

# City of Graham

## City Council Meeting Minutes

### September 10, 2024



The City Council of the City of Graham held a regularly scheduled meeting at 6:00 p.m. on September 10, 2024, in the Council Chamber, City Hall Municipal Building 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

**CALL TO ORDER:** Mayor Jennifer Talley

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

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

#### **PROCLAMATION: CONSTITUTION WEEK – BATTLE OF ALAMANCE CHAPTER**

Mayor Talley presented Ms. Sandra Aldridge, Battle of Alamance Chapter of the American Daughters of the American Revolution, Chairman of Constitution Week, with a proclamation honoring Constitution Week.



#### **CONSENT AGENDA:**

- a. To approve the August 13, 2024, Council Meeting minutes and sealed Closed Session minutes.
- b. To approve a budget amendment to move \$77,000 from water administration to water and sewer distribution, approve two title changes: Water Billing Supervisor to Customer Service Supervisor and Utility Billing Technician to Utility Meter Technician.

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:					
<b>Section 1.</b>					
<b>EXPENDITURES</b>					INCREASE
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	( DECREASE)
Water Billing Administration	675,700.00	598,700.00	(77,000.00)		(77,000.00)
Water and Sewer Distribution	2,189,837.00	2,266,837.00	77,000.00		
			-	-	(77,000.00)
Adopted this 10th day of September 2024.					

- c. To approve a budget amendment to recognize \$10,080 in insurance proceeds revenue and increase the Police Department Capital Outlay budget by \$10,080.

CITY OF GRAHAM					
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2024-2025					
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<b>Section 1.</b>					
<b>EXPENDITURES</b>					INCREASE
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	( DECREASE)
Police Department - Capital Outlay	90,000.00	100,080.00	10,080.00		10,080.00
	90,000.00	100,080.00	10,080.00	-	10,080.00
<b>Section 2.</b>					
<b>REVENUES</b>					INCREASE
	APPROVED	AMENDED	INCREASE	(DECREASE)	(DECREASE)
General Fund - Insurance Proceeds	-	10,080.00	10,080.00		10,080.00
	-	10,080.00	10,080.00	-	10,080.00
Adopted this 10th day of September 2024.					

- d. To approve a budget amendment of \$26,250 for matching funds for the Accessible Parks Grant for ADA projects at the Graham Recreation Center and \$2,000 for the haunted train attraction at the Pumpkin Bash.

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:					
<b>Section 1.</b>					
<b>EXPENDITURES</b>					INCREASE
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	(DECREASE)
Capital Outlay - Other Improvements	56,000.00	82,250.00	26,250.00		26,250.00
Other Programs	124,000.00	126,000.00	2,000.00		2,000.00
	180,000.00	208,250.00	28,250.00	-	28,250.00
<b>Section 2.</b>					
<b>REVENUES</b>					INCREASE
	APPROVED	AMENDED	INCREASE	(DECREASE)	(DECREASE)
Fund Balance Appropriation	\$1,179,282.00	\$1,207,532.00	28,250.00		28,250.00
	1,179,282.00	1,207,532.00	28,250.00	-	28,250.00
Adopted this 10th day of September 2024.					

- e. To approve closing streets for Graham High School's Homecoming Parade on October 4, 2024, from 4:45 pm to 5:30 pm. The procession will begin at Albright Avenue, down Main Street, around Court Square, down Pine Street, and end at Graham Middle School.
- f. To approve a settlement of uncollected Real and Personal Property taxes totaling \$125,721.07, for fiscal year 2023-2024 and tax releases for \$1,401.13.

CITY OF GRAHAM RELEASE ACCOUNTS				
SEPTEMBER				
ACCT #	YEAR	NAME	REASON FOR RELEASE	AMOUNT RELEASED
2898	2024	ANGELA WILEY	QUALIFIED FOR HOMESTEAD EXEMPTION	\$138.79
3947	2024	VICTOR E NEESE	QUALIFIED FOR HOMESTEAD EXEMPTION	\$471.09
4046	2024	BARRY BRADSHER	QUALIFIED FOR HOMESTEAD EXEMPTION	\$130.46
16174	2024	SUE BARNWELL	QUALIFIED FOR HOMESTEAD EXEMPTION	\$130.46
14015	2024	AUSLEYS CHEVELLE PARTS	NO LONGER OWNS BOAT	\$320.34
160845	2024	WAYNE TILSON JR	DID NOT OWN BOAT JAN 1 2024	6.20
353213	2018	FISH TECH INC	CLOSED BUSINESS 12/31/2017	\$45.49
353213	2019	FISH TECH INC	CLOSED BUSINESS 12/31/2017	\$37.19
353213	2020	FISH TECH INC	CLOSED BUSINESS 12/31/2017	\$32.17
353213	2021	FISH TECH INC	CLOSED BUSINESS 12/31/2017	\$28.78
353213	2022	FISH TECH INC	CLOSED BUSINESS 12/31/2017	\$26.62
353213	2023	FISH TECH INC	CLOSED BUSINESS 12/31/2017	\$16.77
353213	2024	FISH TECH INC	CLOSED BUSINESS 12/31/2017	\$16.77

- g. To approve a resolution opting out of the Tyco and BASF Class Action Settlements In Re: Aqueous Film -Forming Foams Products Liability Litigation US District Court of South Carolina.

**RESOLUTION OPTING OUT OF THE TYCO AND BASF  
CLASS ACTION SETTLEMENTS  
IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCTS LIABILITY LITIGATION  
US DISTRICT COURT OF SOUTH CAROLINA  
MDL NO. 2:18-MN-2873; CASE NOS. 2:24-CV-03174 AND 2:24-CV-02321**

**WHEREAS**, per- and polyfluoroalkyl substances ("PFAS") are a large group of human-made chemicals, components of which break down very slowly over time and may be linked to harmful effects in humans and animals; and,

**WHEREAS**, thousands of lawsuits relating to PFAS have been combined into multi-district litigation in the U.S. District Court for the District of South Carolina *In re Aqueous Film- Forming Foams Products Liability Litigation* (No. 2:18-mn-2873-RMG) ("MDL"); and,

**WHEREAS**, hundreds of the cases in the MDL were brought by U.S. drinking water providers alleging that PFAS manufacturers, including BASF and Tyco, contaminated the drinking water of those providers; and,

**WHEREAS**, the U.S. District Court for the District of South Carolina has given preliminary approval to separate class-action settlements for MDL defendants BASF and Tyco for drinking water claims ("the BASF and Tyco Settlements"); and,

**WHEREAS**, the City of Graham operates a public water utility with a water treatment plant, the Graham-Mebane Water Treatment processing raw water from the Graham-Mebane Lake watershed; and,

**WHEREAS**, the City of Graham's public water utility is comprised of said water treatment plant and a unified distribution system for the City of Graham and serving neighboring North Carolina municipalities, in whole or in part, including the Town of Green Level, the Town of Swepsonville, and the City of Mebane; and,

**WHEREAS**, the City of Graham is a member of the proposed classes in the BASF and Tyco Settlements because it is a "Public Water System" under the terms of the BASF and Tyco Settlements; and,

**WHEREAS**, the terms of the BASF and Tyco Settlements require class members who do not wish to participate in the settlements to actively opt out to avoid being bound by the terms of the settlements; and,

**WHEREAS**, members of the proposed classes of water providers have until October 15, 2024, to opt out of the BASF Settlement and until September 23, 2024, to opt out of the Tyco Settlement; and,

**WHEREAS**, the BASF and Tyco Settlements include broad releases of future PFAS-related claims; and,

**WHEREAS**, PFAS is known to impact media other than drinking water, including soil, wastewater, and groundwater, and federal and North Carolina state regulations for PFAS are expected to be enacted in 2024 and beyond; and,

**WHEREAS**, the City of Graham has sampled for PFAS in its active drinking water source in compliance with federal drinking water regulations and, to date, has detected PFAS in those sources; and,

**WHEREAS**, the City of Graham plans to continue to sample its active drinking water sources in 2024 in accordance with new, federal drinking water standards; and,

**WHEREAS**, the North Carolina Department of Environmental Quality ("NC DEQ") and the City of Graham have begun and plan to continue to sample and investigate various media including stormwater, groundwater, wastewater, and soil for PFAS contamination; and,

**WHEREAS**, the City may incur costs associated with PFAS impacts in the future and more time is needed for the City to gain a better understanding of the scope of future legal, financial, and operational impacts of PFAS; and,

**WHEREAS**, it is in the public interest for the City to preserve any PFAS-related claims the City may have against BASF, Tyco, and other potential defendants until the risks and impacts of PFAS are better understood.

**THEREFORE**, the Graham City Council resolves that the City Manager, and outside counsel, F. Paul Calamita, is authorized to file an opt-out notice on behalf of the City of Graham in accordance with the Settlement Agreements.

**Adopted this 10<sup>th</sup> day of September 2024.**

Mayor Pro Tem Hall motioned to approve the Consent Agenda items, seconded by Council Member Chin. The motion passed unanimously.

#### **PUBLIC HEARING:**

#### **ITEM 1: ANNEXATION – 0.79 ACRES – Off JIMMIE KERR ROAD- AN2403**

A public hearing was scheduled to consider an Annexation Ordinance to extend the corporate limits to the City of Graham for two tracts of land totaling 0.79 acre located off Jimmie Kerr Road.

Assistant City Manager Holland asked the Council to table the annexation request to the October 8, 2024, Council meeting due to the rezoning request being tabled by the Planning Board.

Motion by Mayor Pro Tem Hall to table the annexation to the October 8, 2024, Council meeting, seconded by Councilmember Chin. The motion passed unanimously.

## **NEW BUSINESS:**

### **ITEM 2: SESQUICENTENNIAL PARK – REQUEST FOR BIDS**

City Staff sought direction from Council regarding alternatives to be included in the request for bids for the Sesquicentennial Park.

City Manager Garner shared that City Council had discussed potentials for the Sesquicentennial Park at the March and April Council meetings of this calendar year. She stated staff was instructed to get quotes or estimates on the cost of repairing the park or relocating it. She shared staff had been unsuccessful in receiving any firm quotes, therefore, staff would like to ask for direction from Council on what alternatives the Council would like to be considered when issuing the request for bids.

Mayor Talley stated there was misinformation given out regarding tonight's agenda item. She stated the agenda item before Council tonight was to discuss putting out a request for bids for repairs. She expressed how difficult it had been to get prices. She stated there was discussion about the possibility of the prices coming in too high, and what other alternatives could be considered for the park. She shared that when the building collapsed, it had a large basement, and a lot of the building debris was used to fill in the basement. However, it was not properly compacted, which left many voids between the park floor and the debris. She shared several ideas people had for the park but no decision would be made about the park until the bids come in.

Mayor Talley stated that everyone needed to wait until the price for repairing the park came back. She stated in her opinion, the cost would be significant. She reiterated any decision about the park would be made after Council received all the facts. She asked that staff include in the RFP for contractors to bid based on the amount of dirt being removed.

Mayor Talley shared the Council had always taken into account for the bricks to be salvaged. She stated there had been suggestions about moving the park and possibly moving the bricks out to the sidewalk. She reiterated the bricks would never be thrown away.

Council Member Chin stated the RFP should break the cost down into disassembling and reassembling the memorial, saving all bricks, structures, etc. He stated there should be a separate cost for excavating and stabilizing the floor and the cost to put the park back. He stated Council would not do away with the bricks and the memorial and the decision would be made based on the costs. He stated depending on the costs, it may be brought before the community to make a decision.

Mayor Talley asked if he was speaking of a referendum.

Council Member Chin responded yes.

Council Member Chin further stated the park was not going to be removed, demolished, or thrown away. He stated the park would be saved and it would be determined when it is rebuilt, where it would be erected, its original location or another location.

Council Member Whitaker stated Council needed the results of bids to see what the Council would be dealing with and possibly ask for public opinion.

Council Member Parsons stated the reason this came up was because the park had become unsafe and was a liability. He questioned if it were to cost a million dollars to fix the park, if that would be the best use of money when people are in need of water line replacements. He asked if the outside group that built the park could re-form and look at ways to raise money because Graham did not construct the park.

Mayor Pro Tem Hall motioned to put out RFP's for Options 1, 2, and 3, seconded by Council Member Whitaker. The motion passed unanimously.

Options:

- 1) Repair the park in its current location
- 2) Move the park to the Civic Center
- 3) Remove the park and grade the top surface only of the property

### **ITEM 3: SIGNATURE EVENT – DOWNTOWN GRAHAM – STREET CLOSURES**

City Council considered the closure of the 100 blocks of East and West Elm Streets, North and South Main Streets, the public parking lot at the intersection of East Elm Street and Marshall Street, and the public parking lot on the 100 block of West Elm Street from 6:00 am to 6:00 pm on May 17, 2025.

Ms. Emma Griffin, Program Supervisor, Recreation and Parks, stated the request tonight was for the street closures for the upcoming new signature event on May 17, 2025, and to provide Council with an update on the downtown business owners meetings held on September 4, 2024, at 9:30 am and 5:30 pm. She stated eleven people attended, including Mayor Talley. She shared issues noted by businesses were parking concerns for business owners and employees, the layout of vendors, and the variety and quality of art vendors. Ms. Griffin stated staff had explored options to allow a portion of a parking lot to be reserved for business owners and their employees to park. She stated the biggest concern was the layout of the vendors and shared that vendors would be set up in the middle of the street with the opening of tents facing storefronts. She shared the variety and quality of vendors would be true artisans and it was the consensus of staff, Council, and businesses to focus on true artists. Ms. Griffin stated there would be an application process and a committee would approve vendors for the event.

Mayor Pro Tem Hall motioned to approve closing the 100 blocks of East and West Elm Streets, North and South Main Streets, the public parking lot at the intersection of East Elm Street and Marshall Street, and the public parking lot on the 100 block of West Elm Street from 6:00 am to 6:00 pm on May 17, 2025, seconded by Mayor Talley.

Ms. Griffin asked that Council approve the name of the event so they could move forward with marketing and reaching out to vendors. She stated at the last meeting staff was instructed to bring alternative names for the event. She stated Arts Around the Square was an option as well as Arts Squared and Love Graham Festival.



Mayor Talley stated she would like for it to be called Arts Around the Square because it has intellectual value and people know what it is.

Mayor Talley motioned to name the event Arts Around the Square, seconded by Council Member Chin. The motion passed unanimously.

#### **ITEM 4: CIVILIAN TRAFFIC INVESTIGATOR**

City Council considered a title change from Traffic Enforcement Officer to Civilian Traffic Investigator, to transition the existing employee from part-time to full-time effective September 22, 2024, and to approve a Budget Amendment for \$42,000 to cover the expenses through the end of fiscal year 2025.

City Manager Garner stated at the August 13, 2024, Council meeting, City Council decided via consensus to direct staff to evaluate the possibility of transitioning the existing part-time Traffic Enforcement Officer to full-time. When evaluating the potential duties of this position, the following were identified:

- Business district patrols for the observance and reporting of ordinance violations. Employees would regularly make contact with the business owners to address and report local concerns to the proper city departments.
- The individual in this job class would continue to fulfill the duties of the parking enforcement officer and provide additional foot patrols in the business district. In addition to the traffic enforcement and public outreach duties, this position would also be able to investigate traffic crashes involving only property damage. In 2023, the Graham Police Department responded to 250 property damage crashes along S. Main Street from Albright Avenue to Ivey Road. That accounted for approximately 25% of all property damage traffic crashes in 2023. The ability to employ a civilian traffic investigator would allow our agency to free up sworn personnel to handle other areas of concern in their assigned zones.

City Manager Garner stated if this was something the Council would like to consider, a budget amendment would be required to cover the expenses from now until the end of the year. She stated the budget amendment was in the amount of \$42,000.

Mayor Pro Tem Hall motioned to approve the title change from Traffic Enforcement Officer to Civilian Traffic Investigator and moving to a full-time position effective September 22, 2024, and approve a budget amendment for \$42,000, seconded by Council Member Chin. The motion passed unanimously.

Tom Boney, Alamance News stated his recollection from last month's discussion was that part of the interest of Council for changing this position was to deal with the homeless situation downtown.

Mayor Talley stated if the employee was in the downtown area full-time and there were any issues, he would be aware of them and could call an officer.

Police Chief Baker stated currently Mr. Verone alerts the district officer to respond if there is anything abnormal, unusual, or questions he cannot answer.

Mr. Boney stated he thought this position was to deal with complaints and concerns about homelessness and panhandling but did not see that in the description.

Mayor Talley stated the City Manager had relayed to the Police Chief that it would be part of his training to be monitoring for loitering, sleeping, or aggressively panhandling and also for those jaywalking, skateboarding, etc.

CITY OF GRAHAM					
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2024-2025					
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<b>Section 1.</b>					
<b>EXPENDITURES</b>					
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Police Department (salary and related lines)	6,596,342.00	6,638,342.00	42,000.00		42,000.00
	<b>6,596,342.00</b>	<b>6,638,342.00</b>	<b>42,000.00</b>	<b>-</b>	<b>42,000.00</b>
<b>Section 2.</b>					
<b>REVENUES</b>					
	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Fund Balance Appropriation	\$1,207,532.00	\$1,249,532.00	42,000.00		42,000.00
	<b>1,207,532.00</b>	<b>1,249,532.00</b>	<b>42,000.00</b>	<b>-</b>	<b>42,000.00</b>
Adopted this 10th day of September 2024.					

## **ITEM 5: AMEND CODE OF ORDINANCE – CANVASSERS’ AND SOLICITORS’ PERMIT HOURS AND DURATION**

City Council considered an Ordinance amendment to Chapter 8-Businesses, Article IV-Canvassers’ and Solicitors’ Permit, Sections 8-104 and 8-113 of the Code of Ordinances.

Assistant City Manager Aaron Holland stated after the August 13, 2024, City Council meeting, staff was directed by Council to review current ordinances pertaining to Chapter 8, Article IV, Canvassers’ and Solicitors’ Permit. It was suggested that staff research other municipalities that applied regulations on hours permitted for peddling and effective days of the permit. He stated based on a review, staff was recommending that peddling within the City be prohibited between the hours of 7:30 p.m. to 9:00 a.m. and the effective date of an issued permit be amended from 180 days to 90 days.

Mayor Pro Tem Hall motioned to approve the Ordinance amendment to Chapter 8- Business, Article IV-Canvassers’ and Solicitors’ Permit, Sections 8-104 and 8-113 of the Code of Ordinances, seconded by Council Member Chin. The motion passed unanimously.

## **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAHAM, AMENDING CHAPTER 8, ARTICLE IV, SEC. 8-104 AND 113 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 sections 8-104 and 113, which said sections read as follows:

### **Chapter 8 – BUSINESSES**

### **ARTICLE IV. – CANVASSERS’ AND SOLICITORS’ PERMIT**



#### **Sec. 8-104. - Required.**

(a) It shall be unlawful for a solicitor or canvasser to enter upon any private premises when such premises are posted with a sign stating "No Solicitors or No Solicitations allowed".

(b) If, at the entrances to a neighborhood with a property owners association, a visible sign that says "no soliciting" or that has comparable language indicating that solicitation is unwelcome has been posted by the association pursuant to authority granted to it, it shall be a violation of this section for a solicitor to go onto or into any private premises in that neighborhood, regardless of whether that particular residence has a "no soliciting" or comparable sign posted, for the purpose of soliciting orders for the sale of, disposing of, or peddling or hawking of goods, wares, and merchandise.

(c) Regardless of whether a private premise has a "no soliciting" sign or comparable sign posted, it shall be a violation of this section if a solicitor does not immediately leave a private premise after being told to do so by any owner or occupant of the residence.

#### **ADD:**

(d) It shall be unlawful for any peddler or solicitor to engage in the business of peddling within the City between the hours of 7:30 p.m. to 9:00 a.m.

#### **Sec. 8-113. - Duration.**

#### **AMEND:**

A permit issued under the provisions of this article shall be effective ~~180~~ **90** days from the issuance date unless the application requests permission to do business for a lesser period, in which case the permit shall be valid for such period.

#### **ITEM 6: PEDESTRIAN PLAN UPDATE DISCUSSION**

City Council discussed the proposed City of Graham Pedestrian Plan Update.

Mayor Talley stated she had not been able to review the whole plan and asked if this could be postponed to the next meeting.

City Manager Holland stated there was no action needed from Council tonight but if anyone had any questions or comments for staff to take back to the consultant, to send those to him.

#### **PUBLIC COMMENT PERIOD**

Mr. Sam Powell, Burlington, shared he was the co-chair of the Sequicennennial Park Committee along with Pat Bailey. He shared the vision for the park was to be a lasting memorial. He asked the Council to consider keeping the park.

Ms. Louise Wilson, 503 Thompson Road, Graham, shared she was born and raised in Graham. She shared the history of the bricks and what it meant for those people and businesses who bought bricks honoring special people. She asked that the Council preserve the park.

Mr. Paul Keller, 410 Stonehedge Drive, retired Graham business owner, asked what the council meant by moving the park and asked for clarification.

Councilmember Chin stated if the park cannot be built back where it is or becomes economically infeasible, it had to be repaired and that was what the bids were for. He stated the park was not going to be demolished or thrown away and the question was if it cannot be put back in its original location, where could it be placed for the citizens to benefit.

Mayor Talley stated it was suggested to move the park to the Civic Center in a nice shaded area and place the bricks on the sidewalk downtown.

Mr. Keller asked if the park had to be moved, to relocate it to City property. He stated he was opposed to selling the property to a private developer.

Griffin McClure, 622 Johnson Avenue, Graham, asked that the conversations continue and had hoped to get numbers on the cost of repairing. He shared that 149 people had signed a petition and asked that the park not be moved or the property sold. He asked if the Council's motivation was to keep the green space, why were they not talking to New Leaf, Impact Alamance, or the Alamance Community Foundation. He asked the Council to consider keeping the park.

Tom Boney, Alamance News, questioned the agenda description regarding options for the Sesquicentennial Park. He asked where was the Council's priority and that it needed to be repairing the park and to choose option one.

### CITY STAFF COMMENTS

Assistant City Manager Holland stated staff had been approached by an individual who would like to utilize city parking lots to place a semi-permanent fixture such as a dumpster. He would like to bring back language for Council to consider.

The consensus of Council was to bring back language at next month's meeting to consider using semi-permanent fixtures on city lots.

### CITY COUNCIL COMMENTS

Council Member Parson stated there was a request from the Graham Historical Museum Board to amend its by-laws to allow two Alamance County members to the board. He also asked for the City Attorney to review the boards and commissions attendance policy.

Ms. Louise Wilson, 503 Thompson Road, Graham, spoke about the history of Arts Around the Square.

Mayor Talley:

- 1) Quote for the repair of planters downtown was \$6,500. Council consensus was to move forward and bring back a budget amendment at the next meeting.
- 2) Riley Meadows, a resident concerned with people parking on a very narrow roadway. They asked for no parking signs and for the developer to provide parking. Assistant City Manager Holland stated staff would review and report back.

Council Member Chin reminded everyone of the Ballon Festival this weekend. There would be nine bands, 44 balloons, K-9 demonstrations, a car show, a Jeep show, a 5K race, an honor guard, a 9/11 program, balloon tethering, and more.

Council Member Whitaker stated the Appearance Commission asked about helping with banners downtown and asked to partner with the City regarding banners. Assistant City Manager Holland suggested bringing back options for the Council to consider.

### CLOSED SESSION:

Mayor Talley asked to be recused from the closed session.

Council Member Whitaker motioned to allow Mayor Talley to be recused from the closed session, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

City Council considered going into closed session to discuss a legal matter 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 in order to preserve the attorney-client privilege between the attorney and the public body.

Motion by Council Member Chin, seconded by Mayor Pro Tem Hall to go into closed session to discuss a legal matter 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 in order to preserve the attorney-client privilege between the attorney and the public body.

Motion by Mayor Pro Tem Hall to go out of closed session, seconded by Council Member Whitaker. The motion passed unanimously.

Motion by Council Member Whitaker to return to open session, seconded by Council Member Chin. The motion passed unanimously.

### ADJOURN

Motion by Mayor Pro Tem Hall to adjourn, seconded by Council Member Whitaker. The motion passed unanimously. The meeting adjourned at 8:15 p.m.

*Renee M. Ward, CMC*  
City Clerk