

City of Graham

City Council Meeting Agenda

March 11, 2025



The City Council of the City of Graham held a regularly scheduled meeting on March 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 - *Absent*
 Renee Ward, City Clerk

CALL TO ORDER: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE

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

PROCLAMATION: Arbor Day – April 25, 2025

CONSENT AGENDA:

- A. To approve the February 11, 2025, City Council Meeting and Closed Session Minutes.
- B. To approve a request to close the 100 Block of E. Elm Street on Saturday, May 3, 2025, for the Big C Community Christian Concert from 7:00 am to 8:00 pm (including setup and cleanup).
- C. To approve Capital Fire Protection, LLC as the selected vendor for a three-year contract for fire extinguisher inspections, testing, and maintenance services.
- D. To approve a budget amendment to recognize \$34,885 in insurance proceeds revenue for a damaged police vehicle and increase the Police Department Capital Outlay budget by \$34,885.

CITY OF GRAHAM					
BUDGET AMENDMENT ORDINANCE					
2024-2025					
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT					
THE 2024 - 2025 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:					
Section 1.					
EXPENDITURES					
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Police Department - Capital Outlay	156,050.00	190,935.00	34,885.00		34,885.00
	156,050.00	190,935.00	34,885.00	-	34,885.00
Section 2.					
REVENUES					
	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
General Fund - Insurance Proceeds	13,249.00	48,134.00	34,885.00		34,885.00
	13,249.00	48,134.00	34,885.00	-	34,885.00
Adopted this 11th day of March 2025.					

- E. To approve a budget amendment in the amount of \$25,000 in Federal Drug Forfeiture Revenue to the Federal account balance to assist with the purchase of a police vehicle and required equipment.

CITY OF GRAHAM					
BUDGET AMENDMENT ORDINANCE					
2024-2025					
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT					
THE 2024 - 2025 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:					
Section 7.					
CAPITAL PROJECTS AND OTHER SPECIAL FUNDS					
REVENUES	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Federal Drug Fund Balance	75,000.00	100,000.00	25,000.00		25,000.00
	75,000.00	100,000.00	25,000.00	-	25,000.00
Section 7.					
CAPITAL PROJECTS AND OTHER SPECIAL FUNDS					
EXPENDITURES	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Federal Drug Funds - Capital Outlay Equipment	\$0.00	\$25,000.00	25,000.00		25,000.00
	-	25,000.00	25,000.00	-	25,000.00
Adopted this 11th day of March 2025.					

- F. To approve an amendment to the audit contract with Stout, Stuart, McGowen & King to allow a time extension to May 31, 2025.
- G. To approve a Capital Project Ordinance for \$500,000 for the Emerging Contaminant Study.

**CAPITAL PROJECT ORDINANCE
EMERGING CONTAMINANTS STUDY PROJECT**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is hereby adopted:

- Section 1.

The authorized project is the Emerging Contaminants Study Project.
- Section 2.

The officials of the City of Graham are hereby directed to proceed with this project within the terms of the project. Staff is authorized to execute change orders within the budget ordinance.
- Section 3.

The following revenues are anticipated to be available to the City to complete the project:

Revenue (DWSRF-EC Principal Forgiveness Loan)	<u>\$500,000</u>
TOTAL	\$500,000
- Section 4.

The following amounts are appropriated for this project:

Engineering Services	<u>\$500,000</u>
TOTAL	\$500,000
- Section 5.

The Finance Director shall report on the financial status of this project as directed by the City Council and will inform the Council of any unusual occurrences.

- Section 6. Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project.
- Section 7. This ordinance shall take effect upon passage.

Adopted this the 11th day of March 2025.

H. To approve tax releases totaling \$618.42.

CITY OF GRAHAM RELEASE ACCOUNTS				
MARCH				
ACCT #	YEAR	NAME	REASON FOR RELEASE	AMOUNT RELEASED
1048	2024	COUSINS, BARBARA H HEIS	QUALIFIED FOR HOMESTEAD EXEMPTION	\$404.88
17019	2024	MARSH FURNITURE	BILLED TO WRONG DISTRICT - S/B BURLINGTON	\$2.77
17020	2024	MARSH FURNITURE	BILLED TO WRONG DISTRICT - S/B BURLINGTON	\$5.91
17021	2024	MARSH FURNITURE	BILLED TO WRONG DISTRICT - S/B BURLINGTON	\$136.84
17022	2024	MARSH FURNITURE	BILLED TO WRONG DISTRICT - S/B BURLINGTON	\$48.74
17023	2024	MARSH FURNITURE	BILLED TO WRONG DISTRICT - S/B BURLINGTON	\$19.28

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

NEW BUSINESS:

ITEM 1: STREET CLOSURE – TOUCH A TRUCK EASTER CELEBRATION – APRIL 5, 2025

City Council considered a request to close East Market Street between North Main Street and North Marshall Street from 9:30 am to 3:30 pm for the First United Methodist Church Touch-A-Truck Easter Celebration on Saturday, April 5, 2025.

Assistant City Manager Aaron Holland stated the events committee had approved the event.

Motion by Mayor Pro Tem Hall to approve closing East Market Street between North Main Street and North Marshall Street from 9:30 a.m. to 3:30 p.m. for the First United Methodist Church Touch-A-Truck Easter Celebration on Saturday, April 5, 2025, seconded by Council Member Chin. The motion passed unanimously.

ITEM 2: ORDINANCE AMENDMENT – CHAPTER 12 – ARTICLE I - IMPEDING PUBLIC RIGHTS OF WAY

City Council considered an Ordinance amendment adding Section 12-17: Blocking or impeding street or highway, public sidewalk, and public passageway access to Chapter 12-Offenses and Miscellaneous Provisions, Article I: In General, Division I: Generally.

City Manager Garner asked to table the amendment to the April 8, 2025 City Council meeting.

Motion by Council Member Whitaker to table this ordinance amendment to the April 8, 2025, Council meeting, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

Mr. Jason Black, 24 North West Court Square, spoke in favor of the ordinance and asked staff to put out traffic barrels to deter people from setting up on the brick wall of the Sesquicentennial Park.

ITEM 3: ORDINANCE AMENDMENT – CHAPTER 14 - ARTICLE III – PUBLIC USE OF GRAHAM-MEBANE LAKE

City Council will consider an Ordinance amendment of Chapter 14, Article III, Section 14-127 and adding Section 14-130 regarding public use of the Graham-Mebane Lake.

Assistant City Manager Holland shared residents were clearing more vegetation than allowed at the lake and asked the Council to consider increasing the penalty to \$500 for violations. He shared this was the City's drinking water source, and it needed to be protected.

Brian Faucette, Recreation and Parks Director, shared that no homeowner owned property near the lake's shoreline, and a handful of property owners were in violation. He shared it was a state law that you could not cut any vegetation near the lake's shoreline, mainly if it is used for drinking water. He stated all residents would receive a notice informing them of the stiffer fines for violations if adopted.

Mayor Talley stated that some may not have known you could not cut vegetation down to the lake's shoreline.

Council Member Whitaker suggested starting with \$500 and potentially increasing the penalty for second and third offenses.

City Manager Garner stated that if changes are adopted tonight, staff would notify property owners of the action and the associated civil penalties.

Motion by Council Member Whitaker to approve the ordinance amendment to Chapter 14, Recreation and Parks, Article III, Public Use of Graham-Mebane Lake, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 4: APPOINTMENTS – CANINE REVIEW BOARD

City Council considered making appointments and a recommendation to the Canine Review Board.

- 1) Daphne Younger – Request Reappointment
- 2) Dr. Shannon Donoho – New Applicant
- 3) Zachary Adner – New Applicant
- 4) Pamela Makhoul – Recommendation to the Humane Society

City Manager Garner stated this board consists of one appointee from the Human Society or Animal Services and two appointees by the City Council.

Keith Westbrook, 604 Trockwilder Court, Graham, spoke in favor of appointing Daphne Younger to the Canine Review Board.

Mayor Talley motioned to reappoint Daphne Younger, appoint Dr. Shannon Donoho, and recommend Pamela Makhoul to the Canine Review Board, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

PUBLIC COMMENT PERIOD

Mr. Braeburn Hilliard, 723 Larry Avenue, Graham, spoke about junk cars on Larry Avenue and Parker Street. He shared that the vehicles had been left parked on the road with expired tags and asked for help to remove them.

Mr. Rubin Klonga, 141 E Harden Drive, spoke about adding four alcohol vendors to the Arts Around the Square Festival.

City Manager Garner stated that since Arts Around the Square was a City Council-led initiative, it would be up to the Council to determine if alcohol vendors were permitted to participate in the event. If so, she requested a motion or consensus so staff knew how to proceed. She stated that right now, there is nothing to prevent alcohol vendors from participating.

Mr. Ben Farrar, 180 Granite Mill Drive, asked the Council to allow alcohol vendors at the Arts Around the Square Event. He shared there would be a designated place for consuming alcohol but would like it to be located where the bands are set up.

The Council took a five-minute recess.

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

Council Member Whitaker asked to keep alcohol in a certain area because Graham was not a social district and to have signs that read "No alcohol beyond this point."

Mayor Talley asked that this request go through the events application process and return in April for a decision.

The Council consensus was to defer to staff and bring it back at the April 8, 2025 Council meeting.

Mr. Tom Boney, Alamance News, asked the Council to check with the Attorneys because he was unsure whether what he heard from the Council would be legal under North Carolina ABC laws or whether it would be legal to serve in a designated place.

Mr. Billy Stallings, 213 East Hanover Road, Graham, spoke about the Council's pay and suggested compensation for their work on the City's behalf. He commended the Council for all it does.

Mr. Boney stated the Board was a public service and that no council should ever get personal benefits.

Mr. Billing Stallings further stated that he disagreed and that the Council deserved insurance, and no state law was against it.

CITY STAFF COMMENTS

No comments by staff.

CITY COUNCIL COMMENTS

Council Member Chin commented that a couple had visited downtown, and someone came by, blaring the stereo, and frightened them. He reminded citizens to be respectful of others.

Council Member Whitaker commented on the development of Lacy Holt Road. She said the developer was supposed to build a barrier but had planted small trees far apart. She asked staff to review what was approved and hold them accountable.

Council Member Whitaker suggested a handicap parking space next to HiFi Records in front of the blocked alleyway.

Mayor Talley said it was an alleyway and an emergency egress and would be unblocked soon. She shared it was a safety issue.

Mr. Boney questioned the closed session regarding the alleyway and said it was stated that no one owned it.

Council Member Whitaker stated it was a misstatement. It was not noted that no one owned it; it was that the City did not own it. She misunderstood what was relayed regarding the alleyway ownership.

Mr. Boney stated he thought the City concluded that no one owned the alleyway.

Council Member Parsons stated that the City of Graham does not own the alleyway, so we have no say in its fate.

Council Member Whitaker stated if it was a safety issue, like the Mayor said, the Council should have a say.

Mayor Talley said it had been an alleyway for over 50 years and had a prescriptive easement.

Mr. Boney stated he did not understand how the City went into closed session to discuss this issue in the first place, two or three times. He noted that it did not involve a lawsuit relating to the City, and the Mayor recused herself and stayed out of both meetings, apparently due to the pending charge against her husband. He said nothing would have warranted a closed session on this topic, and it was a general policy issue that was exempted from any discussion, even with a lawyer in a closed session.

Mayor Talley asked about the City's policy on tiny homes.

Assistant City Manager Holland stated that if you consider tiny homes on a lot as individual tiny homes, they would be considered no differently than a single-family home of any size. He stated that the building code had specific requirements regarding space and size and that they would need to meet those requirements, but you could build a tiny or small home.

Mayor Talley asked about upgrading trailer parks. Changing them out for tiny homes would possibly update the park, allowing them to remove a trailer and put in a tiny home. Staff would review tiny houses.

Assistant City Manager Holland stated that most mobile home parks were non-conforming, so if something comes out, what goes back in needs to be similar in size and be an allowable use.

Council consensus was to have Staff evaluate how to incorporate tiny houses.

Mayor Talley stated a resident approached her regarding having a home-based business for hair services.

Council consensus was to have staff look into allowing such businesses in homes.

ADJOURN

Motion by Mayor Talley to adjourn, seconded by Council Member Chin. The motion passed unanimously.

The meeting adjourned at 7:40 p.m.

Renee M. Ward, CMC
City Clerk