City of Graham City Council Regular Meeting Agenda May 9, 2023 6:00 p.m.



CALL TO ORDER: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE

CONSENT AGENDA:

- **a.** To approve April 11, 2023, City Council meeting minutes.
- **b.** To set a date of public hearing for June 13, 2023, to consider extending the corporate limits of the City of Graham for a tract of land totaling 68.791 acres located off Kimrey Road and to direct the City Clerk to investigate the sufficiency of the petition.
- c. To set a date of public hearing for June 13, 2023, to consider extending the corporate limits to the City of Graham for a tract of land totaling 38.93 acres off Cherry Lane and to direct the City Clerk to investigate the sufficiency of the petition.
- **d.** To approve a Budget Amendment in the amount of \$665,000, for supplies and materials for the Water Treatment Plant and the Waste Water Treatment Plant due to rising costs of chemicals.
- **e.** To approve a Budget Amendment in the amount of \$209,896, in insurance proceeds for Recreation capital outlay improvements and property maintenance and repair due to damages caused by a fire at Shelter #2 and the picnic shelter.
- **f.** To approve a special events application for Dino Day on June 3, 2023, and to close the 100 block of West Elm Street from 10:00 am to 9:00 pm.
- **g.** To approve a special events application to hold the Grahamtoberfest on September 23, 2023, and to close the 100 block of West Elm Street from 1:00 pm to 11:00 pm.
- h. To approve a special events application to hold Downtown Graham DockDog event on May 26-28, 2023, and to close East Elm Street from Court Square to Marshall Street, from 5:00 pm on Friday, May 26 to 6:00 pm on Sunday, May 28.
- i. To approve tax releases in the amount of \$40.63.

PUBLIC HEARINGS:

1. REZONING – 0 SOUTH NC 87 HWY – PHASE 4 – ROGERS SPRINGS HOMES

City Council will consider a request to rezone 53.904 acres located at 0 South NC 87 Hwy from R-18, Low-Density Residential, to R-9, High-Density Residential, for the purpose of extending the fourth phase of Rogers Springs Homes. (Planning Board Recommended Denial of the rezoning – 4-1)

2. ANNEXATION – 53.904 ACRES – LOCATED OFF MAYFIELD DRIVE

City Council will consider approval of an Annexation Ordinance to extend the corporate limits of the City of Graham for a tract of land totaling 53.904 acres located off Mayfield Drive.

3. ANNEXATION – 14.717 ACRES – LOCATED OFF MEADOWVIEW DRIVE

City Council will consider approval of an Annexation Ordinance to extend the corporate limits of the City of Graham for a tract of land totaling 14.717 acres located off Meadowview Drive.

NEW BUSINESS:

4. AMENDMENT - CODE OF ORDINANCES - RECORDS CLERK - POLICE DEPARTMENT

City Council will consider amending the Code of Ordinances, Chapter 20 – Traffic and Vehicles, Article I – In General, Section 20-3, Records Clerk, pertaining to the number of hours required for an on-duty records clerk at the Police Department.

5. ADOPT – ADVISORY BOARD OF CONDUCT:

City Council will consider adopting an Advisory Board of Conduct as guidance for all Advisory Boards and Commissions.

6. FY2023-24 BUDGET PRESENTATION:

City Manager Garner will present Fiscal Year 2023-2024 Budget Proposal.

PUBLIC COMMENT PERIOD

CITY STAFF COMMENTS

CITY COUNCIL COMMENTS

CLOSED SESSION:

City Council will consider going into a closed session pursuant to G.S. 143-318.11(a)(6).

ADJOURN

City of Graham City Council Meeting Minutes April 11, 2023



The City Council of the City of Graham held a regularly scheduled meeting at 6:00 p.m. on April 11, 2023, 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

Mayor Pro Tem Hall gave the invocation and all stood for the Pledge of Allegiance.

PROCLAMATION: SMALL BUSINESS WEEK

Mayor Talley proclaimed the first of May as Small Business Week in the City of Graham and encouraged all citizens to shop locally. Present to receive the proclamation were: Reagan Gural - Alamance Chamber President/CEO, David Putnam - Alamance Chamber Senior Economic Developer, Kevin Szostak - Alamance Chamber Director of Economic Development Projects, Stephanie Williams - Alamance Chamber Director of Small Business & Entrepreneurial Development, Kelly Roberts - Senior Director of Investor Engagement, and small business owner, Griffin McClure, Green & McClure Furniture.

CONSENT AGENDA:

- **a.** To approve March 14, 2023, City Council meeting minutes.
- **b.** To approve an audit contract with Stout, Stuart, McGowen & King, LLP, for \$22,500, to audit City of Graham accounts for Fiscal Year 2022-2023.
- c. To approve an agreement between the City of Burlington and the City of Graham to continue the partnership to maintain geographic data, develop GIS services, establish Regional Geographic Information System standards, and adopt a resolution amending the Regional Geographic Information System agreement.

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA, TO AMEND THE REGIONAL GEOGRAPHIC INFORMATION SYSTEM (ReGIS) AGREEMENT

WHEREAS, Part 1 of Article 20 of Chapter 160A of the North Carolina General Statutes authorizes units of local government to enter into contracts or agreements with each other in order to execute joint undertaking; and

WHEREAS, on August 14, 2001, the City of Burlington (hereinafter, "City"), and City of Graham, and Town of Elon (hereinafter, "Partners") entered into a Regional Geographic Information System (ReGIS) Agreement; and

WHEREAS, the City and Partners have a continued compelling and mutual interest in developing and maintaining accurate and current electronically-retrievable geographic information about themselves and their extraterritorial planning jurisdictions; and

WHEREAS, the City and Partners recognize that at this time, neither Partner can afford to individually develop and maintain efficiently and effectively, a GIS for themselves; and

WHEREAS, the City and Partners recognize that the current regional GIS benefits their citizens by improving the efficiency and effectiveness of local government and enhancing the regional economic competitiveness of the individual municipal corporations; and

WHEREAS, the City and Partners want to ensure continued cooperation and mutual support for a successful and cost-effective implementation of GIS-related management information systems,

WHEREAS, the current ReGIS Agreement will expire at the end of the fiscal year 2022-2023.

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

Section 1:

Item 2 of the Regional Geographic Information System (ReGIS) Agreement — "Duration of Agreement"—be amended to extend the agreement through fiscal year 2026-2027.

Section 2:

This resolution will take effect upon the passage of identical resolutions by all ReGIS Partners.

Adopted this 11th day of April 2023, by the City Council of the City of Graham, North Carolina.

STATE OF NORTH CAROLINA CITY OF BURLINGTON

REGIONAL GEOGRAPHIC INFORMATION SYSTEM (ReGIS) AGREEMENT

THIS AGREEMENT made and entered into this 11th day of April 2023, by and between the CITY OF BURLINGTON, a municipal corporation organized and existing under the laws of the State of North Carolina (hereinafter referred to as "City"), and the CITY OF GRAHAM and the TOWN OF ELON (hereinafter collectively referred to as "Partners").

WITNESSETH:

WHEREAS, Part 1 of Article 20 of Chapter 160A of the North Carolina General Statutes authorizes units of local government to enter into contracts or agreements with each other in order to execute joint undertaking; and

WHEREAS, the City and Partners have a compelling and mutual interest in continuing to develop and maintain accurate and current electronically-retrievable geographic information; and

WHEREAS, the City and Partners recognize that the regional GIS will continue to benefit their citizens by improving the efficiency and effectiveness of local government and enhancing the economic competitiveness of the area; and

WHEREAS, the City and Partners recognize that at this time neither Partner can afford to individually develop and maintain an entire GIS for themselves; and

WHEREAS, the City has committed to maintaining a GIS for its incorporated and extraterritorial area; and

WHEREAS, the City and Partners want to continue to ensure cooperation and mutual support for successful and cost-effective GIS-related management information systems.

NOW, THEREFORE, be it understood and agreed by City and Partners as follows:

1. PURPOSE:

The purpose of this agreement is to continue with the partnership that will maintain geographic data, develop GIS services and establish regional GIS standards.

2. DURATION OF AGREEMENT:

This agreement shall be in effect from fiscal year 2023-2024 through fiscal year 2026-2027, providing for an annual cost-sharing arrangement. Any party may terminate its participation in this joint effort by giving six (6) months' written notice to all other parties of its intent to terminate, to take effect commencing with the following fiscal year.

3. ESTABLISHMENT OF THE JOINT EFFORT:

Pursuant to N.C.G.S. 160A-461, the governing body of each participating governmental unit must approve this agreement.

4. APPOINTMENT OF PERSONNEL:

All GIS personnel working on behalf of the City or the Partners will be hired and appointed by the City.

5. DUTIES OF PERSONNEL:

A GIS Administrator will oversee the collection and maintenance of all geographic data within the regional GIS, as well as oversee the development of all GIS-related management information systems. The GIS Administrator will also have primary responsibility for the completion of daily GIS tasks on behalf of the City.

A GIS Specialist will assist in the collection and maintenance of all geographic data with the regional GIS, as well as assisting in the development of GIS-related management information systems. The GIS Specialist will also have primary responsibility for the completion of daily GIS tasks on behalf of the Partners.

The Administrator and Specialist will work together with other appropriate area personnel to develop and enforce GIS standards required for the efficient operation of the regional GIS.

6. FINANCING:

- (a) A GIS Administrator's salary and benefits will be funded wholly by the City.
- (b) Capital improvement costs necessary to the GIS Administrator will be funded wholly by the City.
- (c) A GIS Specialist's salary and benefits will be wholly reimbursed to the City by the Partners according to the following percentages which are based upon the estimated number of parcels within each jurisdiction's corporate limits:

City of Graham 72% (6,741 parcels) Town of Elon 28% (2,367 parcels)

- (d) Capital improvement costs necessary to the GIS Specialist will be wholly reimbursed to the City by the Partners according to the percentages outlined in section 6(c).
- (e) Capital improvement costs necessary for the maintenance or collection of geographic data and the development of GIS services will be funded by the City or reimbursed to the City by the Partners according to the following percentages which are based on the estimated parcels within their respective corporate limits:

City of Burlington 71% (22,276 parcels)
City of Graham 21% (6,741 parcels)
Town of Elon 8% (2,367 parcels)

- (f) Miscellaneous costs (e.g. supplies, travel, memberships) will be divided according to the percentages outlined in section 6(e).
- (g) All apportionment percentages listed in sections 6(c) and 6(e) will be reviewed in March of each year and adjusted annually for the following fiscal year budgetary purposes based on actual parcel numbers.
- (h) The City will bill on a quarterly basis and the partners will make payment on a quarterly basis for their pro rata share of the services covered in this agreement.

7. PERSONAL PROPERTY:

All personal property purchased under this agreement shall be owned by the City and shall be retained by the City upon the expiration or termination of this agreement.

8. METHOD OF AMENDING THE AGREEMENT:

This agreement may be amended with the mutual agreement of all parties hereto.

9. METHOD OF TERMINATING THE AGREEMENT:

This agreement may be terminated by any party giving six (6) months' written notice to all other parties of such intent, to take effect commencing with the following fiscal year.

d. To set a date of public hearing for May 9, 2023, to consider extending the corporate limits of the City of Graham for a tract of land totaling 53.90 acres and to direct the City Clerk to investigate the sufficiency of the petition.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 60A-31 OFF MAYFIELD DRIVE

(GPIN: 8882178503) (AN2301)

WHEREAS, a petition requesting annexation of an area described in said petition was received on April 11, 2023, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

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

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

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

RESOLUTION FIXING DATE OF MAY 9, 2023, FOR A PUBLIC HEARING ON THE QUESTION OF CONTIGUOUS ANNEXATION PURSUANT TO G.S. 160A-31 FOR 53.90 +/-ACRES OFF MAYFIELD DRIVE (AN2301)

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.

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

Section 1. A <u>public hearing</u> on the question of the annexation of the area described herein will be held at the City Hall, 201 S. Main Street, Graham, NC, at 6:00 pm on <u>May 9, 2023</u>.

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

Legal Description GPIN#: 8882178503

BEGINNING AT AN IRON PIPE FOUND LOCATED AT THE MOST SOUTH-EASTERLY CORNER OF THE PARCEL DESCRIBED HEREON, BEING THE TRUE POINT OF BEGINNING, AND HAVING THE FOLLOWING NORTH CAROLINA STATE PLANE COORDINATES: NC NAD 83 N:82751.037 E:1882308.671

THENCE FOLLOWING TWENTY (20) COURSES:

1. SOUTH 66 DEGREES 09 MINUTES 09 SECONDS WEST FOR 433.73 FEET TO AN IRON PIPEFOUND; THENCE 2. SOUTH 65 DEGREES 56 MINUTES 09 SECONDS WEST FOR 29.97 FEET TO AN IRON REBAR SET; THENCE 3. NORTH 40 DEGREES 24 MINUTES 03 SECONDS WEST FOR 91.81 FEET TO AN IRON REBAR SET; THENCE 4. NORTH 83 DEGREES 47 MINUTES 39 SECONDS WEST FOR 107.81 FEET TO AN IRON REBAR SET; THENCE 5. SOUTH 70 DEGREES 33 MINUTES 04 SECONDS WEST FOR 162.59 FEET TO AN IRON REBAR SET; THENCE 6. SOUTH 57 DEGREES 50 MINUTES 40 SECONDS WEST FOR 524.65 FEET TO AN IRON REBAT SET; THENCE 7. SOUTH

40 DEGREES 20 MINUTES 32 SECONDS WEST FOR 281.27 FEET TO AN IRON REBAR SET; THENCE 8. SOUTH 33 DEGREES 24 MINUTES 21 SECONDS WEST FOR 183.51 FEET TO AN IRON REBAR SET; THENCE 9. NORTH 39 DEGREES 22 MINUTES 49 SECONDS WEST FOR 9.69 FEET TO AN IRON REBAR FOUND; THENCE 10. NORTH 39 DEGREES 15 MINUTES 35 SECONDS WEST FOR 199.75 FEET TO AN IRON REBAR FOUND; THENCE 11. NORTH 10 DEGREES 42 MINUTES 17 SECONDS WEST FOR 1838.54 FEET TO AN IRON PIPE FOUND; THENCE 12. SOUTH 88 DEGREES 53 MINUTES 02 SECONDS EAST FOR 131.73 FEET TO AN IRON PIPE FOUND; THENCE 13. SOUTH 01 DEGREES 41 MINUTES 25 SECONDS WEST FOR 131.72 FEET TO A STONE MONUMENT FOUND; THENCE 14. SOUTH 89 DEGREES 23 MINUTES 52 SECONDS EAST FOR 626.58 FEET TO AN IRON PIPE FOUND; THENCE 15. SOUTH 89 DEGREES 31 MINUTES 11 SECONDS EAST FOR 393.59 FEET TO AN IRON REBA SET; THENCE 16. SOUTH 89 DEGREES 34 MINUTES 18 SECONDS EAST FOR 300.27 FEET TO AN IRON REBAR SET; THENCE 17. SOUTH 89 DEGREES 35 MINUTES 26 SECONDS EAST FOR 199.76 FEET TO AN IRON REBAR SET; THENCE 18. SOUTH 89 DEGREES 31 MINUTES 09 SECONDS EAST FOR 115.39 FEET TO AN IRON PIPE FOUND; THENCE 19. SOUTH 17 DEGREES 02 MINUTES 26 SECONDS EAST FOR 714.51 FEET TO AN IRON PIPE FOUND; THENCE 20. SOUTH 04 DEGREES 44 MINUTES 07 SECONDS WEST FOR 330.98 FEET TO SAID POINT OF BEGINNING. SAID PARCEL CONTAINS 2,348,038 SQUARE FEET OR 53.90 ACRES OF LAND, MORE OR LESS.

e. To set a date of public hearing for May 9, 2023, to consider extending the corporate limits of the City of Graham for a tract of land totaling 14.717 acres located on Luther Drive and to direct the City Clerk to investigate the sufficiency of the petition.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 60A-31 LOCATED OFF MEADOWVIEW DRIVE (GPIN: 8873901240) (AN2302)

WHEREAS, a petition requesting annexation of an area described in said petition was received on April 11, 2023, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

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

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

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

RESOLUTION FIXING DATE OF MAY 9, 2023, FOR A PUBLIC HEARING ON QUESTION OF CONTIGUOUS ANNEXATION PURSUANT TO G.S. 160A-31 FOR 14.717 +/- ACRES OFF MEADOWVIEW DRIVE (AN2302)

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.

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

Section 1. A public hearing on the question of annexation of the area described herein will be held at the City Hall, 201 S. Main Street, Graham, NC, at 6:00 pm on May 9, 2023.

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

Legal Description GPIN#: 8873901240

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

BEGINNING at an existing iron pipe in the northwest terminus of Luther Drive, a 50' public right-of-way, said point being the southwest corner of common area of South Meadows Owners Association, Inc, either now or formerly as described in instrument recorded in Deed Book 659, Page 639 and shown on Plat Book 32, Page 144, in the Alamance County Registry, said point also being the following two (2) courses and distances from an existing iron pipe-control point, having NAD 83\2011 coordinates of, Northing = 831,664.2968 and Easting = 1,879,211.0027: (i) South 09 deg. 28 min. 07 sec. West 155.36 feet to an existing iron pipe; (ii) South 07 deg. 19 min. 14 sec. East 325.00 feet; and running thence from the Point of Beginning, along the western terminus of Luther Drive, South 20 deg. 08 min. 20 sec. West 56.36 feet to an existing iron pipe in the southwest terminus of Luther Drive and being the northwest corner of Lot 44, Section Three A of Little Creek Subdivision, either now or formerly as described in instrument recorded in Plat Book 62, Page 114; thence along the western line of Lots 44 and 45 of Section Three A of Little Creek Subdivision and Lots 46-50 and common area of Section Three B of Little Creek Subdivision, either now or formerly as described in instrument recorded in Plat Book 63, Page 102, in the Alamance County Registry, the following five (5) courses and distances: (i) South 34 deg. 18 min. 28 sec. West 385.49 feet to an existing iron pipe; (ii) North 78 deg. 52 min. 53 sec. West 77.92 feet to an existing iron pipe; (iii) South 10 deg. 49 min. 16 sec. East 62.67 feet to an existing iron pipe; (iv) South 79 deg. 00 min. 52 sec. East 29.71 feet to an existing iron pipe; (v) South 01 deg. 09 min. 12 sec. East 120.43 feet to an existing iron pipe in the northwest corner of the common area of Section Three B of Little Creek Subdivision; thence continuing with the western line of the common area of Section Three B of Little Creek Subdivision and the western line of Peter Murphy and Joylynn K. Murphy, either now or formerly as described in instrument recorded in Deed Book 3750, Page 654, in the Alamance County Registry, and having parcel pin. 131642 ("The Murphy Property"), the following three (3) courses and distances: (i) South 00 deg. 52 min. 03 sec. East 42.14 feet to an existing iron pipe; (ii) South 10 deg. 51 min. 03 sec. East 119.08 feet to an existing iron pipe; (iii) South 11 deg. 08 min. 00 sec. East 13.24 feet to an existing iron pipe in the northwest corner of Land Acquisition and Development Services, LLC, either now or formerly as described in instrument recorded in Deed Book 4296, Page 890, in the Alamance County Registry, and having parcel pin. 177785 ("The Land Acquisition and Development Property"); thence with the western and southern lines of The Land Acquisition and Development Property, parcel pin. 177785, the following two (2) courses and distances: (i) South 11 deg. 08 min. 00 sec. East 85.14 feet to a point; (ii) North 83 deg. 03 min. 58 sec. East 210.51 feet to an existing iron pipe in the southwest corner of Lot 10, Section Five of Horseshoe Bend Subdivision, either now or formerly as described in the instrument recorded in Plat Book 66, Page 15 in the Alamance County Registry; thence with the southern line of Lot 10 and Lots 1-3 of Section Five of Horseshoe Bend Subdivision, North 83 deg. 06 min. 22 sec. East 310.46 feet to an existing iron pipe in the northwest corner of Land Acquisition and Development Services, LLC, either now or formerly as described in the instrument recorded in Deed Book 4230, Page 478, in the Alamance County Registry, and having parcel pin. 143795 ("The Land Acquisition and Development Property, parcel pin 143795"); thence with the western and southern lines of The Land Acquisition and Development Property, parcel pin. 143795, the following three (3) courses and distances: (i) South 07 deg. 25 min. 43 sec. East 48.54 feet to a point; (ii) North 79 deg. 21 min. 13 sec. East 74.95 feet

to a point; (iii) South 36 deg. 51 min. 38 sec. East 125.55 feet to a point in the northern line of Clayton Properties Group, Inc., either now or formerly as described in the instrument recorded in Deed Book 3892, Page 251, in the Alamance County Registry, and having parcel pin. 175777 ("The Clayton Properties Group Property, parcel pin 175777"); thence with the northern line of The Clayton Properties Group Property, parcel pin 175777, the following seven (7) courses and distances: (i) North 84 deg. 43 min. 47 sec. West 46.59 feet to a point; (ii) South 35 deg. 02 min. 20 sec. West 85.64 feet to a point; (iii) South 12 deg. 31 min. 58 sec. East 256.88 feet to a point; (iv) South 17 deg. 51 min. 19 sec. East 154.72 feet to a point; (v) South 40 deg. 35 min. 19 sec. West 115.52 feet to a point; (vi) South 85 deg. 34 min. 40 sec. West 148.60 feet to a point; (vii) South 55 deg. 34 min. 38 sec. West 51.18 feet to a point in the northern line of Clayton Properties Group, Inc., either now or formerly as described in the instrument recorded in Deed Book 3892, Page 251, in the Alamance County Registry, and having parcel pin. 177516 ("The Clayton Properties Group Property, parcel pin 177516"); thence with the northern line of The Clayton Properties Group Property, parcel pin 177516 and The Clayton Properties Group Property, parcel pin 130476, North 63 deg. 52 min. 08 sec. West 357.06 feet to a point in the southeast corner of Douglas S. Kimrey and Summer D. Kimrey, either now or formerly as described in the instrument recorded in Deed Book 4007, Page 875, in the Alamance County Registry, and having parcel pin. 131489 ("The Kimrey Property"); thence with the eastern line of The Kimrey Property, the following eight (8) courses and distances: (i) North 21 deg. 09 min. 08 sec. West 215.00 feet to a point; (ii) North 15 deg. 47 min. 08 sec. West 300.00 feet to a point; (iii) North 09 deg. 09 min. 08 sec. West 266.00 feet to a point; (iv) North 11 deg. 07 min. 08 sec. West 220.00 feet to a point; (v) North 75 deg. 49 min. 08 sec. West 200.00 feet to a point; (vi) North 37 deg. 09 min. 08 sec. West 58.00 feet to a point; (vii) North 02 deg. 20 min. 52 sec. East 142.92 feet to a point; (viii) North 44 deg. 50 min. 52 sec. East 529.41 feet to a point in the northwest corner of Shoffner Land and Timber, LLC, either now or formerly as described in the instrument recorded in Deed Book 2512, Page 695, in the Alamance County Registry, and having parcel pin. 131641 ("The Shoffner Land and Timber Property"); thence with the western and southern line of The Shoffner Land and Timber Property, the following five (5) courses and distances: (i) South 17 deg. 55 min. 26 sec. East 79.13 feet to a new iron pipe; (ii) South 07 deg. 19 min. 14 sec. East 223.43 feet to a new iron pipe; (iii) North 82 deg. 45 min. 52 sec. East 50.00 feet to a new iron pipe; (iv) North 07 deg. 19 min. 14 sec. West 164.75 feet to a new iron pipe; (v) North 82 deg. 40 min. 46 sec. East 126.00 feet to a new iron pipe in the western line of Lot 6, Section One-B, South Meadows Subdivision, either now or formerly as described in Plat Book 32, Page 144, in the Alamance County Registry; thence with the western line of Lots 6-9 and common area South 07 deg. 19 min. 14 sec. East 164.94 feet to the Point and Place of Beginning and containing 14.717 acres, more or less, as shown on that certain survey entitled "Meadow Glen" prepared by Borum, Wade and Associates, P.A. dated March 23, 2023.

f. To approve tax releases in the amount of \$8,229.94.

CITY OF GRAHAM REFUNDS				
APRIL ACCT #	YEAR	NAME	REASON FOR REFUND	REFUND AMOUNT
665817 665817		LIDL US OPERATIONS LLC LIDL US OPERATIONS LLC	CLERICAL ENTRY ERROR BY ALAMANCE CO. THERE WERE ASSETS DUPLICATED ON FILE	1391.32 6838.62

Motion by Mayor Pro Tem Hall to approve the foregoing Consent Agenda, seconded by Councilmember Chin. The motion passed unanimously.

PUBLIC HEARING:

ITEM 1: REZONING – 1952 EAST WEBB AVENUE – 48-UNIT MULTI-FAMILY

City Council held a public hearing to consider a request to rezone 1.52 acres located at 1952 East Webb Avenue from R-7, High-Density Residential, to C-R, Conditional Residential, to construct a 48-unit multifamily structure. (Planning Board Recommended Approval)

Assistant City Manager Aaron Holland stated this was a request to rezone 1.52 acres at 1952 E Webb Avenue (GPIN: 8874766479) from R-7, High-Density Residential, to C-R, Conditional Residential, to construct a 48-unit multi-family structure. This rezoning request only encompasses the region that falls within the Graham zoning jurisdiction and City limits. The proposed density is nearly ten units per acre of the total site. The future land use plan states appropriate density in the Downtown Residential zone is 3-6 dwelling units per acre. He stated the developer was proposing one parking space per unit condition on the site. Of the 48 units, 16 will be one bedroom and 32 will be two bedrooms. He stated this property was listed on the Future Land Use Map as Downtown Residential, which are primarily settings for existing and future single-family detached housing but also mentions a desired pattern of a variety of housing choices. He stated the Planning Board recommended approval with the conditions of adding 18 extra parking spaces and providing opaque screening of the building.

Mayor Talley opened the public hearing for comments. The following spoke:

Mr. Steven Brock, applicant, 893 Holly Drive, Annapolis, MD, stated the proposed project would be agerestricted, 55 and older, and income restricted. He stated that he had made an error in the planning meeting stating the siding would be brick and Hardiplank, but because of the expense, the siding would need to be brick and vinyl shake. He stated the parcel covers both Graham and Burlington City limits and the building would be constructed on the Graham side with the entrance on the Burlington side. He stated the planning board asked that a fence be installed along the back border of the building and he asked that this condition be removed due to the cost.

Mayor Talley asked if there were plans for development at the back of the property.

Mr. Brian Wagoner, property owner, 2937 Lowell Drive, Burlington, stated that he has had no contact with the owners of the property located behind his and there were no known plans for development.

Mayor Talley asked about plans for lighting.

Mr. Brock stated it would meet the requirements in the ordinance and Duke Energy would install all lights.

Mayor Talley suggested a fence to prevent cut-throughs and to add motion sensors.

Mayor Talley questioned the vinyl shake and what that would look like.

Mr. Brock stated the vinyl shake looks very similar to Hardiplank and presented a picture of vinyl shake.

Mayor Talley asked about parking spaces required by City ordinance.

Assistant City Manager Holland stated for one-and two-bedroom units, it was required to have 1.5 spaces and the ordinance also addresses federal or government based multi-family, which only required one space. He stated the petitioner was actually providing more parking than was required.

Mayor Talley asked about amenities planned for on-site.

Mr. Brock stated there would be a playground, a gazebo by the pond, raised vegetable garden planters, and benches scattered throughout the site. He stated inside the building there would be a community room with a kitchenette, restrooms, computer room, fitness room, laundry room on two floors, and dedicated storage bins.

Mayor Talley asked Dean Ward, Chair of the Planning and Zoning Board, if the members had any concerns with the project.

Chair Dean Ward stated there were questions about the age 55 and older, which did not restrict pre-teen kids from living there, it just restricted anyone under the age of 55 from being able to rent a unit. He stated the Board had issues with only 48 parking spaces but the applicant was willing to increase the number of spaces. He stated it was a good project for the City.

Mayor Talley asked Mr. Ward what he thought of the vinyl shake siding versus the Hardiplank.

Mr. Ward stated it was just a preference and that the vinyl shake looked really good. He stated either siding would achieve the same thing aesthetically.

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

Council Member Whitaker inquired about having only one elevator. She stated overall it was a good project and that the age limit should be restricted to 55 and older and that no one under the age of 55 should live there.

Mr. Brock stated no one under the age of 55 could lease but if more than two people were on the lease, only one of them had to be 55 or older.

Council Member Chin stated it would be a good project for seniors. He agreed with the additional parking spaces, fencing, and lighting and stated if the siding became a concern of Hardiplank versus vinyl, he suggested prioritizing the conditions based on the Planning Board's recommended conditions. He stated his priority would be additional parking, screening, lighting, and then the siding.

Mayor Pro Tem Hall stated he agreed with Council Member Chin regarding parking, lighting, fencing, and whatever siding they work out.

Council Member Parsons stated he did not have a preference for the lighting as long as it met the City code. He stated he did like having a fence and the additional parking spaces.

Motion by Mayor Talley to approve the rezoning for the reason that this action was reasonable and in the public interest and was consistent with Graham's 2035 Comprehensive Plan and the action supported Policy 4.3.1: Land Use Patterns, Policy 5.1.2: Variety of ownership opportunities, and Policy 5.2.1: Diverse Neighborhood, and to include the Planning Boards recommendation of 18 additional parking spaces, fence

screening along the rear of the property and along the sides to the front side of the building, lighting in the rear area to include motion lights and if Hardiplank was not used to use something similar to the vinyl shake siding as presented. She also asked that the picture of the vinyl shake siding that was presented, be included in the minutes and as a conditional use. Mayor Pro Tem Hall seconded the motion. The motion passed unanimously.

Mayor Talley stated Council preferred the Hardiplank, which was approved in the conditional uses but in the event, they could not use the Hardiplank, Council would allow the vinyl shake siding as presented.

Mr. Brock stated he agreed with the conditions.



NEW BUSINESS:

ITEM 2: SPECIAL EVENT APPLICATION – STREET CLOSING REQUEST – MAY 13, 2023:

City Council considered approval of a special events application to hold a concert on May 13, 2023, and to close the 100 block of East Elm Street from 12:00 pm to 10:00 pm.

Mr. Jackie Fortner asked if Council had any questions and if there was anything he needed to do.

Mayor Talley stated this was to approve the Big C concert located in downtown Graham with the idea of closing the street due to a lot of pedestrian traffic would be safest.

Motion by Council Member Whitaker to approve the special event application and street closure on May 13, 2023, closing the 100 block of East Elm Street from 12:00 pm to 10:00 pm, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 3: APPOINT VOTING DELEGATE - NCLM BOARD ELECTIONS AND BYLAWS:

City Council considered a delegate to vote in the electronic voting process for the North Carolina League of Municipalities Board elections and to vote on the League's Bylaws on behalf of the City of Graham.

City Manager Megan Garner stated the voting would be electronic similar to the goal-setting session earlier this year, and whoever was appointed, could electronically cast those ballots between the date of April 14 and April 19, 2023. She stated Council would be voting on the slate of the board of directors of the League of Municipalities and any proposed bylaw changes.

Motion by Council Member Chin to appoint Mayor Pro Tem Hall as the voting delegate, seconded by Council Member Whitaker. The motion passed unanimously.

ITEM 4: AUTHORIZE CONVEYANCE – VEHICLES – ALAMANCE COMMUNITY COLLEGE:

City Council considered adopting a resolution authorizing the conveyance of a 2008 Chevy Impala and two 2010 Crown Victoria vehicles to Alamance Community College (ACC) pursuant to G.S. 160A-274.

Captain Duane Flood stated these three vehicles were no longer in use and it would be more cost-effective to donate the vehicles to ACC instead of incurring the expense of stripping all the cars of equipment inside and lights and striping outside. He stated after the cost of stripping the vehicles and selling them, you would be losing money. He stated two of the vehicles had 110,000 miles and the other had 112,000 miles and donating them to ACC would help the automotive program where students learn to work on the cars and then they would go to the BLET program for driver training.

Motion by Mayor Pro Tem Hall to adopt a resolution authorizing the conveyance of a 2008 Chevy Impala and two 2010 Crown Victoria's to Alamance Community College pursuant to G.S. 160A-274, seconded by Council Member Whitaker. The motion passed unanimously.

RESOLUTION AUTHORIZING CONVEYANCE OF A 2005 CHEVY IMPALA AND 2008 FORD CROWN VICTORIA TO ALAMANCE COMMUNITY COLLEGE PURSUANT TO G.S. 160A-274

WHEREAS, the City of Graham owns:

- 2008 Chevy Impala, Inventory #173, VIN# 2G1WB55K881266273
- 2010 Ford Crown Vic, Inventory #153, VIN# 2FABP7BVXAX102260
- 2010 Ford Crown Vic, Inventory #155, VIN# 2FABP7BV5AX114526

WHEREAS, the above-referenced vehicles have been declared surplus due to age and mechanical condition; and

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

WHEREAS, the City of Graham has determined that it is in the best interest of the City to convey both 2010 Ford Crown Victoria vehicles and a 2008 Chevy Impala to Alamance Community College, and deems it wise to do so for no consideration; and

WHEREAS, the City of Graham has determined the donation of said vehicles to Alamance Community College will continue to provide a public benefit.

THEREFORE, THE GRAHAM CITY COUNCIL RESOLVES THAT:

- 1. The City of Graham hereby conveys to Alamance Community College the following property:
 - 2008 Chevy Impala, Inventory # 173, VIN# 2G1WB55K881266273
 - 2010 Ford Crown Vic, Inventory #153, VIN# 2FABP7BVXAX102260
 - 2010 Ford Crown Victoria, Inventory #155, VIN# 2FABP7BV5AX114526
- 2. The property herein described shall be conveyed for consideration of continued public benefit.
- 3. The City Manager, Finance Officer, and City Clerk are authorized to execute all documents necessary to convey the property in the manner authorized by this Resolution.

Adopted this 11th day of April 2023.

PUBLIC COMMENT PERIOD

Ms. Sue Amos, Cheeks Lane, Graham, voiced concerns about trucks, delivery trucks, etc., causing excessive dust from a City-maintained gravel road.

Assistant City Manager Holland stated he would need to consult Public Works Director Burke Robertson to address the issue.

City Manager Garner stated Public Works Director Robertson runs the grader down the road in the spring and adds rock every couple of years. She stated he would go out and check the road as soon as they finished the Climax Street project.

CITY STAFF COMMENTS

Assistant City Manager Holland stated there was a request from the Police Department that currently requires a 24-hour records clerk presence, and due to the change in technology and the coverage being handled, you would not need the ordinance that forces them to have more personnel than what was needed. He stated he would like Council's okay to bring back an amendment at next month's meeting for Council to consider.

The Council consensus was to consider an amendment at the next Council meeting, on May 9, 2023.

Assistant City Manager Holland stated Mayor Pro Tem Hall had submitted a request for an ordinance amendment addressing grass clippings that are being blown into the street and possibly going into the storm drains. He stated that it may be covered under the illicit discharge code but after staff researches further and finds it's necessary to bring something back for consideration he would like to have Council's permission to do so.

Councilmember Chin asked that staff look at enforcement conditions.

The Council consensus was to consider an amendment if it's not covered under the illicit discharge code. Mayor Pro Tem Hall recused himself.

CITY COUNCIL COMMENTS

Mayor Pro Tem Hall asked if the property located at 140 East Elm Street could come back before the Historic Resources Commission (HRC) so the building could be demolished.

Assistant City Manager Holland stated the Inspections Director had reached out to the owner and would be resubmitting to HRC to have it torn down.

Mayor Talley stated she continued to get complaints about noise on Melville Street.

Council Member Chin stated he had submitted language addressing a noise ordinance and would like for Council to consider it. He stated it was based upon State Statute but measuring the level of noise was a challenge. He would like the City Manager to look at the language and then have legal review it.

City Attorney Ward stated he would review it.

Mayor Talley stated she had talked with neighbors on Albright Street to see how the water enhancement plan was going in an effort to upgrade the lines. She stated they all gave rave reviews.

Mayor Talley asked what was the update on the Community Development Block Grant.

City Manager Garner stated the City was denied funding.

Mayor Talley asked if meetings could be scheduled with Council, one-on-one, or two-on-one, to discuss items and concerns in the upcoming budget process.

City Manager Garner stated the budget presentation was scheduled for May 9, 2023. Council would receive budget books that night and the budget would be posted on the website. She welcomed any individual meetings with Council regarding the budget.

Mayor Talley asked Council if they had any comments or concerns they would like to share regarding the Downtown Master Plan to get those to Assistant City Manager Holland. She stated she had been working on it for a couple of weeks.

Council Member Whitaker shared the Appearance/Tree Board met last night and proposed a committee code of conduct guidelines for boards and commissions. She stated she would share the information with the City Manager to review and have it placed on the agenda for discussion.

ADJOURN

Council Member Chin motioned to adjourn, seconded by Council Member Whitaker. The motion passed unanimously. The meeting was adjourned at 7:38 pm.

Renee M. Ward, CMC
City Clerk

April 11, 2023 City Council Meeting



SUBJECT:	ANNEXATION OF 68.791 +/- ACRES OFF KIMREY ROAD
PREPARED BY:	CAMERON WEST, PLANNER

REQUESTED ACTION:

Approve the resolution directing the City clerk to investigate a petition received under G.S. 160A-31 for potential contiguous annexation of GPIN 9803172212. Approve the resolution fixing a date of June 13, 2023, for a public hearing on the question of contiguous annexation pursuant to G.S. 160A-31 for a tract of land totaling 68.791-acres off Kimrey Road.



BACKGROUND/SUMMARY:

The 68.791-acre area being considered for annexation is contiguous. The Developer is planning to connect to public water and sewer to this site for an industrial development.

Approval of this resolution does not finalize the annexation as Council is required to advertise and conduct a public hearing, followed by a vote on an annexation ordinance. Following a public hearing, approval of an Annexation Ordinance is the final step for Council in the

FISCAL IMPACT:

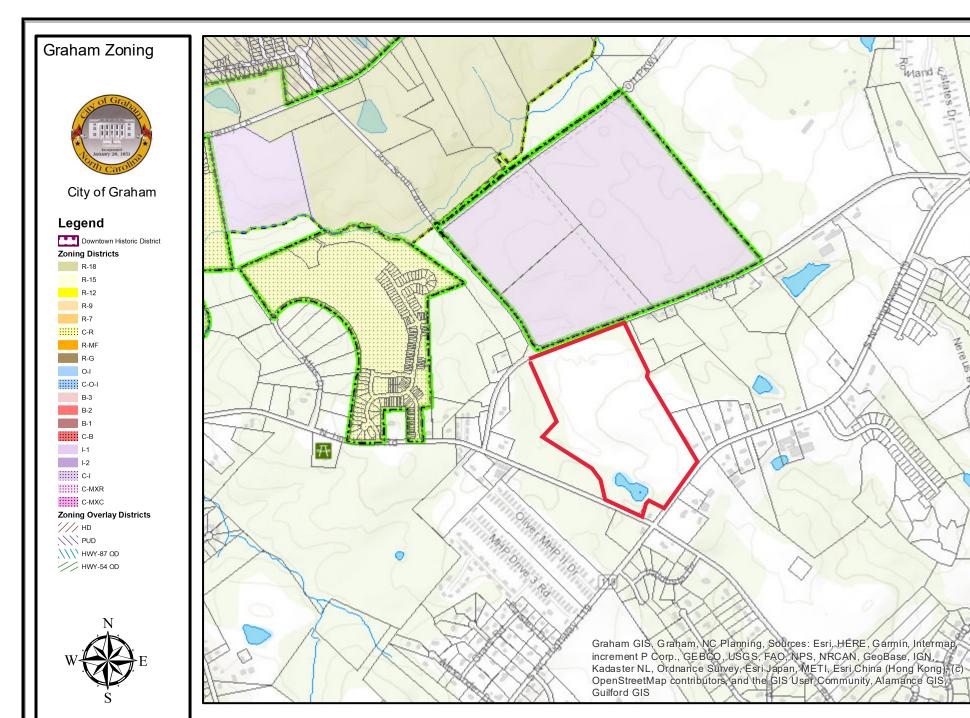
New industrial development generally creates positive tax revenue for the City, and because the public services are being connected at this site, the cost to the City is minimal.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

- 1. I move we approve the resolution directing the City clerk to investigate a petition received under G.S. 160A-31 for potential contiguous annexation of GPIN 9803172212.
- 2. I move we approve the resolution fixing date of June 13 2023, for a public hearing on the question of annexation pursuant to G.S. 160A-31 for 68.791 (+/-) acres.



1 inch = 1,505 feet

Print Date: 4/19/2023

This map was compiled from the GIS resources of the Burlington Regional GIS Partnership for public planning and agency support purposes. These resources include public information sources of different scale, time, origin, definition and accuracy, which aspects produce inconsistencies among features represented together on this map. Neither the City of Graham nor the Partnership shall be held liable for any errors in this map or supporting data. Primary public information sources from which this map was compiled, in conjunction with field surveys where required, must be consulted for the verification of the information contained within this map.

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Wand

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 60A-31

(GPIN: 9803172212) (AN2303)

WHEREAS, a petition requesting annexation of an area described in the said petition was received on May 9, 2023, 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.

	Jennifer Talley, Mayor	
ATTEST:		

RESOLUTION FIXING DATE OF JUNE 13. 2023. FOR A PUBLIC HEARING ON THE OUESTION OF CONTIGUOUS ANNEXATION PURSUANT TO G.S. 160A-31 FOR 68.791 +/- ACRES OFF KIMREY ROAD (AN2303)

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 <u>public hearing</u> on the question of the annexation of the area described herein will be held at the City Hall, 201 S. Main Street, Graham, NC, at 6:00 pm on <u>June 13, 2023</u>.

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

Legal Description GPIN#: 9803172212

Beginning at a 1" existing iron pipe (eip) located within the right-of-way of Kimery Road, S.R. #2125 (a 60' public right-of-way per Plat Book 65, Page 177 and subsequent plats), being in a westerly line of the "249.01 Acres" plot as shown on "Final Plat Property of William C. Scott and Jane M. Scott" as recorded in Plat Book 65, Page 177, said beginning point lying N 26°37'55" E, a horizontal ground distance of 1,279.42' from a North Carolina Geodetic Survey Monument "Kimrey" and beginning point having North American Datum 83(2011) coordinates of N: 836,469.14' and East: 1,900,430.64'; Thence running within the public right-of-way the following two (2) courses and distances: (1) N 63°41'50" E, 42.81' to a nonmonumented point, and (2) N 25°46'34" W, 15.73' to an existing magnetic (mag) nail located in the approximate centerline intersection of Kimery Road and Governor Scott Farm Road, S.R. #2124 (a 60' public right-of-way per Plat Book 65, Page 177 and subsequent plats); thence running within the public right-of-way of said Kimery Road and with the approximate centerline of Kimery Road as shown on "Subdivision for Scott/Mayo Properties II, LLC" and recorded in Plat Book 82, Page 99, the following six (6) courses and distances: (1) N 67°26'34" E, 94.24' to an existing "hole" in asphalt, (2) N 70°25'31" E, 200.03' to an existing mag nail, (3) N 70°24'50" E, 300.09' to an existing cut "x" in asphalt, (4) N 70°24'13" E, 299.93' to an existing mag nail, (5) N 70°40'53" E, 300.01' to an existing mag nail, and (6) N 70°26'15" E, 19.59' to a non-monumented point being the westerly most corner of Lot 1 of "Final Plat James Earl Covington, Jr. and Wife Mary Shaw Covington" as recorded in Plat Book 75, Page 345, thence leaving Kimery Road and running with the westerly line of said Lot 1, S 23°36'55" E, crossing a 1" eip at 30.14' located at the southerly margin of the right-of-way of Kimery Road, and continuing 709.12' for a total distance of 739.26' to a 3/4" eip falling in the northern line of Tract Two of "Final Plat Mary Shaw Covington" as recorded in Plat Book 80, Page 174, thence running with northern and western lines of Tract Two, S 60°46'05" E, 39.98' to a 3/4" eip and S 30°38'54" E, 570.58' to a 3/4" pinched top eip at the northwestern corner of Tract One of Plat Book 80, Page 174; thence running with the western line of Tract One, S 30°41'55" E, crossing an existing stone (at a loose concrete monument) at 733.32' and continuing 20.97' for a total distance of 754.29' to a non-monumented point located within the right-of-way of North Carolina Highway # 119 (a 60' public right-of-way Per Plat Book 65, Page 117); thence running with the approximate center of North Carolina Highway # 119, S 36°52'40" W, 933.84' to a non-monumented point located near the centerline intersection of North Carolina Highway # 119 and Jim Minor Road, S.R. #2135 (a 60' public right-of-way per Plat Book 65, Page 177); thence running within right-of-way for Jim Minor Road the following two (2) courses and distances: (1) N 66°31'51" W 408.84' to a non-monumented point, and (2) N 66°59'51" W, 281.90' to a non-monumented point; thence leaving the right-of-way of Jim Minor Road and running with the easterly lines of now or formerly Tax Parcel Id: 159467, the Anderson H, Scott, II property as recorded in Deed Book 1369, Page 292: (1) N 06°55'30" W, crossing a 1" eip (pinched top) at 34.70' (being on the northern margin of the right-of way) and continuing 246.80' for a total distance of

281.50' to a 1" eip (pinched top), (2) N $36^{\circ}48'58$ " W, 178.20' to a 1" eip (pinched top), (3) N $55^{\circ}38'03$ " W, 250.25' to a 1" eip (bent), (4) N $60^{\circ}44'51$ " W, 461.70' to a 1" eip (pinched top), 5) N $19^{\circ}25'52$ " E, 373.80 to a 1" eip (pinched top) and (6) N $21^{\circ}48'54$ " W, 781.52' to the point and place of beginning, containing a total of 68.791 acres more or less, as surveyed by Triad Land Surveying, P.C., on October 5^{th} , 2017, and having job #17136-4.

Being a southerly portion of the same land conveyed to Scott/Mayo Properties III, LLC by instrument recorded in Deed Book 3866, Page 553 and all of the same land conveyed to Scott/Mayo Properties III, LLC by instrument recorded in Deed Book 3953, Page 21. ALL Deed Book, Plat Book, and Page references are to the Alamance County Register of Deeds.

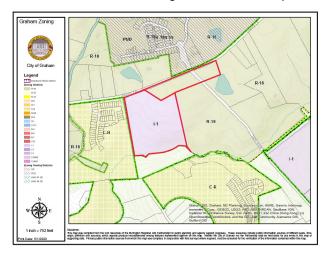
	Jennifer Talley, Mayor
Renee M. Ward, City Clerk	



SUBJECT:	ANNEXATION OF 38.93 +/- ACRES OFF CHERRY LANE
PREPARED BY:	CAMERON WEST, PLANNER

REQUESTED ACTION:

Approve the resolution directing the City clerk to investigate a petition received under G.S. 160A-31 for potential contiguous annexation of GPIN 8893686572 & 8893796670. Approve the resolution fixing a date of June 13, 2023, for a public hearing on the question of contiguous annexation pursuant to G.S. 160A-31 for a tract of land totaling 38.93-acres off Cherry Lane.



BACKGROUND/SUMMARY:

The 38.93-acre area being considered for annexation is contiguous. The Developer is planning to connect to public water and sewer to this site for an industrial development.

Approval of this resolution does not finalize the annexation as Council is required to advertise and conduct a public hearing, followed by a vote on an annexation ordinance. Following a public hearing, approval of an Annexation Ordinance is the final step for Council in the

FISCAL IMPACT:

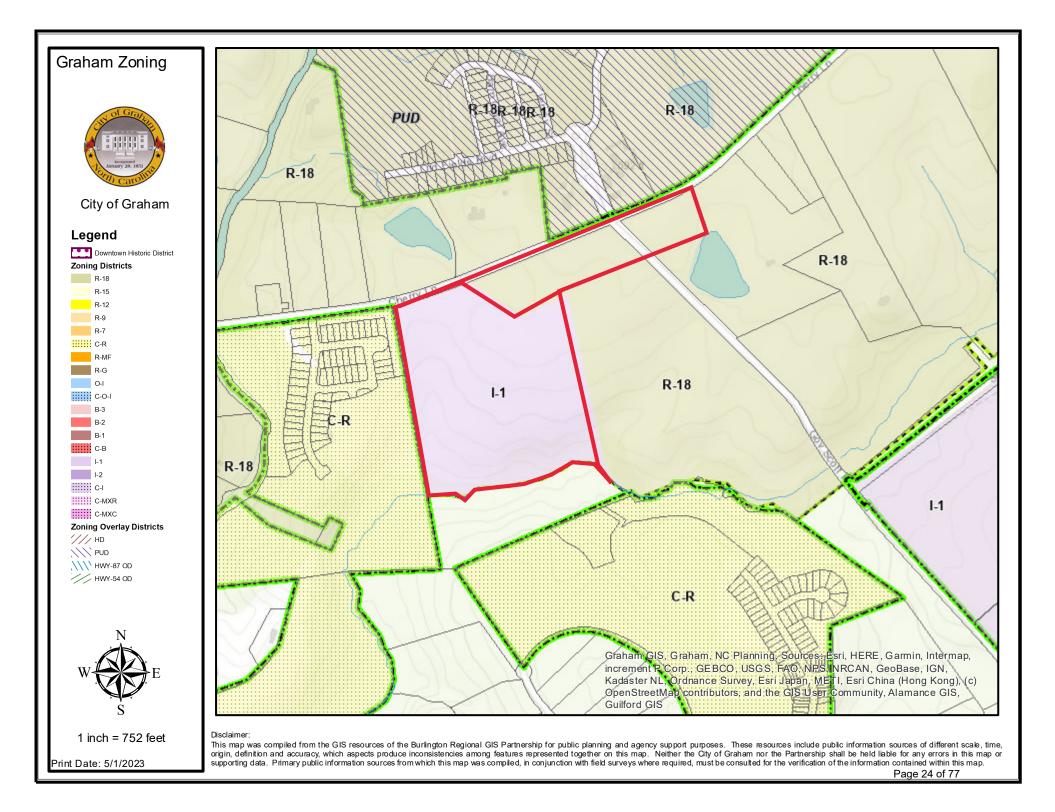
New industrial development generally creates positive tax revenue for the City, and because the public services are being connected at this site, the cost to the City is minimal.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

- 1. I move we approve the resolution directing the City clerk to investigate a petition received under G.S. 160A-31 for potential contiguous annexation of GPIN 8893686572 & 8893796670.
- 2. I move we approve the resolution fixing date of June 13 2023, for a public hearing on the question of annexation pursuant to G.S. 160A-31 for 38.93 (+/-) acres off Cherry Lane.



RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 60A-31

(GPIN: 8893686572 & 8893796670) (AN2304)

WHEREAS, a petition requesting annexation of an area described in said petition was received on May 9th, 2023, 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.

	Jennifer Talley, Mayor
ATTEST:	
Renee M. Ward, City Clerk	

RESOLUTION FIXING DATE OF JUNE 13, 2023. FOR A PUBLIC HEARING ON OUESTION OF CONTIGUOUS ANNEXATION PURSUANT TO G.S. 160A-31 FOR 38.93 +/- ACRES OFF CHERRY LANE (AN2304)

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 <u>public hearing</u> on the question of the annexation of the area described herein will be held at the City Hall, 201 S. Main Street, Graham, NC, at 6:00 pm on **June 13, 2023.**

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

Legal Description GPIN#: 8893686572

Lying and being in Melville Township, Alamance County, North Carolina and adjoining the lands of Intersect Greensboro II, LLC., Carl A. Westman, Mill Creek, Meritage Homes of the Carolinas, Inc., and the southern margin of Cherry Lane (S.R. 2123) and more particularly described;

Beginning at an existing iron pipe located on a curve on the southern margin of Cherry Lane, a corner with Intersect Greensboro II, LLC. and being S 68°20'17" W, 7.20 feet from an existing iron on the southern margin of Cherry Lane marking the end of the curve of the southern margin of Cherry Lane, thence from the beginning along and with the property of Intersect Greensboro II, LLC., S 59°34'52" E, 394.99 feet to an existing iron pipe, a corner with Intersect Greensboro II, LLC., thence along and with the property of Intersect Greensboro II, LLC., N 62°09'17" E, 312.09 feet to an existing iron pipe, a common corner with Intersect Greensboro II, LLC. and Carl A. Westman, thence along and with the property of Carl A. Westman S 12°51'22" E, 1113.79 feet to a point in the centerline of Mill Creek, thence along the centerline of Mill Creek the following courses and distances; N 44°46'03" W, 20.56 feet; N 72°01'11" W, 13.16 feet; S 85°54'03" W, 16.36 feet; S 59°02'44" W, 30.85 feet; S 85°26'22" W, 19.93 feet; N 69°54'55" W, 36.19 feet; S 88°54'44" W, 18.85 feet; S 73°37'07" W, 25.52 feet; S 80°51'08" W, 18.55 feet; S 59°22'45"W, 13.40 feet; S 78°06'13" W, 21.71 feet; S 61°25'55" W, 36.57 feet; S 77°03'28" W, 56.09 feet; S 72°57'14" W, 124.21 feet, S 63°48'37" W, 24.32 feet; S 41°50'47" W, 15.97 feet; S 78°10'56" W, 25.76 feet; S 73°50'26" W, 89.94 feet; S 79°45'04" W, 15.92 feet; S 87°57'22" W, 34.51 feet; S 73°22'57" W, 50.53 feet; S 58°21'29" W, 39.69 feet; S 79°35'55" W, 18.83 feet; N 89°47'54" W, 28.12 feet; S 73°37'34" W, 112.62 feet; N 89°02'23" W, 24.17 feet; N 71°59'21" W, 26.58 feet; S 87°03'31" W, 80.32 feet; N 61°20'49" W, 8.96 feet; N 83°39'23" W, 70.86 feet; N 86°40'48" W, 62.40 feet to a point in Mill Creek in the line of Meritage Homes of the Carolinas, Inc., thence along and with the property line of Meritage Homes of the Carolinas, Inc., N 09°39'43" W, 1200.51 feet to an existing iron pipe located on a curve of the southern margin of Cherry Lane, thence along the curve of the southern margin of Cherry Lane, a chord bearing N 73°12'04" E, a chord distance of 482.66 feet, with a radius of 2848.41 feet to the point and place of beginning containing 29.83 Acres more or less and being the northern portion from Mill Creek to Cherry Lane of Alamance County Tax Parcel ID: 152443 to be annexed into the City of Graham Corporate Limits, with 10.28 Acres more or less south of Mill Creek of said Parcel remaining outside the City of Graham Corporate Limits.

Legal Description GPIN#: 8893796670

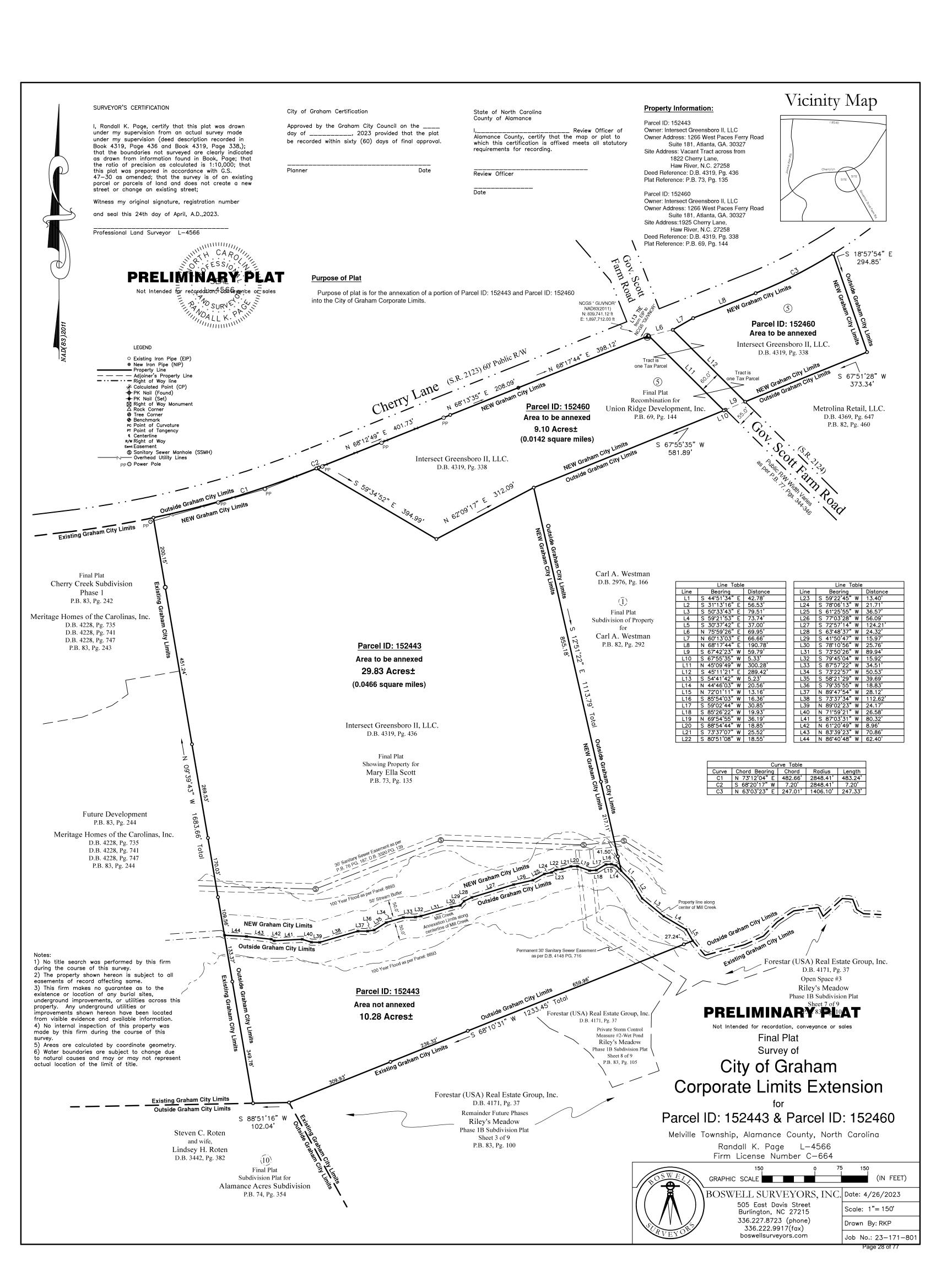
Lying and being in Melville Township, Alamance County, North Carolina and adjoining the lands of Intersect Greensboro II, LLC., Cherry Lane (S.R. 2123), Metrolina Retail, LLC., Governor Scott Farm Road (S.R. 2124), and Carl A. Westman and more particularly described;

Beginning at an existing iron pipe located on a curve of the southern margin of Cherry Lane, a corner with Intersect Greensboro II, LLC., and being N 73°12'04" E, 482.66 feet from an existing iron pipe, a corner between

Intersect Greensboro II, LLC. and Meritage Homes of the Carolinas, Inc., thence from the beginning and along the southern margin of Cherry Lane the following courses and distances, along a curve, chord bearing N 68°20'17" E, chord distance 7.20 feet, with a radius of 2848.41 feet to an existing iron pipe, marking the end of curve, thence N 68°12'49" E, 401.73 feet to an existing iron pipe, thence N 68°13'35" E, 208.09 feet to an existing iron pipe, thence N 68°17'44" E, 398.12 feet to an existing iron pipe, marking the intersection of the southern margin of Cherry Lane and the western margin of Governor Scott Farm Road, thence crossing Governor Scott Farm Road, N 75°59'26 E, 69.95 feet to an existing iron pipe, marking the intersection of the eastern margin of Governor Scott Farm Road and the southern margin of Cherry Lane, thence continuing along the southern margin of Cherry Lane N 60°13'03" E, 66.66 feet to an existing iron pipe, thence N 68°17'44" E, 190.78 feet to an existing iron pipe, marking the beginning of a curve, thence along the curve a chord bearing N 63°03'23" E, a chord distance of 247.01 feet, with a radius of 1406.10 feet to an existing iron pipe located on the southern margin of Cherry Lane and a corner with Metrolina Retail, LLC., thence along and with the property of Metrolina Retail, Inc., S 18°57'54" E, 294.85 feet to an existing iron pipe, a corner with Metrolina Retail, Inc., thence with Metrolina Retail, Inc., S 67°51'28" W, 373.34 feet to an existing iron pipe located on the eastern margin of Governor Scott Farm Road, and a corner with Metrolina Retail, Inc., thence crossing Governor Scott Farm Road S 67°42'23" W 59.79 feet to an iron stake marking the beginning of the 55 foot right of way of Governor Scott Farm Road, as shown in Plat Book 77, Pages 344-346, and marking the property of Carl A Westman, thence S 67°55'35" W, 5.33 feet to an existing iron pipe, marking the 60 foot right of way of Governor Scott Farm Road as shown in said Plat, in the line of Carl A. Westman, thence along and with the property line of Carl A. Westman S 67°55'35" W, 581.89 feet to an existing iron pipe, a common corner with Carl A. Westman and Intersect Greensboro II, LLC., thence along and with the property of Intersect Greensboro II, LLC., S 62°09'17" W, 312.09 feet to an existing iron pipe, a corner with Intersect Greensboro II, LLC., thence N 59°34'52" W, 394.99 feet to the point and place of beginning, Save and except that portion of the 60 foot right of way of Governor Scott Farm Road, as described; Beginning at an existing iron pipe located at the intersection of the southern margin of Cherry Lane and the western margin of Governor Scott Farm Road, thence N 75°59'26" E, 69.95 feet to an existing iron pipe located on the southern margin of Cherry Lane and the eastern margin of Governor Scott Farm Road, thence along the eastern margin of Governor Scott Road, S 45°11'21"E, 289.42 feet to an existing iron stake, a corner with Metrolina Retail, LLC., thence crossing Governor Scott Farm Road, S 67°42'23"W, 59.79 feet, to an existing iron pipe marking the beginning of the 55 foot right of way of Governor Scott Farm Road, as shown in Plat Book 77, Pages 344-346, and marking the property of Carl A. Westman, thence S 67°55'35" W, 5.33 feet to an existing iron pipe, marking the 60 foot right of way of Governor Scott Farm Road as shown in said Plat, and in the line of Carl A. Westman, thence along the western margin of Governor Scott Farm Road, N 45°09'49"W, 300.28 feet to the point and place of beginning,

Giving Parcel ID: 152460, a total of 9.10 Acres more or less.

	Jennifer Talley, Mayor
Renee M. Ward, City Clerk	





SUBJECT:	WTP/WWTP SUPPLIES AND MATERIALS BUDGET AMENDMENT
PREPARED BY:	MELANIE KING, FINANCE OFFICER

REQUESTED ACTION:

Approve budget amendment to increase the Water Treatment Plant (WTP) Supplies and Materials budget by \$530,000 (from \$675,000 to \$1,205,000) and the Wastewater Treatment Plant (WWTP) Supplies and Material budget by \$135,000 (from \$220,000 to \$355,000).

BACKGROUND/SUMMARY:

The current WTP budget for Supplies and Materials is \$675,000. Due to the rising costs of water treatment chemicals, the current budget will need to increase by \$530,000 to sufficiently cover the purchase of treatment chemicals for FY23. The proposed budget of \$1,205,000 will represent an increase of approximately 58% over prior year actual.

The current WWTP budget for Supplies and Materials is \$135,000. Due to the rising costs of wastewater treatment chemicals, the current budget will need to increase by \$135,000 to sufficiently cover the purchase of treatment chemicals for FY23. The proposed budget of \$355,000 will represent an increase of approximately 50% over prior year actual.

FISCAL IMPACT:

Increased budgets for supplies and materials for the WTP and the WWTP will increase their budgets by \$530,000 and \$135,000 respectively.

STAFF RECOMMENDATION:

Approval

SUGGESTED MOTION(S):

I move we approve the budget amendment to increase the Water Treatment Plant budget for supplies and materials from \$675,000 to \$1,205,000 and the Wastewater Treatment Plant budget for supplies and materials from \$220,000 to \$355,000.

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:					
THE 2022 - 2023 BUDGE.	I URDINANCE SHALL BE	AND IS HEREBY AN	MENDED AS FULL	JWS:	
Section 1.					
WATER AND SEWER FUND DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
DEPARTIMENT/ACCOUNT	APPROVED	AIVIEINDED	INCREASE	(DECREASE)	(DECREASE)
Water Treatment Plant - Supplies and Materials	675,000.00	1,205,000.00	530,000.00		530,000.00
Wastewater Treatment Plant - Supplies and Materials	220,000.00	355,000.00	135,000.00		135,000.00
<u> </u>	895,000.00	1,560,000.00	665,000.00	-	665,000.00
Section 2.					
WATER AND SEWER FUND					INCREASE
REVENUES	APPROVED	AMENDED	INCREASE	(DECREASE)	(DECREASE)
Fund Balance		CCE 000 00	665 000 00		
ruliu Balance	<u> </u>	665,000.00 665,000.00	665,000.00 665,000.00		665,000.00
-		003,000.00	003,000.00	<u> </u>	003,000.00
Adopted this 14th day of March 2023.	dopted this 14th day of March 2023.				
Attest:	Mayor Jennifer Ta	illey			
Renee M. Ward, City Clerk					



SUBJECT:	INSURANCE CLAIMS BUDGET AMENDMENT
PREPARED BY:	MELANIE KING, FINANCE OFFICER

REQUESTED ACTION:

Approve budget amendment to increase the General Fund - Insurance Proceeds budget by \$209,896 (from \$1,000 to \$210,896), the Recreation - Capital Outlay Other Improvements budget by \$204,696 (from \$162,070 to \$366,766), and the Property Maintenance - Maintenance & Repair Grounds budget by \$5,200 (from \$15,000 to \$20,200).

BACKGROUND/SUMMARY:

Insurance proceeds in the amount of \$204,696 were received for damages caused by fire at Shelter #2 and the Picnic Shelter. Recreation Director Faucette has requested these funds to be budgeted in in the Recreation – Capital Outlay Other Improvements line to facilitate necessary repairs.

Insurance proceeds totaling \$5,200 were received for two separate incidents at the Linwood Cemetery wall. Public Works Director Burke has requested these funds to be budgeted in the Property Maintenance – Maintenance & Repair Grounds budget in order to assist in covering repair costs.

FISCAL IMPACT:

The increased insurance proceeds budget reflects funding that has already been received by the City and the increases to the Recreation – Capital Outlay Other Improvements budget and the Property Maintenance – Maintenance & Repair Grounds budget will cover repairs due to damages.

STAFF RECOMMENDATION:

Approval

SUGGESTED MOTION(S):

I move we approve the budget amendment to increase the General Fund - Insurance Proceeds budget by from \$1,000 to \$209,896, the Recreation - Capital Outlay Other Improvements budget from \$162,070 to \$366,766, and the Property Maintenance - Maintenance & Repair Grounds budget from \$15,000 to \$20,200.

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:

THE 2022 - 2023 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:					
Section 1. GENERAL FUND DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Recreation - Capital Outlay Other Improvements	162,070.00	366,766.00	204,696.00		204,696.00
Property Maintenance - Maint & Repair Grounds	15,000.00	20,200.00	5,200.00		5,200.00
<u> </u>	177,070.00	386,966.00	209,896.00	-	209,896.00
Section 2. GENERAL FUND REVENUES	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
General Fund - Insurance Proceeds	1,000.00	210,896.00	209,896.00		209,896.00
	1,000.00	210,896.00	209,896.00	-	209,896.00
Adopted this 14th day of March 2023.					
Attest:	Mayor Jennifer Tal	ley			
Renee M. Ward, City Clerk					



SUBJECT:	STREET CLOSURE REQUEST BY JOSH COE FOR DINO DAY
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Consider request to close the 100 block of W. Elm Street for Dino Day.

BACKGROUND/SUMMARY:

Josh Coe of Little Bother Brewing has submitted an application requesting to close the 100 block of W. Elm Street for Dino Day.

According to the application, the event is being requested for June 3, 2023 from 10am to 9pm (includes setup and cleanup).



FISCAL IMPACT:

N/A

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 Josh Coe of Little Brother Brewing to close the 100 block of W. Elm Street on June 3, 2023, from 10am to 9pm for Dino Day.



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: josh@littlebrotherbrew.com
- 2. Event name (if applicable): Dino Day
- 3. Reason for the event (be specific): Bring the community together for a fun family friendly event.
- 4. Event date(s): June 3rd
- 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): 10am set up. Event 1pm-8pm. Clean up 8pm-9pm

6.	Event category:
Please	check all that apply appropriate category for your event.
x_ (Concert/Performance
E:	khibit



Farmer's Market
x Festival/Fair
Parade/Procession
Run/Walk
Food Truck Rodeo
Other:
7. Where are you requesting for your event to occur? 100 block of Elm Street Downtown Graham.
Be specific identifying street names or City facilities being requested for use? Just need 12 extra trash cans.
8. Does your event include the request to close streets?
Yesx No
9. Identify the street(s) you are requesting to have closed for your event. 100 Block of Elm Street
10. Identify your street closure time(s) and will you anticipate when they will return to normal traffic. Closed 10am-9pm. 9pm.
11. What is your anticipated event attendance total? 700 through out the day
12. Does your event include musical entertainment? _xYes No
13. Where will your musical entertainment be located? In front of 106 West Elm Street Graham, NO
14. Will sound amplification be used? _x Yes No If yes, provide the start time and end
time. 1pm-8pm
ише. трш-орш
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?
Yesx_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? _x Yes No 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 includesx_ Beer only
 Wine only Beer & Wine Describe your security plan to ensure the safe sale and or distribution of alcohol at your event We will hire officers through Extra Duty Solutions.
19. Does your event include food concession and/or food preparation areas?Yes _x No
If yes, please select the method of cooking that pertains to your event. Gas Electric Charcoal
x Other:Food TrucksHeating Elements may vary depending on the trucks 20. Do you plan to provide portable toilets at your event? Yesx No If yes, list the total number of portable toilets:4

21. Portable toilet company name: If no, please explain Elite Porta Johns



22. Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. We will have staff cleaning all day and requesting extra cans.

Does	your event require additional trash receptacles?
Yes _	_x No
If yes,	what is the requested number of additional trash receptacles?12
23.	Will there be any tents, canopies or temporary structures at your event?
Yes _	_x No
24.	Applicant name and affiliated agency if applicable: Josh Coe / Little Brother Brewing
25.	Applicant's Address: 106 West Elm Street Graham, NC 27253
26.	Applicant's phone number: 336 684 5997
27.	Applicant's email address: Josh@littlebrotherbrew.com
28. numb	Provide the events point of contact if different from the applicant. (First and Last Name, Phone er, & Email Address
29.	How many years has this event taken place? 2





SUBJECT: STREET CLOSURE REQUEST BY JOSH COE FOR GRAHAMTOBERFEST	
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

Consider request to close the 100 block of W. Elm Street for Grahamtoberfest.

BACKGROUND/SUMMARY:

Josh Coe of Little Bother Brewing has submitted an application requesting to close the 100 block of W. Elm Street for Grahamtoberfest.

According to the application, the event is being requested for September 23, 2023 from 1pm to 11pm (includes setup and cleanup).



FISCAL IMPACT:

N/A

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 Josh Coe of Little Brother Brewing to close the 100 block of W. Elm Street on September 23, 2023 from 1pm to 11pm for Grahamtoberfest.



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: josh@littlebrotherbrew.com
- 2. Event name (if applicable): Grahamtoberfest
- 3. Reason for the event (be specific): Bring the community together for a fun family friendly event.
- 4. Event date(s): September 23rd
- 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. Event 3pm- 10pm. Clean up 10pm-11pm

6.	Event category:
Please	check all that apply appropriate category for your event.
x_	Concert/Performance
E	xhibit



Farmer's Market
x Festival/Fair
Parade/Procession
Run/Walk
Food Truck Rodeo
Other:
7. Where are you requesting for your event to occur? 100 block of Elm Street Downtown Graham.
Be specific identifying street names or City facilities being requested for use? Just need 12 extra trash cans.
8. Does your event include the request to close streets?
Yesx No
9. Identify the street(s) you are requesting to have closed for your event. 100 Block of Elm Street
10. Identify your street closure time(s) and will you anticipate when they will return to normal traffic. Closed 1pm-10pm. 11pm.
11. What is your anticipated event attendance total? 700 through out the day
12. Does your event include musical entertainment? _xYes No
13. Where will your musical entertainment be located? In front of 106 West Elm Street Graham, NO
14 Will count any lifeastion be used? We want time and and
14. Will sound amplification be used? _x Yes No If yes, provide the start time and end
time. 1pm-8pm
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?
Yesx_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? _xYes No If you answered yes to the question above, please check all that apply to your event.
Alcohol will be available free of charge _x Alcohol will be by purchase only
Alcohol being served and or sold at my event includesx_ Beer only Wine only
Beer & Wine
18. Describe your security plan to ensure the safe sale and or distribution of alcohol at your event We will hire officers through Extra Duty Solutions.
19. Does your event include food concession and/or food preparation areas?
Yes _x No
If yes, please select the method of cooking that pertains to your event. Gas Electric
Charcoal
_x Other:Food TrucksHeating Elements may vary depending on the trucks
20. Do you plan to provide portable toilets at your event?
Yesx_
If yes, list the total number of portable toilets:4

21. Portable toilet company name: If no, please explain Elite Porta Johns



22. Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. We will have staff cleaning all day and requesting extra cans.

Does	your event require additional trash receptacles?
Yes _	_x No
If yes,	, what is the requested number of additional trash receptacles?12
23.	Will there be any tents, canopies or temporary structures at your event?
Yes _	_x No
24.	Applicant name and affiliated agency if applicable: Josh Coe / Little Brother Brewing
25.	Applicant's Address: 106 West Elm Street Graham, NC 27253
26.	Applicant's phone number: 336 684 5997
27.	Applicant's email address: Josh@littlebrotherbrew.com
28. numb	Provide the events point of contact if different from the applicant. (First and Last Name, Phone er, & Email Address
29.	How many years has this event taken place? 3





SUBJECT:	STREET CLOSURE REQUEST BY ALCOVETS FOR DOWNTOWN GRAHAM DOCKDOGS
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

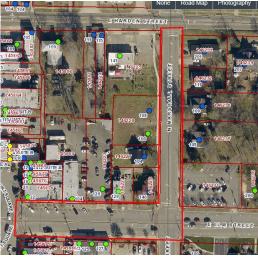
Consider request to close the 100 block of E. Elm Street and N. Marshall Street between E. Elm Street and E. Harden Street for the Downtown Graham Dockdogs event.

BACKGROUND/SUMMARY:

Alcovets has submitted an application requesting to close the 100 block of E. Elm Street and N. Marshall Street between E. Elm Street and Harden Street Alcovets. According to the application, the event is being requested for May 26 (5pm)-May 28 (6pm), 2023 (includes setup and cleanup).

FISCAL IMPACT:

N/A



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 Alcovets to close the 100 block of E. Elm Street and N. Marshall Street between E. Elm Street and E. Harden Street for the Downtown Graham Dockdogs event on May 26 (5pm)-May 28 (6pm), 2023 (includes setup and cleanup).



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. Please be sure to notify the affected businesses of the proposed event and provide the City with a copy of the notification.

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: ALCOVETS & GMAIL, COM 2. Event name (if applicable): DOWNTOWN GRAHAM DOCKDOG 3. Reason for the event (be specific): FUND RAISER FOR ALCOVETS
3. Reason for the event (be specific): FUND RAISER FOR ALCEVETS
4. Event date(s): MAY 27/28, 2023
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):
Setup Friday May 26, 5:00 PM EVENT START & 100 AM ENDS 9:00PM 6. Event category STARTS 8:00 AM ENDS ; 6:00 PM
Please check all that apply appropriate category for your event.
<u>∨</u> Concert/Performance
Exhibit
Farmer's Market
Festival/Fair
Parade/Procession
Run/Walk
Food Truck Rodeo
v Other: Poo Azility Dos Com patition
7. Where are you requesting for your event to occur?
Be specific identifying street names or City facilities being requested for use?
CLOSURE OF GASTELM ST FROM FRIDAY SIPMUNTIL SUNDAY G: PM
8. Does your event include the request to close streets?
Yes No
9. Identify the street(s) you are requesting to have closed for your event.
EAST ELM From Court Square to MARSAGE ST
10. Identify your street closure time(s) and will you anticipate when they will return to normal traffic flow.
FRIDAY 5.PM to SUNDAY 6:00 PM



11. What is your anticipated event attendance total?	
12. Does your event include musical entertainment?	
<u>YesNo</u>	
13. Where will your musical entertainment be located?	
COLONIAL HARDWARE AMPHITHEATER	
14. Will sound amplification be used? Yes No	
If yes, provide the start time and end time.	
SAT/MAY 27, 7:00-9:00 PM	
15. Will inflatables or similar devices be used at your event? Yes No	
If yes, please describe. *Please note, Insurance requirements must be met in order to o activity.	ffer this
	<u>.</u> 1
Yes _XNo If yes, please describe. ***Note: These requests will be subject to the approval of the C Police & Fire Departments in conjunction with State Laws governing this type of activity	
17. Will alcohol be served, sold or consumed at your event?	
Yes No	
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	
Beer only	
Wine only	
Beer & Wine	



16. Describe your security plan to ensure the safe sale and or distribution of alcohol at your event.
No police necessary for a non Alcoholic
event
19. Does your event include food concession and/or food preparation areas?
Yes X No
If yes, please select the method of cooking that pertains to your event.
<u>★</u> Gas
Electric
Charcoal
Other:
20. Do you plan to provide portable toilets at your event?
Yes <u>X</u> No
If yes, list the total number of portable toilets:
21. Portable toilet company name: Lloyds Pokta John
If no, please explain
22. Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. LTY TRASH DANS, BACK CADES
Does your event require additional trash receptacles?
Yes <u>X</u> No
If yes, what is the requested number of additional trash receptacles?
23. Will there be any tents, canopies or temporary structures at your event?
Yes X No



24. Applicant name and affiliated agency if applicable
BOBBY CHIN, SECRETARY, ALCOVETS
25. Applicant's Address
24 NW COURT SQUARE, SU 301, GRAHAM, NC 27253
26. Applicant's phone number
240-351-9026
27. Applicant's email address ALCOVETS Q, (MAIL, COM
ALWVEIS & GMAIL, WITC
28. Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address)
RICHARD SHEVLIN- 336-516-2474
RICHARD SHEVLIN 660 GMAIL, COM
29. How many years has this event taken place?

CITY OF GRAHAM RELEASE ACCOUNTS

MAY **AMOUNT** ACCT# YEAR **NAME** REASON FOR RELEASE **RELEASED** 552895 2022 CRUZ, JAVIER & GEORGIA SOLD MOBILE HOME IN 2018 TO DEWEY BROWN \$5.23 552895 2021 CRUZ, JAVIER & GEORGIA SOLD MOBILE HOME IN 2018 TO DEWEY BROWN \$6.11 552895 2020 CRUZ, JAVIER & GEORGIA SOLD MOBILE HOME IN 2018 TO DEWEY BROWN \$6.59 552895 2019 CRUZ, JAVIER & GEORGIA SOLD MOBILE HOME IN 2018 TO DEWEY BROWN \$6.67 552895 2018 CRUZ, JAVIER & GEORGIA SOLD MOBILE HOME IN 2018 TO DEWEY BROWN \$7.15 579762 2021 PARKS, ROBERT D SOLD BOAT & MOTOR 2020 4.44 579762 2022 PARKS, ROBERT D SOLD BOAT & MOTOR 2020 4.44

TOTAL RELEASES

\$40.63



0 S NC 87 HWY R-9 (RZ2301)

Type of Request: Rezoning

Meeting Dates

Planning Board: April 18, 2023 City Council: May 9, 2023

Contact Information

Clayton Properties Group INC. 10130 Perimeter Parkway, Suite 100

Charlotte, NC 28216

Summary

This is a request to rezone 53.904 acres of property from R-18 (Low-Density Residential) to R-9 (High-Density Residential) for the purpose of extending the 4th phase of Rogers Springs homes into this area. The property is mostly inside of the Suburban Residential future land use zone while the are near the river makes up the Rural Residential area which cant be built upon due to it being in the flood way. The future land use plan notes that principal uses in the Suburban Residential zone predominately are made up with detached single family homes. The appropriate density for this area is 3-6 dwelling units per acre. The maximum number of lots/units you could build with 9,000 square feet, according to the Development ordinance is 256 +-. The max the future land use deems appropriate at 6 units per acre is 318 +- units. The Planning Board voted 4-1 in recommending denial of the rezoning at its April 18th meeting.



Location

0 S NC 87 HWY

GPIN:

8882178503

Current Zoning

R-18(Low Density Residential)

Proposed Zoning

R-9 (High-Density Residential)

Overlay District

N/A

Surrounding Zoning

R-9, R-18, R-12

Surrounding Land Uses

Vacant, Single-Family

Size

53.904 acres

Public Water & Sewer

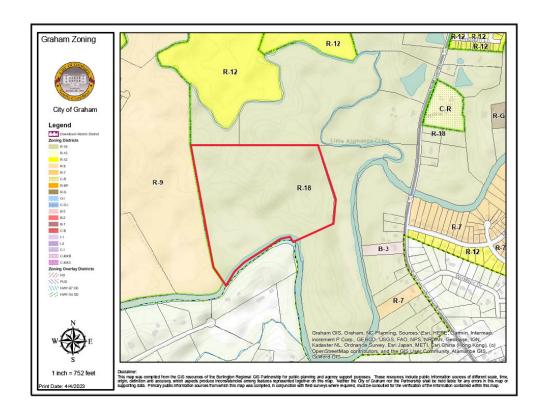
Yes

Floodplain

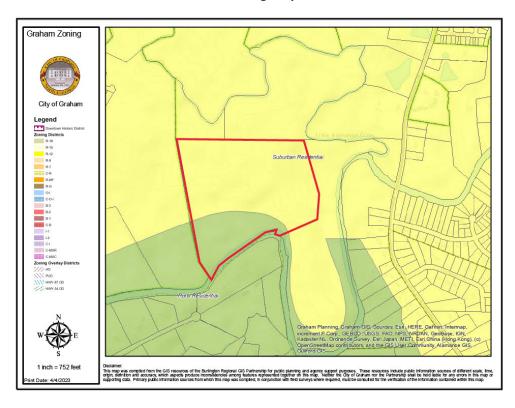
Yes

Staff Recommendation

Approval



Zoning Map



Future Land Use Map

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

Applicable Policies;

• 3.3.2: Focused development. In order to maintain Graham's affordability and promote growth, the City will facilitate smart growth development by promoting infill development and focused, walkable, and mixed use, built environments. This development utilizes the land which is served by city water and sewer more efficiently than maintaining the existing R-18 zoning. Additionally, the R-9 zoning allows for the construction of more homes in suitable locations than the R-18 current zoning.

Applicable Strategies;

 4.3.1 Land Use Patterns. Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. The site would connect to existing city infrastructure, with redundant access and water and sewer connections.

Staff Recommendation:

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

 Rezoning the property would be in consistence with the Suburban Residential type and furthers policy 3.3.2, and strategy 4.3.1, as put forth by the Graham 2035 Comprehensive Plan.

Planning Type Neighborhoods

Development Type

Suburban Residential

For single family residential, townhouses, duplexes, accessory dwelling units, and small scale multi-family dwelling of twelve units or less. Buildings should be located near the front of the property line, oriented towards the street, and include front porches and other private outdoor spaces. Recess garages behind the front of buildings to avoid streetscapes dominated by garage doors

Appropriate Form

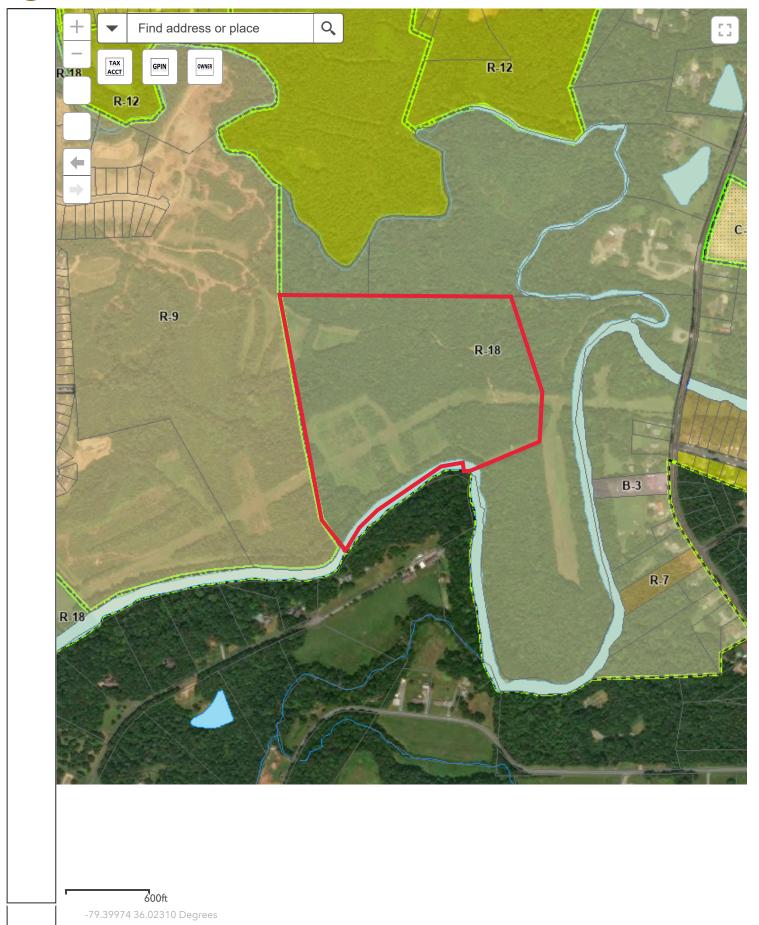
3-6 Dwelling Units per acre

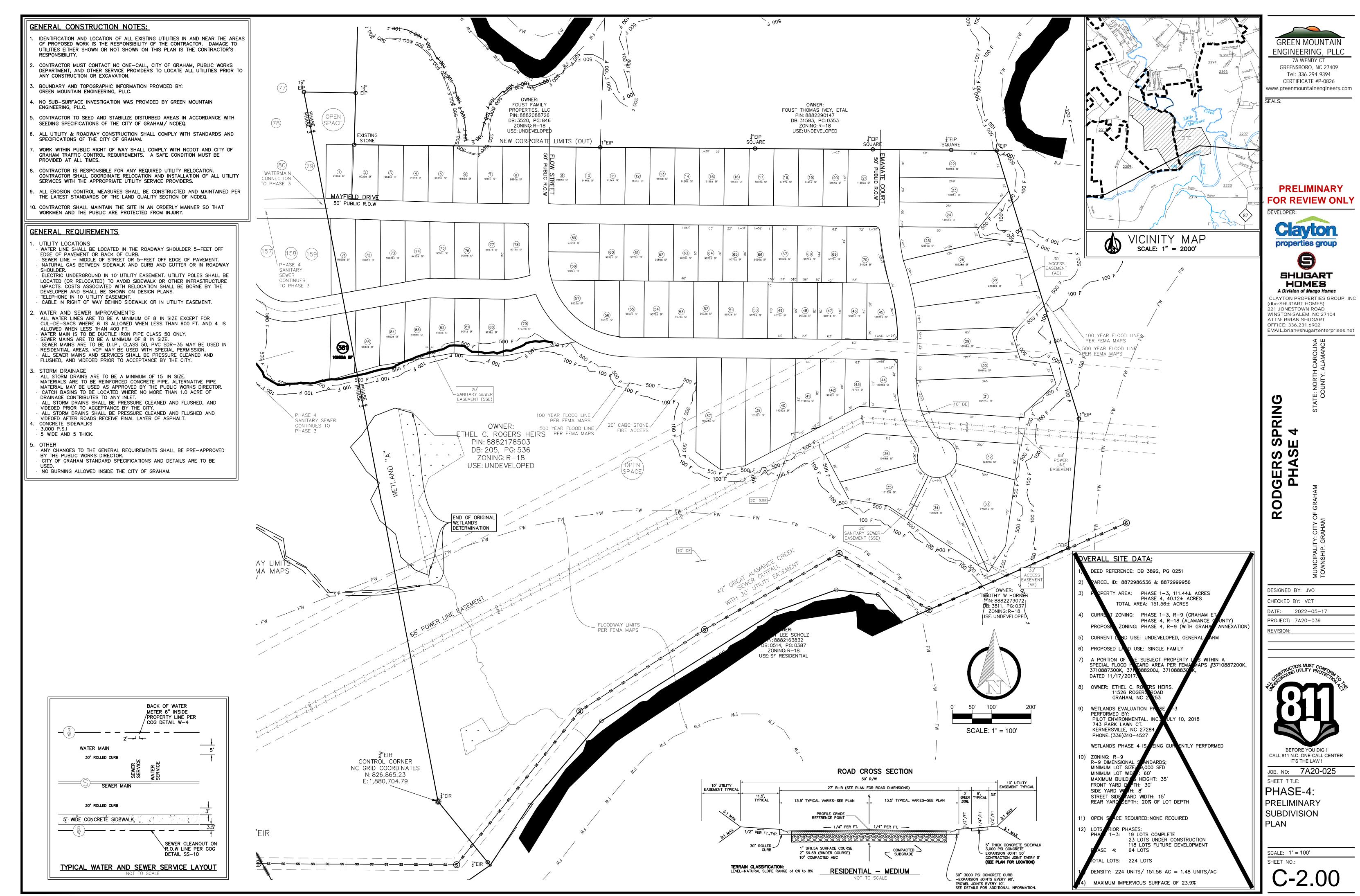
Planning Board Recommendation:

The Planning Board, at its April 18th voted 4-1 to recommend denial of the proposed rezoning request. The basis of the recommended denial was due to the traffic the additional homes would bring inside of the current development and roadways into and out of the neighborhood.

Graham Zoning Viewer - Planning

Portal





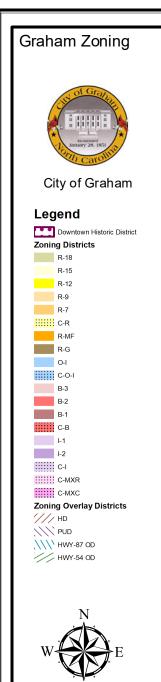


Application for REZONING or CONDITIONAL REZONING

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

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

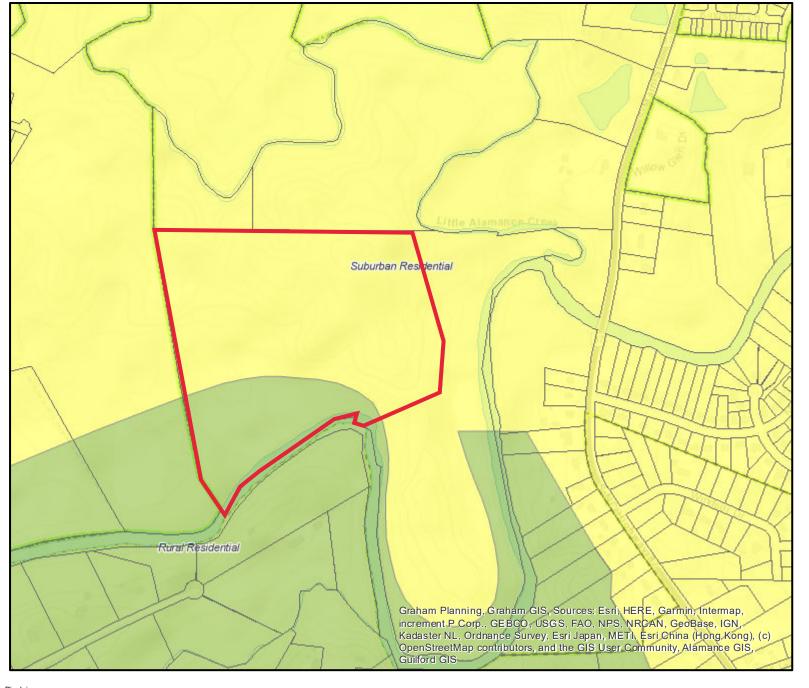
Site	Proposed Rezoning or Conditional Rezoning
Street Address: Address has not been assigned	Proposed Zoning District(s):
Tax Map#: 142862 GPIN: 8882178503	☐ R-7 ■ R-9 ☐ R-12 ☐ R-15 ☐ R-18 ☐ R-MF ☐ R-G ☐ C-R ☐ C-MXR
Current Zoning District(s): ☐ R-7 ☐ R-9 ☐ R-12 ☐ R-15 ☐ R-18 ☐ R-MF ☐ R-G ☐ C-R ☐ C-MXR	□ B-1 □ B-2 □ B-3 □ C-B □ C-MXC □ O-I □ C-O-I □ I-1 □ I-2 □ C-I
B-1 B-2 B-3 C-B C-MXC O-I C-O-I I-1 I-2 C-I Overlay District, if applicable: Historic S Main St/Hwy 87 E Harden St/Hwy 54	Describe the purpose of this rezoning request. For Conditional Rezonings, also specify the actual use(s) intended for the property (from Sec. 10.135 Table of Permitted Uses) along with other descriptive or pertinent information, such as number of dwelling units, type of multifamily development,
Current Use: Vacant Land 40+ acres	square footage and number of buildings:
Total Site Acres: 53.904 AC	Roger Spring Phase 4 single family subdivision
Property Owner: CLAYTON PROPERTIES GROUP INC	
Mailing Address: 10130 Perimeter Parkway, Suite 100	
City, State, Zip: Charlotte, NC 28216	
Applicant	
Property Owner Other	
Application for Conditional Rezoning may only be initiated by the	
owner of a legal interest in all affected property, any person having an interest in the property by reason of written contract with owner,	
or an agent authorized in writing to act on the owner's behalf. If the	
applicant for Conditional Rezoning is other than the Property Owner,	
documentation in compliance with the preceding statement must be	
provided in order for this application to be complete.	
Name: CLAYTON PROPERTIES GROUP INC	,
Mailing Address: 10130 Perimeter Parkway, Suite 100	
City, State, Zip: Charlotte, NC 28216	For Conditional Rezonings, this application must be accompanied by a Preliminary Site Plan and supporting
Phone # (980) 446-3336	information specifying the actual use(s) and any rules,
Email: plawler@bowman.com & agonzalez@bowman.com	regulations or conditions that, in addition to predetermined ordinance requirements, will govern the development and use of the property.
I have completed this application truthfully and to the best of my ability	Site Plan Review Application must be attached to this application for Conditional Rezonings
Signature of Applicant Date	Office Use Only. DEVID#





1 inch = 752 feet

Print Date: 4/4/2023



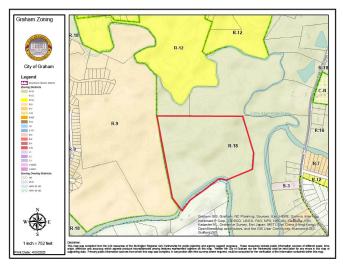
This map was compiled from the GIS resources of the Burlington Regional GIS Partnership for public planning and agency support purposes. These resources include public information sources of different scale, time, origin, definition and accuracy, which aspects produce inconsistencies among features represented together on this map. Neither the City of Graham nor the Partnership shall be held liable for any errors in this map or supporting data. Primary public information sources from which this map was compiled, in conjunction with field surveys where required, must be consulted for the verification of the information contained within this map.

Page 58 of 77



SUBJECT:	ANNEXATION OF 53.90 +/- ACRES OFF MAYFIELD DRIVE
PREPARED BY:	CAMERON WEST, PLANNER

Approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina for a tract of land totaling 53.90 - acres located off Mayfield Drive.



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 off of Mayfield Drive and contains approximately 53.90 +- acres total. Water and sewer are located adjacent to this property within the Mayfield Drive right of way, and the applicants wish to tie onto the City's infrastructure.

FISCAL IMPACT:

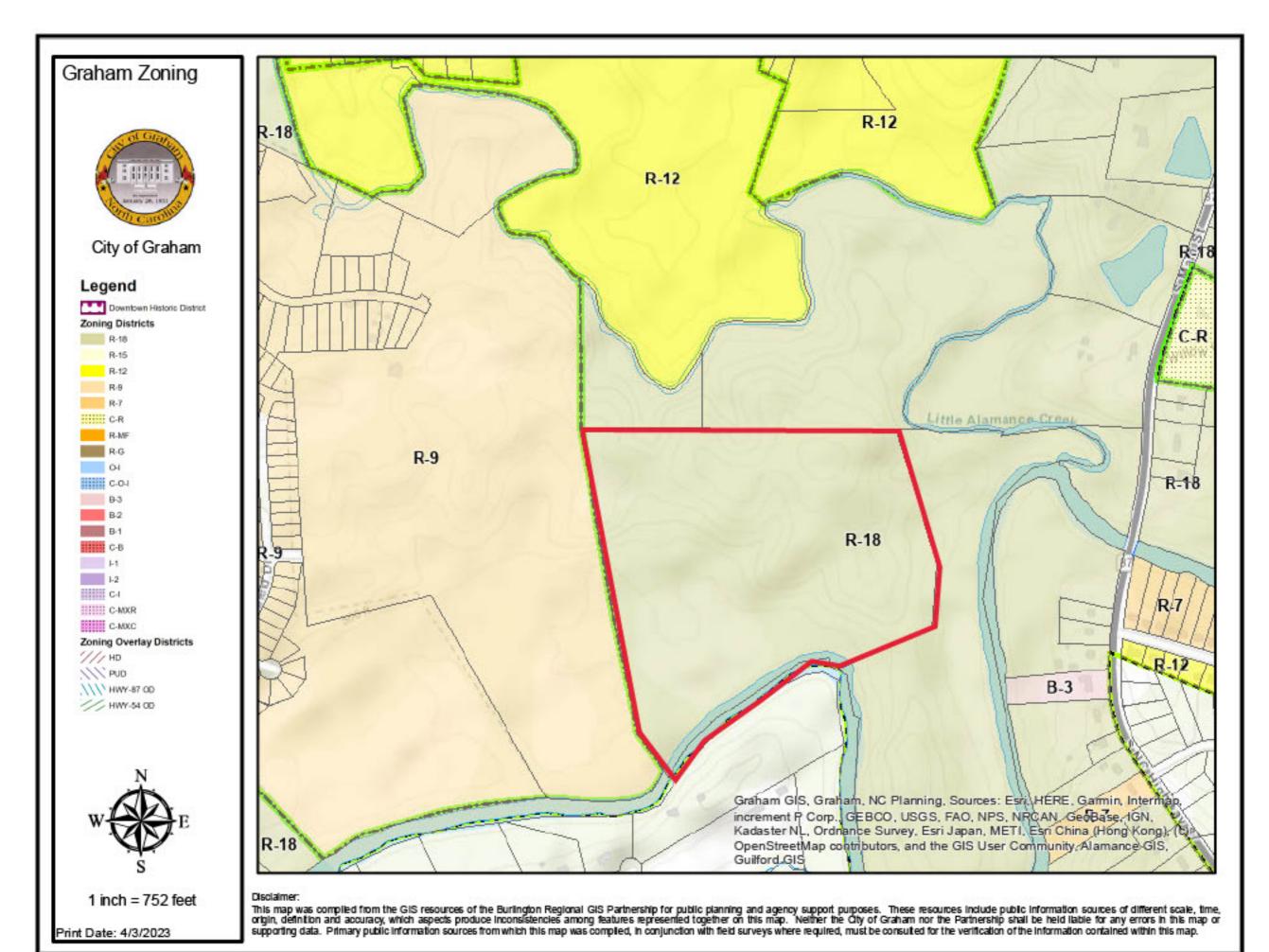
New residential property generally creates positive tax revenue for the City, and because the public services are being connected at this site, the cost to the City is minimal.

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 53.90 (+/-) acres off of Mayfield Drive.



SURVEYOR'S CERTIFICATION:

I <u>Joshua A. Montazeri</u>, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in book <u>see</u>, page <u>Map</u>: that the boundaries not surveyed are indicated as drawn from information in book <u>see</u>, page <u>Map</u>; that the ratio of precision or positional accuracy as calculated is 1:10.000+; and that the plat was prepared in accordance with G.S. 47-30 as amended.

REGARDING ORIENTATION AND CONTROL POINT COORDINATES:
I, JOSHUA A. MONTAZERI, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY
SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE
FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: CLASS 1
- (2) POSITIONAL ACCURACY: 1: 50,000+
- (3) TYPE OF GPS FIELD PROCEDURE: VRS-RTK
- (4) DATES OF SURVEY: SEPTEMBER 18, 2020
- (5) DATUM/EPOCH: NAD83/2011
- (6) PUBLISHED/FIXED—CONTROL USE: CORS
- (7) GEOID MODEL: NCGEOID 12B GRS80
- (8) COMBINED GRID FACTOR(S): 0.99995931
 (9) UNITS: US SURVEY FEET

I <u>JOSHUA A. MONTAZERI</u>, CERTIFY THAT THIS IS A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND, OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 24th. DAY OF SEPTEMBER, 2020.





CITY OF GRAHAM ANNEXATION APPROVAL

ANNEXATION APPROVED BY THE GRAHAM CITY COUNCIL ON THE _____ DAY OF _____, 2020. WITH AN EFFECTIVE DATE OF _____, PROVIDED THAT THE PLAT BE RECORDED WITHIN SIXTY DAYS OF FINAL APPROVAL.

BY MAYOR DATE

ATTEST CITY CLERK DATE

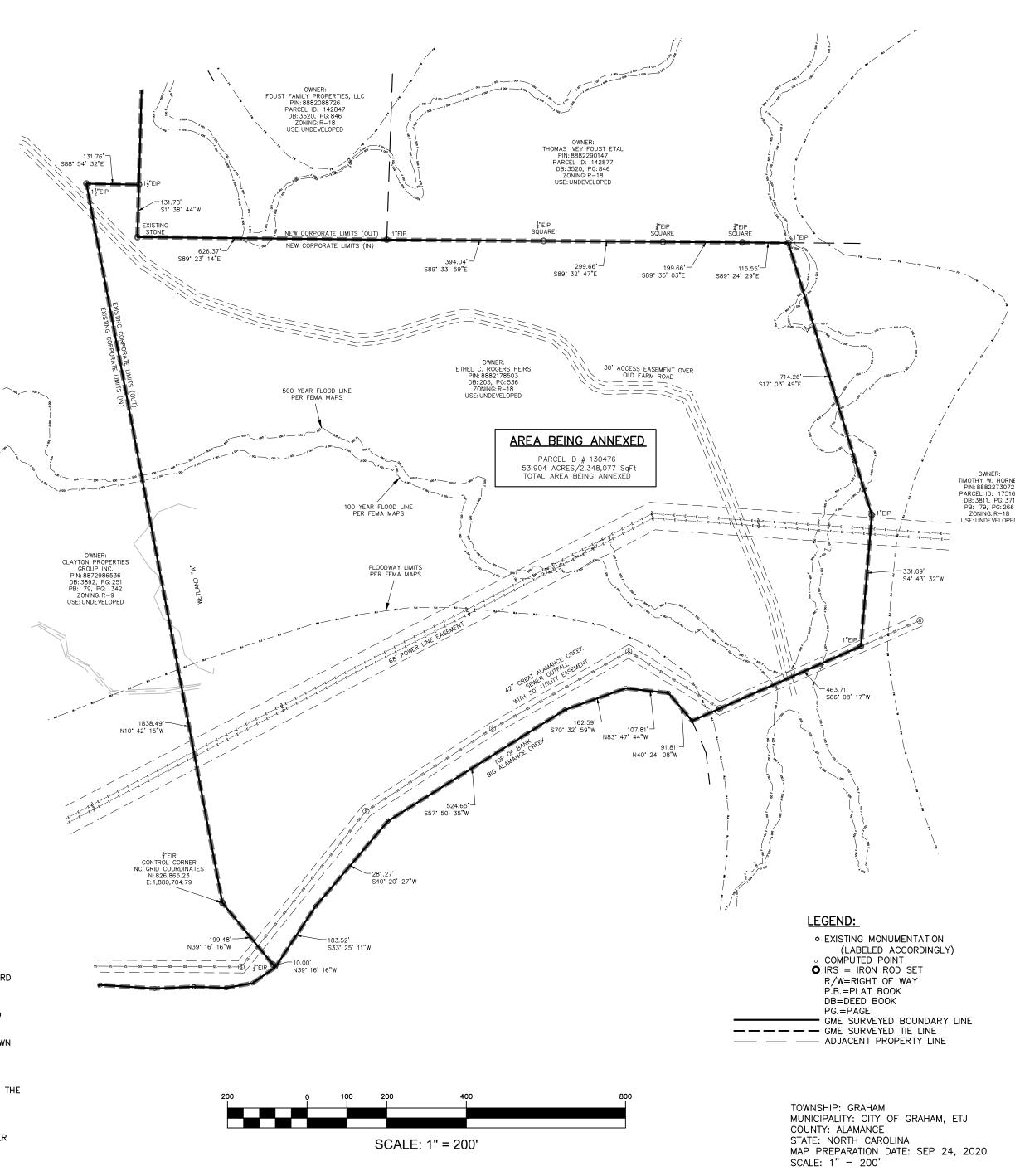
REVIEW OFFICER'S CERTIFICATE ALAMANCE COUNTY, NORTH CAROLINA

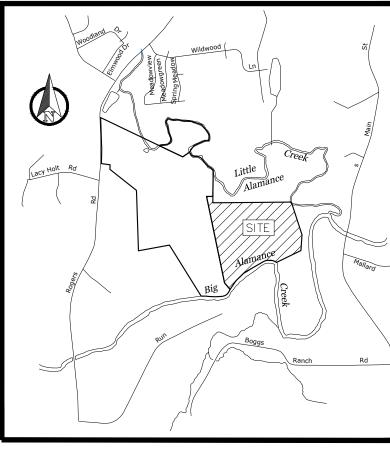
I, ______, REVIEW OFFICER OF ALAMANCE
COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS
CERTIFICATION IS AFFIXED MEETS ALL STATUTORY
REQUIREMENTS FOR RECORDING.

SIGNED: ______

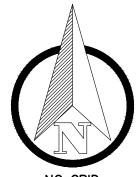
SURVEY NOTES:

- 1. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS, AGREEMENTS, OR RIGHTS—OF—WAY OF RECORD PRIOR TO THE DATE OF THIS MAP WHICH WERE NOT APPARENT AT THE TIME OF OUR FIELD INSPECTION.
- 2. THE SURVEYOR HAS NOT PERFORMED A TITLE SEARCH, THEREFORE, THIS MAP IS SUBJECT TO ANY AND ALL FACTS THAT AN ACCURATE TITLE SEARCH MAY DISCLOSE.
- 3. NO SUBSURFACE INVESTIGATION HAS BEEN DONE AT THIS TIME. UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM ACTUAL FIELD LOCATIONS AND/OR MAPS BY OTHERS.
- 4. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE INDICATED.
- 5. BEARINGS AROUND SUBJECT PROPERTY ARE ORIENTED TO THE BEARING BASE REFERENCE IN THE NORTH ARROW. ALL GRID BEARINGS ARE SO NOTED.
- 6. IRON PINS (#4 REBAR) SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
- 7. A PORTION OF THE SUBJECT PROPERTY DOES LIE WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA MAP # 3710887200K, 3710888300K, 3710887300K, 3710888200K, 3710888300K, DATED 11/17/2017.





VICINITY MAP SCALE: 1" = 2000'



NC GRID NAD 83, NSRS 2011

PROPERTY DATA:

- 1) DEED REFERENCE: DB 205, PG 536, PB 79, PG 266
- 2) PARCEL ID # 142862 2) PARCEL PIN # 8882178503
- 3) PROPERTY AREA: 53.904± ACRES
- 4) EXIST. NO. OF LOTS: 1 LOT
 5) CURRENT ZONING: R-18 (GRAHAM ETJ)
 6) CURRENT LAND USE: UNDEVELOPED
- 7) OWNER: ETHEL C. ROGERS HEIRS 1526 ROGERS ROAD GRAHAM, NC 27253
- 8) NO WETLANDS PERMITTING HAS BEEN UNDERTAKEN AT THIS TIME.

FINAL PLAT

CORPORATE LIMITS EXTENSION
CITY OF GRAHAM
TAX PARCEL ID # 142862



7A WENDY CT
GREENSBORO, NC 27409
Tel: 336.294.9394
CORPORATE CERTIFICATE #P-0826
www.greenmountainengineers.com

GME PROJECT # 20-039, ANNEXATION PLAT

ANNEXATION ORDINANCE

TO EXTEND THE CORPORATE LIMITS OF THE CITY OF GRAHAM, NORTH CAROLINA FOR A 53.90-ACRE TRACT OF LAND OFF MAYFIELD DRIVE (AN2301)

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 May 9, 2023, after due notice by publication on April 27, 2023; 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 May 9, 2023:

Legal Description GPIN#: 8882178503

Legal Description:

BEGINNING AT AN IRON PIPE FOUND LOCATED AT THE MOST SOUTH EASTERLY CORNER OF THE PARCEL DESCRIBED HEREON, BEING THE TRUE POINT OF BEGINNING, AND HAVING THE FOLLOWING NORTH CAROLINA STATE PLANE COORDINATES: NC NAD 83 N:82751.037 E:1882308.671 THENCE FOLLOWING TWENTY (20) COURSES: 1. SOUTH 66 DEGREES 09 MINUTES 09 SECONDS WEST FOR 433.73 FEET TO AN IRON PIPE FOUND;

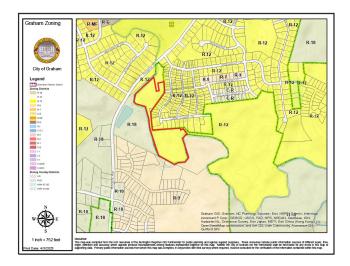
THENCE 2. SOUTH 65 DEGREES 56 MINUTES 09 SECONDS WEST FOR 29.97 FEET TO AN IRON REBAR SET; THENCE 3. NORTH 40 DEGREES 24 MINUTES 03 SECONDS WEST FOR 91.81 FEET TO AN IRON REBAR SET; THENCE 4. NORTH 83 DEGREES 47 MINUTES 39 SECONDS WEST FOR 107.81 FEET TO AN IRON REBAR SET; THENCE 5. SOUTH 70 DEGREES 33 MINUTES 04 SECONDS WEST FOR 162.59 FEET TO AN IRON REBAR SET; THENCE 6. SOUTH 57 DEGREES 50 MINNUTES 40 SECONDS WEST FOR 524.65 FEET TO AN IRON REBAT SET; THENCE 7. SOUTH 40 DEGREES 20 MINUTES 32 SECONDS WEST FOR 281.27 FEET TO AN IRON REBAR SET; THENCE 8. SOUTH 33 DEGREES 24 MINUTES 21 SECONDS WEST FOR 183.51 FEET TO AN IRON REBAR SET; THENCE 9. NORTH 39 DEGREES 22 MINUTES 49 SECONDS WEST FOR 9.69 FEET TO AN IRON REBAR FOUND; THENCE 10. NORTH 39 DEGREES 15 MINUTES 35 SECONDS WEST FOR 199.75 FEET TO AN IRON REBAR FOUND; THENCE 11. NORTH 10 DEGREES 42 MINUTES 17 SECONDS WEST FOR 1838.54 FEET TO AN IRON PIPE FOUND; THENCE 12. SOUTH 88 DEGREES 53 MINUTES 02 SECONDS EAST FOR 131.73 FEET TO AN IRON PIPE FOUND; THENCE 13. SOUTH 01 DEGREES 41 MINUTES 25 SECONDS WEST FOR 131.72 FEET TO A STONE MONUMENT FOUND; THENCE 14. SOUTH 89 DEGREES 23 MINUTES 52 SECONDS EAST FOR 626.58 FEET TO AN IRON PIPE FOUND; THENCE 15. SOUTH 89 DEGREES 31 MINUTES 11 SECONDS EAST FOR 393.59 FEET TO AN IRON REBA SET; THENCE 16. SOUTH 89 DEGREES 34 MINUTES 18 SECONDS EAST FOR 300.27 FEET TO AN IRON REBAR SET: THENCE 17. SOUTH 89 DEGREES 35 MINUTES 26 SECONDS EAST FOR 199.76 FEET TO AN IRON REBAR SET; THENCE 18. SOUTH 89 DEGREES 31 MINUTES 09 SECONDS EAST FOR 115.39 FEET TO AN IRON PIPE FOUND; THENCE 19. SOUTH 17 DEGREES 02 MINUTES 26 SECONDS EAST FOR 714.51 FEET TO AN IRON PIPE FOUND; THENCE 20. SOUTH 04 DEGREES 44 MINUTES 07 SECONDS WEST FOR 330.98 FEET TO SAID POINT OF BEGINNING. SAID PARCEL CONTAINS 2,348,038 SQUARE FEET OR 53.90 ACRES OF LAND, MORE OR LESS.

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



SUBJECT:	ANNEXATION OF 14.717 +/- ACRES OFF MEADOWVIEW DRIVE
PREPARED BY:	CAMERON WEST, PLANNER

Approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina for a tract of land totaling 14.717-acres located off Meadowview Drive.



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 off of Meadowview Drive and contains approximately 14.717 +- acres total. Water and sewer are located adjacent to this property within the Meadowview Drive right of way, and the applicants wish to tie onto the City's infrastructure.

FISCAL IMPACT:

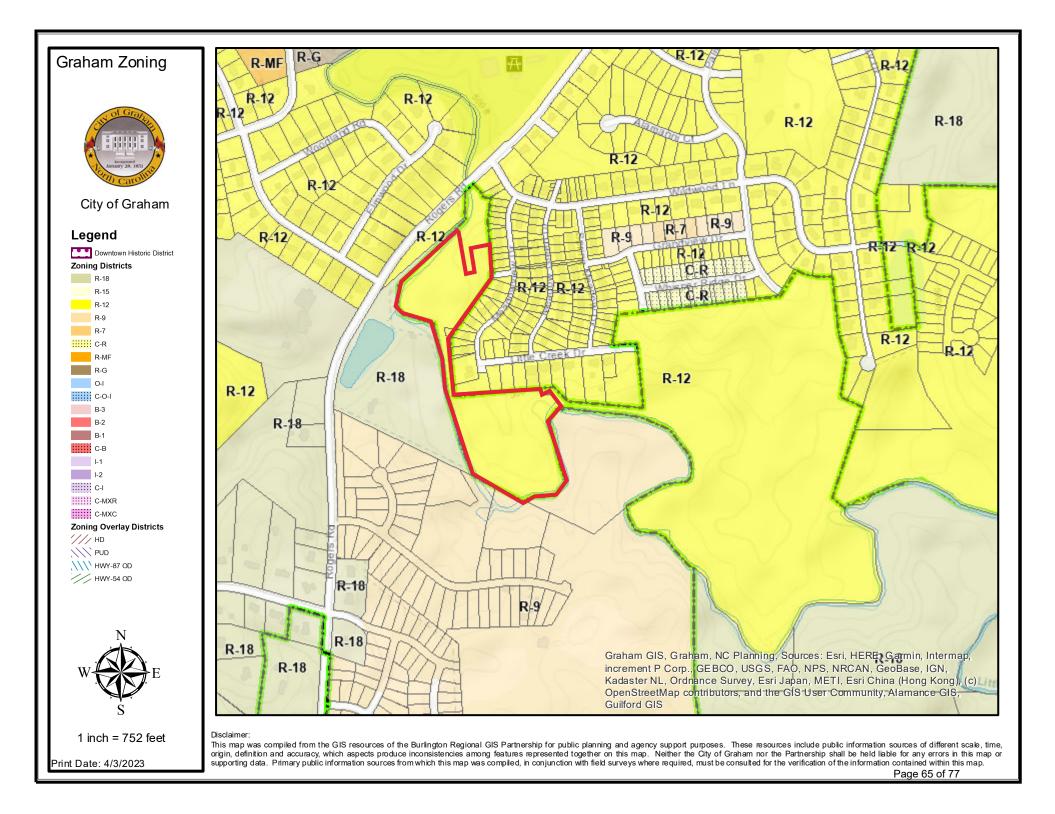
New residential property generally creates positive tax revenue for the City, and because the public services are being connected at this site, the cost to the City is minimal.

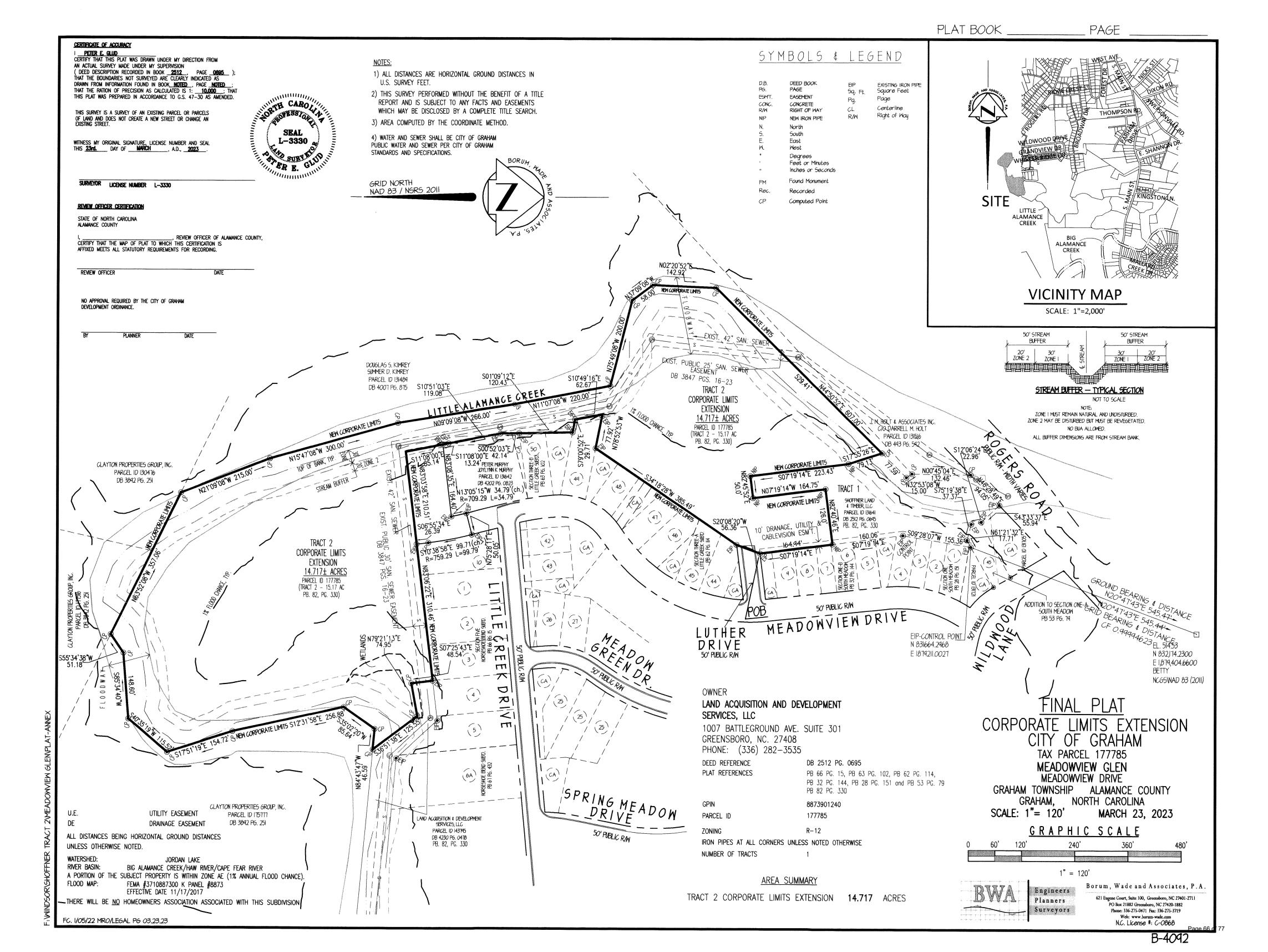
STAFF RECOMMENDATION:

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 14.717 (+/-) acres off of Meadowview Drive.





ANNEXATION ORDINANCE

TO EXTEND THE CORPORATE LIMITS OF THE CITY OF GRAHAM, NORTH CAROLINA FOR A 14.717-ACRE TRACT OF LAND OFF MEADOWVIEW DRIVE (AN2301)

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 May 9, 2023, after due notice by publication on April 27, 2023; 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 May 9, 2023:

Legal Description GPIN#: 8873901240

Legal Description:

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

BEGINNING at an existing iron pipe in the northwest terminus of Luther Drive, a 50' public right-of-way, said point being the southwest corner of common area of South Meadows Owners Association, Inc, either now or formerly as described in instrument recorded in Deed Book 659, Page 639 and shown on Plat Book 32, Page 144, in the Alamance County Registry, said point also being the following two (2) courses and distances from an existing iron pipe-control point, having NAD 83\2011 coordinates of, Northing = 831,664.2968 and Easting = 1,879,211.0027: (i) South 09 deg. 28 min. 07 sec. West 155.36 feet to an existing iron pipe; (ii) South 07 deg. 19 min. 14 sec. East 325.00 feet; and running thence from the Point of Beginning, along the western terminus of Luther Drive, South 20 deg. 08 min. 20 sec. West 56.36 feet to an existing iron pipe in the southwest terminus of Luther Drive and being the northwest corneage 67Loct 44,

Section Three A of Little Creek Subdivision, either now or formerly as described in instrument recorded in Plat Book 62, Page 114; thence along the western line of Lots 44 and 45 of Section Three A of Little Creek Subdivision and Lots 46-50 and common area of Section Three B of Little Creek Subdivision, either now or formerly as described in instrument recorded in Plat Book 63, Page 102, in the Alamance County Registry, the following five (5) courses and distances: (i) South 34 deg. 18 min. 28 sec. West 385.49 feet to an existing iron pipe; (ii) North 78 deg. 52 min. 53 sec. West 77.92 feet to an existing iron pipe; (iii) South 10 deg. 49 min. 16 sec. East 62.67 feet to an existing iron pipe; (iv) South 79 deg. 00 min. 52 sec. East 29.71 feet to an existing iron pipe; (v) South 01 deg. 09 min. 12 sec. East 120.43 feet to an existing iron pipe in the northwest corner of the common area of Section Three B of Little Creek Subdivision; thence continuing with the western line of the common area of Section Three B of Little Creek Subdivision and the western line of Peter Murphy and Joylynn K. Murphy, either now or formerly as described in instrument recorded in Deed Book 3750, Page 654, in the Alamance County Registry, and having parcel pin. 131642 ("The Murphy Property"), the following three (3) courses and distances: (i) South 00 deg. 52 min. 03 sec. East 42.14 feet to an existing iron pipe; (ii) South 10 deg. 51 min. 03 sec. East 119.08 feet to an existing iron pipe; (iii) South 11 deg. 08 min. 00 sec. East 13.24 feet to an existing iron pipe in the northwest corner of Land Acquisition and Development Services, LLC, either now or formerly as described in instrument recorded in Deed Book 4296, Page 890, in the Alamance County Registry, and having parcel pin. 177785 ("The Land Acquisition and Development Property"); thence with the western and southern lines of The Land Acquisition and Development Property, parcel pin. 177785, the following two (2) courses and distances: (i) South 11 deg. 08 min. 00 sec. East 85.14 feet to a point; (ii) North 83 deg. 03 min. 58 sec. East 210.51 feet to an existing iron pipe in the southwest corner of Lot 10, Section Five of Horseshoe Bend Subdivision, either now or formerly as described in instrument recorded in Plat Book 66, Page 15 in the Alamance County Registry; thence with the southern line of Lot 10 and Lots 1-3 of Section Five of Horseshoe Bend Subdivision, North 83 deg. 06 min. 22 sec. East 310.46 feet to an existing iron pipe in the northwest corner of Land Acquisition and Development Services, LLC, either now or formerly as described in instrument recorded in Deed Book 4230, Page 478, in the Alamance County Registry, and having parcel pin. 143795 ("The Land Acquisition and Development Property, parcel pin 143795"); thence with the western and southern lines of The Land Acquisition and Development Property, parcel pin. 143795, the following three (3) courses and distances: (i) South 07 deg. 25 min. 43 sec. East 48.54 feet to a point; (ii) North 79 deg. 21 min. 13 sec. East 74.95 feet to a point; (iii) South 36 deg. 51 min. 38 sec. East 125.55 feet to a point in the northern line of Clayton Properties Group, Inc., either now or formerly as described in instrument recorded in Deed Book 3892, Page 251, in the Alamance County Registry, and having parcel pin. 175777 ("The Clayton Properties Group Property, parcel pin 175777"); thence with the northern line of The Clayton Properties Group Property, parcel pin 175777, the following seven (7) courses and distances: (i) North 84 deg. 43 min. 47 sec. West 46.59 feet to a point; (ii) South 35 deg. 02 min. 20 sec. West 85.64 feet to a point; (iii) South 12 deg. 31 min. 58 sec. East 256.88 feet to a point; (iv) South 17 deg. 51 min. 19 sec. East 154.72 feet to a point; (v) South 40 deg. 35 min. 19 sec. West 115.52 feet to a point; (vi) South 85 deg. 34 min. 40 sec. West 148.60 feet to a point; (vii) South 55 deg. 34 min. 38 sec. West 51.18 feet to a point in the northern line of Clayton Properties Group, Inc., either now or formerly as described in instrument recorded in Deed Book 3892, Page 251, in the Alamance County Registry, and having parcel pin. 177516 ("The Clayton Properties Group Property, parcel pin 177516"); thence with the northern line of The Clayton Properties Group Property, parcel pin 177516 and The Clayton Properties Group Property, parcel pin 130476, North 63 deg. 52 min. 08 sec. West 357.06 feet to a point in the southeast corner of Douglas S. Kimrey and Summer D. Kimrey, either now or formerly as described in instrument recorded in Deed Book 4007, Page 875, in the Alamance County Registry, and having parcel pin. 131489 ("The Kimrey Property"); thence with the eastern line of The Kimrey Property, the following eight (8) courses and distances: (i) North 21 deg. 09 min. 08 sec. West 215.00 feet to a point; (ii) North 15 deg. 47 min. 08 sec. West 300.00 feet to a point; (iii) North 09 deg. 09 min. 08 sec. West 266.00 feet to a point; (iv) North 11 deg. 07 min. 08 sec. West 220.00 feet to a point; (v) North 75 deg. 49 min. 08 sec. West 200.00 feet to a point; (vi) North 37 deg. 09 min. 08 sec. West 58.00 feet to a point; (vii) North 02 deg. 20 min. 52 sec. East 142.92 feet to a point; (viii) North 44 deg. 50 min. 52 sec. East 529.41 feet to a point in the northwest corner of Shoffner Land and Timber, LLC, either now or formerly as 77

described in instrument recorded in Deed Book 2512, Page 695, in the Alamance County Registry, and having parcel pin. 131641 ("The Shoffner Land and Timber Property"); thence with the western and southern line of The Shoffner Land and Timber Property, the following five (5) courses and distances: (i) South 17 deg. 55 min. 26 sec. East 79.13 feet to a new iron pipe; (ii) South 07 deg. 19 min. 14 sec. East 223.43 feet to a new iron pipe; (iii) North 82 deg. 45 min. 52 sec. East 50.00 feet to a new iron pipe; (iv) North 07 deg. 19 min. 14 sec. West 164.75 feet to a new iron pipe; (v) North 82 deg. 40 min. 46 sec. East 126.00 feet to a new iron pipe in the western line of Lot 6, Section One-B, South Meadows Subdivision, either now or formerly as described in Plat Book 32, Page 144, in the Alamance County Registry; thence with the western line of Lots 6-9 and common area South 07 deg. 19 min. 14 sec. East 164.94 feet to the Point and Place of Beginning and containing 14.717 acres, more or less, as shown on that certain survey entitled "Meadow Glen" prepared by Borum, Wade and

or less, as shown on that certain survey entitled "Meadow Glen" prepared by Borum, Wade and Associates, P.A. dated March 23, 2023.

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



SUBJECT:	AMEND SEC. 20-3- RECORDS CLERKS-APPOINTMENT IN THE CODE OF ORDINANCES
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

Amend Sec. 20-3- Records Clerks-Appointment in the Code of Ordinances.

BACKGROUND/SUMMARY:

Staff is seeking to amend the Code of Ordinances pertaining to the hours required for a records clerk to be on duty. While this ordinance served a purpose before technology and new procedures were enacted, it has proven to be antiquated and inefficient in today's operations. Staff is proposing requiring an employee to be present during normal business hours.

FISCAL IMPACT:

The costs associated with an around-the-clock presence would be reduced if changed to normal business hours

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move to approve the Ordinance amendment to CHAPTER 20- TRAFFIC AND VEHICLES, ARTICLE I- IN GENERAL of the Code of Ordinances to amend Sec. 20-3- Records Clerks-Appointment to change hours to normal business hours.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAHAM, AMENDING CHAPTER 20, ARTICLE I, SEC. 20-3 TO THE CODE OF ORDINANCES OF THE CITY OF GRAHAM, NORTH CAROLINA

The City Council of the City of Graham, North Carolina, does ORDAIN:

Sec. 1. That the Code of Ordinances, City of Graham, North Carolina, is hereby amended by amending Section(s) 20-3 which said sections read as follows:		
Chapter 20 – TRAFFIC AND VEHICLES		
ARTICLE I. – IN GENERAL		
Sec. 20-3 Records clerks—Appointment.		
The chief of police shall designate or appoint a sufficient number of records clerks so that there shall be on duty at the police station one records clerk at all times during normal business hours. The records clerk on duty at the time, when any violator of a section of this chapter appears before him, shall deal with the violator and his citation in accordance with the provisions of this chapter, being careful to make it appear to said violator that the procedure under this chapter is wholly for the convenience of the violator, that he is at perfect liberty to decline to be dealt with under this chapter and to have his matter presented to the district court, and that his case will, in no manner whatsoever, be prejudiced by reason of his unwillingness to have the matter dealt with hereunder.		
Sec. 2. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication, as provided by law and all ordinances in conflict herewith are hereby repealed.		
This the 9 th day of May 2023.		
Jennifer Talley, Mayor ATTEST:		
Renee M. Ward, City Clerk		



SUBJECT:	ADVISORY BOARD CODE OF CONDUCT
DREDARED DV	A A D ON THOU I AND A GOLOHANIH CHINANA CID
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

Adopting an Advisory Board Code of Conduct for all boards and commissions.

BACKGROUND/SUMMARY:

In an effort to better align the code of conduct that's expected from our volunteer boards and commissions, Council Member Whitaker requested at the April Council meeting to submit language proposed from the Appearance/Tree Board for legal review. The following language has been reviewed and requested to be considered as guidance for all boards and commissions.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move to approve adopting the following Advisory Board Code of Conduct for all boards and commissions.

City of Graham

Advisory Board Code of Conduct

The purpose of this Code of Conduct is to establish guidelines for ethical standards of conduct for Board Members and to help determine what conduct is appropriate in particular cases. It should not be considered as a substitute for the law or for a member's best judgment.

Without the dedication of the many volunteers who serve and contribute countless hours as board, commission, and committee members, the City would be unable to function. These volunteers help to make the City of Graham a great place to live, work, and play. Citizen knowledge, interest, and action are important ingredients to the delivery of top-quality public services. More than ever, citizen participation is playing an important role in local government. The richness that comes from citizens serving on a City board, commission, or committee is one of the things that makes Graham exceptional.

Being a member of a City board, commission, or committee (herein "Board") requires work and commitment, and it is intended to be a very rewarding experience. It also offers a means to participate in community affairs and to work with new people.

Relationship with City Staff

The staff liaisons to the Council appointed bodies are valuable resources. They conduct research and provide relevant information that enhances a body's ability to accomplish business before the board. Staff is available to answer questions and follow-up on items brought before the board. Appointed members should be aware of the time involved on the part of staff in preparing studies and reports, and should make sure that all staff requests are consistent with the board's approved work program. Individual board members cannot direct the work of staff liaisons.

Relationship with Fellow Committee Members

Cooperation among fellow board members plays an important role in the successful efforts of City

boards. In order to build consensus around common goals and objectives, board members should first show a willingness to objectively define the issues at hand and then work to reconcile opposing viewpoints. When appointed members interact positively, the group as a whole will be more effective. Important points to keep in mind in working with other appointed members are:

- 1). Respect an individual's viewpoint, even though it may be different from your own.
- 2). Allow other members adequate time to present their views before making comments.
- 3). Be open and honest.
- 4). Welcome new members and help them become acquainted with their board.
- 5). Accept responsibility, voice opinions, be fair and factual.

Relationship with the Public

Good relations with the public are vital for all City boards. In many cases, each body serves as a link between the City Council and the public, helping to inform the public, reconcile opposing viewpoints, and explain City programs and policies. Appointed members should welcome citizen input at meetings and be considerate of all interests, attitudes, and differences of opinion. Each board provides a channel for citizen expression by listening to comments, opinions, and concerns from the public; therefore, it is important to be responsive and in tune with the community.

Training for Appointed members

Continuing education to further one's knowledge of the various issues that face the City of Graham is essential to serving the public interest. Appointed members are encouraged to attend conferences and workshops, read relevant publications, and utilize other opportunities for personal and professional training that will bring new ideas into the community.

General Guidelines for Appointed Members

- 1). Understand the role and responsibility of the board and be informed of its functions, work programs, and relationship with other bodies.
- 2). Represent the overall public good, not the exclusive point of view of a sole group or interest.
- 3). Keep all lines of communication open. Each appointed member serves as a communication link between the community, the Council, and staff.

- 4). Do your homework and be prepared. Appointed members should become familiar with items under consideration prior to meetings in order to be fully prepared to discuss, evaluate, and act on matters scheduled for consideration. Feel free to seek staff's advice and assistance in advance of a meeting.
- 5). Establish a good working relationship with fellow appointed members, the City Council, and your staff liaison.
- 6). Understand the scope and authority or your board's responsibility and strive to work within that scope.
- 7). Follow the chain of command by contacting the Chairman and Staff Liaison for questions, concerns, and issues. All communication should be focused on work product and not personal character assessments.
- 8). Be a participant, an active representative, and enthusiastic.
- 9). Conduct yourself with politeness and courtesy with City staff and fellow committee members in public and by electronic communication.
- 10). Act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:
 - Adhering firmly to a code of sound values
 - Exhibiting trustworthiness
 - Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner
 - Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others
 - Treating other Board Members and the public with respect and honoring the opinions of others even when the board members disagree with those opinions
 - Showing respect for their offices and not behaving in ways that reflect badly on those offices
 - Recognizing that they are part of a larger group and acting accordingly

Expectations of Board Members

Board members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

Board Members should meet attendance expectations and be prepared for all meetings.

Board Members should be willing to bear their fair share of the body's workload. To the extent appropriate, they should be willing to put the City's interests ahead of their own.

Compliance with Open Meetings Law

Board Members should conduct the affairs of the Board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to them or City employees.

Board Members, who act in a quasi-judicial capacity, should disclose contacts and information about issues that they receive outside of public meetings about quasi-judicial matters outside of the quasi-judicial proceedings themselves.

In order to ensure strict compliance with the laws concerning openness, the Mayor and City Council have made it clear that an environment of transparency and candor is to be maintained at all times in the governmental unit.

Sanctions

Following the review of an allegation against a Board Member pursuant to a violation of this Code of Conduct, the City Council, after written notice and opportunity to be heard and address concerns raised about a Board Member's conduct, retains the right to remove a member in its sole discretion.

ACKNOWLEDGEMENT OF RECEIPT

Code of Ethics for Citizen Advisory Board Members of the

City of Graham, North Carolina

On the date written below, I received the "Advisory Board Code of Conduct for the City of Graham, North Carolina". I acknowledge this policy contains basic information related to serving as a volunteer on a City board, commission, or committee.

I understand that I am responsible for reviewing the contents of this policy and asking questions if I do not understand any part of it.

By signing below, I agree to abide by the policy listed above and hereby acknowledge my responsibilities as a Board Member.

NAME:	DATE:
ADVISORY BOARD:	
SIGNATURE:	

(A signed copy of this form will be maintained in the City Clerk's Office once appointed to serve.)