

CITY STAFF COMMENTS

Assistant City Manager Aaron Holland: Mr. Holland stated that staff had a meeting with a potential vendor who would provide COVID-19 tests and a person to administer those tests if the Supreme Court approved the vaccination mandate. Mr. Holland stated staff believed this vendor would be a good option.

CITY COUNCIL COMMENTS

<u>Mayor Pro Tem Ricky Hall</u> stated he had noticed that one of the Graham Housing Authority facilities seemed very dilapidated, located on Hill Street, and some of the roofing had come off. He asked staff knew if they knew what had happened. Mayor Pro Tem Hall also stated that he would like to combine the Appearance Commission and the Tree Board and asked if staff would look into the correct wording for Council to consider at next month's meeting.

Fire Chief Tommy Cole answered the Graham Housing Authority facility was located on 105 Hill Street and that the reason for the dilapidation was that the roof had caught on fire.

Aaron Holland, Assistant City Manager, stated that staff could reach out to Graham Housing Authority on their plans for that building. Mr. Holland also stated he would provide Council the old language or wording for when the Appearance Commission and Tree Board were combined.

<u>Mayor Jennifer Talley</u> informed staff that there was no calendar on the City's website for the Graham Housing Authority's board meeting.

Megan Garner, City Manager, answered that staff would look into providing the calendar on the website.

<u>Council Member Bobby Chin</u> inquired if the City had considered re-establishing the Economic Development Committee or had there ever been one for the City. Council Member Chin also stated the potential benefits of having one for the City.

Aaron Holland, Assistant City Manager, stated he had researched to see if the City of Graham had an Economic Development Committee in the past. He did not find where there was ever a formal committee created.

Mayor Talley stated she remembered it being an informal committee.

Mr. Holland asked Council for direction on what composition they would like the committee to be, such as a volunteer board or neighboring jurisdictions. He asked for the difference in this committee versus what the Alamance Chamber of Commerce is already doing.

Mayor Talley and Council Member Chin answered they believe the purpose would be to compile data about Graham that potential businesses would be interested in and putting that information on the City's website. Council Members also stated they would like this committee to meet potential businesses and discuss moving to Graham and helping promote Graham in many different ways.

Mr. Holland suggested two members of the Council meet with the City Manager and himself to discuss what the committee should look like.

Mayor Talley stated the two members of the Council for the meeting should be her and Council Member Chin.

Mayor Talley:

- Asked Council to send her a list of prioritized goals they would like to accomplish via email.
- She stated that she would like to recognize the individual who helped evacuate the Embers Motor Lodge residents during the recent fire. She asked Fire Chief Cole to coordinate their attendance at the next Council meeting.
- She stated that she was interested in having city staff look into a pay plan study by looking at the neighboring municipalities to improve the pay for essential services jobs. Mayor Talley asked them to bring these ideas to next month's meeting or discuss them in a special meeting.
- She asked staff to look into activating the cemetery committee.
- She asked staff to arrange a tour of Amazon Warehouse.

Mr. Holland informed Council that staff had preliminary met to discuss certain departments' ability to successfully recruit and keep qualified employees with the current salaries, and they have started putting together ideas. Mr. Holland also said he would reach out to Amazon, with the permission of the Council, to schedule a tour for the first of February.

ADJOURN:

Upon motion, at 8:07 p.m., Mayor Pro Tem Hall, seconded by Council Member Chin, passed unanimously.





SUBJECT:	SOLE-SOURCING EQUIPMENT FOR GRAHAM WWTP EXPANSION PROJECT
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Approval for non-competitive, or "sole-source", procurement of equipment for Wastewater Treatment Plant (WWTP) Expansion Project.

BACKGROUND/SUMMARY:

Public purchases greater than \$90,000 are subject to the State of North Carolina General Statute (GS) 143-129 (Procedure for letting of public contracts). This statute allows a governing board to exempt purchases of apparatus, supplies, materials or equipment from soliciting competition in cases where: (i) performance or price competition are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration.

The upcoming WWTP Expansion Project currently in design involves certain process equipment where the above exemptions are applicable. Justification for a non-competitive selection of the types of equipment is provided in the attached letter provided by Hazen & Sawyer.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval. Hazen & Sawyer has followed the statute, and in some cases, there is only one item that is similar or equivalent in design.

SUGGESTED MOTION(S):

I move we approve the Sole-Source Procurement for Wastewater Treatment Plant Process Equipment for the Wastewater Treatment Plant Expansion Project as described in the attached letter from Hazen & Sawyer.



February 01, 2022

Ms. Tonya Mann City of Graham Public Utilities Director PO Drawer 357 Graham, NC 27253

Re: Graham WWTP Expansion Project CWSRF No. CS370563-04 Sole-Source Recommendation

Dear Ms. Tonya Mann,

The purpose of this letter is to provide the basis for the recommendation and obtain City Council approval as required by NC DEQ to sole-source certain equipment and services that has no equal for the Graham WWTP Expansion Project. North Carolina General Statute 133-3 states "where it is impossible to specify performance and design characteristics for such materials and impossible to cite three or more items due to the fact that there are not that many items of similar or equivalent design in competition, than as many items as are available shall be cited". Hazen and Sawyer has followed the statute, and in some cases, there is only one item that is similar or equivalent in design. These items Ie mixers for the sludge holding tanks by Invent, BNR Tank Analyzers by YSI, and control system integration services by FCX Services.

By design, the Sludge Storage Tanks have a variable water surface elevation as they are filled and drained. To take full advantage of the available sludge storage tank capacity, the vertical mixers must be able to effectively mix across this range of water surface elevations. This is made possible by Invent's unique hyperbolic impeller design that can be installed very close to the invert of the tank. Invent mixers are high quality, proven mixers with a large installation base, CFD modeling capabilities to ensure a good mixing design, and a unique mixing regime. Additionally, the City has already purchased and will soon install two Invent mixers to replace existing equipment that has failed. Installing Invent equipment for the additional four required mixers provides consistency in process operation and maintenance.

For several years, the plant has successfully used a YSI ammonia analyzer to assist with secondary treatment operations. The upgrade requires one additional ammonia analyzer, eight dissolved oxygen analyzers, and one ortho-phosphorus analyzer. Additional YSI analyzers are able to connect to the existing YSI transmitter, plant staff is familiar with this equipment, and the existing unit can remain in use with the new units with operational consistency and one manufacturer maintenance contract. For these reasons there is a significant advantage to the plant in sole sourcing the analyzers to YSI.

FCX Services has been the sole provider of control system integration for Graham's Wastewater Treatment Plant and Water Treatment Plant for the past 20 years. It is essential to consistent operations of the plant to have these services provided by an integrator that is familiar with the existing systems. More



importantly, SCADA systems are a critical security asset for wastewater and water infrastructure and limiting access reduces the cybersecurity risk.

Very truly yours,

Colin W. W. Beck

Colin W. W. Beck, PE Senior Associate



SUBJECT:	DONATION OF SURPLUS SELF CONTAINED BREATHING APPARATUS
	TO THE GRAHAM HIGH SCHOOL FIRE PROGRAM
PREPARED BY:	TOMMY COLE, FIRE CHIEF

REQUESTED ACTION:

Approve Resolution Authorizing Conveyance of 10 Self Contained Breathing Apparatus (SCBA) Air Packs, 13 SCBA Mask, and 22 Self Contained Breathing Apparatus (SCBA) Bottles to the Graham High School Fire Program Pursuant to G.S. 160A-274.

BACKGROUND/SUMMARY:

The Graham Fire Department has 10 Self Contained Breathing Apparatus (Air Packs), 13 SCBA Masks, and 22 Self Contained Breathing Apparatus Bottles that have been deemed surplus due to age and end of service life. Because they have reached their end of life (15 years) they are no longer useful to any fire agency because of the NFPA and OSHA Standards on Breathing Apparatus. The Graham High School Fire Program has requested that the City consider donating the SCBA Air Packs and Bottles to be used in the training of High School Students participating on the high school fire program.

The General Statutes (G.S. 160A-274) allow for the conveyance to another governmental agency.

FISCAL IMPACT

None. The SCBA's have reached their end of life and have no value in the fire service.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move we approve the Resolution Authorizing Conveyance of 20 SCBA Air packs and 58 SCBA Bottles to the Graham High School Fire Program Pursuant to G.S. 160A-274.

RESOLUTION AUTHORIZING CONVEYANCE OF 10 SELF CONTAINED BREATHING APPARATUS (SCBA) AIR PACKS, 13 SCBA MASK, AND 22 SELF CONTAINED BREAHTING APPARATUS (SCBA) BOTTLES TO GRAHAM HIGH SCHOOL FIRE PROGRAM PURSUANT TO G.S. 160A-274

WHEREAS, the City of Graham owns 10 Self Contained Breathing Apparatus Air Packs, 13 SCBA Masks, and 22 Self Contained Breathing Apparatus Bottles

WHEREAS, North Carolina General Statute § 160A-274 authorizes a governmental unit in this state to exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property upon such terms and conditions as the governmental unit deems wise, with or without consideration; and

WHEREAS, the City of Graham has determined that it is in the best interest of the City to convey 10 Self Contained Breathing Apparatus Air Packs, 13 SCBA Masks and 22 Self Contained Breathing Apparatus Bottles to the Graham High School Fire Program, and deems it wise to do so for no consideration.

THEREFORE, THE GRAHAM CITY COUNCIL RESOLVES THAT:

- 1. The City of Graham hereby conveys to the Graham High School Fire Program the following property: 10 Self Contained Breathing Apparatus Air packs, 13 SCBA Masks, and 22 Self Contained Breathing Apparatus Bottles.
- 2. The property herein described shall be conveyed for no consideration.
- 3. The City Manager, Finance Officer and City Clerk are authorized to execute all documents necessary to convey the property in the manner authorized by this Resolution.

Mayor Jennifer Talley

Attest:			

Adopted this 8th day of February 2022.

City of Graham

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

MID YEAR REPORT

February 2, 2022

	TOTAL PROPERTY VALUATION	RATE	AMOUNT OF LEVY
TAX LEVY - CITY WIDE	1,185,231,620	0.455%	5,392,805.37
DISCOVERIES:			
CURRENT YEAR & PRIOR YEARS WITH VARIOUS TAX RATES	2,820,386		12,832.77
ANNEXATIONS:	609,960		2,775.33
ABATEMENTS:	(1,583,022)		(7,199.03)
CURRENT LEVY	1,187,078,944		5,401,214.44
OUTSTANDING REAL PROPE OUTSTANDING PERSONAL P	224,199.24 <u>57,885.24</u>		
TOTAL OUTSTANDING TAXES			282,084.48
CURRENT YEAR TAXES COLLECTED:			5,119,129.96
TO DATE, THE PERCENT OF CURRENT YEAR COLLECTED:			94.78%

I REQUEST THAT THE DATE BE SET FOR LIEN ADVERTISEMENT ON MARCH 17, 2022 IN THE ALAMANCE NEWS. COST FOR ADVERTISING WILL BE \$4.00 PER PARCEL ADVERTISED AND WILL BE CHARGED ONE TIME TO THE TAXPAYER.

Submitted by Sandy P. Callahan, Tax Collector

RECEIVED

Questionnaire for Graham City Council Candidate Unexpired Term 2021

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out

PUBLIC RECORDS NOTICE: Please be advised any and all information you provide will be a public record and subject to disclosure in accordance with North Carolina Law.

Name Daniel Lynn Alvis
Address (must reside within city limits) 1022 Noah Rd. Graham NC 27253
How long have you lived within city limits of Graham?
Do you spend more than 3 nights/week at another location other than the address listed above? No
Are you related to any persons currently employed with the City of Graham or that has served on City Council?0
Do you know any persons working for the city of Graham or who have served on the Graham City Council or Commission Boards? If so, please list name and how you know them. Jennifer Talley, Chip Turner, Jerry Peterman, Melody Wiggins - All Friend. Education High School - Graham NC
Military Service NIA
Occupation/Place of Employment UNC Chapel Hill Maintenance / Plumber Organizations (limit of 5, with title where appropriate): N/A
Political career (previous offices and/or when first elected/appointed):
1. What area(s) of city spending do you feel should be increased or decreased? [50 word limit] Increase of Infrastructure, police of Fire
2. For any categories in #1, would you be willing to raise property taxes to accomplish? If grants aren't available property taxes may have to be something considered.

limit]	
In my opinion taxpayer money may	have to be used in the beginning later.
4. Some jurisdictions have begun considering whether their e to be vaccinated against the COVID-19 virus. Would you s requirement for municipal employees in Graham?	mployees should be required
as a personal Choice	be up to each individual
5. What are your feelings about employees working remotely	
I feel the citizens of Graham by the Staff if they are on	sight.
6. In your opinion, is Graham's rate of growth too slow, too fa following categories?	
Commercial About Right Too fast	Industrial would like to see More growth
7. Some have contended that a number of developments apprendense," relative to nearby existing neighborhoods. What is a factor density of new proposed subdivisions should be convord limit.	your view on how significant
8. There will be many people who will try to influence your de position. Can you be impartial, avoid impropriety both profe conduct? Absolutely	cisions and exploit your essionally and in your personal
9. What ways do you suggest we promote public confidence of the City?	n the integrity and impartiality
Always be readily available from the Citizens of Graham, and accountable.	to receive feedback Always be accessible

10.	Do you believe you will be able to perform your duties and uphold your oath without reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government?
11.	Do you believe you can keep an open mind on all matters until you have heard from all
	parties?
12.	Have you ever been convicted of a crime? If so, please provide details.
13.	What experience do you have in governmental procedure or Roberts Rules of Order?
	None I have served on a HOA board in a previous city.
14.	What is your area of strongest disagreement with any action taken by the city council in
	the past 5 years?
	Too many apartments
15.	In your view, what are the three main issues facing Graham in the next five years?
	Infrastructure
	Do you agree with the downtown Master Plan overall?
	NO
	a la
17.	Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks?
18.	Specifically, do you believe in eliminating loading zones in the downtown? NO - I feel there is a need for More
	THE POUR PROPERTY OF THE PARTY

19. Do you believe it is appropriate to take private property by eminent domain?	
20. Do you have at minimum of 10 hours per week to dedicate to this position?	
<u>Yes</u>	
Od. Assessment the same analysis 2000 for this position?	
21. Are you willing to run again in 2023 for this position?	
<u> </u>	
22. Why do you want to be considered for the city council position?	
To bring transparency to important decisions that uphold quality of the Graham residents	人
23. What skills do you have that make you uniquely qualified to hold a city council seat?	
I own and operate a business in Graham that allows me	to
Meet and talk to lots of People and I have worked in the industry that the infrastructure Boing 24. What other information would you like for the city council to consider about your	Reco
application?	
I feel that I would be an asset to the City Council and the Citizens of Graham, I look forward to working	V
with everyone.	

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CITY OF GRAHAM



Questionnaire for Graham City Council Candidate Unexpired Termonz

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in M response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out

PUBLIC RECORDS NOTICE: Please be advised any and all information you provide will be a public record and subject to disclosure in accordance with North Carolina Law.

Na	me Kyle E. Eckmann			
Add	Iress (must reside within city limits) 2116 Lake Point Dr. Graham NC			
Hov	How long have you lived within city limits of Graham? 5 years			
Do	you spend more than 3 nights/week at another location other than the address listed above? \mathcal{N}_0			
Are	you related to any persons currently employed with the City of Graham or that has served on City			
A	rou know any persons working for the city of Graham or who have served on the Graham City ncil or Commission Boards? If so, please list name and how you know them. - quainted with Jenniter Talley through Lamb's Chapel Churd cation Bachelon's of Science in Ceramic Engineering VivolTII, 199			
Milit	ary Service None			
Оссі	pation/Place of Employment Wolfspeed Inc. Durham NC			
Orga L	nizations (limit of 5, with title where appropriate): American Society for Quality,			
Polit	cal career (previous offices and/or when first elected/appointed):			
	What area(s) of city spending do you feel should be increased or decreased? [50 word limit] Yore frequent pick up of bulk garbage items which residents leave sitting at the curb. The way these items sit for many weeks now is not of or any categories in #1, would you be willing to raise property taxes to accomplish? No			

What is your position with respect to economic incentives? In general, do you support or oppose using taxpayer money as an incentive to attract industry to Graham? [25 word limit]		
2	1.	Always weigh the realistic cost estimate vs. the likely benefit. Incentives should be minimized, but used enoughto keep Graham inthega. Some jurisdictions have begun considering whether the
		Some jurisdictions have begun considering whether their employees should be required to be vaccinated against the COVID-19 virus. Would you support or oppose such a requirement for municipal employees in Graham?
		Oppose
5	•	What are your feelings about employees working remotely? My correct full-time Position with Wolfspeed Inc. 15 100% remote. I know it can be sweeted.
6.	i	In your opinion, is Graham's rate of growth too slow, too fast, or about right in the following categories?
	- 25	Residential About Too Fast For Existing Industrial About Right Infrastructure
7.	a	some have contended that a number of developments approved/proposed are "too ense," relative to nearby existing neighborhoods. What is your view on how significant factor density of new proposed subdivisions should be compared to existing ones? [50]
	I	penser developments make possible to build in desimble
8. There will be many people who will try to influence your decisions and exploit your position. Can you be impartial, avoid impropriety both professionally and in your personal conduct?		
		Yes
9. \	Nh of t	nat ways do you suggest we promote public confidence in the integrity and impartiality he City?
-	万万	eally not sure. If this is a primary concern, would investigate and make recommendations with care.

9.

10. Do you believe you will be able to perform your duties and uphold your oath without reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government? Yes	
11. Do you believe you can keep an open mind on all matters until you have heard from all parties?	
My experience as a Quality Engineer working inside husine and as a Realter and as a Property Manager has taught me:	550
12. Have you ever been convicted of a crime? If so, please provide details. No.	
13. What experience do you have in governmental procedure or Roberts Rules of Order?	
I learned Robert's Rules of Order as a youth in 4-H clube And I have used those rules ever since.	
14. What is your area of strongest disagreement with any action taken by the city council in the past 5 years?	
I wish that the murals painted in the 19st couple of years were not quite so feminine.	
15. In your view, what are the three main issues facing Graham in the next five years?	
Growth, Infrastructure, Peacekeeping amongst social concerns.	
16. Do you agree with the downtown Master Plan overall?	
Yes.	
17. Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks?	
Yes	
18. Specifically, do you believe in eliminating loading zones in the downtown? Yes	

19.	9. Do you believe it is appropriate to take private property by eminent domain?	
	Only as a last resort, to be minimized, and only when the benefit far out- weight the cost. Such as when the Interstate Highway came through Graham.	
20.	Do you have at minimum of 10 hours per week to dedicate to this position?	
	Yes	
21.	Are you willing to run again in 2023 for this position?	
	Yes	
22.	Why do you want to be considered for the city council position?	
	I care about our town. I grew up in atown like Graham, and I like it here. I'd like to preserve the things which make Graham species	
23.	What skills do you have that make you uniquely qualified to hold a city council seat?	
	Critical Thinkingo Hands on Real Estate Business Stillso Problem-Solvingo I'm a good listenero	
24.	What other information would you like for the city council to consider about your application?	
	It is better to steer and guide development and people moving in to our town, rather than to be run over it like a steamrollers	

41.00

CITY OF GARAGE

Questionnaire for Graham City Council Candidate Unexpired Telling 8 2022

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out herein.

PUBLIC RECORDS NOTICE: Please be advised any and all information you provide will be a public record and subject to disclosure in accordance with North Carolina Law.

Name	Adam Miller				
Addr	Address (must reside within city limits) 921 Hanford Rd. Graham, NC 27253				
How	How long have you lived within city limits of Graham? Approximately 33 years				
Do you spend more than 3 nights/week at another location other than the address listed above? NO					
Are you related to any persons currently employed with the City of Graham or that has serve Council? No					
_	ou know any persons working for the city of Graham or who have served on the Graham City ncil or Commission Boards? If so, please list name and how you know them. No				
Education B.A., University of North Carolina at Chapel Hill					
Military Service N/A					
	upation/Place of EmploymentFrank's Jewelry				
Occi	anizations (limit of 5, with title where appropriate): Graham Area Business Association, President;				
Orga	anizations (limit of 5, with title where appropriate). Second Parent Organization, President n Street Development Advisory Board; Southern Middle Band Parent Organization, President				
Main Street Development Advisory Board, Coddition Middle Developme					
	What area(s) of city spending do you feel should be increased or decreased? [50 word limit]				
••	Increase: Maintenance of city streets and landscaping; incentives for businesses in Graham				
	(including new business incentives and existing business rennovation/beautification)				
	Decrease: Nothing right now				
2.	For any categories in #1, would you be willing to raise property taxes to accomplish?				
	to the would have to increase by either raising tax rates or increasing population via				
	development. As a council, we would have to make the decision based on community preference.				
	and the following the second s				

 What is your position with respect to economic incentives? In general, do you support or oppose using taxpayer money as an incentive to attract industry to Graham? [25 word limit]

I do not oppose using taxpayer money within reason. Bringing new businesses and jobs to Graham is key to our growth as a city.

4. Some jurisdictions have begun considering whether their employees should be required to be vaccinated against the COVID-19 virus. Would you support or oppose such a requirement for municipal employees in Graham?

I would be happy to answer this question in person to anyone who would like to ask, but two lines of text is not enough to discuss this topic.

5. What are your feelings about employees working remotely?

I have no issues with employees working remotely. As a society we've quickly found during the past few years a physical office is not required 24/7 to be productive.

6. In your opinion, is Graham's rate of growth too slow, too fast, or about right in the following categories?

Commercial

Residential

Industrial

7. Some have contended that a number of developments approved/proposed are "too dense," relative to nearby existing neighborhoods. What is your view on how significant a factor density of new proposed subdivisions should be compared to existing ones? [50 word limit]

My personal belief is that new development should reflect a similar design to existing development with regards to lot size, zoning, etc, but I do believe there's wiggle room for variation.

8. There will be many people who will try to influence your decisions and exploit your position. Can you be impartial, avoid impropriety both professionally and in your personal conduct?

Yes, my decisions are mine and mine alone. I take nothing personally, and maintain a professional demenor.

9. What ways do you suggest we promote public confidence in the integrity and impartiality of the City?

Taking responsibility for the actions of the city and council and promoting thoughtful public discussion before making decisions will go a long way in promoting the impartiality of the city.

	Do you believe you will be able to perform your duties and uphold your oath without reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government?
	Yes, I do. I work with the public every day and firmly believe transparency with the local government is paramount to success for the community.
	Do you believe you can keep an open mind on all matters until you have heard from all parties?
	Yes, I do. A healthy public discussion and debate is the only way to resolve matters for the public in a way that best helps the parties and our community.
12.	Have you ever been convicted of a crime? If so, please provide details.
	No.
13.	What experience do you have in governmental procedure or Roberts Rules of Order?
	While I would in no way consider myself an expert on Robert's Rules, I have been a part of many
	meetings and organizations that follow those rules for procedure.
14.	What is your area of strongest disagreement with any action taken by the city council in the past 5 years?
	The decision making and voting process based around the paid Veterans Day holiday at the council's November meeting sets an extremely dangerous precedent for council to bypass public discussion.
15	. In your view, what are the three main issues facing Graham in the next five years?
10	Continued downtown and commercial development, residential growth, and continued political
•	turmoil due to an increasingly divided population and our reputation from the last 2-3 years.
16	Do you agree with the downtown Master Plan overall?
	I'll need more clarification on which plan this question is referring to before answering.
. 17	7. Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks?
	No.
18	8. Specifically, do you believe in eliminating loading zones in the downtown?
	No.

19.	Do you believe it is appropriate to take private property by eminent domain?
	No.
20.	Do you have at minimum of 10 hours per week to dedicate to this position?
	Yes.
21.	Are you willing to run again in 2023 for this position?
	Yes.
22.	Why do you want to be considered for the city council position?
	I'm a life long Graham resident, and I intend to keep it that way. I'm ready to step up and lead our
	community forward and progress toward making Graham the city all of our residents deserve.
23. \	What skills do you have that make you uniquely qualified to hold a city council seat?
<u>/</u>	A customer at our store once said he'd never felt such respect, regardless of who they were, from my
	amily or myself. There are few candidates for this position that are held in that regard by the community.
24. V	What other information would you like for the city council to consider about your pplication?
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JAN 28 2022 CITY OF GRAHAM

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in AM response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out

Name Edith Montoya		
Address (must reside within city limits) 1114 Gant Rd Lot 17 Graham NC, 27253		
How long have you lived within city limits of Graham? 23 years (Since Birth)		
Do you spend more than 3 nights/week at another location other than the address listed above? NO		
Are you related to any persons currently employed with the City of Graham or that has served on City Council? NO		
Do you know any persons working for the city of Graham or who have served on the Graham City Council or Commission Boards? If so, please list name and how you know them. NO		
Education Bachelors of Science in Business Administration		
Military Service		
Occupation/Place of Employment Signing Agent		
Organizations (limit of 5, with title where appropriate): Second Vice President of the Hispanic Caucus of Alamance County.		
Political career (previous offices and/or when first elected/appointed): The only term I am serving at the moment is for the Hispanic Caucus of Alamance County that started on November 13,2021.		
1. What area(s) of city spending do you feel should be increased or decreased? [50 word limit]		
Areas of spending that should be increased are education, public saftey and infrastructure.		
2. For any categories in #1, would you be willing to raise property taxes to accomplish?		
I will always seek out for better ways to get funds without affecting the tax payers. However, if raising		
taxes the only source and the task is well worth it then yes.		

3.	<i>y</i> ,	•	entives? In general, do you support or attract industry to Graham? [25 word	
	This truly depends on the type of industry were speaking of. I do not support or oppose incentives it it just depends if it makes sense.			
4.	Some jurisdictions have begun considering whether their employees should be required to be vaccinated against the COVID-19 virus. Would you support or oppose such a requirement for municipal employees in Graham?			
		ould have the choose to get e community as a whole.	vaccinated or not. However, at the end of the day I	
5.		about employees working r	remotely?	
-,	, ,	, ,	of job they have and the ability to monitor their task.	
6.	In your opinion, is Gra following categories?	In your opinion, is Graham's rate of growth too slow, too fast, or about right in the following categories?		
	Commercial	Residential	<u>Industrial</u>	
	Possibly in the m	Possibly in the m	Possibly in the m	
7.	Some have contended that a number of developments approved/proposed are "too dense," relative to nearby existing neighborhoods. What is your view on how significant a factor density of new proposed subdivisions should be compared to existing ones? [50 word limit]			
	Density does not both	er me as long as it don't int	erfere with infrastructures.	
8.	There will be many people who will try to influence your decisions and exploit your position. Can you be impartial, avoid impropriety both professionally and in your personal conduct?			
	I always been importal as a minority I have to see from everybodies views whether they are a			
	monority or not.			
9.	What ways do you suggest we promote public confidence in the integrity and impartiality of the City?			
	Always be positive, ho	onest and never spread neg	pativity.	
	Armine the delication of the Control			

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10.	Do you believe you will be able to perform your duties and uphold your oath without reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government?
	Yes, I am able to perform the duties and up hold the oath without reproach, and be an advocate for the citizens of Graham.
11.	Do you believe you can keep an open mind on all matters until you have heard from all parties?
	Yes, definitley.
12.	Have you ever been convicted of a crime? If so, please provide details.
13.	What experience do you have in governmental procedure or Roberts Rules of Order? Robert Rule order I'm learning it I am currently serving as the second Vice President for the Hispanic Caucus of Alamance County.
	What is your area of strongest disagreement with any action taken by the city council in the past 5 years? I am not familiar to all the issues. I am new to politics.
	Tam not familiar to air the issues. Tam new to politics.
15.	In your view, what are the three main issues facing Graham in the next five years?
	Inclusion for minorities, increasing business growth and infrastructure.
16.	Do you agree with the downtown Master Plan overall? Yes.
	Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks?
	NO '
18.	Specifically, do you believe in eliminating loading zones in the downtown?

19.	Do you believe it is appropriate to take private property by eminent domain?
	I tend to follow the law.
20.	Do you have at minimum of 10 hours per week to dedicate to this position?
	Yes
21.	Are you willing to run again in 2023 for this position?
	Yes
22.	Why do you want to be considered for the city council position?
	I always wanted to be involved in my community. Graham is my home and I want to have a positive
	impact to my community.
23.	What skills do you have that make you uniquely qualified to hold a city council seat?
	My skills is being fair, a independent thinker and I consider all people when making a decision.
	What other information would you like for the city council to consider about your application?
	I have a desire and passion to do this job. I believe a council should be diverse to truly represent the
	whole community.

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JAN 28 2022

CITY OF GRAHAM

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out herein.

Name Alton Eugene (Gene) Myrick
Address (must reside within city limits) 318 w market st graham
How long have you lived within city limits of Graham? 54 years
Do you spend more than 3 nights/week at another location other than the address listed above? no
Are you related to any persons currently employed with the City of Graham or that has served on City Council? not to my knowledge
Do you know any persons working for the city of Graham or who have served on the Graham City Council or Commission Boards? If so, please list name and how you know them. Jennifer Talley via of being a local business owner and Josh O'Baugh is the son of an old friend
Education ged / technical and trades training
Military Service none
Occupation/Place of Employment self employed, Gene's Automotive
Organizations (limit of 5, with title where appropriate):
Political career (previous offices and/or when first elected/appointed): none
What area(s) of city spending do you feel should be increased or decreased? [50 word limit]
without more information i'm going to say police and fire departments
2. For any categories in #1, would you be willing to raise property taxes to accomplish?
not without a vote from the citizens to approve how their money gets spent
not without a vote from the citizens to approve how their money gets spent RECEIVED JAN 2.7
JAN 27 2022
JAN 27 2022 CITY OF GRAHAM
MAHAM

3	 What is your position with respect to economic incentives? In general, do you support or oppose using taxpayer money as an incentive to attract industry to Graham? [25 word limit] 		
	oppose		
4	no ne vaccinated ac	have begun considering whether gainst the COVID-19 virus. Would inicipal employees in Graham?	their employees should be required d you support or oppose such a
5.	What are your feeli	ngs about employees working rer	notely?
		atly out in the field jobs. i agree fo	•
6. In your opinion, is Graham's rate of growth too slow, too fast, or about right in the following categories?			too fast, or about right in the
	Commercial	Residential	<u>Industrial</u>
	about right	about right	about right
7.	defise, relative to ne	ed that a number of development earby existing neighborhoods. W ew proposed subdivisions should	s approved/proposed are "too hat is your view on how significant be compared to existing ones? [50
	I believe this is a matte	or that should be addressed at time o	of proposal with the surrounding areas citizens.
8.	this will affect them and their property values and not my place to approve or oppose without their input There will be many people who will try to influence your decisions and exploit your position. Can you be impartial, avoid impropriety both professionally and in your personal conduct?		
	yes, most definitely	× 2	4
9.	What ways do you รเ of the City?	ggest we promote public confide	nce in the integrity and impartiality
,	without a little more i	nformation on some matters i'm ı	unable to give an answer to this

. 1	0. Do you believe you will be able to perform your duties and uphold your oath without reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government?
	yes
1′	1. Do you believe you can keep an open mind on all matters until you have heard from all parties?
	yes, there is always at least two sides to every story
12	Have you ever been convicted of a crime? If so, please provide details. only minor traffic violations
13	. What experience do you have in governmental procedure or Roberts Rules of Order? none, but always willing to learn
14	. What is your area of strongest disagreement with any action taken by the city council in the past 5 years?
	in my lifetime i've seen a few things that should have raised an eyebrow or two, but nothing recently comes to mind
15.	In your view, what are the three main issues facing Graham in the next five years? infrastructure to support city's growth
16.	Do you agree with the downtown Master Plan overall? not enough information to form an opinion on this
17.	Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks?
18.	Specifically, do you believe in eliminating loading zones in the downtown? not unless the businesses have back alley access for deliveries, some do but others do not

19.	Do you believe it is appropriate to take private property by eminent domain?
	no
20.	Do you have at minimum of 10 hours per week to dedicate to this position?
	yes
21.	Are you willing to run again in 2023 for this position?
	possibly
22.	Why do you want to be considered for the city council position?
	i think it is a position that should be filled by an average citizen instead of someone with a political agenda
23.	What skills do you have that make you uniquely qualified to hold a city council seat?
	i'm just an average citizen with nothing to gain agenda wise
	What other information would you like for the city council to consider about your application?

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JAN 27 2022

CITY OF GRAHAM



RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out herein.

Name Richard E. Rohrer Sr.
Address (must reside within city limits) 1215 Rogers Rd.
How long have you lived within city limits of Graham? by 15 THISTIME TOTAL 32 YES
Do you spend more than 3 nights/week at another location other than the address listed above?
Are you related to any persons currently employed with the City of Graham or that has served on City Council? \mathbb{N}
Do you know any persons working for the city of Graham or who have served on the Graham City Council or Commission Boards? If so, please list name and how you know them. MYOR TOLKY REST MAYOR DESCRIPTION
Education 12 + Some College COLASES
Military Service SFS
Occupation/Place of Employment Retired
Organizations (limit of 5, with title where appropriate): Mend ow Creek Ruritan (Lub
Political career (previous offices and/or when first elected/appointed):
1. What area(s) of city spending do you feel should be increased or decreased? [50 word limit]
Fire
2. For any categories in #1, would you be willing to raise property taxes to accomplish?

3.	What is your position with respect to economic incentives? In general, do you support or oppose using taxpayer money as an incentive to attract industry to Graham? [25 word limit]
	SUpport
4.	Some jurisdictions have begun considering whether their employees should be required to be vaccinated against the COVID-19 virus. Would you support or oppose such a requirement for municipal employees in Graham?
5.	What are your feelings about employees working remotely?
6.	In your opinion, is Graham's rate of growth too slow, too fast, or about right in the following categories?
	Commercial Residential Industrial SLOW Frest SLOW
7.	dense," relative to nearby existing neighborhoods. What is your view on how significant a factor density of new proposed subdivisions should be compared to existing ones? [50 word limit]
	LOT Sign should be LARKED.
8.	There will be many people who will try to influence your decisions and exploit your position. Can you be impartial, avoid impropriety both professionally and in your personal conduct?
	Yes
9.	What ways do you suggest we promote public confidence in the integrity and impartiality of the City?
	Horr some wide abouts with the police dept.

10.	Do you believe you will be able to perform your duties and uphold your oath without reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government?		
	Jes		
11.	Do you believe you can keep an open mind on all matters until you have heard from all parties?		
	<u>Yes</u>		
12.	Have you ever been convicted of a crime? If so, please provide details.		
13.	What experience do you have in governmental procedure or Roberts Rules of Order?		
14.	What is your area of strongest disagreement with any action taken by the city council in the past 5 years?		
15.	In your view, what are the three main issues facing Graham in the next five years?		
	Do you agree with the downtown Master Plan overall?		
17.	Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks?		
18.	Specifically, do you believe in eliminating loading zones in the downtown?		

19.	Do you believe it is appropriate to take private property by eminent domain?
20.	Do you have at minimum of 10 hours per week to dedicate to this position?
	Yes
	Are you willing to run again in 2023 for this position?
	Y TS
	Why do you want to be considered for the city council position?
3	I mong like to see mare brognessinish in all gobs.
23.	What skills do you have that make you uniquely qualified to hold a city council seat?
(GENERAL MINNAGER - INTRIBRY CONTROL
24.	What other information would you like for the city council to consider about your application?

JAN 18 2022 CITY OF GRAHAM

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out herein.

Name Chip TURNER
Address (must reside within city limits) 128 WESTOVER 5T.
How long have you lived within city limits of Graham? 694RS
Do you spend more than 3 nights/week at another location other than the address listed above?
Are you related to any persons currently employed with the City of Graham or that has served on City Council?
Do you know any persons working for the city of Graham or who have served on the Graham City Council or Commission Boards? If so, please list name and how you know them.
Education High School - ACC 24R5
Occupation/Place of Employment RETIFIL - SELF EMPLOYEEL NCOOT
Military Service YES Occupation/Place of Employment RETIFIL - SELF EMPLOYEEL MCDOT Organizations (limit of 5, with title where appropriate): NONE AT THIS TIME
Political career (previous offices and/or when first elected/appointed): LITY COUNCIL 124. PARKS & REC. COMMISION BOATS 104RS
What area(s) of city spending do you feel should be increased or decreased? [50 word limit]
INCREASE CITY POLICE & FIRE
2. For any categories in #1, would you be willing to raise property taxes to accomplish?
MAMB LAST NOW . HOWEVER AT SOME POINT IN TIME POLICE & FIRE
police & fire

3.	What is your position with respect to economic incentives? In general, do you support or oppose using taxpayer money as an incentive to attract industry to Graham? [25 word limit]
	UN FORTUNITELY YES & If YOU LON'T YOU UILL BE LEFT BELING. PAGABLE BACK IN 5 YRS-
4.	Some jurisdictions have begun considering whether their employees should be required to be vaccinated against the COVID-19 virus. Would you support or oppose such a requirement for municipal employees in Graham? No MBHDATLS — PERSONAL Choice
5.	What are your feelings about employees working remotely?
	BE SAKETIVE & FOR ONLY AShort PERIOD OF TIME
6.	In your opinion, is Graham's rate of growth too slow, too fast, or about right in the following categories?
_	Commercial Residential Industrial OULD BE MOKE ABOUT RIGHT COULD BE MOKE
7.	Some have contended that a number of developments approved/proposed are "too dense," relative to nearby existing neighborhoods. What is your view on how significant a factor density of new proposed subdivisions should be compared to existing ones? [50 word limit]
	THAT CAN'T BE ANGWERED IN A STATEMENTO. THERE
8.	That CAN'T BE ARROWERED IN A STATEMENT. THERE DATE SOME TENNING TO EVER LAMPEN, THERE IS A DEIRY SERVE WILL WILL HOLD BE TO EXPENSIVE TO EVER LAMPEN, THERE WIll be many people who will try to influence your decisions and exploit your ACTERNATIVE THINKING position. Can you be impartial, avoid impropriety both professionally and in your personal conduct?
	YES YES YES. I DIN IT FOR OVER 124RS
9.	What ways do you suggest we promote public confidence in the integrity and impartiality of the City?
	Do the Right Thing-

10.	Do you believe you will be able to perform your duties and uphold your oath without reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government?
	VES. DAD IT BEFORE
11.	Do you believe you can keep an open mind on all matters until you have heard from all parties? ### Parties of the content of
12.	Have you ever been convicted of a crime? If so, please provide details.
13.	What experience do you have in governmental procedure or Roberts Rules of Order? 12 4 25. PUS 16 4 25-
14.	What is your area of strongest disagreement with any action taken by the city council in the past 5 years? That would be have to Be Thought
15.	In your view, what are the three main issues facing Graham in the next five years? POLICE FIRE TAXES
16.	Do you agree with the downtown Master Plan overall? ALThough That 15
17.	Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks?
18.	Specifically, do you believe in eliminating loading zones in the downtown?
	14 - 1h/17 0 USK

19.	Do you believe it is appropriate to take private property by eminent domain?
	MOOR THAT HAS A LOT OF LEGAL
20.	Do you have at minimum of 10 hours per week to dedicate to this position?
	hAVE DIEDICATED THAT FER DOER 12 4RS
	Arle More
21.	Are you willing to run again in 2023 for this position? RAT COULD
	THERE IS A LOT OF Things TO HAPPEN TO ANSWEL THAT QUESTIONS COULD BE YES DRALO
	ANSWER THAT QUESTION, COULD BE YES DRALD
22.	Why do you want to be considered for the city council position?
	Why do you want to be considered for the city council position? Years of Years of LITH
	CITY
23.	What skills do you have that make you uniquely qualified to hold a city council seat?
	LIFETIME RESIDENCY 22 YRS EXPERIBALE - CITA
	LIFETIME RESIDENCY ZE YRS EXPERIENCE - CITY 30+4RS WORKING IN STATE GOVERNE MENT
	What other information would you like for the city council to consider about your
	application?
	All of The ABOVE FOR QUESTION 23:24-
	Plus other purcious - PERSONALITY
	KNOWING A LOT OF PEOPLE - PIUS EXPERIENCE
	IN ROADERYS. BUILDING & MAINTENCE

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JAN 28 2022

CITY OF GRAHAM

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out herein.

Nam	ne Dean Ward
Add	ress (must reside within city limits) _483 W. Moore St
How	long have you lived within city limits of Graham? Over 20 years
Do y	ou spend more than 3 nights/week at another location other than the address listed above? NO
	you related to any persons currently employed with the City of Graham or that has served on City ncil?NO
Cou	rou know any persons working for the city of Graham or who have served on the Graham City ncil or Commission Boards? If so, please list name and how you know them. <u>Jennifer Talley, Bobby Chin,</u> y Hall all on council. Tony Balley, Eric Crissman, <u>Michael Benesch, Jerome Bias</u> (Chief Cole, Chief Tommy Cole, <u>Burke, Tim</u> Covingto
Edu	cation Graham High, GTCC & Guilford College
Mili	tary Service None
Occ	upation/Place of EmploymentTriad Turf Mangement. Inc
Orga Cha	anizations (limit of 5, with title where appropriate): _Chairman of Graham Planning & Zonning irman Graham of Board of Adjustments
Poli	tical career (previous offices and/or when first elected/appointed): None
1.	What area(s) of city spending do you feel should be increased or decreased? [50 word limit]
2.	For any categories in #1, would you be willing to raise property taxes to accomplish?
	Only as a last resort. There are many ways to increase revenue without increasing property taxes

3.	• •	•	entives? In general, do you support or tract industry to Graham? [25 word	
	I would support giving	economic incentives under some circ	ımstance.	
4.	to be vaccinated ag requirement for mur	ainst the COVID-19 virus. Wo nicipal employees in Graham?	er their employees should be required ald you support or oppose such a his should be a choice not a requirement.	
5.	•	gs about employees working it be working remotely, and should be	emotely? accessible to the public. Our Police, Fire & Pub	ic Works work everyday
6.	In your opinion, is Graham's rate of growth too slow, too fast, or about right in the following categories?			
	Commercial Too Slow	Residential Too Fast	Industrial Too Slow	
7.	dense," relative to n a factor density of n word limit]	earby existing neighborhoods. ew proposed subdivisions sho of the approved neighborhoods are	ents approved/proposed are "too What is your view on how significant uid be compared to existing ones? [50 wery dense. The council should have staff to exp	olore revising
8.		people who will try to influence	your decisions and exploit your oth professionally and in your personal	
	YES			
9.	What ways do you s	suggest we promote public cor	fidence in the integrity and impartiality	
	Practicing more transparency.			
			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	

10.	reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government?
	Yes
11.	Do you believe you can keep an open mind on all matters until you have heard from all parties?
	Yes
12.	Have you ever been convicted of a crime? If so, please provide details.
13.	What experience do you have in governmental procedure or Roberts Rules of Order? I serve both on the planning board and the board of adjustments now. Both follow the Roberts Rules of Order.
14.	What is your area of strongest disagreement with any action taken by the city council in the past 5 years? The downtown Development
15.	In your view, what are the three main issues facing Graham in the next five years? City Growth, Public Saftey, Employee Rentention
16.	Do you agree with the downtown Master Plan overall?
17.	Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks? NO
18.	Specifically, do you believe in eliminating loading zones in the downtown? NO

.

19.	Do you believe it is appropriate to take private property by eminent domain?	
	NO	
20.	Do you have at minimum of 10 hours per week to dedicate to this position?	
	Yes	
21.	Are you willing to run again in 2023 for this position?	
	Yes	
22.	Why do you want to be considered for the city council position?	
	I have lived in Graham much of my life. I think Graham is a very unique town, and I would like to see it maintain that small town. The experience that I have by serving on both the PB & BOA would be an assest to the council seat.	look.
23.	What skills do you have that make you uniquely qualified to hold a city council seat?	
	Chairman of the Planning Board, and Chairman of the Board of Adjustments. I've been involved over the years in property dev	elopment
24.	What other information would you like for the city council to consider about your application?	

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JAN 3 0 2022

CITY OF GRAHAM

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in AM response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out herein.

Na	Name Melody Wiggins			
Add	dress (must reside within city limits) 300 Ward St.			
Но	w long have you lived within city limits of Graham?			
Do	you spend more than 3 nights/week at another location other than the address listed above?			
	e you related to any persons currently employed with the City of Graham or that has served on City uncil?			
	you know any persons working for the city of Graham or who have served on the Graham City uncil or Commission Boards? If so, please list name and how you know them.			
Edu	ucation			
Mil	litary Service			
	cupation/Place of Employment			
	ganizations (limit of 5, with title where appropriate):			
Pol	itical career (previous offices and/or when first elected/appointed):			
1.	What area(s) of city spending do you feel should be increased or decreased? [50 word limit]			
2.	For any categories in #1, would you be willing to raise property taxes to accomplish?			

	3.	oppose using taxpayer money as an incentive to attract industry to Graham? [25 word limit]
	4.	Some jurisdictions have begun considering whether their employees should be required to be vaccinated against the COVID-19 virus. Would you support or oppose such a requirement for municipal employees in Graham?
	5.	What are your feelings about employees working remotely?
	6.	In your opinion, is Graham's rate of growth too slow, too fast, or about right in the following categories?
		<u>Commercial</u> <u>Residential</u> <u>Industrial</u>
·	7.	Some have contended that a number of developments approved/proposed are "too dense," relative to nearby existing neighborhoods. What is your view on how significant a factor density of new proposed subdivisions should be compared to existing ones? [50 word limit]
·	8.	There will be many people who will try to influence your decisions and exploit your position. Can you be impartial, avoid impropriety both professionally and in your personal conduct?
	9.	What ways do you suggest we promote public confidence in the integrity and impartiality of the City?

10.	Do you believe you will be able to perform your duties and uphold your oath without reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government?
1 1.	Do you believe you can keep an open mind on all matters until you have heard from all parties?
12.	Have you ever been convicted of a crime? If so, please provide details.
13.	What experience do you have in governmental procedure or Roberts Rules of Order?
14.	What is your area of strongest disagreement with any action taken by the city council in the past 5 years?
15.	In your view, what are the three main issues facing Graham in the next five years?
16.	Do you agree with the downtown Master Plan overall?
17.	Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks?
18.	Specifically, do you believe in eliminating loading zones in the downtown?

19.	Do you believe it is appropriate to take private property by eminent domain?
20.	Do you have at minimum of 10 hours per week to dedicate to this position?
21.	Are you willing to run again in 2023 for this position?
22.	Why do you want to be considered for the city council position?
23.	What skills do you have that make you uniquely qualified to hold a city council seat?
	What other information would you like for the city council to consider about your application?
	Graham City Council Members serve at the will of the citizens. The citizens have already spoken and I am the candidate that the public has chosen.

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Questionnaire for Graham City Council Candidate Unexpired Term 7 2022

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out herein.

	Nam	e Bonnie L Whitaker				
	Addı	ess (must reside within city limits) 2456 Greenview Dr. Graham, N.C. 27253				
	How long have you lived within city limits of Graham? 6 years					
	Do y	ou spend more than 3 nights/week at another location other than the address listed above? <u>No</u>				
		you related to any persons currently employed with the City of Graham or that has served on City noil?				
with	Cou	ou know any persons working for the city of Graham or who have served on the Graham City ncil or Commission Boards? If so, please list name and how you know them. I <u>live near Ricky Hall and work</u> e on the HOA Board and Appearance Commission. I know Jennifer Talley thru Ricky Hall. I work with Bobby Chinn's wife on the HOC.				
	Edu	cation 96 college hours at the University of North Carolina at Wilmington.				
	Military Service I served 25 years in the United Staes Air Force. I retired in 2010.					
	Occi	pation/Place of Employment I am a GS-11 for the DOD as a Quality Assurance Specialist on government contracts.				
of th	Orga n <u>e G</u> i	anizations (limit of 5, with title where appropriate): <u>Chairman of the Graham Appearance Commission;</u> member aham Historical Commission; Member of the Veterans of Foreign Wars Post 433; President of Valleyfield HOA				
Political career (previous offices and/or when first elected/appointed): Political experience comes from Graham Historical Commission, the Graham Appearance Commission and serving as the Valleyfield HOA P						
	1.	What area(s) of city spending do you feel should be increased or decreased? [50 word limit]				
		Public Safety should be increased and the water systems improved.				
	2.	For any categories in #1, would you be willing to raise property taxes to accomplish?				
		No				

3. What is your position with respect to economic incentives? In general, do you support or oppose using taxpayer money as an incentive to attract industry to Graham? [25 word limit]

I am in favor of economic incentives to bring desirable business and industry to Graham, if it does not increase taxes.

4. Some jurisdictions have begun considering whether their employees should be required to be vaccinated against the COVID-19 virus. Would you support or oppose such a requirement for municipal employees in Graham?

I oppose a vaccine mandate because I believe in the United States Constitution, our individual liberties and our jurisdiction and sanctity over our own bodies, which is always a very personal decision.

5. What are your feelings about employees working remotely?

I believe the successs or failure of remote working or teleworking is subjective. It depends on the requirements of the job in question. For jobs that require availability to the public, it may not be the best, possible alternative.

6. In your opinion, is Graham's rate of growth too slow, too fast, or about right in the following categories?

Commercial

Residential

Industrial

Too slow

Too fast

About right

7. Some have contended that a number of developments approved/proposed are "too dense," relative to nearby existing neighborhoods. What is your view on how significant a factor density of new proposed subdivisions should be compared to existing ones? [50 word limit]

R-7 thru R15 density neighborhoods next to R-18 neighborhoods detracts from the rural feel of the area. Consider current residents, i.e. what the accesses to the new neighborhoods will be and the amount of increased traffic.

8. There will be many people who will try to influence your decisions and exploit your position. Can you be impartial, avoid impropriety both professionally and in your personal conduct?

Yes.		
100.	 	

9. What ways do you suggest we promote public confidence in the integrity and impartiality of the City?

Lead by example. Be open about the reasons and motivations for all actions taken. Show a willingness to hear opposing views and try to understand the reasons for them. Always be prepared to defend your positions with facts but tempered with compassion and empathy. Be available.

19. Do you believe it is appropriate to take private property by eminent domain?
No.
20. Do you have at minimum of 10 hours per week to dedicate to this position? Yes
21. Are you willing to run again in 2023 for this position? Yes
22. Why do you want to be considered for the city council position?
I have a desire keeping Graham beautiful and inviting while preserving it's rich history and rural appeal. I believe I will be able to contribute to that as a member of the Graham City Council.
23. What skills do you have that make you uniquely qualified to hold a city council seat?
My military background has given me world wide experience on many levels. I possess strong sense of community, leadership skills, respect for chain of command, communication skills and always strive for quality in everything that I described to the communication of the communication skills and always strive for quality in everything that I described to the communication skills and always strive for quality in everything that I described to the communication skills and always strive for quality in everything that I described to the communication skills are communication skills.
24. What other information would you like for the city council to consider about your application?
I want to thank you all for your consideration and the opportunity to apply to serve the city that I live in and love.



BONNIE WHITAKER

Graham, NC 27253 | 210-884-0602 | bonnie.l.whitaker.civ@mail.mil

Summary

Proficient Quality Analyst with experience handling and resolving critical quality problems using research abilities. Strong analytical, organizational and planning abilities. Consistently works with minimum supervision. Independent and self-directed.

Skills

- QA reporting
- Quality Assurance
- Management collaboration
- · Mentoring and guidance
- · Six Sigma methodology

- Correction action planning
- · Continuous Improvement
- Project management
- · Cost-reduction methods

Experience

Quality Assurance Representative Defense Contract Management Agency (DCMA)

11/2012 to Current Greensboro, NC

- Mechanical Certification
- Electronic Certification
- Clothing and Textile Certification
- NDT Certification
- Designs, plans and implements an effective risk management program to ensure that all threats to the successful delivery of the contract are addressed and mitigated in the Government's best interests.
- Reviews contracts and technical data packages to identify the specification requirements.
- Establishes and maintains communications with contractor's top management to ensure understanding exists for acceptable quality evidence for performance and key process proofing/measurement and analysis.
- Proof flow down of contract requirements, to include contractor adequacy of quality systems
- Conducts Quality Management Audits
- Conducts/participates in pre-award surveys, post award conferences, first article tests/inspections
- Assures compliance with specifications and technical requirements as outlined by contracts

Quality Assurance Specialist (Electronics) Defense Contract Management Agency (DCMA)

03/2010 to 11/2012 Grand Prairie, TX

- Reviews contracts and technical data packages to identify requirements in contractors processes
- Communicates with contractor top management at Lockheed Martin
- Tracks data to project future on-time delivery trends, identify risks and determine surveillance strategies.
- Conducts Quality Management Audits
- Reviews and approves Material Review Board waivers and Q-Notes

Conducts/participates in pre-award surveys, post award conferences, first article tests/inspections

- Assures compliance with specifications and technical requirements as outlined by contracts Investigates and analyzes production process and flow

Aircraft Production Controller USAF

04/2007 to 03/2010 San Antonio, TX

- Utilizes practical knowledge of the industrial activity, its staff and support operations to plan and schedule maintenance.
- Prepares and maintains records, data, reports and engineer correspondence IAW AFI 21-101.
- Possesses knowledge, skill, and experience to prevent or alleviate production delays, scheduling conflicts,

faulty processes, labor shortages, or skilled trade imbalances.

- Applies a variety of methods to investigate, analyze, plan, and implement corrective action as well as establish effective cost controls
- Prepares detailed written reports to include graphs, spreadsheets and powerpoint presentations to brief higher level commands.
- -Assigns priorities to aircraft production efforts, directs action to resolve resource shortages.
- -Specifically identifies problems and unfavorable trends and whenever corrective actions are not apparent, indicates underlying or associated causes.

Production Superintendent USAF

08/2001 to 04/2007 San Antonio, TX

- Ensures all aircraft maintenance deadlines are accurate and met.
- Determines aircraft safety of flight and routine inspections required to meet flying requirements
- Inspects all maintenance performed on every aircraft system for quality and accuracy and reports all deficiencies of off-equipment and on-equipment to include facilities, aircraft tech data, work cards, checklists, job guides and maintenance operating instructions.
- Communicates daily with specialists, engineers, crew members, suppliers, as well as customers for feedback.
- Directs and supervises all Production Controllers to ensure proper aircraft documentation and maintain proper aircraft status reporting.
- Coordinates with Base Operations to ensure all necessary training requirements for flight crews and pilots are met.
- Sets all aircraft priorities for Aircraft Overhaul Supervisors.
- Ensures deferred maintenance and pilot discrepancies are properly managed.
- Ensures proper debrief of aircrews.

Aircraft Overhaul Supervisor USAF

07/1996 to 08/2001 San Antonio, TX

- Supervises a team of employees engaged in ground handling, servicing, inspections. condition evaluations, testing and repair of aircraft assemblies, systems, components and parts.
- Responsible for launching and recovering aircraft and performing all required inspections.
- Supervises aircraft electrical/environmental technicians, pneudraulic technicians, jet engine propulsion mechanics, sheet metal/structural repair technicians, integrated electronic system mechanics and aircraft mechanics.
- Determines work sequences and priorities on all assigned aircraft.
- Instructs subordinate employees in safety matters and ensured safety standards were met.
- Provides guidance and direction on matters regarding production and management policies.
- Ensures adherence to safety and security regulations, practices and procedures.

Electronics Technician USAF

02/1990 to 07/1996 San Antonio, TX

- Visually inspects, repairs and provides functional analysis, troubleshooting, calibrations, tests and alignments of integrated avionics equipment systems.
- Utilizes schematics, wiring diagrams and technical orders.
- Inspects parts for manufacture defects, serviceability and proper installation.
- Possesses extensive knowledge of the operation, installation and adjustments of a variety of integrated aircraft systems.
- Skilled in reading and interpreting blueprint specifications and tech orders for C-5 A/B, F-4C, C-17 and B-52 aircraft.

Air Battle Damage Repair Technician USAF

08/1988 to 02/1990 San Antonio, TX

- Troubleshoots, analyzes, repairs and maintains all Avionics Instrument Systems.
- Works with engineers to accomplish repairs on sheet metal, wiring and components of battle damaged aircraft.

Avionics Technician USAF

02/1984 to 08/1988 Zweibrucken, Germany

- Troubleshoots, evaluates, repairs and analyzes avionics on and off aircraft equipment.
- Isolates malfunctions to specific circuits and/or elements to identify probable cause and accomplish repairs.
- Performs ISO inspection on RF-4C Aircraft

Education and Training

Speech And Communication

University of North Carolina At Wilmington

Wilmington, NC

Community Activities

Member of the City of Graham, NC Historic Resources Commission

Member of the city of Graham, NC Appearance Committee

Current Home Owner's Association President for the Valleyfield Residential Community in the city of Graham, NC

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out herein

Name		
Address (must reside within city limits)		
How long have you lived within city limits of Graham?		
Do you spend more than 3 nights/week at another location other than the address listed above?		
Are you related to any persons currently employed with the City of Graham or that has served on City Council?		
Do you know any persons working for the city of Graham or who have served on the Graham City Council or Commission Boards? If so, please list name and how you know them.		
Education		
Military Service		
Occupation/Place of Employment		
Organizations (limit of 5, with title where appropriate):		
Political career (previous offices and/or when first elected/appointed):		
What area(s) of city spending do you feel should be increased or decreased? [50 word limit]		
2. For any categories in #1, would you be willing to raise property taxes to accomplish?		

Received Jan 14 2022 City of Graham

3.	What is your position with respect to economic incentives? In general, do you support or oppose using taxpayer money as an incentive to attract industry to Graham? [25 word limit]
4.	Some jurisdictions have begun considering whether their employees should be required to be vaccinated against the COVID-19 virus. Would you support or oppose such a requirement for municipal employees in Graham?
5.	What are your feelings about employees working remotely?
6.	In your opinion, is Graham's rate of growth too slow, too fast, or about right in the following categories?
	<u>Commercial</u> <u>Residential</u> <u>Industrial</u>
7.	Some have contended that a number of developments approved/proposed are "too dense," relative to nearby existing neighborhoods. What is your view on how significant a factor density of new proposed subdivisions should be compared to existing ones? [50 word limit]
8.	There will be many people who will try to influence your decisions and exploit your position. Can you be impartial, avoid impropriety both professionally and in your personal conduct?
9.	What ways do you suggest we promote public confidence in the integrity and impartiality of the City?

Received Jan 14 2022 City of Graham

10.	Do you believe you will be able to perform your duties and uphold your oath without reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government?
11.	Do you believe you can keep an open mind on all matters until you have heard from all parties?
12.	Have you ever been convicted of a crime? If so, please provide details.
13.	What experience do you have in governmental procedure or Roberts Rules of Order?
14.	What is your area of strongest disagreement with any action taken by the city council in the past 5 years?
15.	In your view, what are the three main issues facing Graham in the next five years?
16.	Do you agree with the downtown Master Plan overall?
17.	Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks?
18.	Specifically, do you believe in eliminating loading zones in the downtown?

Received Jan 14 2022 City of Graham

Questionnaire for Graham City Council Candidate Unexpired Term 3 1 2022 Questionnaire for Graham City Council Candidate Unexpired Term 5 1 2022 OF GRAHAM

RESPONSES ARE VOLUNTARY: Please be advised than any information you provide in response to the "Questionnaire for Graham City Council Candidate Unexpired Term" is voluntary, and candidates are not required legally or otherwise to respond to questions set out herein.

PUBLIC RECORDS NOTICE: Please be advised any and all information you provide will be a public record and subject to disclosure in accordance with North Carolina Law.

Name	George Graus								
Addres	s (must reside within city limits) 204 Jefferson Dr, Graham								
How lo	dow long have you lived within city limits of Graham? over 16 years								
Do you	Do you spend more than 3 nights/week at another location other than the address listed above? No.								
Are yo	u related to any persons currently employed with the City of Graham or that has served on City								
Do yo	u know any persons working for the city of Graham or who have served on the Graham City ill or Commission Boards? If so, please list name and how you know them. Yes, Amy Graus - Spouse on Parks & Rec board 2020. Mary Faucette, worked together on local non-profit board.								
	tion Bachelor's of Science in Mechanical Engineering								
Educa	ry Service								
Milita	ry Service Sunfah Inc Sales Engineer								
Occu	oation/Place of Employment Sunfab Inc Sales Engineer nizations (limit of 5, with title where appropriate): Board of Professional engineers								
	cal career (previous offices and/or when first elected/appointed): N/A								
	What area(s) of city spending do you feel should be increased or decreased? [50 word limit]								
	Education, infrastructure and first responders. Increased								
Ē									
2.	For any categories in #1, would you be willing to raise property taxes to accomplish?								
	If city of Graham public interest supports.								

 What is your position with respect to economic incentives? In general, do you support oppose using taxpayer money as an incentive to attract industry to Graham? [25 word limit] 								
	If city of Graha	If city of Graham public interest supports.						
4.	Some jurisdictions have begun considering whether their employees should be required to be vaccinated against the COVID-19 virus. Would you support or oppose such a requirement for municipal employees in Graham? If the city of Graham public interest supports.							
5.		elings about employees working	remotely?					
6.	In your opinion, is following categor	s Graham's rate of growth too slo	ow, too fast, or about right in the					
	<u>Commercial</u>	Residential	<u>Industrial</u>					
	OK	OK	ОК					
â	I Oldlige to	JIGGLUV EXISIIIII NAINNACHAAA	ents approved/proposed are "too What is your view on how significant ald be compared to existing ones? [50					
_	City/county ordinand	es should be referred to for future de	evelopments.					
Μ,	There will be many people who will try to influence your decisions and exploit your position. Can you be impartial, avoid impropriety both professionally and in your personal conduct?							
<u>Y</u>	es							
۱۸/	hat ways do you s	suggest we promote public confid	dence in the integrity and impartiality					
of	ine City?		· · · · ·					

 	Do you believe you will be able to perform your duties and uphold your oath without reproach, be an advocate for the citizens of Graham and work to ensure the communities have trust in local government? Yes - trust in local government is paramount to the health and survival of the United States as a whole.
	Do you believe you can keep an open mind on all matters until you have heard from all parties?
	Yes, that is where the bulk of my professional experience lies.
12.	Have you ever been convicted of a crime? If so, please provide details.
	TVO
13	What experience do you have in governmental procedure or Roberts Rules of Order?
10.	Have experienced the process in past board member work.
	nave experienced the process in
14.	What is your area of strongest disagreement with any action taken by the city council in the past 5 years?
	the state of the second facing Graham in the next five years?
15	. In your view, what are the three main issues facing Graham in the next five years?
	Education, infrastructure growth, long term planning.
16	. Do you agree with the downtown Master Plan overall?
	Not familiar
17	. Specifically, do you believe that parking downtown should be eliminated or minimized in exchange for wider sidewalks?
	Only if City of Graham public interest supports.
18	3. Specifically, do you believe in eliminating loading zones in the downtown? No, it should be up to the establishments in downtown Graham to decide.

19	. Do you believe it is appropriate to take private property by eminent domain?					
	Yes, as outlined by the US constitution.					
20.	Do you have at minimum of 10 hours nor week to talk it as a second					
	Do you have at minimum of 10 hours per week to dedicate to this position? Yes					
21.	Are you willing to run again in 2023 for this position?					
	Potentially					
22.	Why do you want to be considered for the city council position?					
	Would be honored to provide assistance as a service to my community if needed.					
23. \	What skills do you have that make you uniquely qualified to hold a city council seat?					
_	Professional project management and committee work both corporately and in the community. Practical understanding of US history, the rule of law, US constitution and economics					
24. V	What other information would you like for the city council to consider about your application?					
1	would not expect any compensation for my services.					
-						

RECEIVED

JAN 3 1 2022

CITY OF GRAHAM

Wayne Nelson Brewer

319 Holt Ave

Graham, NC 27253

JAN 24 2022 CITY OF GRAHAM

January 24. 2022

City of Graham

201 S Main St

Graham, NC 27253

Re: Civil Penalties Letter

Dear Office Bost,

As the Ordinance states, I would like to exercise my right to request an appeal hearing to go before the City Council.

Please contact me once I have been added to the meeting agenda. 336-539-5460.

Sincerely,

Wayne Brewer

Wague Brenck

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

JANUARY 14, 2021

WAYNE NELSON BREWER 319 HOLT AVE GRAHAM NC 27253

CIVIL PENALTIES

This notice is to inform you that the property at 319 Holt Ave is still in violation of the ordinances below. Alamance County Tax Parcel ID #145412 records show you as the owner(s) of this property.

The following ordinance violations are present;

- Article III Sec. 12-70. Conditions declared a nuisance
- Article VII Abandoned/Junk motor vehicles have been declared to be a public nuisance

You will have 10 days or until January 27, 2022 to have the property brought into compliance. If the property is still in violation after January 27, 2022 a \$50 daily fine will occur each day thereafter.

Please contact me with any questions at (336)570-6705 or by email at jbost@cityofgraham.com.

Sincerely,

Officer Bost, CZO

Zoning Enforcement Officer

Office Bost

City of Graham

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

02/02/2021

BREWER WAYNE 319 HOLT AVE GRAHAM NC 27253

NOTICE OF VIOLATION

This notice of violation is concerning junk/nuisance vehicle ordinance violations at 319 Holt Ave in GRAHAM NC. Alamance County Parcel ID# 145412 records show you as the owner(s) of this property.

The following ordinance violations are present;

• Article VII - Abandoned/Junk motor vehicles have been declared to be a public nuisance

The City of Graham has received a complaint regarding vehicles at the property located 319 Holt Ave in Graham NC. The vehicles in question may not have a current license plate or maybe no license plate at all. In either case, this would be a violation of the city of Graham ordinance.

The City of Grahams definition of junk vehicles is as follows: Junk Vehicle means a vehicle that is partially dismantled or wrecked, or cannot be self propelled or moved in the manner in which it was originally intended to move, or appears to be worth less than \$100.00, **or does not display a current license plate.**

As the property owner(s) you are responsible for any violations at the property. You will be given ten (10) days or until February 14, 2021 to have these violations corrected. After this date elevated enforcement actions will be taken. Vehicles can be towed.

Please contact me with any questions at (336)570-6705 or by email at jbost@cityofgraham.com

Sincerely,

P.O. Drawer 357 201 South Main Street Graham, North Carolina 27253

Tel: (336) 570-6700 / Fax: (336) 570-6703

04/01/2021

BREWER WAYNE 319 HOLT AVE GRAHAM NC 27253

NOTICE OF VIOLATION

This notice of violation is concerning junk/nuisance vehicle ordinance violations at 319 Holt Ave in GRAHAM NC. Alamance County Parcel ID# 145412 records show you as the owner(s) of this property.

The following ordinance violations are present;

• Article VII - Abandoned/Junk motor vehicles have been declared to be a public nuisance

The City of Graham has received several complaints regarding vehicles at 319 Holt Ave in Graham NC. The vehicles in question may not have a current license plate or maybe no license plate at all. In either case, this would be a violation of the city of Graham ordinance.

The City of Grahams definition of junk vehicles is as follows: Junk Vehicle means a vehicle that is partially dismantled or wrecked, or cannot be self propelled or moved in the manner in which it was originally intended to move, or appears to be worth less than \$100.00, **or does not display a current license plate.**

As the property owner(s) you are responsible for any violations at the property. You will be given ten (10) days or until April 14, 2021 to have these violations corrected. After this date elevated enforcement actions will be taken. Vehicles can be towed.

Please contact me with any questions at (336)570-6705 or by email at jbost@cityofgraham.com

Sincerely,

P.O. Drawer 357 201 South Main Street Graham, North Carolina 27253

Tel: (336) 570-6700 / Fax: (336) 570-6703

04/29/2021

BREWER WAYNE 319 HOLT AVE GRAHAM NC 27253

NOTICE OF PRE-TOWING

This notice of pre-towing is concerning junk/nuisance vehicle ordinance violations at 319 Holt Ave in GRAHAM NC. Alamance County Parcel ID# 145412 records show you as the owner(s) of this property.

The following ordinance violations are present;

• **Article VII.** - Abandoned/Junk motor vehicles and vehicles declared to be public nuisances

As you were made aware of in a letter dated April 1, 2021 (see attached). Any vehicles on the property without valid tags or no tags at all are in violation. This includes RV's. Please remove the vehicles from the property or have valid tags placed on all vehicles.

In accordance with Article VII, section 20-192:

- It shall be unlawful for the owner of motor vehicle or for the owner, lesseee or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.
- Upon investigation, the city cheif code enforcement officer or other municipal official may determine and declare that a vehicle is a health or safety hazard or a public nuisance as defined in section 20-190 and order the vehicle removed.

You will be given an additional fifteen (15) days or until May 14, 2021 in which to place a valid tag on the vehicles or remove the vehicles in question from the property, hereby correcting this violation. The vehicles can be towed after May 14, 2021 or a criminal summons may be issued.

Please contact me with any questions at (336)570-6705 or by email at jbost@cityofgraham.com Sincerely,

File No.	210	CR 053647		Law Enforcement Case N	No.	LID No.	SID No.	FBI No.		
CRIMINAL SUMMONS Offense I M-VIOLATION OF LOCAL ORDINANCE				NORTH CAROL	-INA In	The General Cou District Court D				
THE S	TATE OF NO	RTH CAROL	INA VS.						Ī	
Name And Address Of Defendant WAYNE NELSON BREWER 319 HOLT AVE GRAHAM NC 27253 ALAMANCE COUNTY			shown and in to VEHICLES OF REMOVE THE	nt: ned, find that there is he county named abo N HIS PROPERTY, EM FROM HIS PRO T FROM THE CITY	ve you unlav LOCATED PERTY. HE	wfully and willfu AT 319 HOLT . E HAS BEEN SE	ılly did KEEP AVE,GRAHAN ENT THREE LI	MULTIPLE M. HE REFUSI ETTERS AND	ES TO AN IN	
Race Social Security N	Sex M	Date Of Birth Drivers License No.	Age o. & State							
Name Of Defend	lant's Employer									
Offense Code(s) I 8599		Offense In Violati								
Date Of Offense 02/22/202		<u> </u>								
Complainant (Name, Address Or Department) JENNIFER BOST 201 S MAIN ST ZONING DEPARTEMENT GRAHAM NC 27253 ALAMANCE COUNTY (336) 570-6705			information furnithe location, date may be issued a	riolation of the law refershed under oath by the and time indicated be nd you may be held in a sentence which may	complainant low to answe CONTEMPT	listed. You are Of r to the charge. If OF COURT. Arres	RDERED to appe you fail to appea st and/or contem	ear before the Co ir, an order for yo	ur arrest	
Names & Addresses Of Witnesses (Including Counties & Telephone Nos.)			-	ned finds the following	•	•		from the issue of	this	
				}	DY HUNTER	→	ounty Courthouse;	CRMB	ort Date 08/16/2021	
	or Offense Which ing Per Fingerprii		sued 07/26/2021	Magistrate Assistant CSC	Deputy CSC Clerk Of Superior Court	GRAHAM,		Cou	ort Time 09:00	X AM

(over)

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

JANUARY 14, 2022

WAYNE NELSON BREWER 319 HOLT AVE GRAHAM NC 27253

CIVIL PENALTIES

This notice is to inform you that the property at 319 Holt Ave is still in violation of the ordinances below. Alamance County Tax Parcel ID #145412 records show you as the owner(s) of this property.

The following ordinance violations are present;

- Article III Sec. 12-70. Conditions declared a nuisance
- Article VII Abandoned/Junk motor vehicles have been declared to be a public nuisance

You will have 10 days or until January 27, 2022 to have the property brought into compliance. If the property is still in violation after January 27, 2022 a \$50 daily fine will occur each day thereafter.

Please contact me with any questions at (336)570-6705 or by email at jbost@cityofgraham.com.

Sincerely,

Officer Bost, CZO

Zoning Enforcement Officer

City of Graham

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

02/02/2021

BREWER WAYNE 319 HOLT AVE GRAHAM NC 27253

NOTICE OF VIOLATION

This notice of violation is regarding nuisance/junk ordinance violations at 319 Holt Ave in GRAHAM NC. Alamance County Parcel ID# 145412 records show you as the owner(s) of this property.

The following ordinance violations are present:

• Article III Sec. 12-70. Conditions declared a nuisance

The City of Graham has received a complaint regarding the conditions of the property at 319 Holt Ave. ALL trash/debris needs to be cleaned up and removed from the property by the property owner.

As the property owner(s) you are responsible for any violation(s) at the property. You will be given ten (10) days or until February 14, 2021 to have ALL the debris cleaned up. After this date elevated enforcement actions will be taken and junk nuisance ordinances will be enforced.

Please contact me with any questions at (336)570-6705 or by email at jbost@cityofgraham.com

Sincerely,

P.O. Drawer 357 201 South Main Street Graham, North Carolina 27253

Tel: (336) 570-6700 / Fax: (336) 570-6703

04/01/2021

BREWER WAYNE 319 HOLT AVE GRAHAM NC 27253

NOTICE OF VIOLATION

This notice of violation is regarding nuisance/junk ordinance violations at 319 Holt Ave in GRAHAM NC. Alamance County Parcel ID# 145412 records show you as the owner(s) of this property.

The following ordinance violations are present:

• Article III Sec. 12-70. Conditions declared a nuisance

This is the 2nd Notice The City of Graham has received several complaints regarding the conditions of the property at 319 Holt Ave. ALL trash/debris needs to be cleaned up and removed from the property by the property owner.

As the property owner(s) you are responsible for any violation(s) at the property. You will be given ten (10) days or until April 14, 2021 to have ALL the debris cleaned up. After this date elevated enforcement actions will be taken and junk nuisance ordinances will be enforced.

Please contact me with any questions at (336)570-6705 or by email at jbost@cityofgraham.com

Sincerely,

P.O. Drawer 357 201 South Main Street Graham, North Carolina 27253

Tel: (336) 570-6700 / Fax: (336) 570-6703

04/29/2021

BREWER WAYNE 319 HOLT AVE GRAHAM NC 27253

FINAL NOTICE OF VIOLATION

This FINAL notice of violation is concerning nuisance/junk/debris ordinance violations at 319 Holt Ave in GRAHAM NC. Alamance County Parcel ID# 145412 records show you as the owner(s) of this property.

The following ordinance violations are present:

• **Article III Sec. 12-70.** Conditions declared a nuisance - (9) Any junk, including, but not limited to, deteriorated, unusable or inoperative furniture, appliances, machinery, equipment, automobile parts, tires, waste materials, trash, barrels, cans, paper, brick, brickbats, or other litter, refuse, rubbish or combustible materials which are scattered, placed or deposited in open spaces so as to constitute an accumulation or concentration.

• Penalties.

- a. Violation of any provision of this article shall subject the offender to a civil penalty in the amount of \$50.00 to be recovered by the city in a civil action in the nature of a debt if the offender does not pay the penalty within 30 days of being cited.
- b. Each day that a violation continues to exist 30 days after issuance of the original citation shall constitute a separate and distinct offense without multiple citations being issued and shall be subject to additional civil penalties of \$50.00 per day.
- c. The amount of the penalty, if not paid within 30 days of issuing of notice, may be collected in the same manner as provided for the collection of delinquent taxes.
- d. In addition to or in lieu of the collection of the penalty, the administrator may seek redress through the courts to abate such nuisance by injunctive relief.
- e. Any costs incurred by the city on enforcing this article by abatement of the nuisance shall be assessed
 against the property owner and may be collected in the same manner provided for the collection of
 delinquent taxes.

You were Previously sent a letter on April 1, 2021(see attached), notifying you of violations present at 319 Holt Ave in Graham NC. As the property owner(s) you are responsible for any violation at the property. You will be given an additional fifteen (15), or until May 14, 2021 to

have the property brought into compliance. After this date elevated enforcement actions will be taken and junk nuisance ordinances will be enforced up to and including fines. I have outlined the penalties above. Enforcement action could also include a criminal summons being issued.

Please contact me with any questions at (336)570-6705 or by email at jbost@cityofgraham.com Sincerely,

											THE RESIDENCE OF THE PARTY OF T
File No.	21C	R 05364	8		Law Enforcement Case I	Vo.	LID No.	SID No.	FBI No.		
CRIMINAL SUMMONS Offense I M-VIOLATION OF LOCAL ORDINANCE						NORTH CAROL	-INA In	The General Cour District Court D			
THE ST	TATE OF NO	RTH CA	ROLINA	VS.							
Name And Address Of Defendant WAYNE NELSON BREWER 319 HOLT AVE GRAHAM NC 27253 ALAMANCE COUNTY			shown and in t HIS PROPERT PERSON VISI	nt: ned, find that there is he county named abo IY LOCATED AT 3 IT FROM THE CITY THE IS A VIOLTIO	ove you unlay 19 HOLT AV 7 OF GRAHA	vfully and willfu VE. HE HAS BE AM ZONING DI	illy did KEEP T EEN SENT LET EPT. AND STII	TRASH/DEBI TERS AND A LL REFUSES	RIS ON AN IN TO		
Race Social Security No	Sex M	Date Of Bi	irth cense No. & .	Age State							
Name Of Defenda	ant's Employer										
Offense Code(s) I 8599		1	n Violation C AL ORDI								
Date Of Offense 07/26/202	thr	ough	07/	26/2021							
Complainant (Name, Address Or Department) JENNIFER BOST 201 S MAIN ST ZONING DEPARTEMENT GRAHAM NC 27253 ALAMANCE COUNTY (336) 570-6705			information furnithe location, date may be issued a	riolation of the law refershed under oath by the e and time indicated be nd you may be held in y sentence which may	complainant low to answer CONTEMPT (listed. You are OR to the charge. If y OF COURT. Arres	RDERED to appear, you fail to appear, st and/or contemp	ar before the Co an order for yo	ourt at our arrest		
Names & Addresses Of Witnesses (Including Counties & Telephone Nos.)			☐ The undersign	ned finds the following	cause to set a	court date more t	han one month fr	om the issue of	f this		
					 	DY HUNTER	⊣	ounty Courthouse; (08/16/2021	
111	or Offense Which ng Per Fingerprin	Requires	Date Issued 07/2	6/2021	Magistrate Assistant CSC	Deputy CSC Clerk Of Superior Court	212 W ELM GRAHAM,N		Court	Time 09:00	X AM
ı											

(over)

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

JANUARY 14, 2022

WAYNE NELSON BREWER 319 HOLT AVE GRAHAM NC 27253

CIVIL PENALTIES

This notice is to inform you that the property at 319 Holt Ave is still in violation of the ordinances below. Alamance County Tax Parcel ID #145412 records show you as the owner(s) of this property.

The following ordinance violations are present;

- Article III Sec. 12-70. Conditions declared a nuisance
- Article VII Abandoned/Junk motor vehicles have been declared to be a public nuisance

You will have 10 days or until January 27, 2022 to have the property brought into compliance. If the property is still in violation after January 27, 2022 a \$50 daily fine will occur each day thereafter.

Please contact me with any questions at (336)570-6705 or by email at jbost@cityofgraham.com.

Sincerely,

Officer Bost, CZO

Zoning Enforcement Officer

City of Graham









SUBJECT:	ECONOMIC DEVELOPMENT & MARKETING COMMITTEE
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Discuss framework and next steps for creation of an Economic Development & Marketing Committee.

BACKGROUND/SUMMARY:

At the January 11tth, 2022 City Council meeting, the Graham City Council requested that staff research and present a framework for an economic development committee to serve as a new advisory board to the Council. The attached language provides the framework for an Economic Development & Marketing Committee that will serve as an advisory board to Council by identifying opportunities and making recommendations to develop policies, programs and initiatives to promote wide-ranging economic growth. This Committee would also provide support efforts for the revitalization of existing businesses and recruitment of new businesses across the city.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

N/A.

SUGGESTED MOTION(S):

N/A

CITY OF GRAHAM ECONOMIC DEVELOPMENT & MARKETING COMMITTEE

CREATION:

There is hereby created an Economic Development & Marketing Committee for the City.

PURPOSE:

The Economic Development & Marketing Committee (EDMC) shall serve as an advisor to the City Council by identifying and making recommendations to develop policies, programs and initiatives to promote sound economic growth; to work, collaborate and partner with agencies, organizations and academic institutions to develop and provide a work force with the knowledge and skills to support the present and future economic growth of the City; and to support the revitalization of existing business and to foster the recruitment of new businesses to ensure that Graham creates and maintains a diversified economic base for the future of the City.

1. Officers & Duties:

- A. The Economic Development & Marketing Committee shall organize and select a Chair, Vice Chair and Secretary.
- B. Chair-The Chair shall preside at all meetings and public hearings of the EDMC, and shall decide on all matters of order.
- C. Vice-Chair-The Vice Chair shall assume the duties of the Chair in her/his absence.
- D. Secretary- The Secretary shall keep minutes of the EDMC.

2. Meetings

All meetings are subject to the open meetings laws.

- A. *Regular Meeting*-Regular meetings of the EDMC shall be held bi-monthly on the 3rd Thursday of the month at 10:00 A.M. The meeting will take place in the City of Graham Council Chambers. The meeting times and locations may be changed as needed.
- B. *Special Meetings* Special meetings of EDMC may be called at any time by the Chair, providing at least 48 hours' notice.
- C. Quorum-Quorum shall consist of 3 voting members.
- D. Conduct of Meetings All meetings shall be open to the public.
- E. *Vote* Except as otherwise specified herein the vote of a majority of those members present shall be sufficient to decide matters before the EDMC, provided a quorum is present.
- F. *Cancellation of Meetings* Whenever there is no business for the EDMC, the Chair may cancel a regular meeting by giving notice not less than 48 hours prior to the time set for the meeting.

3. Appointments:

The City Council shall appoint five (5) voting members to serve the EDMC. In addition, the following individuals can serve the EDMC in an advisory role, and shall not have a vote in EDMC matters:

- -City Council liaison
- -City Staff

Members shall be appointed to staggered three (3) year terms. In the case of resignation, the EDMC may recommend individuals to the City Council to fulfill the un-expired term.

4. Records:

The Secretary shall maintain the minutes, the files of all studies, plans, reports and recommendations by the EDMC.

Minutes of the EDMC shall be public records and available upon request.



SUBJECT:	DISCUSSION TO RECOMBINE APPEARANCE COMMISSION AND TREE BOARD
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Discuss an amendment to the Code of Ordinances to recombine the Appearance Commission and Tree Board.

BACKGROUND/SUMMARY:

The City Council requested that staff research the existing enabling language for the Appearance Commission and Tree Board and present an alternative that would recombine the two boards. The boards were separated by the City Council at the June 6, 2017 Council meeting and subsequently moved from the City's Development Ordinance to the City's Code of Ordinances. The attached language illustrates repositioning the Tree Board as a sub-committee to the Appearance Commission.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

N/A. If directed by Council, the proposed language would need to be brought back for amendment consideration at a later date.

SUGGESTED MOTION(S):

N/A

EXISTING

Sec. 2-58. - Tree board.

- (a) *Created; composition; qualifications.* There is hereby created a tree board for the city, which shall consist of seven city residents. A member of the city council shall serve on the tree board concurrent with their term of office on the city council. As liaison to the tree board, the council member shall not have a vote. The city horticulturist shall be the staff liaison and serve as an ex-officio member of the board.
- (b) Compensation. Members of the tree board shall serve without compensation.
- (c) Operation. The tree board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings and recommendations, which record shall be a public record. The tree board shall set a regular schedule for meetings, and the chairman may call a special meeting upon request of a majority of members of the board. A majority of the members shall be a quorum for the transaction of business.
- (d) Duties.
 - (1) It shall be the responsibility of the tree board to study, investigate, counsel, develop, update annually and administer a written plan for the care, preservation, pruning, planting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. The plan will be presented annually to the city council and upon its acceptance and approval shall constitute the official comprehensive tree plan for the city.
 - (2) The tree board, when requested by the city council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.
 - (3) The tree board shall furthermore serve as an advisory board to the city council with the following duties and responsibilities:
 - a. To facilitate the planting, growth and protection of trees within the city.
 - b. To foster the communication among the citizens of Graham that would provide the needed protection of trees and to coordinate active measures to support their health and growth within the city.
 - c. To conduct a tree survey of existing trees along streets and on public property within the city.
 - d. To investigate available grants, loans or contributions from other governmental agencies, public or private corporations or individuals; and to recommend the expenditure of any proceeds toward the accomplishment of the board's purpose.
 - e. To conduct continuing research, planning and feasibility studies required to support the purpose stated herein.
 - (4) The tree board shall also be responsible for developing an official street tree species list comprised of three groups of trees: Small trees, medium trees and large trees. No trees other than those included in the list may be planted as street trees without permission of the city tree board.
 - (5) The tree board shall be responsible for establishing guidelines for the spacing of city trees in accordance with the three species size classes in the official street tree species list. These

guidelines will cover spacing between street trees, the distance street trees may be planted from curbs or curblines and sidewalks, the distance street trees may be planted from any street corner, the location of the street trees relative to overhead and underground water lines, sewer lines, transmission lines or other utility, and any other areas involving the spacing of street trees, park trees or city-owned trees.

- (6) The tree board shall submit an annual report of its activities and recommendations to the city council and shall submit copies of its minutes and proceedings of its regular and special meetings.
- (e) Public tree care. The city shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The tree board may remove, or cause to be removed, any publicly owned tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electrical power lines, gas lines, water lines or other public improvements, or is affected with any disease, insect or other pest. This section does not prohibit the planting of street trees by adjacent property owners, providing that the selection and location of said trees is in accordance with the guidelines for planting and spacing developed by the tree board. The tree board may reserve the right to approve plantings in rights-of-way.
- (f) Review by council. The city council shall have the right to review the conduct, acts and decisions of the city tree board. Any person may appeal from any ruling or order of the tree board to the city council, which may hear the matter and make final decision.
- (g) Term; vacancies. The appointed members of the tree board shall have three year terms, except that the term of two of the members appointed to the first board shall be for one year and the term of two members of the first board shall be for two years. In the event that a vacancy occurs during a member's term, his successor shall be appointed for the unexpired portion of the term
- (h) Interference with board. It shall be unlawful for any person to prevent, delay or interfere with the city tree board or any of its agents while engaging in planting, cultivation, mulching, pruning, spraying or removing of any street trees, park trees or trees on public grounds, as authorized in this article.
- (i) Tree topping. It shall be unlawful as a normal practice, except as described in this section, for any person, firm or city department to top any street tree, park tree or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree as to remove the normal canopy and to disfigure the tree. Trees severely damaged by storms or other causes, or certain trees that interfere with or are an imminent threat to utility wires or other obstructions where other pruning practices are impractical, may be exempted from this article at the determination of the city tree board.

PROPOSED

Sec. 2-58. - Tree board.

- (a) Created; composition; qualifications. There is hereby created a tree board for the city, which shall consist of seven city residents a total membership of seven residents of the City of Graham at the time of appointment, with up to two members residing in the extraterritorial jurisdiction of Graham. Add: The members of the tree board shall be members of the appearance commission. A member of the city council shall serve on the tree board concurrent with their term of office on the city council. As liaison to the tree board, the council member shall not have a vote. The city horticulturist shall be the staff liaison and serve as an ex-officio member of the board.
- (b) Compensation. Members of the tree board shall serve without compensation.
- (c) Operation. The tree board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings and recommendations, which record shall be a public record. The tree board shall set a regular schedule for meetings, and the chairman may call a special meeting upon request of a majority of members of the board. A majority of the members shall be a quorum for the transaction of business.
- (d) Duties.
 - (1) It shall be the responsibility of the tree board to study, investigate, counsel, develop, update annually and administer a written plan for the care, preservation, pruning, planting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. The plan will be presented annually to the city council and upon its acceptance and approval shall constitute the official comprehensive tree plan for the city.
 - (2) The tree board, when requested by the city council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.
 - (3) The tree board shall furthermore serve as an advisory board to the city council with the following duties and responsibilities:
 - a. To facilitate the planting, growth and protection of trees within the city.
 - b. To foster the communication among the citizens of Graham that would provide the needed protection of trees and to coordinate active measures to support their health and growth within the city.
 - c. To conduct a tree survey of existing trees along streets and on public property within the city.
 - d. To investigate available grants, loans or contributions from other governmental agencies, public or private corporations or individuals; and to recommend the expenditure of any proceeds toward the accomplishment of the board's purpose.
 - e. To conduct continuing research, planning and feasibility studies required to support the purpose stated herein.
 - (4) The tree board shall also be responsible for developing an official street tree species list comprised of three groups of trees: Small trees, medium trees and large trees. No trees other than those included in the list may be planted as street trees without permission of the city tree board.

- (5) The tree board shall be responsible for establishing guidelines for the spacing of city trees in accordance with the three species size classes in the official street tree species list. These guidelines will cover spacing between street trees, the distance street trees may be planted from curbs or curblines and sidewalks, the distance street trees may be planted from any street corner, the location of the street trees relative to overhead and underground water lines, sewer lines, transmission lines or other utility, and any other areas involving the spacing of street trees, park trees or city-owned trees.
- (6) The tree board shall submit an annual report of its activities and recommendations to the city council and shall submit copies of its minutes and proceedings of its regular and special meetings.
- (e) Public tree care. The city shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The tree board may remove, or cause to be removed, any publicly owned tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electrical power lines, gas lines, water lines or other public improvements, or is affected with any disease, insect or other pest. This section does not prohibit the planting of street trees by adjacent property owners, providing that the selection and location of said trees is in accordance with the guidelines for planting and spacing developed by the tree board. The tree board may reserve the right to approve plantings in rights-of-way.
- (f) Review by council. The city council shall have the right to review the conduct, acts and decisions of the city tree board. Any person may appeal from any ruling or order of the tree board to the city council, which may hear the matter and make final decision.
- (g) Term; vacancies. The terms of the appointed members of the tree board shall have three year terms, except that the term of two of the members appointed to the first board shall be for one year and the term of two members of the first board shall be for two years coincide with the terms of the appearance commission. In the event that a vacancy occurs during a member's term, his successor shall be appointed for the unexpired portion of the term.
- (h) Interference with board. It shall be unlawful for any person to prevent, delay or interfere with the city tree board or any of its agents while engaging in planting, cultivation, mulching, pruning, spraying or removing of any street trees, park trees or trees on public grounds, as authorized in this article.
- (i) Tree topping. It shall be unlawful as a normal practice, except as described in this section, for any person, firm or city department to top any street tree, park tree or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree as to remove the normal canopy and to disfigure the tree. Trees severely damaged by storms or other causes, or certain trees that interfere with or are an imminent threat to utility wires or other obstructions where other pruning practices are impractical, may be exempted from this article at the determination of the city tree board.

VOLUNTEER BOARD& COMMISSION APPLICATION



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Shanelle Harvey	Email Address: shanelleh1997@gmail.com					
Home Address: 1085 Ivey Rd, Apt H	Mailing Address: Same					
City, State, Zip: Graham	City, State, Zip: 27253					
Home Phone: 3362638769	Alternate Phone: N/A					
Please list the board(s) and/or commissions or	n which you are currently serving:					
None						
Please select up to, two (2) boards and/or com which you would like to be considered and indi- selection (1 = first choice and 2 = second choice	cate your preference for each					
Alcohol Beverage Control Board	Historic Resources Commission					
Appearance Commission 2	Planning Board/Board of Adjustment					
Canine Review Board	Recreation Commission					
1 Graham Housing Authority	Tree Board					
Historical Museum Advisory Board						
Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council. If not selected, applicants must reapply after the July City Council meeting to be considered for future appointments.						
RELEVANT EXPERIENCE						
Current employer/retired: Allen Tate Realtors						
Employer address: 3315 Garden Rd	City, State, Zip: Burlington, NC 27215					
Job title and description of responsibilities:						
I am a Real Estate Agent/Broker/Realtor. I help clients in the I homes ready for the market and through the sale process. I al includes helping them through the negotiation, contract, inspec	so assist buyer clients in the purchase of homes, which					

	ant knowledge, skills, abilitie g to the board(s) or commissi sly):	and the first section of the section
History	Legal	✓ Critical Thinking
Architecture	Graphic Design	✓ Data Analysis
√ Research	✓ Creativity	✓ Active-Listening
✓ Program Development	✓ Marketing/Social Media	✓ Effective Communication
Historical Preservation	✓ Economic Development	✓ Education & Outreach
Event Planning	✓ Community Organizing	✓ Conflict Resolution
Landscape Design	Athletics/Sports	✓ Time Management
Gardener/Arborist	✓ Problem Solving	Other:
✓ Adaptability	✓ Interpersonal Skills	
Why do you believe you wou commission(s) to which you	ld be an asset to the board(s are applying?	s) and/or
terms to pursue my new career in Rea Housing Authority and have a passion in the private and public sector has pro community in many areas.	ovided me with the expertise and skills ne	ne processes and procedures within the flevels. I believe my experience of working ecessary to further give support to my
Have you attended a meetin you are applying?	g of the board(s) and/or con	
		Yes ■ No
Have you met with the chairs commission(s) for which you	person or Staff Liaison of the are applying?	board(s) and/or
deministratives for which you	are applying.	Yes No
Additional relevant informat	ion:	For Office Use Only Date Received:
,		RECEIVED
		MAY 28 2021
		CITY OF GRAHAM

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: dsperry@cityofgraham.com, in person to: City Clerk's Office at 201 South Main Street, or by mail to: City Clerk P.O. Drawer 357, Graham, NC 27253.

VOLUNTEER BOARD & COMMISSION APPLICATION



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Melissa "Clay" Barnes	Email Address: mcbarnes@camsys.com			
Home Address: 602 Providence Road	Mailing Address: 602 Providence Road			
City, State, Zip: Graham, NC 27253	City, State, Zip: Graham, NC 27253			
Home Phone: <u>773-612-1495</u>	Alternate Phone:			
Please list the board(s) and/or commissions	on which you are currently serving:			
None				
Please select up to, two (2) boards and/or co which you would like to be considered and in selection (1 = first choice and 2 = second cho	dicate your preference for each			
Alcohol Beverage Control Board	Historic Resources Commission			
Appearance Commission	Planning Board/Board of Adjustment			
Canine Review Board	Recreation Commission			
2 Graham Housing Authority	Tree Board			
Historical Museum Advisory Board				
Note: If you wish to change your selections for deswill need to file a new application with the City Clerk will be presented to City Council. If not selected, appointed to the considered for future appoints RELEVANT EXPERIENCE	c. Only the most recent application on file oplicants must reapply after the July City			
RELEVANT EXPERIENCE				
Current employer/retired: Cambridge Systematics	5			
Employer address: City, State, Zip: Medford, Massachusetts				
Job title and description of responsibilities:				
Senior Planning Analyst. In charge of project management a	and data analysis for transportation planning.			

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):								
History	Legal	Critical Thinking						
Architecture	√ Graphic Design	✓ Data Analysis						
✓ Research	Creativity	Active-Listening						
✓ Program Development	✓ Marketing/Social Media	✓ Effective Communication						
Historical Preservation	✓ Economic Development	✓ Education & Outreach						
Event Planning	Community Organizing	Conflict Resolution						
Landscape Design	Athletics/Sports	✓ Time Management						
Gardener/Arborist	Problem Solving	Other:						
Adaptability	✓ Interpersonal Skills	3						
Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?								
Have you attended a meeting you are applying?	g of the board(s) and/or cor	mmission(s) for which						
		Yes ■ No						
Have you met with the chairp		board(s) and/or						
commission(s) for which you	are applying!	Yes No						
Additional relevant informati	on:	For Office Use Only Date Received:						
		RECEIVED						
		JAN 0.3 2021						
P		CITY OF GRAHAM						

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CITY OF GRAHAM

VOLUNTEER BOARD CEC 2 0 2021 C & COMMISSION APPLICATION CITY OF GRAHA

repairs; and performing preventative maintenance on vehicles and equipment.



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Keith Michaels	Email Address: kmeith1022@hotmail.com	
Home Address: 205 Ivey Rd	Mailing Address: 205 Ivey Rd	
City, State, Zip: Graham, NC 27253	City, State, Zip: Graham, NC 27253	
Home Phone: 919-475-6500	Alternate Phone: 630-363-9516	
Please list the board(s) and/or commissions	on which you are currently serving:	
None		
Please select up to, two (2) boards and/or co which you would like to be considered and in selection (1 = first choice and 2 = second ch	ndicate your preference for each	
Alcohol Beverage Control Board	Historic Resources Commission	
Appearance Commission	x Planning Board/Board of Adjustment	
Canine Review Board	Recreation Commission	
Graham Housing Authority	Tree Board	
Historical Museum Advisory Board		
Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council. If not selected, applicants must reapply after the July City Council meeting to be considered for future appointments.		
RELEVANT EXPERIENCE		
Current employer/retired: City Of Durham		
Employer address: 101 City Hall Plaza City, State, Zip: Durham, NC 27701		
Job title and description of responsibilities	3.	
Senior Fleet Maintenance Specialist Diagnosing, repairing, and maintaining construction and au apparatus, water and sewer equipment, and other miscella	utomotive equipment, light- and heavy-duty trucks, police and fire neous equipment; performing mechanical, diesel, and hydraulic	

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):			
✓ History	Legal	✓ Critical Thinking	
Architecture	Graphic Design	Data Analysis	
Research	Creativity	Active-Listening	
Program Development	Marketing/Social Media	Effective Communication	
✓ Historical Preservation	Economic Development	Education & Outreach	
Event Planning	Community Organizing	Conflict Resolution	
Landscape Design	✓ Athletics/Sports	Time Management	
Gardener/Arborist	✓ Problem Solving	Other:	
✓ Adaptability	Interpersonal Skills		
Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying? I believe that Graham is an amazing small town which has the potential to be a model for other small town to strive for. As Graham's demographic changes it is important to open to change without abandoning our core values. Graham became my home 9 years ago when our family move away from a suburb of Chicago and we have fallen in love with the Graham way of life. I have a desire to keep Graham a family community while growing and thriving.			
Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?			
,		■ Yes No	
Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?			
Additional relevant informati	ion:	For Office Use Only	
	RECEIVED	Date Received:	
	DEC 20 2021	BEC 2 0 2021	
	CITY OF GRAHAM	HECELAED	

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: dterrell@cityofgraham.com, in person to: City Clerk's Office at 201 South Main Street, or by mail to: City Clerk P.O. Drawer 357, Graham, NC 27253.

VOLUNTEER BOARD& COMMISSION APPLICATION



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: John W. Wooten	_ Email Address: johnumosten52@gmail.com		
Home Address: 389 CARolina Circle	Mailing Address: 387 CARolina Circle		
City, State, Zip: GRAham NC 27253	City, State, Zip: Geaham NC 27253		
Home Phone: 336-266-9948	Alternate Phone: N/A		
Please list the board(s) and/or commissions of			
HONE			
Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):			
Alcohol Beverage Control Board	Historic Resources Commission		
Appearance Commission	1 Planning Board/Board of Adjustment		
Canine Review Board	Recreation Commission		
Graham Housing Authority	Tree Board		
Historical Museum Advisory Board			
Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council. If not selected, applicants must reapply after the July City Council meeting to be considered for future appointments.			
RELEVANT EXPERIENCE			
Current employer/retired: Retired			
Employer address:	City, State, Zip:		
Job title and description of responsibilities:			
JARAH W MR			

experiences would you bring applying (select all that ap)	g to the board(s) or commissioly):	ion(s) to which you are
History	Legal	Critical Thinking
Architecture	Graphic Design	☑ Data Analysis
✓ Research	Creativity	✓ Active-Listening
Program Development	Marketing/Social Media	☐ Effective Communication
Historical Preservation	Economic Development	Education & Outreach
Event Planning	Community Organizing	Conflict Resolution
Landscape Design	Athletics/Sports	Time Management
Gardener/Arborist		Other:
✓ Adaptability	Interpersonal Skills	
commission(s) to which you		been employed in the in tech sectors of the agenesis, teaching/training m detail or i ented, impartial, so be cooperative when
Lave you attended a meetir you are applying?	ng of the board(s) and/or co	mmission(s) for which Ves No
Have you met with the chair commission(s) for which you	person or Staff Liaison of the are applying?	e board(s) and/or Yes No
Additional relevant informat	tion:	For Office Use Only Date Regived: EIVED
		JAN 0 5 2022
-		CITY OF GRAHAM

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Name:

VOLUNTEER BOARD & COMMISSION APPLICATION



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Fmail Address:

Tree Board

Mailing Addraga:

Home Address:	Mailing Address:
City, State, Zip:	City, State, Zip:
Home Phone:	Alternate Phone:
Please list the board(s) and/or commission	ns on which you are currently serving:
Please select up to, two (2) boards and/or which you would like to be considered and selection (1 = first choice and 2 = second of	indicate your preference for each
Alcohol Beverage Control Board	Historic Resources Commission
Appearance Commission	Planning Board/Board of Adjustment
Canine Review Board	Recreation Commission

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council. If not selected, applicants must reapply after the July City

RELEVANT EXPERIENCE

Graham Housing Authority

Historical Museum Advisory Board

Council meeting to be considered for future appointments.

Current employer/retired:

Employer address: City, State, Zip:

Job title and description of responsibilities:

Which of the following releve experiences would you bring applying (select all that app	ant knowledge, skills, abilitie g to the board(s) or commiss bly):	es, interest, and/or ion(s) to which you are
History	Legal	Critical Thinking
Architecture	Graphic Design	Data Analysis
Research	Creativity	Active-Listening
Program Development	Marketing/Social Media	Effective Communication
Historical Preservation	Economic Development	Education & Outreach
Event Planning	Community Organizing	Conflict Resolution
Landscape Design	Athletics/Sports	Time Management
Gardener/Arborist	Problem Solving	Other:
Adaptability	Interpersonal Skills	
commission(s) to which you	ild be an asset to the board(are applying?	
Have you attended a meetir you are applying?	ng of the board(s) and/or co	mmission(s) for which Yes No
Have you met with the	person or Staff Liaison of the	
commission(s) for which you		e boara(s) ana/or
		Yes No
Additional relevant informat	tion:	For Office Use Only

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: dterrell@cityofgraham.com, in person to: City Clerk's Office at 201 South Main Street, or by mail to: City Clerk P.O. Drawer 357, Graham, NC 27253.

Maple and Market B-1 (RZ2201)

Type of Request: Rezoning

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Contact Information

Jason Cox 200 N. Main Street, #302 Graham, NC 27253 336-263-1180;

jason@themonroecompanies.com

Summary

This is a request to rezone approximately 1.15 acres of property at 302 N. Maple Street and 203, 207, and 213 W. Market Street from R-7 (high density residential) to B-1 (central business) (GPIN: 8884151515, 8884150571, 8884059566, and 8884058556). The general area subject to this potential rezoning is comprised of numerous older homes, mostly in poor to fair condition, as well as a mixture of vacant buildings and vacant lots. Because the B-1 is a permissive district with a variety of low intensity commercial, office, and even mixed-use residential uses permitted, it does present a rather intriguing redevelopment scenario to try to spur infill and redevelopment that ties to the downtown business district. The biggest challenges will be to address off-street parking and to ensure that uses proposed are compatible with the surrounding residential.

Finally, this property is listed on the Future Land Use Map as Downtown Residential, which lists among its uses "neighborhood-oriented commercial, small professional offices, live-work units, and home occupations provided they do not generate excessive traffic and parking." Given the location and the likely development patterns in this area, central business would be a compatible use in staff's opinion, provided that off-street parking needs can be met to serve the proposed uses.

**If this rezoning is approved, staff would ask that the applicant commit to reaching out to Preservation NC about potentially moving the historic structures off-site for preservation and restoration, and if not successful in that endeavor, that he reach out to Preservation Burlington to see if they would be willing to go through each structure to be demolished for salvage to reuse materials in other historic homes.

Location

302 N. Maple Street and 203, 207, and 213 W. Market Street

GPIN:

8884151515, 8884150571, 8884059566, and 8884058556

Current Zoning

R-7 (High Density Residential)

Proposed Zoning

B-1 (Central Business)

Overlay District

N/A

Surrounding Zoning

B-1, B-2, R-7, R-MF

Surrounding Land Uses

Single Family, Office, Vacant, and Business

Size

1.15 acres

Public Water & Sewer

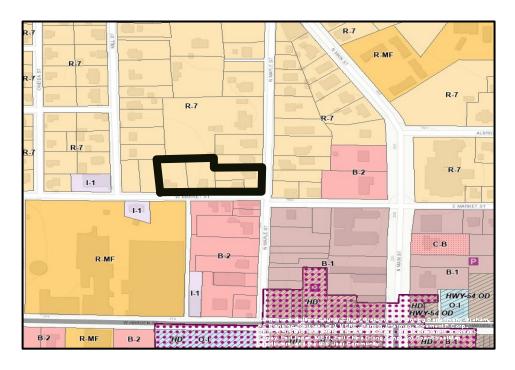
Yes

Floodplain

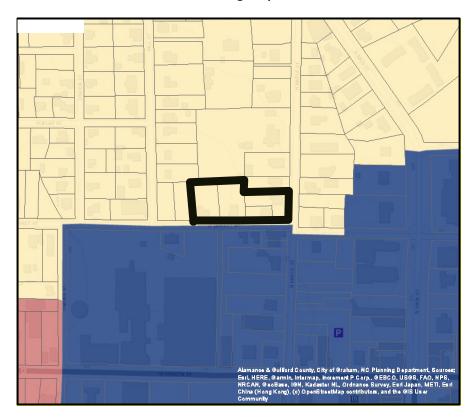
No

Staff Recommendation

Approval



Zoning Map



Future Land Use map

Conformity to the *Graham 2035 Comprehensive Plan* (GCP) and Other Adopted Plans

Applicable Policies:

- 2.1.1 Diverse job market. A diversified job market that provides employment opportunities for persons with varying education levels and skill sets is needed and encouraged. This amendment will allow for potential job creation that will diversify our existing workforce
- 2.1.3: Economic resilience. Graham improves its economic resilience to economic, social, and environmental instability through a strong local economy and equitable opportunities for prosperity. This amendment will strengthen the local economy and the downtown landscape.
- 2.1.4 Competitive advantage. Graham works to strengthen its existing comparative economic advantages including a high quality and highly diverse workforce, local education and research institutions, and high quality of life. This amendment will strengthen the local economy by increasing the tax base with minimal impact to existing public infrastructure. It will aid in diversifying our skilled labor workforce.
- 2.2.1: Focused development. In order to maintain Graham's affordability and promote growth, the City will facilitate smart growth development by promoting infill development and focused, walkable, and mixed use, built environments. This amendment creates an opportunity for focused infill development that ties in with the downtown.
- 2.3.2: Innovative spaces, spaces of innovation. Graham promotes the development of flex space, live-work units, and adaptive structures for office, retail, and light industry. This parcel is located in an area targeted for mixed-use and small-scale residential and commercial development. The proposed zoning category lends itself to these types of uses.

Planning Type

Neighborhoods

Development Type

Downtown Residential

The term neighborhood refers to the idea of a compact, walkable, diverse, and connected community. As the building blocks of City urban fabric, neighborhoods should be organized around small-scale activity centers that provide civic and commercial functions within a five to ten-minute walk for residents to meet their daily needs.

Neighborhoods should be well connected internally and externally for bicyclists, pedestrians, and commuters. Small blocks and high connectivity ratios should be established and maintained both within and between neighborhoods.

Appropriate Density

3-6 dwelling units per acre

Staff Recommendation

Based on the *Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff recommends **approval** of the rezoning. The following supports this recommendation:

• Rezoning this property would further Policies 2.1.1, 2.1.3, 2.1.4, 2.2.1, and 2.3.2, creating a diverse job market with innovative, focused development that will blend with the downtown and serve as a transitional area to adjacent office and residential uses.



Application for REZONING or CONDITIONAL REZONING

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

This application is for both general district rezonings and conditional rezonings. Applications are due on the 25th of each month. Applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner.

Site	Proposed Rezoning or Conditional Rezoning
Street Address: 302 N Maple St, 203,207,213 W Market St Tax Map#: See attached GPIN: See attached	Proposed Zoning District(s): R-7 R-9 R-12 R-15 R-18
Current Zoning District(s): R-7 R-9 R-12 R-15 R-18	□ R-MF □ R-G □ C-R □ C-MXR ■ B-1 □ B-2 □ B-3 □ C-B □ C-MXC □ O-I □ C-O-I □ I-1 □ I-2 □ C-I
R-MF R-G C-R C-MXR B-1 B-2 B-3 C-B C-MXC O-I C-O-I I-1 I-2 C-I Overlay District, if applicable: Historic S Main St/Hwy 87 E Harden St/Hwy 54 Current Use: SFR	Describe the purpose of this rezoning request. For Conditional Rezonings, also specify the actual use(s) intended for the property (from Sec. 10.135 Table of Permitted Uses) along with other descriptive or pertinent information, such as number of dwelling units, type of multifamily development, square footage and number of buildings:
Total Site Acres: Approx 1.15	Request for rezoning to B-1.
Property Owner: NJA Properties LLC, NRS Properties, LLC	
Mailing Address: 312 N Maple St	
City, State, Zip: Graham, NC 27253	
Applicant	
Property Owner Other Owner's Representative	
Application for Conditional Rezoning may only be initiated by the owner of a legal interest in all affected property, any person having an interest in the property by reason of written contract with owner, or an agent authorized in writing to act on the owner's behalf. If the applicant for Conditional Rezoning is other than the Property Owner, documentation in compliance with the preceding statement must be provided in order for this application to be complete.	
Name: Jason M. Cox	
Mailing Address: 200 N Main St, #302	
City, State, Zip: Graham, NC 27253	For Conditional Rezonings, this application must be accompanied by a Preliminary Site Plan and supporting
Phone # (336) 263-1180	information specifying the actual use(s) and any rules,
Email: jason@themonroecompanies.com	regulations or conditions that, in addition to predetermined ordinance requirements, will govern the development and use of the property.
I have completed this application truthfully and to the best of my ability. 12/15/21	Site Plan Review Application must be attached to this application for Conditional Rezonings
Signature of Applicant Date	Office Use Only. DEVID#

Reference List of Parcels – Rezoning Request for Maple & Market

- 1. NJA PROPERTIES 207 W Market Parcel Ref No 145570
- 2. NJA PROPERTIES 203 W Market Parcel Ref No 145897
- 3. NJA PROPERTIES 302 N Maple St Parcel Ref No 145900
- 4. NRS PROPERTIES 213 W Market Parcel Ref No 145567

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION(S):

- 1) 312 N MAPLE ST PARCEL ID No. 145900
- 2) 203 W MARKET ST PARCEL ID No. 145897
- 3) 207 W MARKET ST PARCEL ID No. 145570
- 4) 213 W MARKET ST PARCEL ID No. 145567

PROPERTY OWNERS: NIA PROPERTIES LLC, NRS PROPERTIES LLC

The undersigned, as Manager of the above entities, do hereby authorize

Jason Cox, of The Monroe Companies, LLC

to act on our behalf and take all actions necessary for the review, processing, issuance, and acceptance of a REZONING or CONDITIONAL REZONING for the above properties, including any and all standard and special conditions attached as part of such.

This authorization remains active unless and until we revoke said authorization in writing and submit same to the City Planner.

By: Cent	ing, Manager
Name: Ann	
Date: 12/1	7/21



City Council Decision & Statement of Consistency

Per NCGS 160D-701, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

East Harden Industrial (RZ2201)

Type of Request

Rezoning

Meeting Dates
Planning Board on January 18, 2022

City Council on February 8, 2022

Choose one
I move that the application be APPROVED .
☐ I move that the application be DENIED .
Choose one
The application is consistent with <i>The Graham 2035 Comprehensive Plan</i> .
The application is not fully consistent with <i>The Graham 2035 Comprehensive Plan</i> .
State reasons
This action is reasonable and in the public interest for the following reasons:
This report reflects the decision of the City Council, this the 8th day of February, 2022.
Attest:
Jennifer Talley, Mayor
Darby Terrell. City Clerk



Text Amendment for: Fences and Walls

Type of Request: Text Amendment

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Contact Information

N/A

Summary

Staff has proposed the language below to create standards for fences and walls, which are currently lacking in the Development Ordinance. This amendment defines fences and walls and sets fence types, heights, locations, etc. without requiring a permit. By doing so, we are allowing applicants flexibility to install fencing, but we also provide the City with enforcement tools to prevent incompatible fencing from being installed.

Project Name

Text Amendment (AM2201)

<u>Location</u>

city-wide

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District not applicable

Staff Recommendation

Approval

Proposed Language:

Fence - A constructed, freestanding, vertical barrier or enclosure. A fence may be decorative and insubstantial or completely opaque. Construction materials include but are not limited to wood posts with welded wire, metal, wooden posts with pickets or boards, and chain link. Fences may also be constructed to support or protect the growth of plant material.

Wall, retaining or landscaping - a vertical masonry structure constructed to define a boundary, create an enclosure, or create a visual or physical barrier.

Section 10.55 Vision clearance

In all use districts-Except within the Courthouse Square Historic B-1 Business District, no fence, wall, shrubbery, or other obstructions to vision between the heights of three feet and 16 feet shall not be permitted within 20 feet of the intersection of the right-of-way lines of streets or of streets and railroads over four feet in height shall be permitted within 20 feet of the intersection of the right-of-way lines of streets or non-residential driveways or at any intersection of streets and/or nonresidential driveways and railroads.

Section 10.250 Fences and Walls

(a) In all zoning districts, fences and walls shall not impede vehicular or pedestrian visibility or movement at any intersection on the edge of driveway with street lines; nor shall they encroach on the right-of-way of a public or private street. No fence or wall, including retaining walls, shall be located within any intersection sight triangle.

- (b) Nothing in this subsection shall preclude, however, the installation of temporary fences around construction works, or those erected or maintained pursuant to the NC Building Code or soil erosion and sedimentation control requirements.
- (c) The following fence and wall types are permitted in all zoning districts except as otherwise stated in this Ordinance:
 - (1) Masonry or stone walls, including retaining walls;
 - (2) Ornamental iron;
 - (3) Chain link or chain link panel or slat weave;
 - (4) Wood;
 - (5) Aluminum; or
 - (5) Similar materials.
- (d) The following fence types are prohibited:
 - (1) Fences constructed primarily of barbed or razor wire, except for the purpose of enclosing livestock;
 - (2) Fences carrying electrical current, except for the purpose of enclosing livestock;
 - (3) Fences or walls constructed of readily flammable material such as paper, cloth, or canvas;
 - (4) Fences or walls topped with barbed wire or metal spikes in residential districts, except those serving a public institution for public safety or security purposes;
 - (5) Fences constructed of concertina wire; and
 - (6) The accumulation of materials, whether usable or appearing to be scrap materials, scrap tires, and/or solid waste as defined in Chapter 12 of the City of Graham Code of Ordinances that are assembled on a property to create a barrier or define a property line, will not be considered a fence or wall for zoning purposes. The City shall treat such accumulations as nuisances under the Code of Ordinances for purposes of abatement.
- (e) Fences and walls shall be maintained in a safe manner. Fences and walls no longer maintained in a safe manner, whether through neglect, lack of repair, manner of construction, method of placement, or otherwise, shall be repaired, replaced, or removed at the property owner's expense. If the City deems the fence or wall a nuisance or hazardous to public health and takes action to repair or remove the fence or wall, a lien shall be placed on the property until such time that the City has been reimbursed for the costs incurred.

(f) Height.

- (1) Residential Zoning Districts (all): Unless a different standard is otherwise approved by City Council as part of a conditional zoning or special use permit, fences and walls shall not exceed four feet in height in the front yard and eight feet high in the side and rear yards as defined in this Ordinance. No fence or wall shall exceed four feet in height within fifteen feet of any public or private street right-of-way.
- (2) Nonresidential Zoning Districts (all): Unless otherwise approved by City Council as part of a conditional zoning or special use permit, no fence shall exceed eight feet in height.
- (3) Exceptions: Fence and wall height limitations do not apply to fences or walls built in conjunction with electric or gas substations; telecommunications facilities, municipal or private solid waste disposal facilities; junkyards, water or sewage treatment plants or facilities; municipal water storage facilities; public or private vehicle and equipment impound yards, correctional or mental institutions; military facilities; or hazardous or radioactive waste storage or disposal facilities.
- (4) Retaining Walls: Retaining walls may exceed eight feet in height above adjacent grade when

located in a side or rear yard and outside of a required sight triangle.

(g) Measurements.

- (1) Fence and wall height shall be measured at the highest point of the fence or wall section, not including columns or posts, as measured from the lowest point of the nearest adjacent grade.
- (2) Columns or posts shall not extend more than eighteen inches above the built height of the fence or wall. Columns or posts shall be separated by a horizontal distance of at least four feet, except at gate locations.
- (3) As measured in subsection (g)(1) above, any retaining wall or berm below the fence shall be considered as part of the overall height of the fence. Safety railings required by the NC Building Code shall not be included in height measurements.

(h) Other Fence and Wall Requirements.

- (1) Obstruction of Access: No fence or wall shall block access from doors or windows. Fences and walls shall be located at least two feet from building walls except where fences or walls project from a building wall.
- (2) Obstruction of Drainageway: Fence or wall construction shall not alter or impede the natural flow of water in any stream, creek, drainage swale, or ditch.
- (3) Orientation of Barbed Wire: On fences or walls topped with barbed wire, the bottom strand must be at least six feet above grade, and a warning sign shall be placed conspicuously every 20 feet of fence or wall length to warn trespassers of the potential barbed wire hazard.
- (4) Electrified Fencing: On electrified fences, a warning sign shall be placed conspicuously every 20 feet of fence to warn trespassers of the potential electrical shock hazard and voltage/current running through the fence.
- (5) Within Utility Easements: No fence or wall shall be located within a public or private utility easement without review and an executed encroachment and maintenance agreement issued by the utility provider owning the easement.
- (6) Within Required Planting Areas: The location of fences or walls within a required planting area shall be subject to the approval of a landscaping plan.
- (7) Orientation: Fences and walls shall be constructed such that exposed framing faces the interior yard and that the friendly side of the fence or wall faces out on all sides towards adjacent properties and/or street rights-of-way.

(i) Permitting.

- (1) Residential Zoning: A zoning permit is not required for fences or walls in residential zoning districts. However, a certificate of appropriateness (COA) shall be required prior to erection of any fence or wall in the historic district.
- (2) Nonresidential Zoning: Fences or walls in nonresidential zoning districts shall be reviewed and approved as part of the site plan and building permit processes. However, a certificate of appropriateness (COA) shall be required prior to erection of any fence or wall in the historic district.
- (j) Nonconformities. Fences or walls that were installed prior to the adoption of this Ordinance, other than those that constitute a nuisance or public safety risk, shall be deemed nonconforming and may remain as long as they are kept and maintained in accordance with this Ordinance. However, upon cessation of any principal use for a period of 180 days or upon damage or demolition of more than 50% of the fence or wall area, a nonconforming fence or wall shall be brought into full compliance this Ordinance.

(k) Compliance. While they are not required to have a zoning permit, all fences and walls not exempted by this Ordinance shall be comply with all standards of this Ordinance. Any fence or wall installed in any manner that does not comply with this Ordinance shall be subject to civil penalties in accordance with this Ordinance, as applicable.

Section 10.251-10.254 Reserved

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Applicable Planning District Policies and Recommendations

• Not applicable; city-wide.

Planning District
All

Development Type

ΑII

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

This creates an opportunity for the community to install fences and walls within certain restrictions to ensure that fences and walls are compatible in size, location, and type throughout the City.



City Council Decision & Statement of Consistency

Per NCGS 160D-701, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Fences and Walls (AM2201)

Type of Request

Text Amendment

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Choose one
I move that the text amendment be APPROVED .
I move that the text amendment be DENIED .
Choose one
The text amendment is consistent with <i>The Graham 2035 Comprehensive Plan</i> .
The text amendment is not fully consistent with <i>The Graham 2035 Comprehensive Plan</i> .
State reasons
This action is reasonable and in the public interest for the following reasons:
This report reflects the decision of the City Council, this the 8 th day of February, 2022.
Attest:
Jennifer Talley, Mayor
Darby Terrell, City Clerk



Text Amendment for: Recreation and Amenities

Type of Request: Text Amendment

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Contact Information

N/A

Summary

Staff has proposed the language below to create standards for recreation and amenities to be required concurrently with construction of a proposed subdivision with five or more units. Amenities required are based on a points system that is tied to how desirable the amenities are, and the number of required points is tied to the number of dwelling units and size of the development.

Proposed Language:

Section 10.251 Recreation and Amenities

(a) Purpose and Intent.

It is the intent of this section to protect and promote the public health, safety, and general welfare by requiring the dedication of a portion of land for the purpose of providing recreation space and/or equipment in accordance with the City of Graham Comprehensive Plan.

(b) Applicability.

Every residential development proposal containing five or more residential units, whether attached or detached, shall include dedication and development of a portion of the land for recreation to serve the leisure needs of the residents of the development.

(c) Calculation of Required Area.

The applicant shall provide land for recreation, provide improvements for recreation, provide fees in lieu of land and improvements, or provide a combination of the above according to the following:

- (1) At least one thirty fifth (1/35) of an acre (.029 acres) shall be dedicated for each dwelling unit or lot, whichever is greater in number, as shown in the plan;
- (2) Detached dwelling units shall be assigned 12 required recreation points per dwelling. Points for each attached dwelling unit based on the number of bedrooms per units shown in the plan shall be required for recreational improvements according to Table 10.251.1; or

Project Name

Text Amendment (AM2202)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

(3) A combination of the two methods above may be used to satisfy the recreational dedication requirements, provided, however, that the final approval of the applicant's plan shall at all times remain with the permit issuing authority.

10.251.1 TABLE: RECREATION POINTS AND ATTACHED DWELLING UNITS	
Dwelling Units	Minimum Points Required
One-bedroom unit	6.0
Two-bedroom units	9.0
Three or more bedrooms	12.0

In the computation of recreational requirements: four hundred (420) points shall be deemed to equal one (1) acre; and when calculating a combination of the above, the recreational space cannot be utilized more than once (for example, a swimming pool which equals 356 points cannot use its 768 square feet of land in the acreage calculation).

(d) Characteristics of Required Areas.

(1) Site Suitability for Active Recreation Areas.

- a. Land provided or dedicated for active recreational purposes shall be of a character, slope, and location suitable for use as play areas, tennis courts, multi-purpose courts, picnic areas, ball fields and other similar recreation uses.
- b. Active recreation areas shall be ADA accessible and located on land that is relatively flat (0 to 7.5% slopes), free of wetlands and/or flood plains, free of easements for public utility transmission lines, and otherwise capable of accommodating active recreation uses.
- c. ADA accessible play equipment suitable for children under twelve shall comprise at least five percent of the total points required.

(2) Site Suitability for Passive Recreation Areas.

Land provided or dedicated for passive recreation and open space purposes shall be of a character, slope and location suitable for use for walking, jogging, reading and similar quiet activities, and the preservation of natural features and cultural resources such as steep slopes, rock outcrops, native plant life and wildlife cover, nature woodlands and water resources. These areas be ADA accessible with an ADA accessible parking lot and pathway connecting to these areas in reasonably close proximity.

(3) Location

Land dedicated for recreation purposes shall be located so as to serve the needs of the immediate residents of the subdivision. Recreation areas shall be centrally located so as to provide relatively easy accessibility to all residents of the subdivision; provided, however, recreation areas may be approved in other locations where land more suited for recreation purposes due to shape, level slopes, and/or dry soil conditions are present.

(4) Unity

Land dedicated for recreation purposes shall be a single lot except where it is determined that two (2) or more lots are suited to the needs of a particular subdivision. The Technical Review Committee in its review of a proposed

plan may require the dedication of an impervious pathway meeting ADA standards connecting two or more disjointed recreation areas, in addition to the land required in subsection 10.251(c), *Calculation of Required Area*.

(e) Site Improvements.

- (1) Private recreation facilities either required or provided at the option of the applicant shall meet the standards for site improvements contained herein. When choosing improvements for a recreational area, the anticipated characteristics and needs of the residents/businesses shall be considered in conjunction with the size of the development, any physical constraints posed by the site, and the availability of other improvements within the same general area as the subdivision. As an example, the existence of a multi-purpose court in an adjacent, existing subdivision and the availability of the facility for use by residents of the proposed subdivision may indicate to the applicant that another facility, such as a tennis court, would be more appropriate. Recreation facilities which are suitable for various age groups include, but are not limited to, those shown on the following pages.
- (2) Trash receptacles shall be provided for all recreational areas regardless of the number and type of other improvements located thereon.
- (3) In addition to land provided or dedicated for active recreation purposes, sufficient off-street parking shall be provided for the proposed improvements. For active recreation, this shall be 1 space per 4 people in designed capacity for each use plus the required ADA parking spaces.

(f) Points System.

- (1) Active recreation areas shall be easily visible from and have direct access to public street(s) within the developments they serve and shall be designated as such on preliminary and final plats.
- (2) Active recreation areas and facilities shall be provided to such extent that the sum total of recreation points assigned to each recreational area and facility in table 10.251.2 equals or exceeds the number of recreation points required in that development in accordance with the provisions of this section.

- (3) For purposes of this subsection, a recreation point is a unit of measurement that allows various types of recreational areas and facilities to be compared to one another. The principal criterion upon which recreation points are assigned to various facilities is the cost associated with the development of such facilities. The following table establishes the recreation points assignable to the facilities listed. Points for facilities not included on the table below shall be determined by the Planning Director.
- (4) Active recreational facilities and areas shall be located throughout the development so that they can be reached safely and easily by their anticipated users. They shall also be ADA accessible. Such facilities and areas must be on land that is suitable for the use intended, have a minimum of twelve hundred (1200) square feet per area, and be sufficiently buffered to minimize the impacts on adjacent residences.

Facility	Points Per Sq.Ft.	Minimum requirements (<u>all shall be ADA accessible</u>
Multipurpose Field	0.01	Less than 5% slope, turf surface, min. 20,000 sq. ft. is size
Sports Field (baseball/football/soccer)	0.01	Turf surface, perimeter fence, backstops, goals as appropriate.
Community garden	0.01	Perimeter fence, water source, min. 5,000 sq. ft.
Dog park	0.01	Perimeter fence, water source, separate fenced are for large and small breeds, mature shade trees, min. 10,000 sq. ft.
Volleyball Court	0.01	Sand or paved, painted if paved, net in place.
Multipurpose trail - natural surface	0.01	Mulch or Chapel Hill gravel. Minimum 5-foot surface width. Available for public use via easement Points calculated by linear feet.
Multipurpose trail - paved surface	0.02	Asphalt. Minimum 8-foot surface width. Available for public use via easement. Points calculated by linear feet.
Outdoor fitness equipment	0.2	Must be designed for adults and children to use with station instructions.
Hard Surface Court (tennis/pickleball/basketball)	0.1	Perimeter fence, sized for intended sport.
Shelter/gazebo/covered space	0.2	
Amphitheater	0.2	Available for public use. Must include a permanent stage and meet noise ordinances during performanwith amplified sound.

0.3

or a mapped river or stream.

age 12

Shall include equipment designed for children under

natural pond

Play Equipment

Swing set	0.35	
Swimming Pool	0.4	
Skate Park	0.4	Must be available for public use.
Splash Park	0.4	Must be available for public use.
Clubhouse containing meeting room and exercise facilities	0.5	

(g) Recognition of City Priorities.

The City has established recreation facility priorities in response to requests and current lack of facilities. Any development awarded points under this section will not be deemed out of compliance with this provision if the City amends the list or discontinues the point system.

(h) Method of Provision of Dedication.

Land dedicated for public recreation area shall be designated on both the preliminary and final plat(s) of the development and must be dedicated to an appropriate unit of local government. Determination of the appropriate unit of local government shall be made by the permit issuing authority. Upon the recommendation of Parks and Recreation and Planning staff, the City Council shall consider formal acceptance of any dedication offered or required and approve the dedication before the dedication is deemed final. Acceptance of the dedication may be one in trust if deemed appropriate by the City Council. Maintenance of facilities dedicated to, and accepted by, the City Council shall be the responsibility of the City.

Land provided for private recreation purposes must be conveyed to a property owners' association subject to covenants and easements to be approved by the permit issuing authority, and which provide for the continued maintenance and control of the recreation area in a manner which assures its continuing use for its intended purpose. The formal declaration of covenants and restrictions shall be recorded in the Register of Deeds Office concurrent with or prior to the recording of the final plat.

(i) Payments in Lieu of Dedication.

Any applicant required to dedicate or provide recreation area pursuant to this Ordinance may, upon the approval of the permit issuing authority, make a payment to the City of Graham Parks and Recreation Department fund in lieu of dedication or make a combination of land dedication and payment. Before approving a payment in lieu of dedication, the permit issuing authority shall find that no suitable or desirable recreation sites exist for the property in question.

The amount of a payment in lieu of dedication shall equal the number of acres required to be dedicated under this Ordinance multiplied by the fair market value of the land to be dedicated. Fair market value shall be determined by submitting a report from a licensed real estate appraiser, who shall then assign a total value to the land as if it was improved per the proposed subdivision or site plan.

Payment in lieu of dedication shall be made at the time of final plat approval or within one year of approval of the construction drawings, whichever occurs first. All monies received by the City of Graham pursuant to this section shall be used only for the acquisition and/or development for a public park facility or public recreation amenities, which may also include, but are not limited to, sidewalks, ADA upgrades to recreation

facilities, and/or greenways, within a two-mile radius of the development. The City Council has the authority to sell land dedicated pursuant to these provisions, provided that the proceeds of any such sale shall be used solely for the acquisition and/or development of other recreation or park sites within the two-mile radius of the development.

Developments within the extraterritorial jurisdiction will be encouraged to pursue payment in lieu of dedication if they wish provide public ownership of any required recreational facilities due to the City's general inability to maintain facilities outside the city limits.

Section 10.252-10.254 Reserved.

(k) Compliance. While they are not required to have a zoning permit, all fences and walls not exempted by this Ordinance shall be comply with all standards of this Ordinance. Any fence or wall installed in any manner that does not comply with this Ordinance shall be subject to civil penalties in accordance with this Ordinance, as applicable.

Section 10.251-10.254 Reserved

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Applicable Planning District Policies and Recommendations

• Not applicable; city-wide.

Planning District

Development Type

ΑII

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

This creates an opportunity for residents to enjoy amenities in subdivisions where they may not have otherwise been provided.



City Council Decision & Statement of Consistency

Per NCGS 160D-701, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Recreation and Amenities (AM2202)

Type of Request

Text Amendment

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Choose one
I move that the text amendment be APPROVED .
I move that the text amendment be DENIED .
Choose one
The text amendment is consistent with <i>The Graham 2035 Comprehensive Plan</i> .
The text amendment is not fully consistent with <i>The Graham 2035 Comprehensive Plan</i> .
State reasons
This action is reasonable and in the public interest for the following reasons:
This report reflects the decision of the City Council, this the 8 th day of February, 2022.
Attest:
Jennifer Talley, Mayor
Darby Terrell, City Clerk



Text Amendment for: Exterior Lighting

Type of Request: Text Amendment

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Contact Information

N/A

Summary

Staff has proposed the language below to create standards for exterior lighting throughout the City. Graham currently does not have measurable lighting standards. This will protect adjacent properties from light trespass and prevent site overillumination.

Project Name

Text Amendment (AM2203)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

Proposed Language:

ARTICLE VI. SUPPLEMENTAL REGULATIONS

10.290 Exterior Lighting.10. 290.1 Purpose and Intent.

It is the intent of this section to protect and promote the public health, safety, and general welfare by establishing criteria and standards for providing uniform lighting in outdoor public places where safety and security are concerns, protecting drivers and pedestrians from disabling glare from non-vehicular light sources that shine directly into their eyes and thereby impair safe traverse, protecting neighbors from nuisance glare from poorly aimed or inadequately shielded light sources, and providing lighting which is efficient and compatible with surrounding uses and structures.

10.290.2 Applicability.

- (a) Lighting plans shall demonstrate that sufficient light will be available to provide security for property and people using public facilities and common areas after dark. This includes, but is not limited to, roads, driveways, walkways, bikeways, parking lots, and recreational areas.
- (b) Lighting plans will be reviewed as part of the review process for all nonresidential and multifamily permit applications. Modifications to approved or existing lighting shall be submitted to the Planning Director for review and compliance with applicable requirements.

10.290.3 Definitions.

- (a) **Full cutoff** Luminaires that have no direct uplight (no light emitted above horizontal) and comply with the glare requirement limiting intensity of light from the luminaire in the region between 80° and 90°.
- (b) **Fully shielded** Fully shielded luminaires emit no direct uplight, but have no limitation on the intensity in the region between 80° and 90°. Luminaires that fall under the IESNA full cutoff, cutoff, semi-cutoff, and non-cutoff definitions, may also qualify as fully shielded.

10.290.4 Lighting Requirements.

- (a) Lighting plans shall include a layout of ALL proposed fixture locations including, but not limited to, wall-mounted lights, ground-mounted lights, and illuminated signs; footcandle data that demonstrates conforming intensities and uniformities; and a description of the equipment (catalog cuts), glare control devices, color temperature (in Kelvin), lamps, mounting heights and means, hours of operation, and maintenance methods proposed.
- (b) Illumination intensities (lighting contours) shall be shown on an independent plan.
- (c) Lighting shall be full cutoff type fixtures as defined in this section so that light is focused downward and does not trespass above the fixture housing.

10.290.5 Minimum Lighting Levels

- (a) Parking surface or in a structure, generally will have a minimum light intensity of 1.0 footcandles. A compliant lighting plan may show proposed light contours or light intensity grid with less 1.0 footcandles rating for no more than 25 percent of parking and walkway area if the flexibility prevents the site from exceeding the maximums described in 6.11.5, *Maximum Light Levels*, or the flexibility prevents intensity differences of greater than5 footcandles across the illuminated portion of the site.
- (b) Interior sidewalks, those sidewalks that connect buildings to parking areas, common areas, of facilities within a development that are likely to be used at night, shall have a minimum light intensity of 0.5 footcandles.
- (c) Minimum lighting levels in this subsection are not required to be met by non-residential uses during non-business hours.

10.290.6 Maximum Lighting Levels

- (a) All outdoor lighting shall be designed and located such that the maximum illumination measured in foot candles at the light source's property line shall not exceed two-tenths (0.2) of a footcandle measured at ground level where the adjoining property is zoned or used for residential purposes.
- (b) Unless otherwise exempted below, light intensities shall not exceed fifteen (15) footcandles at any location on the site to limit glare and blinding caused by significant light variations across a site.

10.290.7 Use-Specific Exceptions.

- (a) The following uses have unique operating or safety concerns related to site lighting and are permitted light intensities of up to 30 footcandles with limitations set forth in 10.290.8:
 - (1) Banks and financial institutions, including freestanding automated teller machines.

- (2) Motor vehicle sales.
- (3) Motor vehicle fuel stations.
- (4) Correctional facilities.
- (5) Recreational fields for soccer, baseball, football, etc.
- (6) Businesses and institutions in the Courthouse Square Historic District.

10.290.8 Use Specific Exceptions Limited.

The light intensity from the excepted areas in 10.295(a) shall be reduced to the following limits at property lines as described:

- (a) 1.0 footcandles at any property line adjoining a public or private right of way if the use across the right of way is not zoned or used for residential purposes.
- (b) 0.2 footcandles at any property line adjoining a public or private right of way if the use across the right of way is zoned or used for residential purposes.
- (c) 0.2 footcandles at any property line adjoining land zoned or used for residential purposes.

10.290.9 Installation.

- (a) Lighting fixture height shall not exceed twenty-five (25) feet or the maximum height of the main portion of the primary buildings on the site (excluding spires, towers, parapet walls and the like), whichever is lower. For sites where no building is proposed (such as parking lots or athletic fields), mounting height for fixtures shall not exceed twenty-five (25) feet.
- (b) Electrical feeds to lighting standards shall be run underground, not overhead. Trenching shall not disturb critical root systems of required plantings.
- (c) Light poles in parking areas shall be protected from vehicle impact with protective barriers or by their location. Poles shall not be placed so as to obstruct pedestrian movement along sidewalks or medians.
- (d) Light shall not exceed 10 footcandles for signage and shall be aimed directly at the face of the sign.
- (e) No portion of the fixture bulb may extend below the fixture housing.
- (f) Unshielded wall fixtures shall not be used as security or general lighting adjacent to residential uses or to a public right of way.
- (g) Landscape plantings shall be located and maintained so that they do not block light from reaching the intended surfaces.
- (h) The placement of light fixtures should indicate the desired traffic flow and aid pedestrian safety, especially in areas with potential conflict between pedestrians and vehicles.
- (i) Low intensity strings of lights or individual lighting fixtures may be installed in outdoor seating areas to create visibility for nighttime use or as part of window displays oriented toward pedestrians in areas

- with significant foot traffic. Lights may remain illuminated when the business is closed if the lights are not installed on the same floor level and/or installed within 100 feet of a dwelling. No individual bulb may exceed a lighting intensity of 250 lumens or color temperature of 3000 Kelvin.
- (j) Lighting locations shall not be located so as to require relocation or removal of any required planting per the landscaping ordinance.
- (k) Lighting color temperatures shall not be greater than 4000K. In the historic district, temperatures of any non-residential light bulb shall not exceed 3000K to provide a more historic setting in concert with the Historic District Design Standards.

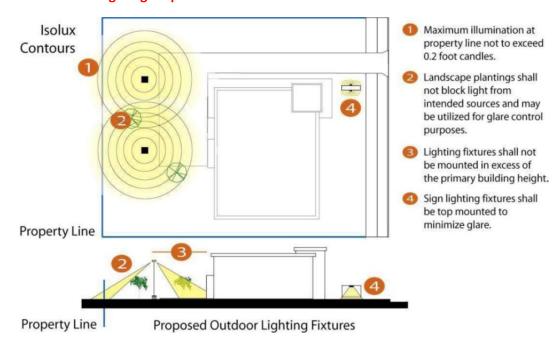


Figure 10.290.1: Exterior Lighting Requirements

10.290.10 Control of Nuisance and Disabling Glare.

- (a) All outdoor lighting, shall be designed, installed and maintained in a manner which does not present a disabling glare hazard to drivers or pedestrians, and all reasonable means shall be taken to prevent projection of nuisance glare onto neighboring properties or into the night sky.
- (b) Lighting for sports and athletic fields must include glare control features and must be designed so that primary illumination is directed onto the play area and ancillary areas suchas bleachers, stands, and similar areas. All lighting fixtures for sports fields must be equipped with a glare control package including louvers, shields, or similar devices. The fixtures must be aimed so that their beams are directed and fall within the primary playing or performance area.
- (c) In reviewing lighting plans, the permit issuing authority may consider the impact of lighting on neighboring properties based on stated hours of operation, topographical differences across sites, and other considerations.
- (d) Glare control shall be accomplished primarily through the proper selection and application of lighting equipment and shielding. Only after those means have been exhausted shall vegetation, fences, or similar buffer methods be considered for reducing glare.

10.290.11 Maintenance.

(a)	Lighting fixtures used for safety and security lighting shall be maintained in proper working order so as to always meet the requirements of this Ordinance.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Applicable Planning District Policies and Recommendations

• Not applicable; city-wide.

Planning District

Development Type

ΑII

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

This allows the City to control lighting trespass, nuisance glare, and illumination of properties to protect surrounding property owners.



City Council Decision & Statement of Consistency

Per NCGS 160D-701, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Exterior Lighting (AM2203)

Type of Request

Text Amendment

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Choose one
I move that the text amendment be APPROVED .
☐ I move that the text amendment be DENIED .
Choose one
The text amendment is consistent with <i>The Graham 2035 Comprehensive Plan</i> .
☐ The text amendment is not fully consistent with <i>The Graham 2035 Comprehensive Plan</i> .
State reasons
This action is reasonable and in the public interest for the following reasons:
This report reflects the decision of the City Council, this the 8 th day of February, 2022.
Attest:
In a Sen Talley, Mayor
Jennifer Talley, Mayor
Darby Terrell, City Clerk



Text Amendment for: Accessory Dwellings

Type of Request: Text Amendment

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Contact Information

N/A

Summary

Staff has proposed the language below to create standards for allowing accessory dwelling units in residential districts. Currently, Graham does not have standards for them, and thus, they are not permitted, yet the aging population and the desire to age in place and live with kids outside the home make this an important amendment. This also allows a bit more density without being obtrusive, and it frees up other dwelling units for people to move into without requiring development of land.

Project Name

Text Amendment (AM2204)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District not applicable

Staff Recommendation

Approval

Proposed Language:

Section 10.252 Accessory Dwelling Units (ADUs)

10.252.1 Purpose.

The purpose of the following sections is to create opportunities for a diverse housing stock within the City, as well as opportunities for multigenerational families, supplemental income, and aging in place. A dwelling unit must meet residential building code.

10.252.2 Applicability.

This section shall apply to all single-family residential districts. However, no accessory dwelling unit may be placed on the same lot as a duplex, multifamily structure, or townhome.

10.252.3 Accessory units in freestanding structures.

New or existing accessory buildings may be used as dwelling units in addition to the principal detached single-family dwelling unit any single-family residential zoning district upon issuance of a zoning and building permit, subject to the following conditions:

(a) The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.

- (b) The lot has direct access to a public street (e.g. the lot may not be created by easement only or be landlocked).
- (c) One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.
- (d) The structure containing the accessory dwelling must meet the applicable primary building setbacks established in Section 10.245, Area, Height, and Yard Regulations.
- (e) The existing, primary dwelling may be non-conforming in regard to building setbacks required in the zoning district as long as the accessory unit conforms to all primary building setbacks.
- (f) All structures containing dwellings shall be connected to municipal water and sewer service and shall their own separate water, sewer, and electrical meters.
- (g) The accessory unit does not exceed fifty (50) percent of the heated living area of the principal dwelling unit or 800 square feet, whichever is less.
- (h) The accessory unit is constructed to the state building code for one- and two-family dwellings.
- (i) Manufactured homes, shipping containers, RVs, temporary structures, storage buildings, and similar structures shall not be permitted to become ADUs.
- (j) There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.
- (k) The application materials indicate storage locations for solid waste and recycling containers for both dwellings consistent with City Code requirements.
- (I) Units that existed prior to adoption of this Section that do not meet one or more provisions of this section may continue as legal non-conforming uses as defined in this Ordinance.
- (m) Accessory units to be rented or leased on a nightly or weekly basis shall not create significant noise, traffic, or other undesirable effects that would not customarily be associated with a primary single-family residential use.

10.252.4 Accessory units within a principal single-family dwelling.

Accessory units may be located within a principal single-family dwelling in any single-family residential zoning district upon issuance of a zoning and building permit, subject to the following conditions:

(a) The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.

- (b) The primary structure containing the accessory unit shall meet the applicable primary building setbacks established in Section 10.245, Area, Height, and Yard Regulations in order to add an accessory dwelling unit.
- (c) One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.
- (d) Manufactured homes, shipping containers, RVs, temporary structures, storage buildings, and similar structures shall not be permitted to become or contain ADUs.
- (e) Both the primary and accessory dwellings shall be connected to municipal water and sewer service and each shall have its own separate water, sewer, and electrical meters.
- (f) The accessory unit does not exceed fifty (50) percent of the heated living area of the principal dwelling unit or 800 square feet, whichever is less.
- (g) The accessory unit must have its own exterior access. Any interior access to the principal dwelling must be lockable from both dwellings.
- (h) There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.
- (i) The application materials indicate storage locations for solid waste and recycling containers for both dwellings consistent with City Code requirements.
- (j) The unit, if constructed as an addition onto a primary dwelling, shall meet all applicable building codes and setbacks established in Section 10.245, Area, Height, and Yard Regulations.
- (k) Units that existed prior to adoption of this Section that do not meet one or more provisions of this section may continue as legal non-conforming uses as defined in this Ordinance.
- (I) Accessory units to be rented or leased on a nightly or weekly basis shall not create significant noise, traffic, or other undesirable effects that would not customarily be associated with a primary single-family residential use.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Applicable Planning District Policies and Recommendations

• Not applicable; city-wide.

Planning District

Development Type

ΑII

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

This creates an opportunity for the community to age in place and have slightly higher density without having to create new lots or develop new property. This also creates a potentially affordable housing option.



City Council Decision & Statement of Consistency

Per NCGS 160D-701, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Accessory Dwellings (AM2204)

Type of Request

Text Amendment

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Choose one
I move that the text amendment be APPROVED .
I move that the text amendment be DENIED .
Choose one
The text amendment is consistent with <i>The Graham 2035 Comprehensive Plan</i> .
The text amendment is not fully consistent with <i>The Graham 2035 Comprehensive Plan</i> .
State reasons
This action is reasonable and in the public interest for the following reasons:
This report reflects the decision of the City Council, this the 8 th day of February, 2022.
Attest:
Jennifer Talley, Mayor
Darby Terrell, City Clerk



Text Amendment for: Crypto Mining

Type of Request: Text Amendment

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Contact Information

N/A

Summary

Staff has proposed the language below to create standards for crypto mining operations. These operations, while seemingly low

Project Name

Text Amendment (AM2205)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

intensity, are actually quite detrimental to the environment and surrounding properties due to the amount of energy usage, noise created, and the electronic hazardous waste generated. Because this is an emerging technology, the technology is still highly inefficient. They generate enormous amounts of increased air pollutants to produce energy needed to run the servers (mines), such as carbon dioxide, fine particulate matter, nitrogen oxides and sulfur dioxide. They generate kilotons of electronic waste that must be specially recycled due to hazardous materials contained within. They also generate a lot of noise from the humming of the server fans. Most entry-level mining operations use 20,000 times the energy of a single house, and the industry at large uses enough power to match some countries entire power usage. These standards will help protect the citizens of Graham from the potential impacts by creating parameters within which they can operate and by having input from the local energy providers before they are allowed to begin mining. It will also make sure that business entering this field do so in a socially and environmentally-responsible fashion. Graham should support these industries, but doing so requires that the City be responsible in what it allows. Staff has discussed this ordinance at length with the local crypto mining facility leader, and there is alternate text attached to this staff report reflecting a mutual agreement of what would work both for Graham and for the crypto mining industry. We feel as though this amendment will actually help attract new industry to Graham to expand the technological capabilities of the region.

Initial Proposed Language:

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	D-I	I-O-0	B-3	B-2	B-1	C-B	I-1 (Note 19)	[-2 (Note 19)	C-I	C-MXR	C-MXC	LUC
Vehicle Towing Services, See Note 3												×		С	X	x	С			4
Bank, Savings and Loan, Credit Union, similar financial institutions									Х	С	х	Х	х	С	Х	Х	С	С	С	2
Banquet Hall						С			Х	С		х	Х	С	х		С	С	С	3
Bars (as principal use), See Note 4												Х	Х	С			С	С	С	3
Barber Shop, Beauty Shop, Nail Salon											х	х	Х	С	Х		С	С	С	3
Batting Cages, Outdoor, See Note 5															Х	Х	С			4
Bed and Breakfast (tourist home)	S	S	S	Х	х	С	х	Х	Х	С	Х	Х	Х	С				С	С	2
Billiard Halls, Bingo Games, Bowling Alleys, other public amusement establishments												х	х	С	х		С		С	3
Shops or Bulk Sales (with storage yard), See Note 6															х	Х	С			4
Distribution Center															х	Х	С			3
Bus station												S		С						3
Cabinet, woodworking and upholstery shops												Х		С	Х	Х	С		С	3
Campgrounds, commercial												S			S	S	С			4
Car Wash, including Self Service, See Note 7											S	х	Х	С	Х	Х	С		С	4
Cellular or Digital Communication Tower															S	S	С			5
Cemetery or Mausoleum. See Note 8	S							S				S		С	S	S	С			2
Religious Services	Х	Х	х	Х	Х	С	х	Х	Х	С	х	х	Х	С	х		С	С	С	2
Communication or Broadcasting Facility, without Tower											х	х	х	С	Х	Х	С		С	3
Community Centers, not including gymnasiums or stadiums	S	S	S	S	S	С	S	S	S	С	S	S	S	С	S	S	С	С	С	3
Contractors Offices, no outdoor storage									Х		Х	Х	Χ	С	Х	Х	С		С	3
Convenience Store (with gasoline pumps >15' from property line)											х	х		С	х	х	С	С	С	3
Convenience Store (without gasoline pumps)									Х		х	х	Х	С	Х	Х	С	С	С	3
Crypto mining facilities (see Section 10.291)																	С			5

10.291 Cryptocurrency, Virtual Currency, and Blockchain Mining Facilities

10.291.1 Definition.

Crypto mining - The operation of specialized computer equipment for the purpose of mining one or more blockchain-based cryptocurrencies, such as Bitcoin. This activity, which is also termed "proof of work," involves the solving of algorithms as part of the development and maintenance of a blockchain which is a type of distributed ledger maintained on a peer-to-peer network. Typical physical characteristics of cryptocurrency mining include specialized computer hardware for mining operations as well as equipment to cool the hardware and operating space. For the purposes of the associated regulations, cryptocurrency mining does not include the exchange of cryptocurrency or any other type of virtual currency nor does it encompass the use, creation, or maintenance of all types of peer-to-peer distributed ledgers.

10.291.2 Intent.

Certain conditions must be met in order to protect the public health, safety, and general welfare of City of Graham residents. The intent of these standards is to mitigate the potentially negative effects of proof-of-work blockchain processing used in cryptocurrency mining operations. This includes, but is not necessarily

limited to, very high energy usage, noise pollution, and the disposal of electronic waste. Equipment at these facilities has the potential to create noise pollution that negatively impacts nearby residents, businesses, and wildlife. In addition, electronic waste from cryptocurrency mining operations contains heavy metals and carcinogens that have the potential to damage human health, and air and water quality if not handled correctly.

10.291.3 Applicability.

All land under the zoning jurisdiction of City of Graham shall be subject to the provisions of this Ordinance.

10.291.4 Standards.

Cryptocurrency mining operations must meet all of the following conditions:

- (a) Cryptocurrency mining facilities may locate only in the C-I (Conditional Industrial) district upon review and approval by the Technical Review Committee, City Attorneys, an outside consultant (cost to be paid for by the developer), Planning Board, and City Council.
- (b) Cryptocurrency mining facilities shall be reviewed as a conditional use in compliance with Section 10.85 of this Ordinance.
- (c) These facilities shall be required to develop or purchase sufficient new renewable energy to offset 100 percent of the electricity consumed by the cryptocurrency mining operation. To meet this condition, the cryptocurrency mining operation must be able to establish that their actions will introduce new renewable energy onto the electrical grid beyond what would have been developed otherwise.
- (d) Verification must be provided that all electronic waste generated at the cryptocurrency mining operation will be handled by a DEQ-licensed electronic waste recycling firm.
 - (e) The use of cargo containers, railroad cars, semi-truck trailers and other similar storage containers for any component of the operation is strictly prohibited.
 - (f) Prior to commencing operations, the following information shall be provided to the City:
 - (1) Written verification from the local electrical utility will be required showing that:
 - a. An assessment has been made of the potential electrical consumption of the proposed use which ensures that the capacity available to serve the other needs of the planning area are consistent with the normal projected load growth envisioned by the utility. Through this analysis the utility company can assist the City in determining if there is a detrimental impact to the City's ability to accommodate the growth and redevelopment identified in the City of Graham Comprehensive Plan and the City's development codes. If the abovementioned assessment identifies a detrimental impact or threshold where existing electrical capacity is not sufficient, the utility company shall outline what system improvements might be necessary to mitigate any limits or system constraints to accommodate the proposed use. The utility company shall also provide general information on timelines and procedures for this work.
 - b. Utility supply equipment and related electrical infrastructure is sufficiently sized and can safely accommodate the proposed use; and

- c. The use will not cause electrical interference or fluctuations in line voltage on and off the operating premises.
- (2) A copy of the electrical permit and written verification that the electrical work has passed a final inspection.
- (g) All equipment, whether indoors or outdoors, shall be located no less than 1000 feet from the nearest school, daycare, hospital, or residential structure. A scaled map showing the proposed equipment separation from each nearest use/structure of these types shall be submitted with the proposed rezoning application.
- (h) A 100-foot undisturbed opaque vegetated buffer shall be required on all sides of the property. Vegetation shall not be disturbed for any reason within the buffer areas, other than to provide a driveway for access to the site. If the buffer is not completely opaque, additional evergreen plantings shall be planted that are at least 8 feet tall at time of planting to help achieve opacity.

10.291.5 Nonconforming Cryptocurrency Mining Use

This section shall supersede the allowances for nonconforming uses in Division 2, Nonconformities.

- (a) A lawful cryptocurrency mining use existing on the effective date of this Ordinance which would not be allowed under the terms of these regulations may continue so long as it remains otherwise lawful, subject to the following conditions:
 - (1) Existing structures devoted to nonconforming cryptocurrency mining operations shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except to change the complete use of the structure to a use that conforms with these regulations.
 - (2) Non-conforming cryptocurrency mining operations may be expanded or extended to unoccupied portions of the building or to other buildings only if the expanded or extended portion of the operation conforms with these regulations.
 - (3) Any nonconforming cryptocurrency mining operation may be replaced by the same use only in compliance with these regulations.
 - (4) If a nonconforming cryptocurrency mining operation is discontinued or abandoned for one hundred eighty (180) days or a nonconforming cryptocurrency mining operation is replaced by a conforming use at any time, the structure shall thereafter be used in conformance with these regulations.
 - (5) Removal or destruction of a structure occupied by a nonconforming use shall eliminate the nonconforming status of the use.
 - (6) Any structure occupied by a nonconforming cryptocurrency mining use that is destroyed by any means such that the cost of reconstruction amounts to more than fifty percent (50%) of the total building replacement cost (exclusive of building foundation) shall thereafter be used in conformance with these regulations.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Applicable Planning District Policies and Recommendations

• Not applicable; city-wide.

Planning District
All

Development Type

ΑII

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

This creates an opportunity for allowing this highly-intensive use within specific parameters to protect the environment and the citizens of Graham from potentially adverse effects while still encouraging innovative development and industrial growth in the region that has benefits for the City.



City Council Decision & Statement of Consistency

Per NCGS 160D-701, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Crypto Mining (AM2205)

Type of Request

Text Amendment

Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

Choose one
I move that the text amendment be APPROVED .
I move that the text amendment be DENIED .
Choose one
The text amendment is consistent with <i>The Graham 2035 Comprehensive Plan</i> .
The text amendment is not fully consistent with <i>The Graham 2035 Comprehensive Plan</i> .
State reasons
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Attest:
Jennifer Talley, Mayor
Darby Terrell, City Clerk