

# City of Graham

## City Council Meeting Minutes October

### October 8, 2024



The City Council of the City of Graham held a regularly scheduled meeting at 6:00 p.m. on October 8, 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 - *Absent*  
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 Michael Evans, Graham Bible Methodist

#### RECOGNITIONS:

- **RETIRING GRAHAM BUSINESS OWNER - DAVID HALL**

Mayor Talley recognized David Hall of David Hall Body Shop, Graham, NC, for 30 years of service to the citizens of Graham and Alamance County.



Mayor Talley, David Hall, Judy Hall

- **2024 GRAHAM FIRE DEPARTMENT EXPLORER POST #4010**



Graham's Fire Explorer Post and Haw River participated in the Alamance County Junior Firefighter state-wide competition placing third overall and first in the main event (water polo).

## **CONSENT AGENDA:**

- a. To approve the September 10, 2024, Council Meeting minutes and sealed Closed Session minutes.
- b. To approve a budget amendment appropriating fund balance in the amount of \$7,000 for the repair of planters and to increase the Property Maintenance Department budget by \$7,000.
- c. To approve a budget amendment appropriating fund balance in the amount of \$30,000 for bank reconciliations and related entries and to increase the Finance Department budget by \$30,000.
- d. To approve a resolution accepting \$500,000 grant funding for Drinking Water State Revolving Fund (DWSRF) Emerging Contaminants (EC) funds.
- e. To approve the request from the Alamance County Veterans Services for the Veterans Day Parade on Saturday, November 9, 2024, which includes the closure of McAden Street pending approval from NCDOT for closure of a State road.
- f. To approve an amendment to the Graham Historical Museum Advisory Board Bylaws to allow two members who reside in either the extraterritorial jurisdictional area or within Alamance County to serve on the advisory board.

Mayor Talley asked for Item f, an amendment to the Graham Historical Museum Advisory Board bylaws, to be removed for discussion.

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

Item f: Mayor Talley stated she would like the Council to consider one member from Graham's ETJ and one outside the City.

Motion by Mayor Talley to allow one member from Graham's ETJ and one from outside the City to serve on the Graham Historical Museum Advisory Board, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

## **PUBLIC HEARINGS:**

### **1. ANNEXATION – 0.79 ACRE – Off JIMMIE KERR ROAD - AN2403 – CONTINUED FROM SEPTEMBER 10, 2024, MEETING**

A public hearing was continued 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.

(Continued from the September 10, 2024, Council meeting.)

Assistant City Manager Aaron Holland stated the petition was a request for the Council's approval to extend the corporate limits to include the subject properties. The area being considered for annexation is located off of Jimmie Kerr Road and contains approximately 0.79 +/- acre total. Water is located along the frontage of this property within the Jimmie Kerr Road right of way, and the applicant requested to connect to the City's water infrastructure. He stated that some of the property was already in the City and zoned B-2.

Councilmember Whitaker brought to everyone's attention that this item had been heard twice by the Planning Board.

Assistant City Manager Holland stated the annexation was not heard because it does not go through the Planning Board, but the Planning Board tabled the rezoning and recommended denial.

Councilmember Whitaker asked if the rezoning was denied because the applicant did not attend the Planning Board meeting.

Assistant City Manager Holland stated that was correct. Mr. Holland said there was some confusion with the date of the meeting given to the applicant.

The public hearing was opened and the following spoke:

Ms. Shannon Donahoe, 759 Jimmie Kerr Road, Haw River, stated she was not aware she needed to attend the meeting and was only told by staff to complete the paperwork. She said for the second meeting she was informed that she needed to be present but was emailed the incorrect day.

Mayor Talley asked Ms. Donahoe if she knew the zoning around her was B-2 and if she was okay with that rezoning.

Ms. Donahoe stated she was okay with B-2 zoning.

The Public Hearing was closed.

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

Motion by Mayor Pro Tem Hall to approve the 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, second by Council Member Chin. The motion passed unanimously.

## **2. REZONING – JIMMIE KERR ROAD – UN-ZONED TO B-2 GENERAL BUSINESS**

City Council considered a rezoning from un-zoned to B-2, General Business for two tracts of land totaling 0.79 acre located off Jimmie Kerr Road.

The public hearing was opened and no one spoke.

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

Motion by Council Member Chin to approve the rezoning to B-2, General Business, for two tracts of land totaling 0.79 acre located off Jimmie Kerr Road and the rezoning is consistent with Graham's 2035 Comprehensive Plan and consistent with the current land zoning and land use plan for the overall goal of establishing water to the residence, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

### **3. AMENDMENT – DEVELOPMENT ORDINANCE – DISTANCE OF RECREATIONAL OPEN SPACE**

City Council considered approval of an Ordinance amending Article 4, Division 12, Section 10.249, Open Space Provisions for R-12, R-15, and R-18 Zoning Districts in the Development Ordinance adding location requirements for Recreation Open Space.

Assistant City Manager Holland stated the Council had asked staff to revisit the recently approved open space language and include a requirement of distance from dwellings where the recreational open space needs to be located. He shared staff had provided an update that 90% of homes must be within a 1/4 mile (1,320 feet) of a recreational open space area. He stated the Planning Board reviewed the amendment and recommended approval but with the change, the distance should be lessened from 1/4 of a mile to 1/8 of a mile (660 feet).

Council asked to see what this would look like to determine if this was something they wanted to revise.

Assistant City Manager Holland stated he would bring back a visual example of how the Council could perceive recreational spaces within a division.

Motion by Council Member to table this item to the November 12, 2024, Council meeting to review examples of recreational open spaces, second by Mayor Pro Tem Hall. The motion passed unanimously.

### **OLD BUSINESS:**

#### **4. PEDESTRIAN PLAN UPDATE DISCUSSION**

City Council will discuss the proposed City of Graham Pedestrian Plan Update.  
(Continued from the September 10, 2024, Council meeting.)

Mayor Talley stated she had shared questions with Assistant City Manager Holland. She stated the plan contained information regarding roundabouts that she did not think was consistent with the Downtown Master Plan, regarding roundabouts that were taken out of the Downtown Plan. She began addressing other issues and Assistant City Manager Holland suggested that it would be better to sit down and review all her concerns so he could explain the updates.

Assistant City Manager Holland asked if other Council Members had any concerns to forward them by email.

Motion by Mayor Talley to table this item to the November 12, 2024, Council meeting, seconded by Council Member Whitaker. The motion passed unanimously.

Mr. Keith Westbrook inquired about a grant for Elm Street sidewalks.

The Council replied there were no grants for sidewalks on Elm Street.

## **NEW BUSINESS:**

### **5. AMENDMENT – ORDINANCE – ENCROACHMENTS UPON STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES**

City Council will consider an Ordinance amendment to Chapter 18 - Streets, Sidewalks, and Other Public Places, Article 1 - In General, Sections 18-2 and 18-6 of the Code of Ordinances.

Assistant City Holland stated City staff had received recent inquiries about utilizing space within City parking lots for dumpsters. Current ordinances do not allow encroachments within this space, and staff brought this to the attention of the Council after the September 10, 2024, meeting. He stated the City Council directed staff to bring forward an ordinance addressing the request at the upcoming October 8, 2024, meeting. The following amendment to the Code of Ordinances adds “City Parking Lots” as an area Council may approve for permissive use.

Mayor Talley stated that sharing a dumpster with three or four businesses was better than having 20 trash cans on the sidewalks.

Motion by Mayor Pro Tem Hall to approve the Ordinance amendment to Chapter 18, Streets, Sidewalks, and Other Public Places, Article 1, Section 18-2 and 18-6 of the Code of Ordinances, seconded by Council Member Chin. The motion passed unanimously.

## **PUBLIC COMMENT:**

There were no public comments.

## **STAFF COMMENTS:**

Assistant City Manager Holland stated City Staff had received a request from the Valleyfield Homeowners Association to evaluate no parking perimeters from the entrance of Valleyfield to where the no parking currently starts. He asked for consensus from the Council to allow staff to review and report to the Council.

Mayor Talley asked the City Attorney if Council Member Whitaker and Mayor Pro Tem Hall needed to recuse themselves when considering this concern because they reside in the Valleyfield division.

City Attorney Ward stated he would look into it and advise.

Council consensus was to have staff evaluate the parking concerns in Valleyfield.

## **COUNCIL COMMENTS:**

Mayor Talley:

- Excited about the \$500,000 grant to conduct the PSAF study.
- She received in the mail a \$119,437 grant from the Accessible Park Grant Program for Graham Recreation for the ADA updates.
- Visited and spoke to Alamance Christian School students and received wonderful thank you letters.
- Thanked individuals and businesses who had reached out to help our neighbors in Western Carolina.
- Fire Chief Cole gave an update regarding the teams deployed to assist Western Carolina due to Hurricane Helene.

Council Member Chin:

- The third Saturday of October would be the last ALCOVET concert and car show.
- November 9<sup>th</sup> – Veterans Day Parade followed by ALCOVET's festival.
- ALCOVETS delivered supplies to Western Carolina.

## ADJOURNED

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

*Renee M. Ward, CMC*  
City Clerk