

City of Graham City Council Meeting Agenda February 11, 2025



The City Council of the City of Graham held a regularly scheduled meeting on February 11, 2025, at 6:00 p.m. in the Council Chamber, City Hall Municipal Building, 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

CALL TO ORDER: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Steven Boone of Guiding Light Church gave the invocation, and all stood for the Pledge of Allegiance.



Chief Kristi Baker

REPORT: North Carolina League of Municipalities – Joseph Graziano – Graham Police Department Risk Assessment Results

Mr. Graziano presented the Graham Police Department with the Law Enforcement Risk Management Award. Only 90 of 250 applicants completed the requirements.

CONSENT AGENDA:

- A.** To approve the January 14, 2025, City Council Meeting and Closed Session Minutes.
- B.** To approve a resolution authorizing the conveyance of a 2009 Honda Motorcycle, a 2010 Chevrolet Impala, a 2011 Ford Crown Victoria, and a 2011 Ford Crown Victoria to Alamance Community College Pursuant to G.S. 160A-274.

RESOLUTION AUTHORIZING CONVEYANCE OF A 2009 HONDA MOTORCYCLE, 2010 CHEVROLET IMPALA, 2011 FORD CROWN VICTORIA, 2011 FORD CROWN VICTORIA TO ALAMANCE COMMUNITY COLLEGE PURSUAN TO G.S. 160A-274.

WHEREAS, the City of Graham owns:

- 2009 Honda Motorcycle (Inventory #587, VIN# JH2SC51759K600322)
- 2010 Chevrolet Impala (Inventory #158, VIN# 2G1WDSEM4A1170920)
- 2011 Ford Crown Victoria (Inventory #160, VIN# 2FABP7BV5BX148855)
- 2011 Ford Crown Victoria (Inventory #162, VIN# 2FABP7BV9BX148857)

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 a 2009 Honda Motorcycle, a 2010 Ford Chevrolet Impala, a 2011 Ford Crown Victoria, and a 2011 Ford Crown Victoria to Alamance Community College and deems it wise to do so for no consideration; and

WHEREAS, the City of Graham has determined that donating the 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:
 - 2009 Honda Motorcycle (Inventory #587, VIN# JH2SC51759K600322)
 - 2010 Chevrolet Impala (Inventory #158, VIN# 2G1WDSEM4A1170920)
 - 2011 Ford Crown Victoria (Inventory #160, VIN# 2FABP7BV5BX148855)
 - 2011 Ford Crown Victoria (Inventory #162, VIN# 2FABP7BV9BX148857)
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 as this Resolution authorized.

Adopted this 11th day of February 2025.

- C.** To approve a request for the 5th Annual Esperanza Hispanic Heritage Festival on Sunday, September 28, 2025, and the closure of the 100 block of W. Elm Street and the parking lot located next to Roasted Coffee Depot from 8 a.m. to 11 p.m.
- D.** To approve a resolution appointing Assistant City Manager Aaron Holland as the City of Graham's Finance Officer to comply with the Local Government Budget and Fiscal Control Act.

**RESOLUTION APPOINTING A FINANCE OFFICER
CITY OF GRAHAM, NC**

WHEREAS, North Carolina General Statutes §159-24 specifies and directs that each local government shall appoint a Finance Officer to hold office and carry out the duties as prescribed by law; and

WHEREAS, North Carolina General Statutes §159-25 outlines the specific duties of the Finance Officer of a local government; and

WHEREAS, North Carolina General Statutes §159-28(a) requires the Finance Officer or Deputy Finance Officer to sign all purchase orders, contracts, or agreements, which includes a certificate stating that the instrument has been pre-audited to verify sufficient funds exist to meet the obligation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Graham does hereby designate and appoint **Aaron T. Holland, Assistant City Manager**, as Finance Officer to comply with the Local Government Budget and Fiscal Control Act; and be that the Finance Officers are hereby designated as authorized signers on behalf of the City and have authority to sign and pre-audit financial documents such as purchase orders, contracts, or agreements which a certificate stating that the instrument has been pre-audited to verify sufficient funds exist to meet the obligation.

Adopted, this the 11th day of February 2025.

- E.** To accept the donation of a custom kitchen table for the Graham Fire Department at an estimated value of \$10,000.
- F.** To approve the Mid-Year Report and tax releases in the amount of \$35.15.

Motion by Mayor Pro Tem Hall to approve the consent agenda, seconded by Council Member Parsons. The motion passed unanimously.

PUBLIC HEARINGS:

ITEM 1: REZONING – 6.27 ACRES – Off IVEY ROAD AND EAST GILBREATH STREET

A public hearing was continued to consider rezoning 6.27 acres of property from R-18, Low-Density Residential, to C-R, Conditional Residential, to construct 29 townhomes located off Ivey Road and East Gilbreath Street. (Planning Board Recommended Approval 5-0 with conditions) (Continued from the January 14, 2025, Council meeting) (Petitioner has requested to table the rezoning)

Assistant City Manager Aaron Holland stated the petitioner requested to table the rezoning at the April 8, 2025, City Council meeting.

Motion by Council Member Whitaker to table the rezoning of 6.27 acres of property from R-18, Low-Density Residential, to C-R, Conditional Residential, to construct 29 townhomes located off Ivey Road and East Gilbreath Street to the April 8, 2025, Council meeting, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 2: REZONING – .18 ACRE – CHASE STREET

A public hearing had been scheduled to consider rezoning a .18-acre lot on Chase Street from R-18, Low-Density Residential, to R-7, High-Density Residential, to construct a home.

(Planning Board Recommended Approval 4-2) (Petitioner has requested to withdraw the rezoning)

Motion by Council Member Chin to withdraw the rezoning request, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

OLD BUSINESS:

ITEM 3: ROAD CLOSURE FOR GRAHAM RECREATION AND PARKS PROGRAMS – DOWNTOWN GRAHAM – SLICE OF SUMMER

City Council considered approving road closures for the Graham Recreation Department Program Slice of Summer event in Downtown Graham.

City Council was asked to consider one of the following two options:

- 1) **Saturday, June 28, 2025, 4:00 pm – 8:00 pm** - Block designated parking spaces (those where hoses need to be run for the attractions from hydrants, roughly 30 spaces) beginning at 8:00 am and completely close the 100 Blocks of North and South Main Streets & East and West Elm Streets from 2:30 pm-9:00 pm—no rain date.
- 2) **Saturday, June 28; Event Time: 3:00 pm – 7:00 pm** - Block designated parking spaces (those where hoses need to be run for the attractions from hydrants, roughly 20 spaces) beginning at 8:00 am and completely close the 100 and 200 Blocks of West Elm Street, and 100 Blocks of North and South Maple Street from 1:30 pm – 8:00 pm—no rain date.

Ms. Emma Griffin, Program Supervisor, Recreation and Parks, stated option one closures would be the blocks around Court Square, which was the historical location until last year. She stated option two closures would be the 100 and 200 blocks of West Elm Street and the 100 blocks of North and South Maple Street, which are two different locations.

City Manager Megan Garner stated that this item was tabled last month, and Recreation was prepared to move in any direction the City Council desired. Staff was seeking direction on the location so plans could be made to notify businesses and retain vendors.

Mayor Talley asked for anyone who would like to speak on this matter.

Mr. Daniel Alvis, 101 North Maple Street, stated these events would kill his business, especially if Maple Street were closed in front of his business.

Ms. Brittany DiStefano, representing Sandy & Company, 142 North Main Street, and Amy Wilkinson, representing the Main Line, 134 S Main Street, stated last year that they expressed how many of the businesses on Main Street were hurt and proposed options to move the event to a different street or a park. She said they compromised with Recreation last year by moving it to Elm Street. She stated that their businesses were able to stay open the entire time. She suggested they would be willing to compromise on holding the event on a Sunday if held on Elm Street.

Ms. Amy Wilkinson, Main Line, said she agreed with Ms. DiStefano and that she and Cheryl Rich, also of Sandy & Company, had taken the time to create a survey and visited several businesses to listen to them and hear what they had to say. She shared that out of 24 businesses, one said they wanted it on Main Street, and one business was neutral. She said that communication was lacking when events were being planned and that no one was truly listening to the businesses. She also suggested it to be on a Sunday.

Mayor Talley read a note from Marissa, The Verdict, that they would like to keep the event on Maple Street and Elm Street.

Ms. Renee Russell, 64 Harvard, stated her business was on Harden Street and that she did not make money during this event. She suggested having the event at a park.

Council Member Chin asked if the event could be held in a park.

Ms. Griffin Emma stated it would be great to hold the event in a park. However, the parks are not set up for drainage due to the amount of water, the lack of fire hydrants, level ground, and parking. She stated they could make West Elm and Maple Street work, but it could change the scope of the event. She shared that Graham prides itself on unique events not offered in our county or the counties around us.

After a lengthy discussion, Mayor Talley suggested 100 blocks of Maple and 100 blocks of West Elm, leaving open Maple Street North in front of Maple Street Tavern and C and Z Grill on Saturday, June 28, 2025, 3-7:00 pm. She also asked Ms. Griffin to contact The Graham Mill to see if any weddings are planned.

Motion by Mayor Talley to approve a road closure for Saturday, June 28, 2025, from 3 to 7:00 pm, blocking designated parking spaces (those where hoses need to be run for the attractions from hydrants, roughly 20 spaces) beginning at 8:00 am and completely closing the 100 and 200 Blocks of West Elm Street, and 100 Blocks of North and South Maple Street from 1:30 pm – 8:00 pm—no rain date, seconded by Council Member Chin, opposed by Mayor Pro Tem Hall. Motion carried 4-1.

NEW BUSINESS:

ITEM 4: ALAMANCE ARTS – COLLABORATIVE ARTS PARTNERSHIP

City Council received a report from Executive Director Tammy Cobb of Alamance Arts.

Ms. Cobb shared that Alamance Arts was a non-profit organization and shared its recent event, The Life and Art of Charles Shultz; the event lasted ten weeks, 16 states were represented, over 70 North Carolina zip codes were covered, and foot traffic increased by 40%. She shared they would like to continue to provide meaningful experiences to residents and visitors with the financial support of the City of Graham. She introduced the Board Treasurer, John Robinson.

Ms. Cobb shared a three-part request:

- 1) To make Alamance Arts the designated Arts organization for the City of Graham.
- 2) Sustained financial/operational support from funds available through the City of Graham, specifically occupancy tax revenue.
- 3) Consider the potential for a three-day cross-county Alamance Arts and Cultural Festival to make Alamance County a tourist destination.

Mayor Talley asked the City Manager to determine if occupancy tax dollars could be specified for a non-profit organization.

After discussions, Mayor Pro Tem Hall stated the Council would take this under advisement.

Mayor Talley thanked Ms. Cobb for her presentation and said they would take it under advisement. No action was taken.

ITEM 5: APPOINTMENTS – CANINE REVIEW BOARD

City Council considered appointments to the Canine Board.

- 1) Stephanie Brinn – Reappointment
- 2) Daphne Younger – Reappointment
- 3) Pamela Makhoul – Recommendation to the Humane Society

City Manager Megan Garner asked to table the appointments for the March 11, 2025, Council meeting. One individual who previously served on the Canine Review Board has since moved out of Graham.

Motion by Mayor Pro Tem Hall to table the appointments to the March 11, 2025, Council meeting, seconded by Council Member Chin. The motion passed unanimously.

PUBLIC COMMENT PERIOD

Ms. Angela Dobbins, Brian Isley, and Steve Shoffner voiced concerns about an upcoming rezoning on Nicks Street. Planning Staff will contact them about the rezoning and the process to share their concerns.

CITY STAFF COMMENTS

Assistant City Manager Holland shared complaints that the staff received regarding the lake buffer zones and asked that the staff, along with the attorneys, review the ordinance, add stronger language and penalties, and bring it back to the Council for consideration.

The Council's consensus was to allow staff to bring back language amending the Code of Ordinances regarding the lake buffer zones as mandated by the State.

CITY COUNCIL COMMENTS

Council Member Whitaker asked staff to replace the stop sign in the public parking area.

CLOSED SESSION:

City Council went into closed session pursuant to the terms of N.C.G.S. 143-318.11(a)(3) to consult with an attorney employed or retained by the public body to preserve the attorney-client privilege between the attorney and the public body. The closed session is for two separate legal matters, one of which is Cone Commercial vs. City of Graham, 23 CVS 1909.

Mayor Talley asked to be recused from the first legal matter.

Motion by Mayor Pro Tem Hall to allow Mayor Talley to be recused from the first legal matter, seconded by Council Member Whitaker. The motion passed unanimously.

The closed session was held.

Mayor Pro Tem Hall motioned to return to open session, seconded by Council Member Chin. The motion passed unanimously.

Motion by Council Member Whitaker to release to the public a survey made for property located between 103 North Main Street and 109 North Main Street, seconded by Council Member Chin. The motion passed unanimously. (Mayor Talley did not vote.)

Mayor Pro Tem Hall motioned to allow Mayor Talley to return to open session, seconded by Council Member Whitaker. The motion passed unanimously.

Motion by Council Member Whitaker in the matter of the Consent Order in the Cone Commercial Real Estate Investments, LLC v. City of Graham, case#23CVS1909 Alamance County Clerk's Office, to release Cone Commercial Real Estate Investments, LLC from any restriction on the use of the property owned by Martin Properties ACNC, LLC as the result of the Consent Order entered by the Superior Court granting the Special Use Permit for said property. I further direct and authorize the City Attorneys to cause a joint motion along with Cone Commercial Real Estate Investments, LLC, to be filed with the said Court and take all necessary actions to set aside and otherwise vacate the Consent Order entered in this case, as the same is now moot and unnecessary, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ADJOURN

Motion by Council Member Chin to adjourn, seconded by Mayor Pro Tem Hall. The motion passed unanimously. The meeting adjourned at 8:19 p.m.

Renee M. Ward, CMC
City Clerk