City of Graham City Council Regular Meeting Agenda January 10, 2023 6:00 p.m.



<u>CALL TO ORDER</u>: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE

2022 AUDIT PRESENTATION - STOUT, STUART, MCGOWEN & KING, LLP

CONSENT AGENDA:

- **a.** To approve December 13, 2022, regular meeting minutes and December 19, 2022, special meeting minutes.
- **b.** To approve a street closing request from Together Community Events to close the 100 block of W. Elm Street from 1:00 p.m. to 9:00 p.m. on May 7, 2023, for the Graham Food Truck Rodeo.
- **c.** To adopt a Resolution of Acceptance of Funds and to approve the Capital Project Ordinance in the amount of \$17,250,000.00, for the 10" water main replacement project.
- **d.** To approve an amendment to the American Rescue Plan Act (ARPA) Fund Grant Ordinance in the amount of \$7,555.00 for the Graham Civic Center roof and floor repairs.
- e. To approve a Budget Amendment in the amount of \$10,000, for professional services by Cobb Ezekiel Loy & Company, P.A.
- **f.** To approve a resolution authorizing a funding match in the amount of \$10,000, for the Hawfields Area Corridor Study in conjunction with Burlington-Graham Metropolitan Planning Organization and the North Carolina Department of Transportation.
- **g.** To approve an engineering contract with Alley, Williams, Carmen & King for the City's Asset Inventory and Assessments Grant from NCDEQ-Division of Water Infrastructure and to authorize the City Manager and City Attorney to effectuate the engineering contract.

PUBLIC HEARINGS:

1. ANNEXATION – 35.43 ACRES – EAST GILBREATH STREET

City Council will consider approving an Annexation Ordinance to extend the corporate limits of the City of Graham for a tract of land totaling 35.43 acres located on East Gilbreath Street.

2. PERMANENT ROAD CLOSURE – LEONARD DRIVE

City Council will consider adopting a resolution authorizing the permanent road closure of Leonard Drive.

NEW BUSINESS:

3. VOTING DELEGATE – NCLM BIENNIUM LEGISLATIVE GOALS

City Council will consider assigning a City of Graham delegate to vote on the proposed North Carolina League of Municipalities 2023-24 Biennium Legislative Goals.

4. ALAMANCE CHAMBER ECONOMIC DEVELOPMENT COMMITTEE - ASSIGNMENT

City Council will consider assigning an advisor from Council to serve on the Alamance Chamber Economic Development Committee.

5. TRAFFIC SCHEDULE AMENDMENT – RESTRICT PARKING – PEPPERSTONE DRIVE & PINECREST COURT CUL-DE-SACS

City Council will consider amending the traffic schedule to restrict on-street parking along Pepperstone Drive and Pinecrest Court cul-de-sacs between the hours of 7:00 a.m. to 5:00 p.m. excluding weekends and holidays.

PUBLIC COMMENT PERIOD

CITY STAFF COMMENTS

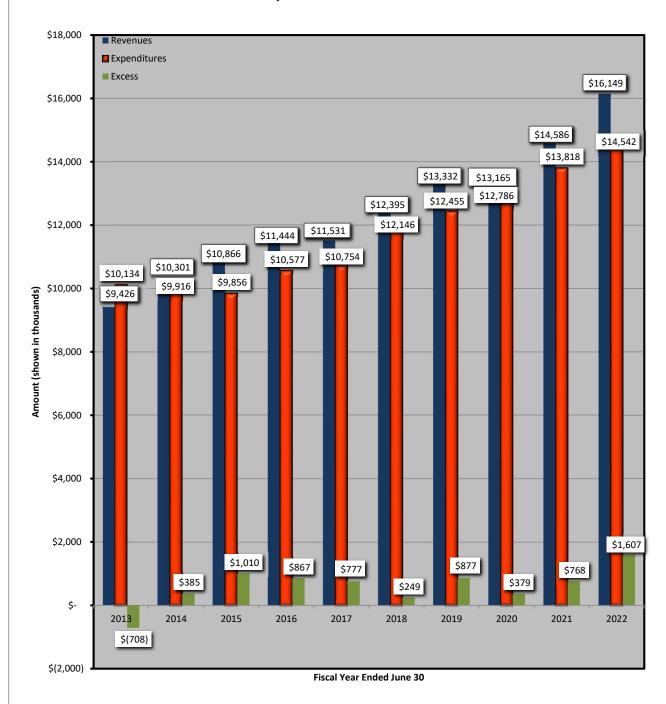
CITY COUNCIL COMMENTS

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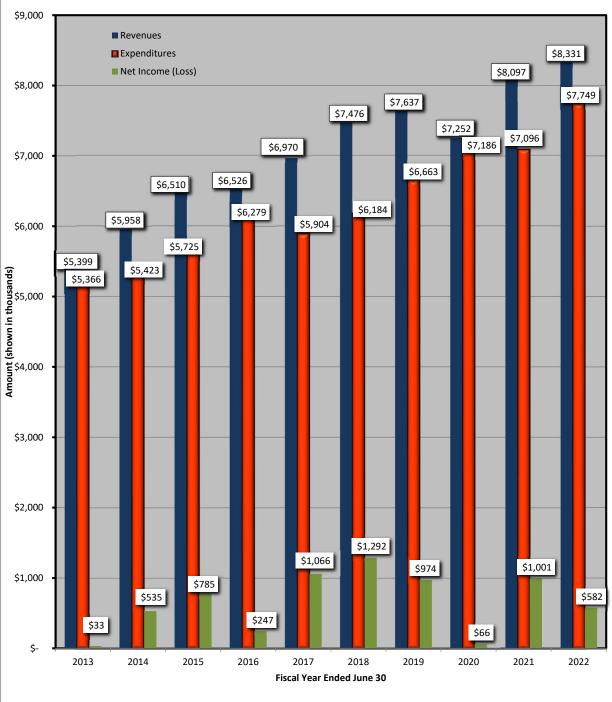
CITY OF GRAHAM PRESENTATION TO THE CITY COUNCIL January 10, 2023



CITY OF GRAHAM GENERAL FUND REVENUES, EXPENDITURES AND EXCESS

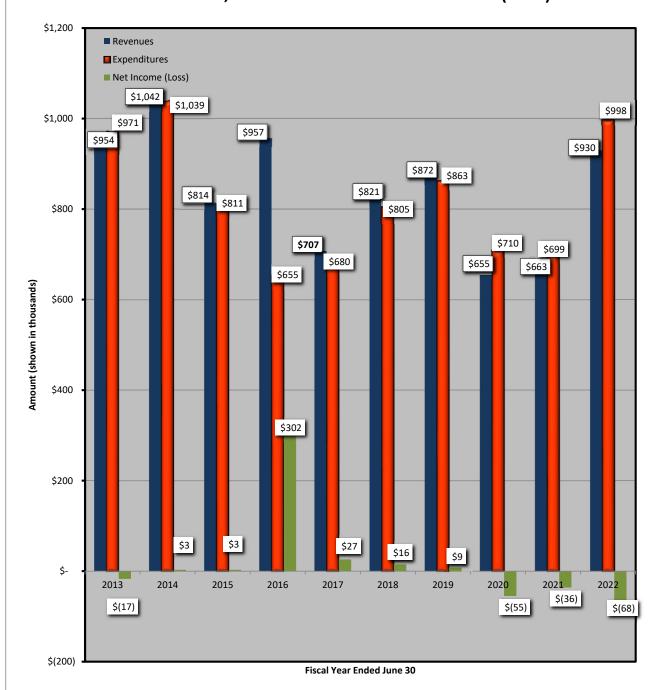






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CITY OF GRAHAM GARAGE FUND - BUDGETRAY BASIS REVENUES, EXPENDITURES AND NET INCOME (LOSS)



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CITY OF GRAHAM JUNE 30, 2022

	2022	2021	2020	Increase/ Decrease	Percentage (%)
General Fund					, ,
Cash and Investments	12,233	10,874	10,833	1,359	12%
Accounts Receivable	2,575	2,607	2,098	(32)	-1%
Accounts Payable	743	757	929	(14)	-2%
Deferred Inflows (Revenues)	234	244	251	(10)	-4%
Unearned Revenue	203	260	298	(57)	-22%
Fund Balance	13,627	12,220	11,452	1,407	12%
Operating Expenses Per Day (Actual) Number of Days Available in Cash and Investments Less	39,840	37,858	35,031	1,982	5%
Current Liabilities	288	267	283	21	8%
Water and Sewer					
Cash and Investments	8,376	10,195	11,246	(1,819)	-18%
Restricted Assets	926	1,391	796	(465)	-33%
Accounts Receivable	1,754	1,119	1,002	635	57%
Fixed Assets	47,270	43,883	44,265	3,387	8%
Liabilities	9,750	11,099	8,287	(1,349)	-12%
Net Position	54,973	51,660	49,122	3,313	6%
Operating Expenses Per Day (Actual) Number of Days Available in Cash and Investments Less	20,815	19,338	19,374	1,477	8%
	257	466	520	(100)	220/
Current Liabilities	357	466	528	(109)	-23%
Garage Fund					
Cash and Investments	21	138	206	(117)	-85%
Fixed Assets	46	45	52	1	2%
Liabilities	269	328	260	(59)	-18%
Net Position	(96)	(25)	40	(71)	284%
Operating Expenses Per Day (Actual) Number of Days Available in Cash and Investments	2,742	1,994	2,040	748	37%
Current Liabilities	5	61	90	(56)	-92%
Graham Memorial Park					
Cash and Investments	2,617	2,592	2,568	25	1%
Accounts Receivable	4	7	2	(3)	-43%
Fund Balance	2,621	2,599	2,570	22	1%
City-Wide Net Assets - Full Accrual Basis					
Cash and Investments	23,231	23,525	24,145	(294)	-1%
Restricted Cash	3,635	1,665	1,130	1,970	118%
Other Assets and Deferred Outflows	16,851	14,957	9,680	1,894	13%
Capital Assets	66,710	62,994	59,395	3,716	6%
Less - Total Liabilities and Deferred Inflows	34,117	31,650	25,220	2,467	8%
Net Position	76,310	71,491	69,130	4,819	7%

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STOUT
STUART
MGGOWEN
& KING LLP

Certified Public Accountants

November 29, 2022

Advisors to Management

To the Honorable Mayor And Members of the City Council City of Graham

We have audited the financial statements of the governmental activities, the business-type activities and each major fund and the aggregate remaining fund information of the City of Graham for the year ended June 30, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards (and, if applicable, *Government Auditing Standards* and the Uniform Guidance), as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated April 25, 2022. Professional standards also require that we communicate to you the following information related to our audit.

Member of PCPS, the AICPA Alliance For CPA Firms

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Graham are described in Note I to the financial statements. As described in Note I to the financial statements, the City of Graham changed accounting policies related to leases by adopting Statement of Governmental Accounting Standards (GASB Statement) No. 87, *Leases*. We noted no transactions entered into by the City of Graham during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

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> 336-226-7343 fax 336-229-4204

www.ssmkllp.com e-mail: ssmk@ssmkllp.com The most sensitive accounting estimate affecting the financial statements is the estimate of the allowance for doubtful accounts which is based on historical revenues, historical loss levels, and an analysis of the collectability of individual accounts. We evaluated the key factors and assumptions used to develop the allowance and determined that it is reasonable in relation to the basic financial statements taken as a whole.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated November 29, 2022.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to Management's Discussion and Analysis, the Other Postemployment Benefits' Schedule of Changes in the Total OPEB Liability and Related Ratios, the Local Government Employee's Retirement System's Schedules of the Proportionate Share of the Net Pension Liability and Contributions, the Firefighters' and Rescue Squad Workers' Pension Fund's Schedule of the Proportionate Share of Net Pension Liability, and the Law Enforcement Officers' Special Separation Allowance Schedules of the Changes in Total Pension Liability and Total Pension Liability as a Percentage of Covered Payroll, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we

obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the combining and individuals fund statements, budgetary schedules, other schedules as well as the accompanying Schedule of Expenditures of Federal and State Awards, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction on Use

This information is intended solely for the information and use of City Council and management of the City of Graham and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

STOUT STUART M'EDWES & KING LLP

City of Graham City Council Meeting Minutes December 13, 2022



The City Council of the City of Graham held a regularly scheduled meeting at 6:00 p.m. on December 13, 2022, in the Council Chamber, City Hall 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 Council Member Bonnie Whitaker

Staff Present:

Megan Garner, City Manager Aaron Holland, Assistant City Manager Bryan Coleman, City Attorney Bob Ward, City Attorney Renee Ward, City Clerk Josh Johnson, City Engineer

CALL TO ORDER:

Mayor Jennifer Talley called the meeting to order at 6:00 p.m. and presided.

INVOCATION & PLEDGE OF ALLEGIANCE

Council Member Bobby Chin gave the invocation and all stood for the Pledge of Allegiance.

CONSENT AGENDA:

- a. To approve the November 8, 2022, City Council meeting minutes.
- **b.** This item was removed for discussion.
- c. To approve a Budget Amendment in the amount of \$57,570.00, for Recreation facility improvements.

	CITTO	F GRAHAM			
		DMENT ORDINANO 22-2023	CE		
	RDAINED BY THE CITY CO B BUDGET ORDINANCE SHA				
Section 1. GENERAL FUND					INCREASE
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	(DECREASE
Recreation Improvements	104,500.00	162,070.00	57,570.00		
	104,500.00	162,070.00	57,570.00	-	57,570.0
Section 2.					
GENERAL FUND					INCREASE
REVENUES	APPROVED	AMENDED	INCREASE	(DECREASE)	(DECREASI
Recreation Donations	2,500.00	37,500.00	35,000.00		
Fund Balance	1,249,983.00	1,272,553.00	22,570.00		
	1,252,483.00	1,310,053.00	57,570.00	-	57,570.0

d. To adopt a Resolution declaring the intention of Graham's City Council to consider permanently closing Leonard Drive on the southern right of way of Edgewood Drive and setting a date of public hearing for January 10, 2023.

RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAHAM TO CONSIDER THE PERMANENT CLOSING OF LEONARD DRIVE AND SETTING A PUBLIC HEARING

WHEREAS, the City of Graham has received a petition from adjoining property owners seeking the permanent closure of unconstructed Leonard Drive, a public street beginning at a point on the southern right of way of Edgewood Drive, at a bearing and distance of S 42° 25' 30" W and 130.02' from the northernmost corner of Lot 21, thence along with Lot 21, S 47° 34' 03" 125.85' to a 3/4" pipe, then continuing with Lot 21, N 76°03'37" E 155.79' to a 3/4" pipe, thence leaving Lot 21, S 35°30'56" E 63.91' to a 3/4" pipe, corner of Lot 13, thence along lot 13, S 75°08'57" W 109.77' to a 3/4" pipe, thence along Lot 12, S 76°52'36" E 101.18' to a 1" pipe, shared corner between Lots 11 and 12, thence along lot 11, N47°44'43"W 157.99' to a 2" pipe, the northernmost corner of Lot 11, thence along the southern right of way of Edgewood Drive N 42°21'31" 59.92' to the point of beginning; and

WHEREAS, G.S. 160A-299 authorizes the City Council to close public streets and alleys; and

WHEREAS, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of Leonard Drive.

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

- (1) A meeting will be held at 6:00 p.m. on the 10^{th} day of January 2023, in the Council Chambers of the Graham City Hall to consider the permanent closing of Leonard Drive.
- (2) The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in The Alamance News, or another newspaper of general circulation in the area.
- (3) The City Clerk is hereby directed to transmit by registered or certified mail to each property abutting upon said street a copy of this Resolution of Intent.
- (4) The City Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

This the 13th day of December 2022.

e. To adopt a Resolution setting a date of public hearing for January 10, 2023, to consider a contiguous annexation, pursuant to North Carolina General Statute 160A-31, for a tract of land totaling 35.43 acres located on East Gilbreath Street.

RESOLUTION FIXING DATE OF JANUARY 10, 2023, FOR A PUBLIC HEARING ON THE QUESTION OF CONTIGUOUS ANNEXATION PURSUANT TO G.S. 160A-31 FOR 35.43 +/- ACRES ON EAST GILBREATH STREET (AN2206)

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

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

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

Section 1. A public hearing on the question of annexation of the area described herein will be held at City Hall, 201 S. Main Street, Graham, NC, at 6:00 pm on January 10, 2023.

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

Legal Description GPIN#: 8883885270 & 8883872722:

Beginning at an existing iron pipe, the southeast corner of AG EHC II (LEN) MULTI-STATE 1 LLC property described in Deed Book 4383, Page 116 as Tract I, and having a North Carolina State Plane Coordinate (NAD 1983/2011) value of North 837569.38 feet, East 1888462.56 feet. Thence N88° 54' 44"W, 268.23' to a nail set in the centerline of East Gilbreath Street (S.R. 2100); thence with the centerline of the aforesaid street N30° 31' 17"W, 464.09' to a nail set; thence N30° 31' 17"W, 405.01' to a nail set; thence leaving East Gilbreath Street N38° 27' 46"E, 360.46' to an existing iron rod; thence N29° 30' 42"W. 98.91' to an existing iron pipe; thence S69° 41' 36"W, 139.66' to an existing iron pipe; thence N31° 14' 30"W, 163.24' to a 5/8" capped iron rod set; thence N54° 00' 20"E, 64.79' to an existing iron rod; thence S89° 44' 19"E, 590.86' to an existing iron pipe; thence S85° 43' 14"E, 570.21' to a 5/8" capped iron rod set; thence continuing S85° 43' 14"E, 75.00' to a point in the centerline of Murphy Branch; thence with the centerline of Murphy Branch the following bearings and distances: S39° 27' 38"E, 6.10'; S16° 47' 10"E, 26.11'; S1° 48' 12"E, 29.66'; S17° 55' 08"W, 32.97'; S9° 39' 11"E, 34.69'; S30° 48' 02"E, 30.89'; S41° 09' 21"E, 32.14'; S45° 15' 25"E, 35.22'; S56° 45' 51"E, 18.28'; N74° 42' 12"E, 18.54'; S36° 37' 10"E, 21.01'; S13° 46' 15"E, 15.38'; S8° 18' 16"W, 24.31'; S1° 23' 01"E, 36.06'; S10° 01' 16"E, 20.63'; S15° 54' 15"E, 19.23'; S38° 01' 16"W, 25.73'; S24° 50' 48"W, 38.07'; S23° 55' 27"W, 31.61'; S16° 36' 41"W, 31.62'; S5° 33' 58"W, 21.44'; S22° 23' 36"E, 13.84'; S56° 53' 58"E, 40.37'; S45° 46' 25"E, 33.15'; S38° 22' 29"E, 35.27'; S25° 03' 47"E, 89.85'; S27° 00' 56"E, 50.46'; S14° 49' 46"E, 46.65'; S20° 40' 37"E, 58.44'; S36° 48' 05"E, 43.36'; S23° 27' 57"E, 28.05'; S6° 02' 25"W, 37.76'; S3° 51' 15"E, 27.86'; S9° 38' 29"W, 34.31'; S1° 18' 05"E, 36.14'; S7° 04' 51"E, 27.64'; S21° 56' 54"E, 25.37'; S48° 25' 16"E, 24.80'; S43° 45' 32"E, 24.42'; \$37° 00' 03"E, 19.19'; \$0° 39' 05"E, 16.65'; \$23° 20' 52"W, 30.16'; \$30° 01' 34"W, 25.35'; \$50° 41' 06"W, 23.04'; S83° 53' 18"W, 15.99'; N76° 13' 37"W, 30.99'; N84° 23' 10"W, 23.21'; S84° 03' 39"W, 27.65'; S68° 03' 40"W, 30.09'; S50° 48' 27"W, 25.30'; S29° 59' 51"W, 25.43'; S22° 30' 47"W, 24.44'; thence leaving Murphy Branch N87° 42' 17"W, 667.16' to the Beginning, containing 35.43 acres, or 0.0554 square miles more or, less.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 60A-31 FOR PROPERTY ON EAST GILBREATH STREET

(GPIN: 8883885270 & 8883872722) (AN2206)

WHEREAS, a petition requesting annexation of an area described in said petition was received on December 13, 2022, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City

Clerk before further annexation proceedings may take place; and

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

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

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

f. To approve tax releases in the amount of \$1,290.48.

		ITY OF GRAHAM LEASE ACCOUNTS	
DECEM	BER RELEASES		
ACCT#	YEAR NAME	REASON FOR RELEASE	AMOUNT RELEASED
648047	2022 SALEM LEASING COPR - 6 IRP UNITS	TAXED ON ORIGINAL VALUE, NOT DEPRECIATED VALUE	
686259	2021 GANT, TONY	BOAT CODED WRONG, DOES NOT LIVE IN GRAHAM	\$41.77
578131	2022 GARCIA, ROSALIA	SOLD MOBILE HOME 2021	\$15.06

Motion by Mayor Talley to remove Item b for discussion, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

Approval of Consent Agenda:

Motion by Mayor Talley, seconded by Council Member Hall, to approve the foregoing Consent Agenda excluding item b. The motion passed unanimously.

Consent Agenda Item b:

b. To approve a Budget Amendment transferring \$84,100.00 of Federal Drug Forfeiture revenue to the Federal Account Balance for law enforcement use pursuant to North Carolina General Statute 159-8.

Police Chief Cole-Baker stated the funds to be transferred to the Federal Drug Fund totaled \$84,074.19 and the following itemized list was submitted for the transfer of funds:

Crisis Management Communication Development Support and Train	ing \$30,000.00
Recruitment Video + (5% late fee included)	\$ 8,052.71
Motorcycle	\$ 7,400.00
Eight-week Canine Training, two Officers+ K-9	\$22,000.00
Eight-week lodging, two Officers	\$ 5,200.00
Meals for two Officers	\$ 4,320.00
Canine vehicle up-fit	<u>\$ 7,101.48</u>
To	OTAL \$84.074.19

CITY OF GRAHAM BUDGET AMENDMENT ORDINANCE 2022-2023 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT THE 2022 - 2023 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS: CAPTIAL PROJECTS AND INCREASE OTHER SPECIAL FUNDS APPROVED AMENDED INCREASE (DECREASE) (DECREASE REVENUES Federal Drug Monies 35,100.00 35,000.00 Federal Drug Fund Balance 49,000.00 49,000.00 100.00 84,100.00 84,000.00 84,000.00 Section 7. CAPITAL PROJECTS AND INCREASE OTHER SPECIAL FUNDS EXPENDITURES AMENDED INCREASE (DECREASE) (DECREASE Federal Drug Funds 100.00 84 100 00 84 000 00 84,000.00 100.00 84,100.00 84,000.00

Motion by Mayor Pro Tem Hall, seconded by Council Member Chin to approve consent agenda item b. The motion passed unanimously.

OLD BUSINESS:

dopted this 13th day of December 2022

ITEM 1: PANHANDLING ORDINANCE – REPEAL CHAPTER 12, ARTICLE 1, SEC. 12-3 AND ADD SEC. 12-20 TO 12-25 – PUBLIC PANHANDLING, BEGGING, CHARITABLE AND POLITICAL SOLICITATION:

City Council considered adopting an amendment to the Code of Ordinances, repealing Chapter 12, Article 1, Section 12-3 and adding Section 12-20 to 12-25, Public Panhandling, Begging, Charitable and Political Solicitation.

Assistant City Manager Aaron Holland stated at the conclusion of the October 11, 2022, City Council meeting, staff was directed by Council to review current ordinances pertaining to panhandling within the City. While panhandling was considered a form of speech that is protected by the 1st Amendment, activities that sometimes accompany panhandling like impeding traffic, littering, trespassing, or communicating threats are not legally protected and do violate City ordinances. Mr. Holland stated Staff and the City Attorneys reviewed the ordinance and brought forward amended language addressing regulatory changes in accordance with a legal review by repealing Section 12-3 in its entirety and adding a new section under Sec. 12-20- Public Panhandling, Begging, Charitable and Political Solicitation. He stated that no action could not be taken at the last Council meeting due to the timing of the ordinance being introduced to the Council and a discussion was held at that time. He asked Council to consider adopting this Code.

Mayor Talley asked if the City Attorney wanted to add anything to the new ordinance. City Attorney Ward stated that minor changes had been added and thought this was a good start in addressing this problem.

Mayor Talley stated that this ordinance was tailored after the Burlington ordinance and asked how long had the Burlington ordinance been in effect.

City Attorney Ward stated the ordinance was revamped in 2018 and had been in effect in Burlington with minor changes since 2018. He stated that the ordinance met constitutional freedom of speech elements that the City was required to meet. He recommended that the ordinance be adopted.

Motion by Mayor Pro Tem Hall to approve repealing Chapter 12, Article 1, Section 12-3 and adding Section 12-20 to 12-25, Public Panhandling, Begging, Charitable and Political Solicitation, seconded by Council Member Parsons. The motion passed unanimously.

AMENDMENT TO CHAPTER 12

STREETS AND SIDEWALKS

Section I: Section 12-3 entitled Sec. 12-3 Indirect solicitation of alms is hereby repealed in its entirety.

Section II- A new provision now reserved under Article I is to be used by adding an amendment that shall read: Sec. 12-20.- PUBLIC PANHANDLING, BEGGING, CHARITABLE AND POLITICAL SOLICITATION.

Sec. 12-21.- Purpose.

The purpose of this article is to regulate certain behavior to preserve the public order, to protect the residents of Graham, and to insure the safe and uninterrupted passage of both pedestrian and vehicular traffic, without unconstitutionally impinging upon protected speech, expression, or conduct.

Sec. 12-22.- Definitions.

- (a) Areas with heightened personal security concerns mean:
 - (1) Areas within, or within twenty (20) feet of a public parking garage;
 - (2) Areas within twenty (20) feet of a public bus stop or public transit entrance where a reasonable individual would have a reasonable, justified concern for his or her personal security due to congestion and close proximity to others;
 - (3) Areas within twenty (20) feet of access to building entrances, public events venues, public accommodations, or commercial businesses where a reasonable individual would have a reasonable, justified concern for his or her personal security due to congestion and close proximity to others;
 - (4) Areas within a designated commercial district in which a high volume of pedestrian traffic or narrow sidewalks and streets give a reasonable person a justified, reasonable concern about his or her personal security due to congestion and close proximity to others; or
 - (5) Other areas in which congestion could give a reasonable person justified concern about his or her personal security due to congestion and close proximity to others.
- (b) Areas with heightened personal privacy concerns means:
 - (1) Locations within twenty (20) feet of an automated teller machine or financial institution in which an automated teller machine is located:
 - (2) Locations within twenty (20) feet of a sidewalk café during operating hours unless the solicitor's presence is authorized by the proprietor;
 - (3) Other locations where a reasonable person would have a reasonable concern about whether congestion and close proximity to others could compromise one's interests in privacy.
- (c) Areas with heightened public safety concerns mean:

- (1) Streets and Highways; and
- (2) Traffic medians, where soliciting poses the risk of injury to solicitors and drivers and may endanger vehicular safety.
- (d) Panhandling, begging, charitable or political solicitation means: actions that are conducted in the furtherance of the purpose of immediately collecting contributions for the use of one's self or others. As used in this ordinance, the word, "solicit," and its forms include requests for funding arising from begging, panhandling, and charitable or political fundraising initiatives.
 - (1) Aggressive begging, panhandling, or solicitation means:
 - (i) Confronting someone in a way that would cause a reasonable person to fear bodily harm:
 - (ii) Accosting an individual by approaching or speaking to the individual or individuals in so as to cause a reasonable person to fear imminent bodily harm or commission of a criminal act upon his or her person, or upon property in his or her possession;
 - (iii) Touching someone without his or her consent;
 - (iv) Using obscene or abusive language toward someone while attempting to panhandle or solicit him or her;
 - (v) Forcing oneself upon the company of another by engaging in:
 - Continuing to solicit in close proximity to the individual addressed after the individual has made a negative response, either verbally, or physically by attempting to leave the presence of the solicitor by other negative indication;
 - Blocking the passage of the individual solicited; or
 - Otherwise engaging in conduct that could reasonably be construed as intending to compel or force a person to accede to a solicitation.
 - (vi) Acting with the intent to intimidate someone into giving money; or
 - (vii) Other conduct that a reasonable person being solicited would regard as threatening or intimidating in order to solicit a contribution of donation.
 - (2) Passive panhandling, begging, charitable or political solicitation means: conduct described in the definition of "begging, panhandling and charitable or political solicitation" that is oral and not aggressive as described in subsection (1) above or presented in writing.

Sec. 12-23.- Passive begging, panhandling, charitable and political solicitation permitted except in prohibited areas.

Passive Panhandling, begging, charitable or political solicitation as defined in 12-22(d)(2) shall be treated as speech protected under the First Amendment. It is prohibited only in the following areas:

- (1) Areas with heightened personal security concerns defined and listed in section 12-22(a);
- (2) Areas with heightened privacy concerns defined and listed in section 12-22(b);
- (3) Streets, highways, and medians defined in section 12-22(c) as areas with heightened public safety concerns.

Sec. 12-24.- Aggressive panhandling, begging, charitable and political solicitation prohibited.

Aggressive panhandling, begging, and charitable or political solicitation as defined in section 12-(d)(2) of this article are prohibited within the city.

Sec. 12-25.- Distribution of printed materials

Distribution of printed materials by individuals shall not block pedestrian traffic on sidewalks and shall not take place on public streets.

Sec. 12-26.- Violations of this ordinance.

- (a) Any persons violating any provision imposed by this ordinance shall be guilty of a Class 3 misdemeanor punishable upon conviction by a fine not exceeding \$500.00 as provided by G.S. 14-4 and otherwise, except as provided in G.S. 14-4, shall be further subject to any one, all or a combination of provisions of N.C.G.S. 160A-175.
- (b) Each day's continuing violation shall be a separate and distinct offense.

(See State Law References G.S. 160A-179 and G.S. 20-175) Secs. 12-27 -12-44.- Reserved.

Section III: That this ordinance amendment shall take effect upon adoption.

ITEM 2: APPOINTMENTS TO BOARDS AND COMMISSIONS:

City Council considered appointments to the Recreation Commission and Historic Resources Commission.

Mayor Talley asked if Council had an opportunity to read through the applications and if anyone knew Alex Dimmock.

Council Member Whitaker stated she had read through the applications but did not know Mr. Dimmock.

Mayor Talley asked if Council would like to wait another month to advertise a little longer in order to get more candidates to fill the two vacancies on the Recreation Commission. Currently, there was only one candidate to be considered.

Motion by Mayor Talley to appoint Alex Dimmock to the Historic Resources Commission and wait another month before making appointments to the Recreation Commission, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 3: CHERRY LANE OVERLAY - DISCUSSION

Planning Board requests the City Council's direction for the next steps of the proposed Cherry Lane Overlay.

Assistant City Manager Aaron Holland stated that Mr. Chad Huffine had worked most of the year creating an overlay for the area of Cherry Lane. He stated that staff understood and supported the idea that regulatorily attention was needed due to rapid growth and the protection of the residents in that area. He stated there were property owners who were willing to sell their investments to the other side of what this overlay was seeking to do. Mr. Holland stated that staff had other alternatives to protect the area by addressing setbacks and landscape buffers within the ordinance to address that particular area. He stated Council had approved staff to move forward with the Comprehensive Plan Update, which would address this area as well. He stated that Staff could do an immediate solution with an ordinance change while at the same time working on the Comprehensive Plan Update to have a long-term solution. He stated the Planning Board had met and reviewed the language that Mr. Huffine presented and was now asking for Council direction before moving forward. Mr. Holland asked Council to give direction to the Planning Board on how to move forward.

Mayor Talley stated, in her personal opinion, every parcel was unique and by requiring setbacks for properties that were far away from the road and also requiring berms seemed like double jeopardy. She shared that encouraging responsible growth was what we all were trying to get to. She stated she would like developers to take into consideration noise, lighting, visibility, and being close to major interstates where logistic companies would want to come. She said she had spoken to several residents who all seem reasonable but some people requested no tractor-trailers on Cherry Lane and that was something this body could not prevent from happening. She stated that some wanted road improvements which could not happen without growth or development. She stated she would like to hear from Mr. Huffine and the residents about what they envisioned for this area. Mayor Talley asked that the other stakeholders, the City of Mebane, Alamance County, and the Alamance Area Chamber be involved and give input into the plan.

Mayor Talley stated when the industrial park was set up years ago, this was a sharing plan that also included Alamance County and the City of Mebane and there were discussions about expanding the industrial park and what that would look like.

Council Member Chin stated that before being elected to City Council, he served on the Planning Board and recognized that Cherry Lane was being developed primarily as distribution warehouses. He stated that he recognized the need to bring in other industries so we are not relying upon a single industry in providing a workforce. He stated in conversations with Mr. Huffine, it was agreed they did not want to make restrictions so strict that it would drive businesses out but wanted an overlay to identify the types of businesses the City would like to have such as robotics, research, etc. He stated the jobs would be well paid and would hire more than folks working in a warehouse. He stated those types of industries could be defined so they would not overwhelm the environment.

Council Member Whitaker stated she agreed we should hear from the residents who would potentially be affected. She cautioned Council to be careful about being too restrictive. She shared this could be dealt with through ordinances and the issue should be tabled.

Mayor Talley asked Assistant City Manager Holland if he had a chance to review the proposed overlay.

Assistant City Manager Holland stated he and City Engineer Johnson had reviewed the plan and the overlay had to play to what the City's abilities were and the Duke Energy had very limited power capabilities in that area so certain industrial uses could not be considered due to the way our wastewater treatment plant is set up. He stated the plant could not handle certain types of uses, such as pharmaceuticals or dairy, because it would wipe out how wastewater was treated and would be very costly to the City. He stated there was a heavy emphasis on addressing setbacks, buffers, lighting, etc., and 95% of those concerns could be covered by staff preparing a one-page address that could be handled in an immediate fashion. He stated that staff could handle what Mr. Huffine was trying to do but doing it in a more fluent way to keep from being so restrictive.

Mayor Talley pointed out concerns with some of the proposed Cherry Lane Industrial Overlay language such as no engine "Jacobs" breaking. She stated that the City could not tell a truck they could not brake and this was an NCDOT road. She stated that the citizens' asks needed to be reasonable, purposeful, and rational. She stated the City did not have the power to restrict traffic on an NCDOT road.

Assistant City Manager Holland stated the City was very limited and any restrictions were the role of NCDOT. He asked Council if staff, City Engineer Josh Johnson, and Planner Cameron West could meet with Chad Huffine along with other Planning Board members to discuss how staff could develop language into the ordinance to be considered at the January meeting.

Mayor Talley stated she liked having a plan giving developers options such as choosing a berm or a 400-foot setback. She stated that trying to keep tractor-trailers off a DOT road was not something the City could control and she did not want people to get false hope thinking this was something Council could do. She asked for Staff to include stakeholders City of Mebane, Alamance County, and the Alamance Area Chamber.

Council Member Parsons stated when speaking to the Planning Board members, it was not necessarily getting the overlay approved but for direction only and something needed to be done in order to have some type of protection before all the land was developed.

Mayor Pro Tem Hall stated he agreed with the Mayor that the stakeholders needed to get together and agreed that some of this could be handled through an ordinance change.

Mr. Hugo Kreuscher, 2005 Cherry Lane, Haw River, NC, shared his vision for the Cherry Lane area.

Ms. Tonya Whitfield, 2300 Cherry Lane, shared her concerns with development around her property, and what would happen with the wildlife. She stated she would never be interested in selling.

Mayor Talley stated that she could not address the wildlife and asked staff if Council would be addressing these concerns through the Land Use Plan.

Assistant City Manager Holland stated the Land Use Plan was currently in the works, and at the first of the year, the steering committee would be reaching out to Council Members, planning board members, citizens, and residents to serve on the committee. He stated that in January they would be working full speed ahead.

Mayor Talley stated she wanted staff and Council to make a greater effort to notify property owners when the City was conducting comprehensive planning.

Mayor Pro Tem Hall made a recommendation to hold off on any decision regarding the Cherry Lane Overlay until the Comprehensive Plan was completed.

Mayor Talley stated there may need to be a smaller group that comes out of the Comprehensive Planning group that meets specifically about the overlay and when you begin looking at the industrial park possibly bringing in the County, City of Mebane, and the Chamber to make sure we are hearing from all our stakeholders.

Assistant City Manager Holland stated that all affected citizens would be contacted and it would be advertised to let folks know that this plan was being discussed. He stated that Cherry Lane was just one of several areas and would make sure that everyone was notified.

Mayor Talley stated that Mayor Pro Tem Hall had made a motion to table any decision regarding Cherry Lane until the Comprehensive Plan was completed and that she agreed. This motion was seconded by Council Member Whitaker. The motion passed unanimously.

PUBLIC COMMENT PERIOD

There were no public comments.

CITY STAFF COMMENTS

There were no City Staff comments.

CITY COUNCIL COMMENTS

Council Member Whitaker asked that staff conduct a traffic study on the cul-de-sacs due to problems with the trash trucks, mail being delivered, and school buses not being able to get in and out.

Assistant City Manager Holland stated that it was concluded that we may not need to prohibit parking in the cul-de-sacs but possibly restrict the time of parking so it would not interfere with trash service, buses, etc. He suggested bringing back language for Council to consider at the next meeting. The consensus of Council was unanimous.

Council Member Parsons asked for an update on the water line on Albright.

Assistant City Manager Holland stated that staff had looked into the replacement of that line and that money had not been budgeted and we would need to look at using ARPA funding for this project. He stated there were contractors currently working in the City and they were actually the lowest bid since they were already working in the City. Other bids were \$80,000 to \$100,000 higher. He stated he may have to ask Council to set a Special Meeting to approve the funding.

Mayor Talley wanted to make it clear that when this water line was replaced it would not have anything to do with private lines from a residence to the main water line. If there are problems with the line leading from someone's house to the newly replaced waterline, it would be at the resident's expense.

Mayor Talley shared some of Staff 2022 accomplishments:

- Received a 75/25 grant from the Department of Justice in order to hire six new patrol officers. Congratulations to Chief Kristi Baker and her team for making this happen.
- Secured over \$75 million in funding to upgrade our wastewater treatment plant. This is the single largest capital improvement in the City's history.
- We have applied for \$2 million in Block Grant funding to pay for Phase 1 of utility upgrades for the Northern area of the City.
- For the first time in Graham's history, we received \$13.75 million dollars in our state budget to do a much-needed replacement of our 70-year-old main water line from the water treatment plant to the center of town. She personally wanted to thank Tonya Mann, Burke Robertson, Tim Covington, Engineer Jason Johnson, and all staff for the hard work put into getting us ready for a complete overhaul of our infrastructure.

- City Council funded 68% of our capital improvement projects.
- City Council overhauled our inspection, utility, and development fees.
- Staff improved the health insurance plan for all our employees and retirees.
- Council gave much-needed raises and CIP increases to our staff.
- We were recently awarded the NC DOT Multimodal Pedestrian grant in the amount of \$36,000, which would improve sidewalks.
- Staff applied for \$10 million in grant funding in the 2021-2022 fiscal year and we will continue to work on funding and recruiting new business to Graham. Mayor Talley personally thanked all department heads, our support staff, and especially City Manager Megan Garner and Assistant City Manager Aaron Holland for working so hard this past year.

ADJOURN

Mayor Pro Tem Hall motioned to adjourn, seconded by Council Member Chin. The motion passed unanimously. The meeting was adjourned at 7:40 pm.

Renee M. Ward. CMC City Clerk

> December 13, 2022 City Council Meeting

City of Graham City Council Special Meeting Minutes of December 19, 2022



The City Council of the City of Graham held a Special Meeting on December 19, 2022, at noon in the Council Chamber, City Hall Municipal Building, located at 201 South Main Street, Graham, NC.

Councilmembers Present:

Mayor Jennifer Talley Mayor Pro Tem Ricky Hall Council Member Bobby Chin Council Member Joey Parsons Council Member Bonnie Whitaker - Absent

Staff Present:

Megan Garner, City Manager, absent Renee M. Ward, City Clerk Josh Johnson, City Engineer Tonya Mann, Water Resources Director Julianne Cordon, Finance Director

CALL TO ORDER:

Mayor Jennifer Talley called the meeting to order and presided at 12:00pm.

NEW BUSINESS:

ITEM 1: AMERICAN RESCUE PLAN ACT (ARPA) FUNDING ALLOCATION – ALBRIGHT AVENUE WATER LINE REPLACEMENT:

City Council considered amending the ARPA Project Ordinance allocating \$550,000 for the proposed Albright water line replacement.

City Manager Megan Garner stated the amendment to the ARPA Project Ordinance, if approved, would add a \$550,000 encumbrance for the Albright Avenue water line replacement. She stated the citizens in that area had expressed concerns about water quality. She stated this project was put out for bid through the City's engineers and two contractors had responded. She shared that Triangle Graving and Paving provided the lowest price and this contractor was currently under contract to complete the Long and Albright water and sewer improvements. City Manager Garner stated it was recommended that Council amend the existing contract to include \$550,000 to be funded through ARPA.

Motion by Mayor Pro Tem Hall, seconded by Council Member Chin, to amend the ARPA Project Ordinance, in the amount of \$550,000 for the Albright water line replacement. The motion passed unanimously.

RESOLUTION ESTABLISHING THE BUDGET FOR ARPA FUNDS GRANT ORDINANCE

WHEREAS, on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by the President;

WHEREAS, Section 9901 of ARPA amended Title VI of the Social Security Act (the Act) to add section 602, which establishes the Coronavirus State Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal Recovery Fund (together, the Fiscal Recovery Funds);

WHEREAS, On June 8, 2021, the City Council of the City of Graham hereby created an American Rescue Plan Act (ARPA) Local Fiscal Recovery Fund.

WHEREAS, On August 9, 2022, the City Council of the City of Graham approved \$3,784,134 in projects for the ARPA Local Fiscal Recovery Fund leaving an unencumbered balance of \$1,202,206.

WHEREAS, On September 13, 2022, the City Council of the City of Graham approved additional projects amounting to \$69,916 for the ARPA Local Fiscal Recovery Fund leaving an unencumbered balance of \$1,132,290.

WHEREAS, On October 11, 2022, the City Council of the City of Graham approved additional projects amounting to \$195,000 for the ARPA Local Fiscal Recovery Fund leaving an unencumbered balance of \$937,290.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby revised to include additional projects:

- Section 1. The Project authorizes the use of ARPA Funds.
- Section 2. The officials of the City of Graham are hereby directed to proceed with this project within the terms of the project. Staff is authorized to execute change orders within the budget ordinance.
- Section 3. The following revenues are anticipated to be available to the City to complete the project:

ARPA Revenue		\$4,599,050
	TOTAL	\$4,599,050

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

10" Water Line Replacement		\$3,500,000
GPD Positions Equipment		\$62,101
Vehicles		\$204,033
Fuel Master System Upgrade		\$18,000
Civic Center Repairs - Roof & Floor		\$58,788
Camera at Parks - Entrances		\$11,128
GM Lake – Ramp Renovation		\$195,000
Albright Ave Water line Replacement	<u>-</u>	\$550,000
	TOTAL	\$4,599,050

- Section 5. The Finance Director shall report on the financial status of this project as directed by the City Council and will inform the Council of any unusual occurrences.
- Section 6. Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project.
- Section 7. This ordinance shall take effect upon passage.

This the 19th day of December 2022.

ITEM 2: NCDOT MULTIMODAL GRANT PROGRAM

City Council will consider approving a budget amendment as a 20% local grant match, in the amount of \$9,000, for the North Carolina Department of Transportation Multimodal Grant Program to update the City's 2006 Pedestrian Transportation Plan.

City Manager Megan Garner stated if the request is for a \$9,000 budget amendment for this project. She stated that the City applied for this grant last fiscal year and was awarded \$36,000 to update the Pedestrian Plan. She stated that NCDOT needed the City's match commitment before the January Council meeting, which is why this item was added today.

Mayor Talley expressed excitement about this plan being updated.

Motion by Mayor Talley, seconded by Mayor Pro Tem Hall, to approve a budget amendment in the amount of \$9,000, for the NCDOT Multimodal Grant Program to be used to update the City's 2006 Pedestrian Transportation Plan. The motion passed unanimously.

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Mayor Jennifer Ta	alley			
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ADJOURN

A motion was made by Council Member Chin to adjourn, second	led by Mayor Pro Tem Hall. The motion
passed unanimously. (12:06 p.m.)	
	Renee M. Ward, CMC
	City Clerk



SUBJECT:	STREET CLOSURE FOR GRAHAM FOOD TRUCK RODEO
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Approve the Graham Food Truck Rodeo request and closure of the 100 block of W. Elm Street from the traffic circle to N. Maple Street submitted by Shari Kumiega/Together Community Events for May 7, 2023.

BACKGROUND/SUMMARY:

Shari Kumiega/Together Community Events requests the approval of the Graham Food Truck Rodeo and closure of the 100 block of W. Elm Street as described in the attached application. The requested closure would be from 1 pm to 9 pm. This event has taken place for 2 years prior.



FISCAL IMPACT:

There is no fiscal impact to the City of Graham unless additional personnel are needed.

STAFF RECOMMENDATION:

Approval. The various City departments that may be involved have reviewed the request and have provided the organizer with pertinent information that will need to be satisfied.

SUGGESTED MOTION(S):

I move we approve the request from Shari Kumiega/Together Community Events for the Graham Food Truck Rodeo on May 7, 2023 which includes the closure of the 100 block of W. Elm Street from 1 pm to 9 pm.

CITY OF GRAHAM SPECIAL EVENT APPLICATION

Thank you for considering Graham to host your Special Event, we're glad you see our City as a great place to hang out!

All requests for parade and street events under the City of Graham's ordinance Chapter 20, Article V, Section 171 - 174 and 183 - 185 will be reviewed by the Graham Special Events Committee (SEC). Any Street closures or use of public spaces will need City Council approval.

SEC* - Public Works Director, Fire Chief, Police Captain, Recreation Director, and Assistant City Manager

Next Steps** - Depending on the location of the event and the request(s), applicants may be required to provide event insurance which names the City as an additional insured, schedule public safety through Extra Duty Solutions, provide an event map, give detail for sanitation purposes, and other similar logistical information.

Applicants are encouraged to reach out to the Assistant City Manager prior to completing this form if they have any questions pertaining to the City's requirements, event locations, event logistics, etc.

City of Graham
Aaron Holland, Assistant City Manager
201 South Main Street
Graham, NC 27253
336.570.6700
aholland@cityofgraham.com

1. Your email: winston2865@gmail.com
2. Event name (if applicable): Graham Food Truck Rodeo
3. Reason for the event (be specific): Support small business and bring people to downtown Graham
4. Event date(s): May 7
5. Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m 8 a.m.
setup 8 a.m. event start 2 p.m. event ends 2 p.m 4 p.m. cleanup): 1pm Set up I 3pm event start I 8pm event ends I 8-9pm clean up
6. Event category:
Please check all that apply appropriate category for your event.
Concert/Performance
Exhibit
Farmer's Market
Festival/Fair
Parade/Procession
Run/Walk
X Food Truck Rodeo
Other:
7. Where are you requesting for your event to occur?
Be specific identifying street names or City facilities being requested for use?
West Elm St from the traffic circle to N Maple St
8. Does your event include the request to close streets?
Yes X No
9. Identify the street(s) you are requesting to have closed for your event. West Elm St
10. Identify your street closure time(s) and will you anticipate when they will return to normal

traffic flow.

Close street at 1pm and open by 9pm

11. What is your anticipated event attendance total? 1500 over 5 hours
12. Does your event include musical entertainment? YesX_No
13. Where will your musical entertainment be located? Little Brother may have music
14. Will sound amplification be used? Yes No
If yes, provide the start time and end time.
15. Will inflatables or similar devices be used at your event? YesX_ No
If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.
16. Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?
Yes No
If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham
Police & Fire Departments in conjunction with State Laws governing this type of activity.
17. Will alcohol be served, sold or consumed at your event?
If you answered yes to the question above, please check all that apply to your event.
Alcohol will be available free of charge
Alcohol will be by purchase only
Alcohol being served and or sold at my event includes
X Beer only
Wine only
Beer & Wine

 18. Describe your security plan to ensure the safe sale and or distribution of alcohol at your event. Extra Duty Solutions 19. Does your event include food concession and/or food preparation areas?
Yes X No_ Food trucks
If yes, please select the method of cooking that pertains to your event.
Gas
Electric
Charcoal
Other:
20. Do you plan to provide portable toilets at your event?
Yes X No_
If yes, list the total number of portable toilets: 3
21. Portable toilet company name: The Outhouse
If no, please explain
22. Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. We clean up the trash ourselves
Does your event require additional trash receptacles?
Yes <u>X</u> No
If yes, what is the requested number of additional trash receptacles? 10
23. Will there be any tents, canopies or temporary structures at your event?
Yes X No

- 24. Applicant name and affiliated agency if applicable Shari Kumiega/Together Community Events
- 25. Applicant's Address6518 Green Rise Rd, Hillsborough, NC 27278
- 26. Applicant's phone number 336-601-7225
- 27. Applicant's email address winston2865@gmail.com
- 28. Provide the events point of contact if different from the applicant. (First and Last Name, Phone number, & Email Address
- 29. How many years has this event taken place?

STAFF REPORT

SUBJECT:	APPROVE PROJECT BUDGET AND RESOLUTION OF ACCEPTANCE OF FUNDS FOR THE 10-INCH WATER MAIN REPLACEMENT
PREPARED BY:	JULIANNE CORDON, FINANCE OFFICER

REQUESTED ACTION:

Approve project budget and Resolution of Acceptance of Funds for the 10" Water Main Replacement Project.

BACKGROUND/SUMMARY:

The 10" Water Main Replacement Project will replace the waterline from the old water plant to the city. The waterline is a 10" cast iron line with lead joints and appurtenances. The lead joints are a priority for replacement with upcoming lead and copper rule implementation in 2024.

FISCAL IMPACT:

The total project is estimated at \$17,250,000. The North Carolina Department of Environmental Quality, Division of Water Infrastructure (DWI) has approved an American Rescue Plan (ARP) funding from the State Fiscal Recovery Fund in the amount of \$13,750,000. Projects funded from the State Fiscal Recovery Funds must meet applicable federal law and guidance for the ARP funds. In addition, the City of Graham has appropriated \$3,500,000 in local ARP funds for this project.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move we approve the project budget and the Resolution of Acceptance of Funds for the 10" Water Main Replacement Project.

CAPITAL PROJECT ORDINANCE 10-INCH WATER MAIN REPLACEMENT

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

CAROLINA, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following revised Capital Project Ordinance is hereby adopted:

Section 1.	The Project authorized is the 10-Inch Water Main Replacement.		
Section 2.	The officials of the City of Graham are hereby directed to proceed with this project within the terms of the project. Staff is authorized to execute change orders within the budget ordinance.		
Section 3.	The following revenues are anticipated to be available to the City to complete the project:		
	ARPA Funds eds from Local ARPA Fund AL	\$13,750,000 \$ 3,500,000 \$17,250,000	
Section 4.	The following amounts are appropria	ated for this project:	
Engineering Water Main Construction TOTAL		\$ 1,257,925 \$15,992,075 \$17,250,000	
Section 5.	The Finance Director shall report on City Council and will inform the Co	the financial status of this project as directed by the uncil of any unusual occurrences.	
Section 6.	Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project.		
Section 7.	This ordinance shall take effect upon passage.		
	This the 10 th day of January 2023.		
		Jennifer Talley - Mayor	
ATTEST:			
Renee M. War	rd – City Clerk		

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, the City of Graham has received an earmark for the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund established in S.L. 2021-180 and S.L. 2022-74 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$13,750,000 to perform work detailed in the submitted application for the 10-inch water main replacement, and

WHEREAS, the City of Graham intends to perform said project in accordance with the agreed scope of work,

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

That the City of Graham does hereby accept the American Rescue Plan Grant offer of \$13,750,000.

That the City of Graham does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Megan Garner (City Manager), and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 10th day of January 2023, at Graham, North Carolina.

(Jennifer Talley)	
Mayor, City of Graham	

STAFF REPORT

SUBJECT:	AMERICAN RESCUE PLAN ACT PROJECTS
PREPARED BY:	JULIANNE CORDON, FINANCE DIRECTOR

REQUESTED ACTION:

Approve the Project Ordinance for the identified American Rescue Plan Act projects.

BACKGROUND/SUMMARY:

On March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law. This bill includes direct financial assistance to local governments that have faced revenue losses and added safety expenses in dealing with the COVID-19 pandemic as well as making investments in water, sewer, and broadband infrastructure. The bill includes over \$1.3 billion for cities and towns in North Carolina. On June 8th, 2021, the Graham City Council approved a resolution to create an ARPA Local Fiscal Recovery Fund to receive the allocation of approximately \$4.9 million. The Graham City Council met on August 9, 2022, September 13, 2022, October 11, 2022 and December 19, 2022 approving projects totaling \$4,599,050.00.

Project	Department	Total
10" Water Line Replacement	Utilities	\$ 3,500,000.00
SROs & COPS Position Equipment	PD	\$ 62,101.00
3 Vehicles	PD	\$ 204,033.00
Fuel Master System Upgrade	IT	\$ 18,000.00
Civic Center Repairs - Roof & Floor	REC	\$ 66,343.00
Cameras at Parks - Entrances	IT	\$ 11,128.00
GM Lake - Ramp Renovation	REC	\$ 195,000.00
Albright Ave Water Line Replacement	Utilities	\$ 550,000.00
Subtotal		\$ 4,606,605.00
ARPA Funding Allocation		\$ 4,986,340.00
Balance Unencumbered		\$ 379,735.00

A change order on the contract for the Civic Center Roof was needed in the amount of \$7,555. Details include perimeter deck rebuild, rafter rebuild and chimney reframe.

FISCAL IMPACT:

The City of Graham received a total of \$4,986,340 in ARPA funds. Approval of the newly identified projects would leave an unencumbered balance of \$379,735. This budget ordinance will be amended as additional projects are identified for the unencumbered amount.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move we update the Project Ordinance for the additional identified American Rescue Plan Act projects.

RESOLUTION ESTABLISHING THE BUDGET FOR ARPA FUNDS GRANT ORDINANCE

WHEREAS, On March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by the President;

WHEREAS, Section 9901 of ARPA amended Title VI of the Social Security Act (the Act) to add section 602, which establishes the Coronavirus State Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal Recovery Fund (together, the Fiscal Recovery Funds);

WHEREAS, On June 8, 2021, the City Council of the City of Graham hereby created an American Rescue Plan Act (ARPA) Local Fiscal Recovery Fund.

WHEREAS, On August 9, 2022, the City Council of the City of Graham approved \$3,784,134 in projects for the ARPA Local Fiscal Recovery Fund leaving an unencumbered balance of \$1,202,206.

WHEREAS, On September 13, 2022, the City Council of the City of Graham approved additional projects amounting to \$69,916 for the ARPA Local Fiscal Recovery Fund leaving an unencumbered balance of \$1,132,290.

WHEREAS, On October 11, 2022, the City Council of the City of Graham approved additional projects amounting to \$195,000 for the ARPA Local Fiscal Recovery Fund leaving an unencumbered balance of \$937,290.

WHEREAS, On December 19, 2022, the City Council of the City of Graham approved additional projects amounting to \$550,000 for the ARPA Local Fiscal Recovery Fund leaving an unencumbered balance of \$387,290.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby revised to include additional projects:

- Section 1. The Project authorizes the use of ARPA Funds.
- Section 2. The officials of the City of Graham are hereby directed to proceed with this project within the terms of the project. Staff is authorized to execute change orders within the budget ordinance.
- Section 3. The following revenues are anticipated to be available to the City to complete the project:

ARPA Revenue		\$4,606,605
	TOTAL	\$4,606,605

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Section 4.	The following amounts are	appropriated for this	project at this time

10" Water Line Replacement		\$3,500,000
GPD Positions Equipment		\$62,101
Vehicles		\$204,033
Fuel Master System Upgrade		\$18,000
Civic Center Repairs - Roof & Floor		\$66,343
Camera at Parks - Entrances		\$11,128
GM Lake – Ramp Renovation		\$195,000
Albright Ave Water line Replacement		\$550,000
	TOTAL	\$4,606,605

- Section 5. The Finance Director shall report on the financial status of this project as directed by the City Council and will inform the Council of any unusual occurrences.
- Section 6. Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project.
- Section 7. This ordinance shall take effect upon passage.

This the 10th day of January 2023.

ATTEST:	Jennifer Talley – Mayor
Renee Ward – City Clerk	

Change Order

Project # 22-163



Graham Civic Center

Date: 12/27/2022 To Owner: **Graham Civic Center** Architect's Project No: N/A 9/16/2022 Contract Date: 503 McGee St. Contract No: N/A Graham, NC 27253 Change Order No: 001 The Contract is hereby revised by the following items: PCO Item # Description Units Amount Perimeter deck rebuild around perimeter of upper and lower roofs \$7,555.00 -Rafter rebuild, reframe chimney, decking rebuild of total perimete \$49,265.00 The original Contract Value Sum of changes by prior Contract Change \$0.00 The Contract Value prior to this Contract Change Order \$49,265.00 The Contract Value will be changed by this Contract Change Order in the amount \$7,555.00 \$56,820.00 The new Contract Value including this Contract Change Order will 0 Days The Contract duration will be changed The revised Substantial Completion date as of this Contract Change Order N/A WxTite LLC Graham Recreation & Parks Owner Contractor 311 College St. 309 Gallimore Dairy Rd Graham, NC 27253 Greensboro, NC 27409 SIGNATURE SIGNATURE DATE DATE _

WxTite, LLC

CITY OF GRAHAM

BUDGET AMENDMENT ORDINANCE 2022-2023

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT THE 2022 - 2023 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:

Section 1.					
GENERAL FUND					INCREASE
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	(DECREASE)
Bufactual Control	46 500 00	56 500 00	40.000.00		
Professional Services	46,500.00 46,500.00	56,500.00 56,500.00	10,000.00 10,000.00		10,000.00
	40,300.00	30,300.00	10,000.00		10,000.00
Section 2.					
GENERAL FUND					INCREASE
REVENUES	APPROVED	AMENDED	INCREASE	(DECREASE)	(DECREASE)
Miscellaneous Income	80,000.00	90,000.00	10,000.00		
wiscellaneous income	80,000.00	90,000.00	10,000.00		
	80,000.00	90,000.00	10,000.00	-	10,000.00
Adopted this 10th day of January 2023.					
, ,					
Attest:	Mayor Jennifer Tall	lev			
	.,	,			
Renee M. Ward, City Clerk					
nence ivi. vvalu, city cielk					



SUBJECT:	BGMPO CORRIDOR STUDY FUNDING REQUEST
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

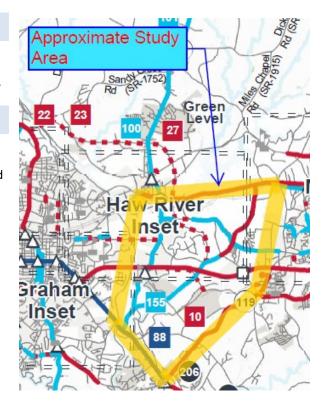
REQUESTED ACTION:

Approve Resolution authorizing a funding match for the requested Hawfields Area Corridor Study in conjunction with BGMPO and NCDOT.

BACKGROUND/SUMMARY:

Over the last ten plus years, Alamance County has seen explosive growth in the Hawfields area. This area between Graham, Mebane, and Haw River has seen extensive industrial, commercial and residential growth in a historically agricultural area. This growth and transition have come about due to extensive planning by Graham, Mebane, and Alamance County as well as long standing relationships between the community and NCDOT. Even with this planning, there have been growing pains in the area. Most of these impacts are related to traffic concerns due to the change in land use between agriculture, rural residential, metropolitan residential, and industrial uses.

In an effort to adequately address these concerns and plan for continued growth, the City of Graham is requesting a comprehensive planning study of this area. The planning study will require the input of Graham, Mebane, Haw River, NCDOT, and the public.



FISCAL IMPACT:

The estimated cost for this study is \$50,000. If approved, the City would be responsible for 20% which would be \$10,000.

STAFF RECOMMENDATION:

Approval. The City recognizes the growth and demand of this area. A study in this area in conjunction with other partners would allow for responsible future growth.

SUGGESTED MOTION(S):

I move we approve the Resolution authorizing a funding match for the Hawfields Area Corridor Study in conjunction with BGMPO and NCDOT.

RESOLUTION AUTHORIZING A FUNDING MATCH FOR THE HAWFIELDS AREA CORRIDOR STUDY IN CONJUNCTION WITH BGMPO AND NCDOT

WHEREAS, a request to the Burlington-Graham Metropolitan Planning Organization (BGMPO) for Federal Planning Funds requires a local funding match for study projects; and

WHEREAS, the area between Graham, Mebane, and Haw River has seen extensive industrial, commercial and residential growth in a historically agricultural area; and

WHEREAS, there has been increased traffic concerns due to the change in land use between agriculture, rural residential, metropolitan residential, and industrial uses; and

WHEREAS, the City of Graham is requesting a comprehensive planning study of this area to adequately address these concerns and plan for continued growth;

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

Section 1. City of Graham will provide a 20% local match for the aforementioned project because it will enhance the safety of the traveling public.

Section 2. The City of Graham City Council shall herein empower the City Manager to enter into a Municipal Agreement with NCDOT.

Section 3. This resolution shall be effective upon passage.

This the 10 th day of January 2023.		
	Mayor Jennifer Talley	
ATTEST:		
City Clerk Renee M. Ward		

SUBJECT:	ENGINEERING CONTRACT WITH ALLEY, WILLIAMS, CARMEN & KING
	FOR THE CITY'S ASSET INVENTORY AND ASSESSMENTS GRANT
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Approve the engineering contract with Alley, Williams, Carmen & King for the City's Asset Inventory and Assessments Grant from NCDEQ-Division of Water Infrastructure.

BACKGROUND/SUMMARY:

The City of Graham owns and operates a water distribution system that supplies drinking water and fire flows within the City and to areas just outside city limits. As indicated in the attached letter from AWCK, the City applied for and was awarded funding for Asset Inventory and Assessment (AIA) for the water distribution system in the spring of 2022. The AIA application includes engineering evaluation of the water distribution system as well as reviewing existing mapping and updating mapping of the water system. The goal of the project is to complete an evaluation of the distribution system that includes a lead service line inventory and an overall evaluation of the system that can be used going forward.

FISCAL IMPACT:

The City has already been awarded funding for engineering and administration services.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move we authorize the City Manager and City Attorney to effectuate the engineering contract with Alley, Williams, Carmen & King for the City's Asset Inventory and Assessments Grant from NCDEQ-Division of Water Infrastructure.

December 29, 2022

Ms. Tonya Mann Utility Director City of Graham

Subject: Asset Inventory and Assessments Grant

Drinking Water Distribution System Evaluations

Dear Ms. Mann,

Alley, Williams, Carmen & King, Inc. is pleased to provide the City of Graham with this letter of agreement to provide engineering and administration services for the City's Asset Inventory and Assessments Grant from NCDEQ-Division of Water Infrastructure. This proposal is to assist the City with evaluating the drinking water distribution system for compliance with the Lead and Copper Rule Revision.

Background Information and Scope of Services

The City of Graham owns and operates a water distribution system that supplies drinking water and fire flows within the City and to areas just outside city limits. The City applied for and was awarded funding for Asset Inventory and Assessment (AIA) for the water distribution system in the spring of 2022. The AIA application includes engineering evaluation of the water distribution system as well as reviewing existing mapping and updating mapping of the water system. The goal of the project is to complete an evaluation of the distribution system that includes a lead service line inventory and an overall evaluation of the system that can be used going forward.

AWCK is a full-service architectural and civil engineering based in Burlington, North Carolina that was founded in 1960 and has worked with the City of Graham for many decades. This time includes decades working with the City of Graham and its water system. AWCK will assist the City with the following scopes:

- As-built research and GIS Updates which will include review of drinking water as-builts and record drawings to verify locations, age of lines, and materials. It may also include building permit reviews and will provide record keeping and updated GIS files for overall mapping.
- 2. LCRR Inventory preparation which will be based upon a combination of as-built research, field evaluation, and representative field sampling. The LCRR will be provided in a format that is consistent with NC and EPA recommendations and can be provided to the City in format for public information as required by the LCRR.
- 3. Condition Assessment and Asset Inventory Creation which will represent a summary of tasks 1 and 2 and will provide a framework for prioritizing and future updating of the water system.
- 4. Grant Administration between the City and NC DEQ-Division of Water Infrastructure.

It should be noted that final engineering design and bid documents are not included within this scope of services but can be provided at a later point through addendum if requested.

Independent Contractor

Consultant shall at all times remain an "Independent Contractor" with respect to the services to be performed under this Agreement. The City shall be exempt from payment of all Unemployment

Compensation, FICA, retirement, life and/or medical insurance, and Worker's Compensation Insurance since the Consultant is an Independent Contractor.

Professional Services

Alley, Williams, Carmen, & King, Inc. (AWCK) shall perform the professional Consulting Services required under this Agreement in accordance with standard of care, skill, training, diligence and judgment normally provided by competent professionals who perform work of a similar nature, in the same geographical regions as the work described in this Agreement and any Work Authorization. AWCK agrees to correct, at its own expense, any service provided under this Agreement that does not conform to the standard of care herein for a period of one (1) year following the completion of that Service.

Prohibited Interest

AWCK affirms that it has neither an interest, nor shall acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of services under this Agreement. AWCK may still provide private engineering design within the City of Graham but any private work will be reviewed by either another entity or by City staff.

Discrimination Prohibited

AWCK shall not discriminate against any person in the performance of this Agreement because of race, creed, sex, handicap, color, age, national origin, or familial status.

Insurance

AWCK shall maintain for the term of this Agreement insurance policies covering:

- Worker's Compensation and Employer's Liability insurance, statutory limits.
- Comprehensive General Liability insurance, a total of \$2,000,000 each occurrence and \$2,000,000 in aggregate.
- Comprehensive Automobile Liability insurance, a total of \$2,000,000 each occurrence and \$2,000,000 in aggregate.
- Umbrella Liability insurance, a total of \$5,000,000 each occurrence.
- Professional errors and omissions insurance with a per claim limit of not less than \$3,000,000.

Additionally, the City shall be named as an additional insured on Comprehensive General Liability and Comprehensive Automobile Liability, and the policies shall provide that the City shall be given at least thirty (30) days advance written notice in the event of cancellation.

Summary of Fees

We propose to provide the above described services for a fee of \$400,000.00. The individual fees are attached within Exhibit #1 – Scope of Services.

We appreciate the opportunity of submitting this letter of agreement for your review and acceptance. We look forward to working with you and should you have any questions or require additional information, please contact me at 336-226-5534.

Sincerely,	
ALLEY, WILLIAMS, CARMEN & KING, INC. Joshua S. Johnson, P.E. Principal Engineer	
The scope of services, terms and conditions of this Lett	er of Agreement are accepted.
Signature of Authorized Representative	Date
This instrument has been pre-audited in the manner re Fiscal Control Act.	quired by the Local Government Budget and
Finance Officer Approval	Date

EXHIBIT – 1 SCOPE OF SERVICES

Task 1 –As-Built Research and GIS Updates

Task 1 Fixed Fee: \$100,000

Task 2 – LCRR Inventory Preparation

Task 2 Fixed Fee: \$250,000

Task 3 – Condition Assessment and Asset Inventory Creation

Task 3 Fixed Fee: \$45,000

Task 4 – Grant Administration

Task 4 Fixed Fee: \$5,000

Summary of Tasks/Fees:

Task 1 – As-Built Research and GIS Updates:	\$ 100,000.00
Task 2 – LCRR Inventory Preparation:	\$ 250,000.00
Task 3 – Condition Assessment and Asset Inventory Creation:	\$ 45,000.00
Task 4 – Grant Administration:	<u>\$ 5,000.00</u>
Total All Tasks:	\$ 400,000.00

EXHIBIT - 2

HOURLY CHARGE RATE SCHEDULE – January 1, 2023

This information is confidential and is intended for use by the recipient only.

1.	Engineers: a. EI – Engineering Intern b. Registered Professional Engineer c. Associate/Registered Professional Engineer d. Principal/Registered Professional Engineer	\$ 80.00 100.00 125.00 190.00	- - -	\$130.00/Hr. 160.00/Hr. 180.00/Hr. 250.00/Hr.
2.	Architects:			
	a. Architects in Training	\$ 80.00	-	\$100.00/Hr.
	b. Registered Architect	90.00	-	130.00/Hr.
	c. Associate/Registered Architect	145.00	-	180.00/Hr.
	d. Principal/Registered Architect	160.00	-	180.00/Hr.
3.	Surveyors:			
	a. Surveyor in Training	\$ 75.00	-	\$ 90.00/Hr.
	b. Registered Land Surveyor	85.00	-	115.00/Hr.
	c. Associate/Registered Land Surveyor	95.00	-	140.00/Hr.
4.	Technical Staff:			
	a. Project Manager	\$ 90.00	-	\$130.00/Hr.
	b. CADD Designer/Technician	75.00	-	110.00/Hr.
	c. Stormwater Program Coordinator	75.00	-	110.00/Hr.
5.	Survey Parties:			
	a. 2-Man Party	\$140.00	-	\$180.00/Hr.
	b. 3-Man Party	190.00	-	225.00/Hr.
6.	Construction Observer	\$ 75.00	-	\$120.00/Hr.
7.	Clerical	\$ 55.00	-	\$ 80.00/Hr.

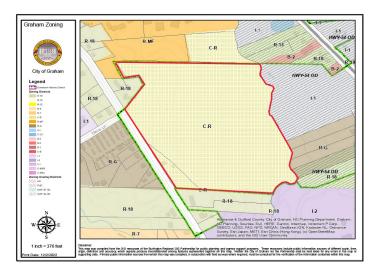
- 8. Other:
 - a. Employees' overtime (when authorized in advance): 1.50 times Hourly Charge Rate.
 - b. Professional Consultants: 1.10 times the amount billed to AWCK, Inc.
 - c. Printing and Mailing: 1.10 times the amount billed to AWCK, Inc.
 - d. Mileage: Travel to job site No Charge, but time is included from our office to job site and return.
 - e. Overnight or extended travel: 1.10 times the amount billed to AWCK, Inc.
 - f. The above rates are subject to adjustment in accordance with normal salary and rate review practices on an annual basis.
 - g. Where ranges of hourly charge rates are listed, the rate charged will be the actual charge rate associated with the individual performing the services.
 - h. Payment will be made monthly based on invoices submitted by Alley, Williams, Carmen & King, Inc.



SUBJECT:	ANNEXATION OF 35.43 +/- ACRES ON EAST GILBREATH STREET
PREPARED BY:	CAMERON WEST, PLANNER

REQUESTED ACTION:

Approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina for a tract of land totaling 35.43-acres located on East Gilbreath Street.



BACKGROUND/SUMMARY:

The attached petition is a request for the Council's approval for an extension of the corporate limits to include the subject properties. The area being considered for annexation is located on E Gilbreath Street and contains approximately 35.43+- acres total. Water and sewer are located adjacent to this property within the E Gilbreath Street right of way, and the applicants wish to tie onto the City's infrastructure.

FISCAL IMPACT:

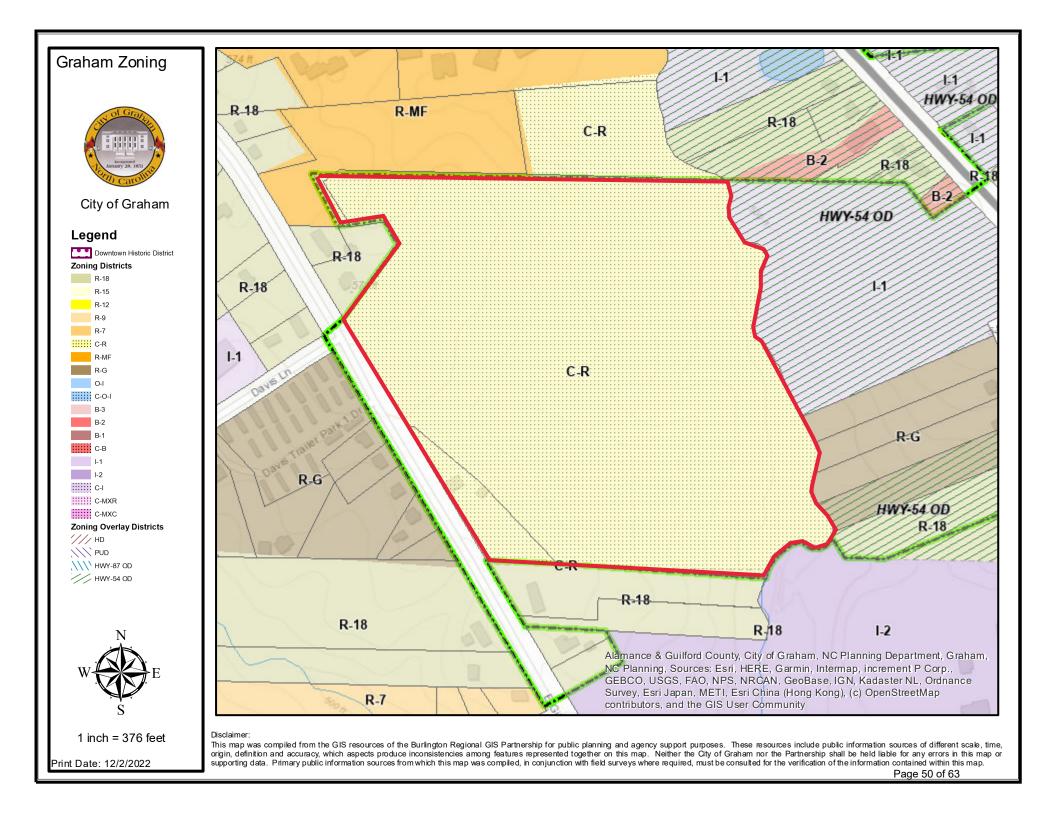
New residential property generally creates positive tax revenue for the City, and because the public services are being connected at this site, the cost to the City is minimal.

STAFF RECOMMENDATION:

Approval.

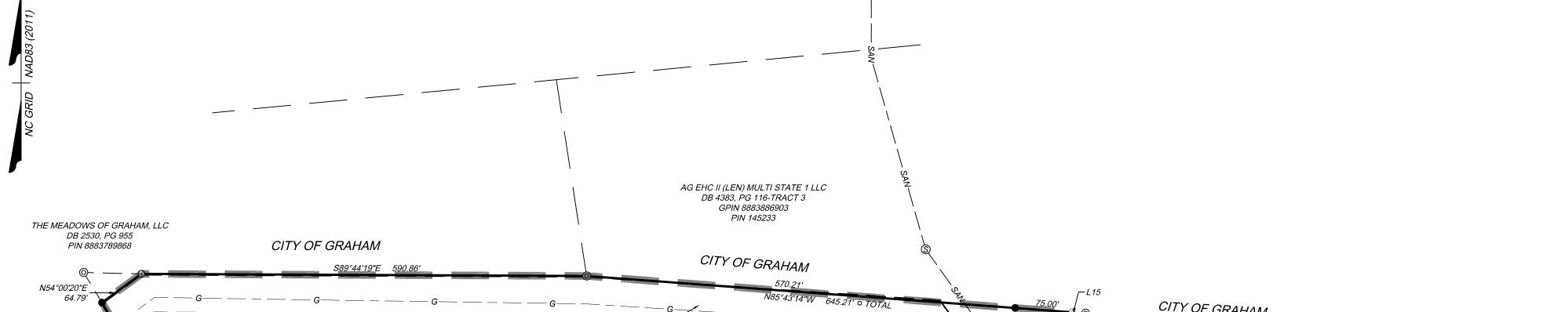
SUGGESTED MOTION(S):

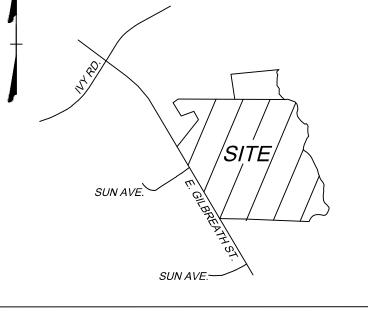
1. I move we approve the Annexation Ordinance to Extend the Corporate limits of the City of Graham, North Carolina, for 35.43 (+/-) acres on E Gilbreath Street.



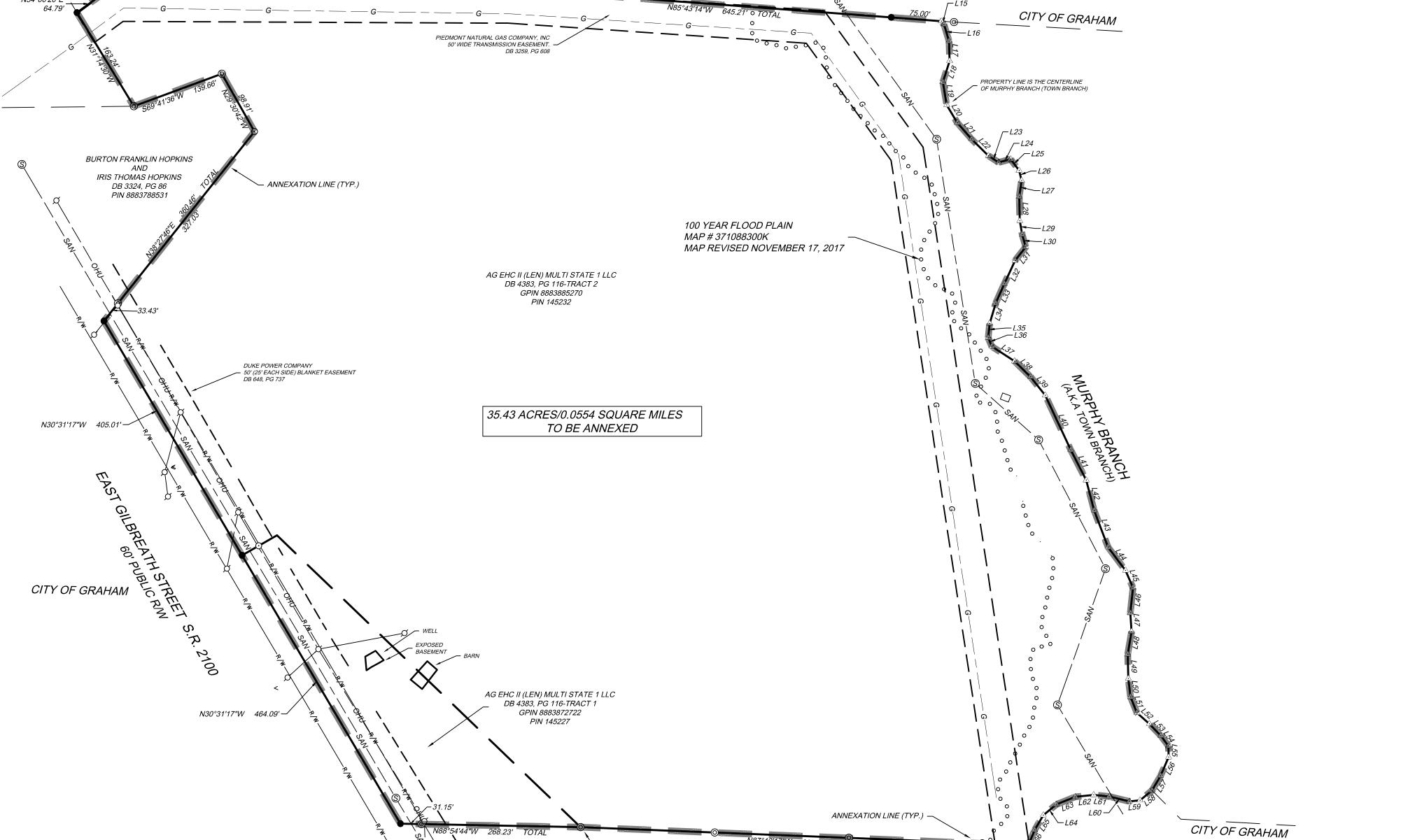
L15 S39°27'38"E 6.10' L16 S16°47'10"E 26.11' L17 S1°48'12"E 29.66' L18 S17°55'08"W 32.97' L19 S9°39'11"E 34.69' L20 S30°48'02"E 30.89' L21 S41°09'21"E 32.14' L22 S45°15'25"E 35.22' L23 S56°45'51"E 18.28' L24 N74°42'12"E 18.54' L25 S36°37'10"E 21.01' L26 S13°46'15"E 15.38' L27 S8°18'16"W 24.31' L28 S1°23'01"E 36.06' L29 S10°01'16"E 20.63' L39 L49 S1°18'05"E L40 S25°03'47"E 89.3 L41 S27°00'56"E 50.4 L42 S14°49'46"E 46.4 L43 S20°40'37"E 58.4 L44 S36°48'05"E 43. L25 S36°37'10"E 1.44 S36°48'05"E L46 S6°02'25"W 37. L47	LINE BEARING LENGTH L15 \$39°27'38"E 6.10' L16 \$16°47'10"E 26.11' L17 \$1°48'12"E 29.66' L18 \$17°55'08"W 32.97' L19 \$9°39'11"E 34.69' L20 \$30°48'02"E 30.89' L21 \$41°09'21"E 32.14' L22 \$45°15'25"E 35.22' L23 \$56°45'51"E 18.28' L24 \$N74°42'12"E 18.54' L25 \$36°37'10"E 21.01' L26 \$13°46'15"E 15.38' L27 \$8°18'16"W 24.31' L28 \$1°23'01"E 36.06' L29 \$10°01'16"E 20.63' L30 \$22°23'36"E 13.4' L31 \$23°55'27"W 31.61' L35 \$5°33'58"W 21.4' L36 \$22°23'36"E 40.4 L37 \$56°53'58"E 40.4 L38 \$45°46'25"E 33. L39 \$38°22'29"E 35. L40 \$25°03'47"E 89.4 L41 \$27°00'56"E 50.4 L42 \$14°49'46"E 46.4 L43 \$20°40'37"E 58.4 L44 \$36°48'05"E 43.4 L45 \$23°27'57"E 28.4 L46 \$6°02'25"W 37.4 L47 \$3°51'15"E 27.4 L48 \$9°38'29"W 34.4 L49 \$10°01'16"E 20.63' L49 \$1°18'05"E 36.6 L49 \$1°18'05"E 25.4 L31 \$38°01'16"W 25.73' L52 \$48°25'16"E 24.4 L33 \$23°55'27"W 31.61'	LINE BEARING LENGTH L15 \$39°27'38"E 6.10' L16 \$16°47'10"E 26.11' L17 \$1°48'12"E 29.66' L18 \$17°55'08"W 32.97' L19 \$9°39'11"E 34.69' L20 \$30°48'02"E 30.89' L21 \$41°09'21"E 32.14' L22 \$45°15'25"E 35.22' L23 \$56°45'51"E 18.28' L24 \$N74°42'12"E 18.54' L25 \$36°37'10"E 21.01' L26 \$13°46'15"E 15.38' L27 \$8°18'16"W 24.31' L28 \$1°23'01"E 36.06' L29 \$10°01'16"E 20.63' L30 \$22°23'36"E 13. L31 \$21°56'54"E 25. L32 \$28°25'27"W 31.61' L33 \$23°55'27"W 31.61' L34 \$25°33'58"E 40. L37 \$56°53'58"E 40. L38 \$45°46'25"E 33. L39 \$38°22'29"E 35. L40 \$25°03'47"E 89. L41 \$27°00'56"E 50. L42 \$14°49'46"E 46. L43 \$20°40'37"E 58. L44 \$36°48'05"E 43. L45 \$23°27'57"E 28. L46 \$6°02'25"W 37. L47 \$3°51'15"E 27. L48 \$9°38'29"W 34. L59 \$10°01'16"E 20.63' L49 \$1°18'05"E 36. L50 \$7°04'51"E 27. L51 \$21°56'54"E 24. L53 \$43°45'32"E 24.	LINE BEARING LENGTH L15 \$39°27'38"E 6.10' L16 \$16°47'10"E 26.11' L17 \$1°48'12"E 29.66' L18 \$17°55'08"W 32.97' L19 \$9°39'11"E 34.69' L20 \$30°48'02"E 30.89' L21 \$41°09'21"E 32.14' L22 \$45°15'25"E 35.22' L23 \$56°45'51"E 18.28' L24 \$N74°42'12"E 18.54' L25 \$36°37'10"E 21.01' L26 \$13°46'15"E 15.38' L27 \$8°18'16"W 24.31' L28 \$1°23'01"E 36.06' L29 \$10°01'16"E 20.63' L30 \$538°22'25"W 31.61' L53 \$43°45'32"E 24. L53 \$23°55'27"W 31.61' L53 \$43°45'32"E 24. L53 \$23°55'27"W 31.61' L53 \$43°45'32"E 24.	LINE BEARING LENGTH L15 \$39°27'38"E 6.10' L16 \$16°47'10"E 26.11' L17 \$1°48'12"E 29.66' L18 \$17°55'08"W 32.97' L19 \$9°39'11"E 34.69' L20 \$30°48'02"E 30.89' L21 \$41°09'21"E 32.14' L22 \$45°15'25"E 35.22' L23 \$56°45'51"E 18.28' L24 \$N74°42'12"E 18.54' L25 \$36°37'10"E 21.01' L26 \$13°46'15"E 15.38' L27 \$8°18'16"W 24.31' L28 \$1°23'01"E 36.06' L29 \$10°01'16"E 20.63' L30 \$15°54'15"E 19.23' L31 \$38°01'16"W 25.73' L32 \$24°50'48"W 38.07' L33 \$23°55'27"W 31.61'	LINE BEARING L35	21.4 13.8 40.3 33.1 35.2 89.8 50.4 46.6 58.4 37.7 27.8 34.3 27.8 24.8
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\$38°01'16"W \$25.73' \$215 \$21°56'54"E \$24.<td>18 \$17°55'08"W \$32.97' \$138 \$45°46'25"E \$33. 19 \$9°39'11"E \$34.69' \$139 \$38°22'29"E \$35. 20 \$30°48'02"E \$30.89' \$140 \$25°03'47"E \$89. 21 \$41°09'21"E \$32.14' \$141 \$27°00'56"E \$50. 22 \$45°15'25"E \$35.22' \$142 \$514°49'46"E \$46. 23 \$56°45'51"E \$18.28' \$143 \$20°40'37"E \$88. 24 \$N74°42'12"E \$18.54' \$144 \$36°48'05"E \$38. 25 \$36°37'10"E \$21.01' \$145 \$23°27'57"E \$28. 26 \$13°46'15"E \$15.38' \$146 \$6°02'25"W \$37. 27 \$8°18'16"W \$24.31' \$24.31' \$24.88 \$9°38'29"W \$34. 29 \$10°01'16"E \$20.63' \$149 \$1°18'05"E \$36. 30 \$15°54'15"E \$19.23' \$150 \$7°04'51"E \$27. 31 \$38°01'16"W \$25.73' \$25.73' \$21.52 \$48°25'16"E \$24.<!--</td--><td>18</td><td>L38 S45°46'25"E L39 S38°22'29"E L40 S25°03'47"E L41 S27°00'56"E L42 S14°49'46"E L43 S20°40'37"E L44 S36°48'05"E L45 S23°27'57"E L46 S6°02'25"W L47 S3°51'15"E L48 S9°38'29"W L49 S1°18'05"E L50 S7°04'51"E L51 S21°56'54"E L52 S48°25'16"E L53 S43°45'32"E</td><td>33.1 35.2 89.8 50.4 46.6 58.4 43.3 28.0 37.7 27.8 34.3 36.1 27.6 25.3 24.8</td></td></td>	18 \$17°55'08"W \$32.97' \$138 \$45°46'25"E \$33. 19 \$9°39'11"E \$34.69' \$139 \$38°22'29"E \$35. 20 \$30°48'02"E \$30.89' \$140 \$25°03'47"E \$89. 21 \$41°09'21"E \$32.14' \$141 \$27°00'56"E \$50. 22 \$45°15'25"E \$35.22' \$142 \$14°49'46"E \$46. 23 \$56°45'51"E \$18.28' \$143 \$20°40'37"E \$58. 24 \$N74°42'12"E \$18.54' \$144 \$36°48'05"E \$43. 25 \$36°37'10"E \$21.01' \$145 \$23°27'57"E \$28. 26 \$13°46'15"E \$15.38' \$146 \$6°02'25"W \$37. 27 \$8°18'16"W \$24.31' \$147 \$3°51'15"E \$27. 28 \$1°23'01"E \$36.06' \$148 \$9°38'29"W \$34. 29 \$10°01'16"E \$20.63' \$15°54'15"E \$19.23' \$150 \$7°04'51"E \$27. 31 \$38°01'16"W \$25.73' \$215 \$21°56'54"E \$24. <td>18 \$17°55'08"W \$32.97' \$138 \$45°46'25"E \$33. 19 \$9°39'11"E \$34.69' \$139 \$38°22'29"E \$35. 20 \$30°48'02"E \$30.89' \$140 \$25°03'47"E \$89. 21 \$41°09'21"E \$32.14' \$141 \$27°00'56"E \$50. 22 \$45°15'25"E 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34 \$16°36'41"W 31.62' L54 \$37°00'03"E 19.	34 \$16°36'41"W 31.62' L54 \$37°00'03"E 19.	34 \$16°36'41"W 31.62' L54 \$37°00'03"E 19.	34 S16°36′41″W 31.62″ L54 S37°00′03″E 19.	34 \$16°36'41"W 31.62'	L54 S37°00'03"E	19.1
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LINE	BEARING	LENGTH
L55	S0°39'05"E	16.65'
L56	S23°20'52"W	30.16'
L57	S30°01'34"W	25.35'
L58	S50°41'06"W	23.04'
L59	S83°53'18"W	15.99'
L60	N76°13'37"W	30.99'
L61	N84°23'10"W	23.21'
L62	S84°03'39"W	27.65'
L63	S68°03'40"W	30.09'
L64	S50°48'27"W	25.30'
L65	S29°59'51"W	25.43'
L66	S22°30'47"W	24.44'





VICINITY MAP - NOT TO SCALE



P.O.B. NC GRID COORDINATES

NAD 1983(2011) NORTH 837569.38 FEET

EAST 1888462.56 FEET

SCALE 1" = 100 FT.

CITY OF GRAHAM

GEORGE S. WHITTEMORE

ANGELA P. WHITTEMORE DB 3874, PG 921 PIN 8883877415

LEGEND

O IPF - IRON PIPE FOUND

 \triangle COMPUTED POINT

< GUY

S SANITARY MANHOLE

IRS - IRON ROD SET OR NAIL SET

SURVEY NOTES.

- 1. ZONING REPORT/LETTER HAS NOT BEEN PROVIDED
- 2. HORIZONTAL CONTROL IS BASED ON NC STATE GRID, NAD'83 (2011) AS DETERMINED BY GNSS.
- 3. AREA COMPUTATION IS BY THE COORDINATE METHOD.
- 4. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF
- 5. THIS IS NOT A BOUNDARY SURVEY

SURVEYOR CERTIFICATION

I, TERRY L. WESTENDORF, PLS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, AS DESCRIBED IN DEEDS AND MAPS OF RECORD OR OTHER REFERENCE SOURCES; THAT THE RATIO OF POSITIONAL ACCURACY AS CALCULATED IS GREATER THAN .07 @ TWO SIGMA THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION OF RECORD; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXEMPTION TO THE DEFINITION OF SUBDIVISION.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND

SEAL THIS 1ST DAY OF DECEMBER, A.D., 2022.

SEAL

3232

SURVEYED LINE

----- SAN---- SANITARY LINE

CITY OF GRAHAM CONTIGUOUS ANNEXATION MAP PREPARED FOR A DELAWARE LIMITED LIABILITY COMPANY

GPIN: 8883872722, 8883885270 ALAMANCE COUNTY

AG EHC II (LEN) MULTISTATE 1 LLC

GRAHAM TWP., ALAMANCE CO., NORTH CAROLINA GRAHAM TOWNSHIP DATE: DECEMBER 1, 2022 J.N.: 50560 SHEET 1 OF 1 DRAWN BY: TLW

REVIEW OFFICER CERTIFICATE

_REVIEW OFFICER OF ALAMANCE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE

Page 51 of 63

ANNEXATION ORDINANCE

TO EXTEND THE CORPORATE LIMITS OF THE CITY OF GRAHAM, NORTH CAROLINA FOR a 35.43 -ACRE TRACT OF LAND ON E GILBREATH STREET (AN2206)

WHEREAS, the Graham City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Hall, 201 South Main Street, Graham at 6:00 P.M. on January 10, 2023, after due notice by publication on December 29, 2022; and

WHEREAS, the Graham City Council finds that the petition meets the requirements of G.S. 160A-31.

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Graham as of January 10, 2023:

Legal Description GPIN#: 8883885270 & 8883872722

Beginning at an existing iron pipe, the southeast corner of AG EHC II (LEN) MULTI STATE 1 LLC property described in Deed Book 4383, Page 116 as Tract I, and having a North Carolina State Plane Coordinate (NAD 1983/2011) value of North 837569.38 feet, East 1888462.56 feet. Thence N88° 54' 44"W, 268.23' to a nail set in the centerline of East Gilbreath Street (S.R. 2100); thence with the centerline of the aforesaid street N30° 31' 17"W, 464.09' to a nail set; thence N30° 31' 17"W, 405.01' to a nail set; thence leaving East Gilbreath Street N38° 27' 46"E, 360.46' to an existing iron rod; thence N29° 30' 42"W, 98.91' to an existing iron pipe; thence S69° 41' 36"W, 139.66' to an existing iron pipe; thence N31° 14' 30"W, 163.24' to a 5/8" capped iron rod set; thence N54° 00' 20"E, 64.79' to an existing iron rod; thence S89° 44' 19"E, 590.86' to an existing iron pipe; thence S85° 43' 14"E, 570.21' to a 5/8" capped iron rod set; thence continuing S85° 43' 14"E, 75.00' to a point in the centerline of Murphy Branch; thence with the centerline of Murphy Branch the following bearings and distances: S39° 27' 38"E, 6.10'; S16° 47' 10"E, 26.11'; S1° 48' 12"E, 29.66'; S17° 55' 08"W, 32.97'; S9° 39' 11"E, 34.69'; S30° 48' 02"E, 30894 \$416309'

21"E, 32.14'; S45° 15' 25"E, 35.22'; S56° 45' 51"E, 18.28'; N74° 42' 12"E, 18.54'; S36° 37' 10"E, 21.01'; S13° 46' 15"E, 15.38'; S8° 18' 16"W, 24.31'; S1° 23' 01"E, 36.06'; S10° 01' 16"E, 20.63'; S15° 54' 15"E, 19.23'; S38° 01' 16"W, 25.73'; S24° 50' 48"W, 38.07'; S23° 55' 27"W, 31.61'; S16° 36' 41"W, 31.62'; S5° 33' 58"W, 21.44'; S22° 23' 36"E, 13.84'; S56° 53' 58"E, 40.37'; S45° 46' 25"E, 33.15'; S38° 22' 29"E, 35.27'; S25° 03' 47"E, 89.85'; S27° 00' 56"E, 50.46'; S14° 49' 46"E, 46.65'; S20° 40' 37"E, 58.44'; S36° 48' 05"E, 43.36'; S23° 27' 57"E, 28.05'; S6° 02' 25"W, 37.76'; S3° 51' 15"E, 27.86'; S9° 38' 29"W, 34.31'; S1° 18' 05"E, 36.14'; S7° 04' 51"E, 27.64'; S21° 56' 54"E, 25.37'; S48° 25' 16"E, 24.80'; S43° 45' 32"E, 24.42'; S37° 00' 03"E, 19.19'; S0° 39' 05"E, 16.65'; S23° 20' 52"W, 30.16'; S30° 01' 34"W, 25.35'; S50° 41' 06"W, 23.04'; S83° 53' 18"W, 15.99'; N76° 13' 37"W, 30.99'; N84° 23' 10"W, 23.21'; S84° 03' 39"W, 27.65'; S68° 03' 40"W, 30.09'; S50° 48' 27"W, 25.30'; S29° 59' 51"W, 25.43'; S22° 30' 47"W, 24.44'; thence leaving Murphy Branch N87° 42' 17"W, 667.16' to the Beginning, containing 35.43 acres, or 0.0554 square miles more or, less.

	Jennifer Talley, Mayor, City of Graham
ATTEST:	APPROVED AS TO FORM:
Renee M. Ward, City Clerk	Bryan Coleman, City Attorney



SUBJECT:	CLOSURE OF UNCONSTRUCTED LEONARD DRIVE
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

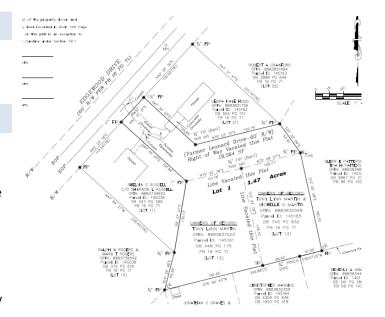
REQUESTED ACTION:

Approve resolution authorizing the process for the permanent closure of Leonard Drive.

BACKGROUND/SUMMARY:

Tony and Michelle Martin are requesting the removal of a proposed roadway which abuts their land on the southern right of way (ROW) of Edgewood Drive as shown and described in the attached plat. This ROW exists only on a plat and has not been constructed.

A public hearing will be held prior to the vote regarding closure of this street. If approved, this resolution will close the ROW for Leonard Drive and the ROW will revert to the adjoining property owners.



FISCAL IMPACT:

This section of roadway is not currently counted for the purposes of the Powell Bill, and therefore the City receives no funds from the state for it.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move we approve the resolution ordering the permanent closing of Leonard Drive.

A RESOLUTION ORDERING THE CLOSING OF LEONARD DRIVE

WHEREAS, on the 13th day of December, 2022, the City Council of the City of Graham directed the City Clerk to publish the Resolution of Intent of the City Council to consider closing Leonard Drive, a public street right-of-way as described in Exhibit A, in the Alamance News once each week for four successive weeks, such resolution advising the public that a meeting would be conducted in the Council Chambers of the Graham City Hall on January 10, 2023; and

WHEREAS, the City Council on the 13th day of December, 2022, ordered the City Clerk to notify all persons owning property abutting Leonard Drive by registered or certified mail, enclosing with such notification a copy of the Resolution of Intent; and

WHEREAS, the City Clerk has advised the Graham City Council that adequate notices were posted on the applicable street as required by G.S. 160A-299; and full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said street in the public hearing held on January 10, 2023; and

WHEREAS, it now appears to the satisfaction of the Graham City Council that the closing of said street is not contrary to the public interest, and that no individual owning property, either abutting the street or in the vicinity of the street, will as a result of the closing be thereby deprived of a reasonable means of ingress and egress to his property;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Graham that Leonard Drive, as described in Exhibit A, is hereby ordered closed, subject to any reservation of right set forth below and in accordance with G.S. 160-299(c), all right, title, and interest that may be vested in the public to said street are hereby released and quitclaimed to the abutting property owners in accordance with the provisions of G.S. 160A-299.

In accordance with G.S. 160A-299(f) the City hereby reserves all of its right, title, and interest in any utility improvement within the closed street with such reservation extends to utility improvements or easements owned by private utilities which at the time of the street closing have a utility agreement or franchise with the City. The City further declares a utility easement being described as:

Situated in the City of Graham, Graham Township, Alamance County, North Carolina.

A public street beginning at a point on the southern right of way of Edgewood Drive, at a bearing and distance of S 42° 25' 30" W and 130.02' from the northernmost corner of Lot 21, thence along with Lot 21, S 47° 34' 03" 125.85' to a 3/4" pipe, then continuing with Lot 21, N 76°03'37" E 155.79' to a 3/4" pipe, thence leaving Lot 21, S 35°30'56" E 63.91' to a 3/4" pipe, corner of Lot 13, thence along lot 13, S 75°08'57" W 109.77' to a 3/4" pipe, thence along Lot 12, S 76°52'36" E 101.18' to a 1" pipe, shared corner between Lots 11 and 12, thence along lot 11, N47°44'43"W 157.99' to a 2" pipe, the northernmost corner of Lot 11, thence along the southern right of way of Edgewood Drive N 42°21'31" 59.92' to the point of beginning

In accordance with G.S. 160A-299(b) any person aggrieved by the closing of this street may appeal the Order to the General Court of Justice within thirty days of its adoption.

The Mayor and the City Clerk are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting of all right, title and interest in those persons owning lots or parcels of land adjacent to the street or alley, such title, for the width of the abutting land owned by them, to extend to the centerline of the herein closed Drive in accordance with the provision of G.S. 160A-299(c).

pon motion duly made by Council Member	and duly seconded by	the ahove
esolution was duly adopted by the City Council at a m		
		,
pon call for a vote, the following Council Members vo	oted in the affirmative:	
		
his the 10th day of January 2022 at 6:00 n m		
his the 10th day of January, 2023 at 6:00 p.m.		
his the 10th day of January, 2023 at 6:00 p.m.		
his the 10th day of January, 2023 at 6:00 p.m.		
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his the 10th day of January, 2023 at 6:00 p.m.		
his the 10th day of January, 2023 at 6:00 p.m.	 Jennifer Talley	, Mayor
his the 10th day of January, 2023 at 6:00 p.m.	 Jennifer Talley	, Mayor
		, Mayor
		, Mayor
		, Mayor
	Jennifer Talley	, Mayor
ttest:		, Mayor
his the 10th day of January, 2023 at 6:00 p.m. Ittest: enee Ward, City Clerk	Jennifer Talley	, Mayor

I hereby certify that the foregoing is a true and accurate copy of a resolution duly adopted by the City Council of the City of Graham, North Carolina, at a meeting held on January 10, 2023, at 6:00 p.m. at the City Hall in the City of Graham.

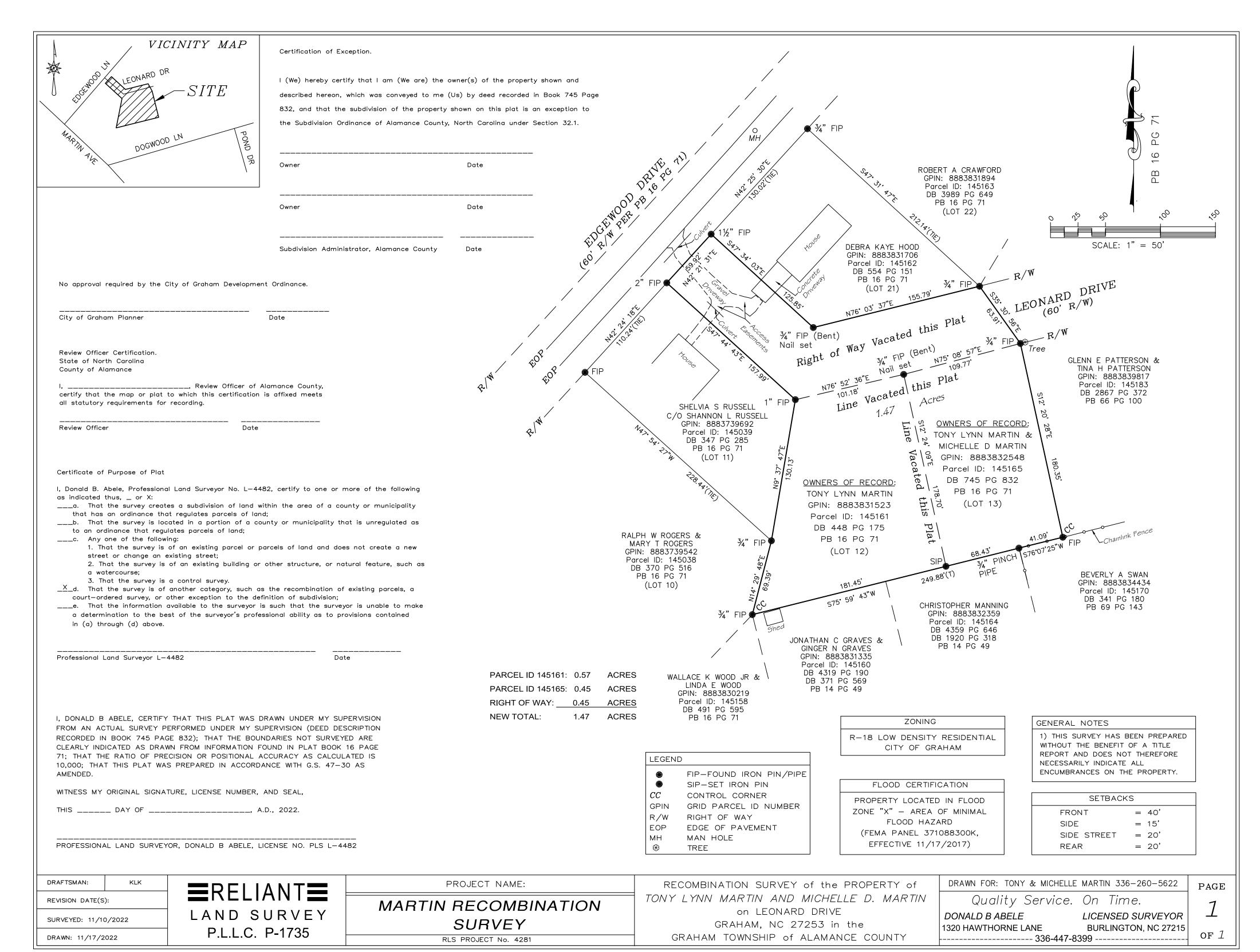
IN WITNESS	WHEREOF, I h	nave hereunto se	t my hand	l and ha	ve caused	the offi	icial corpora	te seal of said Ci	ty to be
affixed, this the	day of	, 2023.							
						City Cl	erk		
NORTH CAROLINA									
ALAMANCE COUNTY	,								
l,		, a	Notary Pu	ıblic, do	hereby ce	ertify tha	at		
		City Clerk, perso				this day	and acknow	ledged the due	
execution of the fore	egoing certifica	ition, for the pur	poses the	rein exp	ressed.				
WITNESS m	y hand and no	tarial seal this	day	of			2023.		
					Notary F	Dublic			
					Notary	i ublic			
My Commission Expi	res:								

EXHIBIT A

Description of Leonard Drive to be Abandoned

Situated in the City of Graham, Graham Township, Alamance County, North Carolina.

A public street beginning at a point on the southern right of way of Edgewood Drive, at a bearing and distance of S 42° 25' 30" W and 130.02' from the northernmost corner of Lot 21, thence along with Lot 21, S 47° 34' 03" 125.85' to a 3/4" pipe, then continuing with Lot 21, N 76°03'37" E 155.79' to a 3/4" pipe, thence leaving Lot 21, S 35°30'56" E 63.91' to a 3/4" pipe, corner of Lot 13, thence along lot 13, S 75°08'57" W 109.77' to a 3/4" pipe, thence along Lot 12, S 76°52'36" E 101.18' to a 1" pipe, shared corner between Lots 11 and 12, thence along lot 11, N47°44'43"W 157.99' to a 2" pipe, the northernmost corner of Lot 11, thence along the southern right of way of Edgewood Drive N 42°21'31" 59.92' to the point of beginning





SUBJECT:	VOTING DELEGATE – NCLM BIENNIUM LEGISLATIVE GOALS
PREPARED BY:	MEGAN GARNER, CITY MANAGER

REQUESTED ACTION:

To assign a delegate to vote on the proposed 2023-2024 Biennium Legislative Goals

BACKGROUND/SUMMARY:

Each member municipality is eligible to cast a single vote in this goal-setting process. Each member municipality shall designate one voting delegate who will be responsible for casting the municipality's vote.

Voting delegates must be designated by Thursday, January 12, 2023. The designated voting delegate will receive their credentials and voting instructions and shall vote on the proposed Legislative Goals package electronically. The Legislative Goals will be shared with the membership electronically following the voting period.

FISCAL IMPACT:	
NO IMPACT	
SUGGESTED MOTION(S):	
I move to nominate	as the voting delegate for the City of Graham.



SUBJECT:	COMMITTEE ASSIGNMENT – ALAMANCE CHAMBER ECONOMIC
	DEVELOPMENT COMMITTEE
PREPARED BY:	MEGAN GARNER, CITY MANAGER

REQUESTED ACTION:

To assign an advisor from Council to serve on the Alamance Chamber Economic Development Committee.

BACKGROUND/SUMMARY:

The Chamber is excited to re-introduce the Economic Development Committee, an opportunity to collaborate with economic development partners across the County. This group will be advisory in nature and offer a space for economic development trends, ideas, and happenings across Alamance County to be shared and discussed freely. The committee will also feature a blend of public, private, and non-profit economic development stakeholders.

Public Partners will be granted 2 seats for representation, 1 administrative and 1 elected official. Any 1 seat can be waived, but not substituted. (i.e., no 2 administrative or 2 elected official combinations). Non-profit and Private Partners will be granted 1 seat for representation. Assistant City Manager Aaron Holland will serve as the staff representative.

These meetings are proposed to take place quarterly on the 2nd Tuesday at the start of every quarter over lunch. Lunch will be provided and begin at 11:30. The content of the meeting will be from 12pm – 1pm. The proposed meeting dates for 2023 are as follows: Jan 10; Apr 11; Jul 11; Oct 10

FISCAL IMPACT:	
No impact	
SUGGESTED MOTION(S):	
I move to nominate	as an advisor to the Alamance Chamber
Economic Development Committee.	



SUBJECT:	UPDATE TRAFFIC SCHEDULE TO RESTRICT PARKING ON PEPPERSTONE DRIVE & PINECREST COURT CUL-DE-SACS
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Update Traffic Schedule to restrict on-street parking along Pepperstone Drive and Pinecrest Court cul-de-sacs between the hours of 7 a.m. to 5 p.m.

BACKGROUND/SUMMARY:

The Valleyfield Subdivision originally expressed concern to staff and to City Council at the March 2022 City Council meeting related to vehicular passage difficulties as of excess parking along the cul-de-sac on Pepperstone Drive. As a result, City Council directed staff to monitor and address, when necessary, any parking issues that arose.

Recently, staff received additional complaints from the HOA pertaining to parking concerns and after further evaluation, staff is recommending restricting the parking along the cul-de-sacs of Pepperstone Drive and Pinecrest Court between the hours of 7 a.m. to 5 p.m. to minimize the traverse difficulties of sanitation vehicles, school buses, and other vehicles that may have a wide turn radius.

FISCAL IMPACT:

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

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move to amend the Traffic Schedule on file in the City Clerk's office to restrict parking along the cul-de-sacs of Pepperstone Drive and Pinecrest Court between the hours of 7 a.m. to 5 p.m. excluding the weekends and holidays.



Section 9. Parking Prohibited At Other Times.

The streets referred to in Section 9 shall be as follows:

Parking is prohibited at other times on the following street:

Market Street from North Maple Street to North Main Street (Monday--Saturday, both sides).

ADD: Cul-de-sac of Pepperstone Drive between the hours of 7 a.m. and 5 p.m. (Monday-Friday).