

City of Graham City Council Meeting Agenda May 13, 2025



The City Council of the City of Graham held a regularly scheduled meeting on May 13, 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 – *arrived at 6:25pm*
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

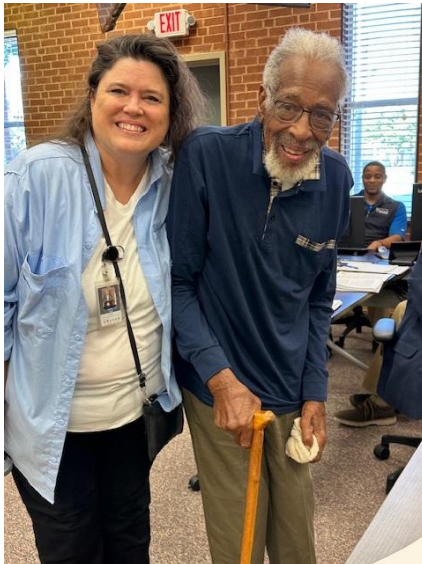
CALL TO ORDER: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Talley gave the invocation, and all stood for the Pledge of Allegiance.

RECOGNITION:

City Council recognized Mr. Clint Morrow for his 100th celebration of life.



City Council recognized Ms. Angie Solomon and the Queens in Pearls for their community service work.



CONSENT AGENDA:

- A. To approve the April 8, 2025, City Council Meeting and Closed Session minutes.
- B. To approve a resolution awarding a police badge and service sidearm to Retired Police Officer Marcus Pollock.

**RESOLUTION AWARDING POLICE BADGE AND
SERVICE SIDE ARM TO
POLICE OFFICER I MARCUS FERZELL POLLOCK**

WHEREAS, Marcus F. Pollock was an employee of the City of Graham as a member of the Graham Police Department for eight years and 7 months (with over 25 years of law enforcement); and

WHEREAS, G.S. 20-187.2 permits the awarding of badges and service side arms to deceased or retiring members of State, City, and County Law Enforcement agencies.

NOW, THEREFORE, BE IT BE RESOLVED BY THE GOVERNING BODY OF THE CITY OF GRAHAM, NORTH CAROLINA THAT: The City of Graham does hereby award the service side arm (Glock Model 21 Serial # BLEZ048) and police badge to Marcus F. Pollock for his years of service to the City of Graham upon securing the necessary permit(s) according to G.S. 14-402 and receipt of one dollar (\$1.00).

Adopted this the 13th day of May 2025.

- C.** To approve a request from adjoining property owners to abandon an existing sewer easement between Cherry Lane and Jimmie Kerr Road that is no longer needed and to authorize the City Manager and City Attorney to effectuate a quit claim deed with all parties for lots 37, 104, 105 Cherry Creek Phase 2, and 2038 Jimmie Kerr Road.
- D.** To approve a resolution setting a date of public hearing for June 10, 2025, to consider a contiguous annexation for a tract of land totaling 24.22 acres, located off Jim Minor Road, pursuant to General Statute 160A-31.

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED
UNDER G.S. 160A-31 LOCATED OFF JIM MINOR ROAD
GPIN: 8893569560 (AN2501)**

WHEREAS, a petition requesting annexation of an area described in said petition was received on May 13, 2025, 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 JUNE 10, 2025, FOR A PUBLIC HEARING ON QUESTION
OF A CONTIGUOUS ANNEXATION OF TWO LOTS PURSUANT TO G.S. 160A-31 FOR
24.22+/- ACRES LOCATED OFF JIM MINOR ROAD
(AN2501)**

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 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 June 10, 2025.

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

Legal Description GPIN#: 8893569560

Beginning at a computed point; thence S 81°58'19" W a distance of 55.00' to a computed point; thence N 2°40'54" W a distance of 32.50' to an eip; thence N 32°40'54" W a distance of 180.07' to an eip; thence N 32°40'54" W a distance of 230.45' to an eip; thence N 32°40'54" W a distance of 267.13' to an eip; thence N 32°40'54" W a distance of 13.62' to a computed point; thence N 61°49'05" E a distance of 13.50' to a computed point; thence N 53°00'30" E a distance of 36.64' to a computed point; thence N 53°00'00" E a distance of 60.25' to a computed point; thence N 67°14'46" E a distance of 106.80' to a computed point; thence N 43°55'34" E a distance of 61.58' to a computed point; thence N 49°36'31" E a distance of 53.73' to a computed point; thence S 84°17'38" E a distance of 44.79' to a computed point; thence N 44°20'27" E a distance of 48.12' to a computed point; thence N 59°50'22" E a distance of 66.08' to a computed point; thence N 32°09'29" E a distance of 37.30' to a computed point; thence N 58°36'41" E a distance of 53.64' to a computed point; thence N 74°16'13" E a distance of 99.46' to a computed point; thence N 24°25'41" E a distance of 57.81' to a computed point; thence N 38°48'45" E a distance of 55.60' to a computed point; thence N 32°25'15" E a distance of 97.78' to a computed point; thence S 85°02'04" E a distance of 79.48' to an eip; thence S 82°11'04" E a distance of 154.52' to an eip; thence S 63°52'13" E a distance of 69.91' to an eip; thence S 85°30'26" E a distance of 88.93' to an eip; thence S 56°42'38" E a distance of 59.39' to an eip; thence S 36°29'41" E a distance of 195.47' to an eip; thence S 44°27'06" E a distance of 82.95' to an eip; thence S 45°02'31" E a distance of 83.90' to an eip; thence S 45°02'31" E a distance of 85.00' to an eip; thence S 11°57'30" W a distance of 150.03' to an eip; thence S 11°57'30" W a distance of 76.25' to an eip; thence S 11°57'30" W a distance of 78.16' to an eip; thence S 20°34'34" W a distance of 100.07' to an eip; thence S 11°57'49" W a distance of 161.11' to an eip; thence S 11°57'49" W a distance of 30.26' to a computed point; thence N 86°55'35" W distance of 21.38' to a computed point; thence S 85°41'25" W a distance of 150.00' to a computed point; thence S 81°58'19" W a distance of 658.83' to a computed point; which is the point of beginning, having an area of 24.22 acres.

Adopted this the 13th of May 2025.

- E.** To approve an agreement to share costs in the operation of the Animal Services Center to continue providing professional, humane animal sheltering and placement services for pets in their respective jurisdictions.
- F.** To approve the following street closure for the Arts Around the Square event to be held on Saturday, May 17, 2025, adding one extra hour for set up:
 - 100 blocks of North and South Main Street and the 100 blocks of East and West Elm Street from 5:00 a.m. to 6:00 p.m.
- G.** To approve an amendment to the Municipal Materials Management Agreement between the City of Graham and Republic Services of North Carolina, LLC, dba Republic Waste Services of Greensboro, extending the term of the Agreement for one year, expiring June 30, 2026.

- H. To approve a Resolution opposing changes to Local Planning and Zoning as stated in House Bill 765 and related bills by the North Carolina General Assembly.

CITY OF GRAHAM
RESOLUTION OPPOSING CHANGES TO LOCAL PLANNING AND ZONING IN HOUSE
BILL 765 AND RELATED BILLS BY THE NORTH CAROLINA GENERAL ASSEMBLY

WHEREAS, House Bill 765 has been introduced in the 2025 session of the North Carolina General Assembly that changes many aspects of local planning and zoning and dramatically affects the ability of local governments to reflect the will of their citizenry; and

WHEREAS, local governments have historically been the final guardian of the rights of the people, and local government zoning has made in-person attendance and comment easier for proponents and opponents of zoning decisions, thereby allowing citizens to participate in matters that affect them through the Public Hearing Process; and

WHEREAS, House Bill 765, now pending in the General Assembly, will effectively mandate many planning and zoning decisions that are now made by local governments through the public participation process and will drastically change the process and destroy the local community's authority to uphold public health, safety, and welfare; and

WHEREAS, Chapter 160D of the North Carolina General Statutes mandates comprehensive planning and zoning, and this Chapter of the Statutes would be severely eroded by passage of House Bill 765 by diminishing the input and trust of the citizens, including those who voluntarily serve on the Town's advisory boards; and

WHEREAS, House Bill 765 creates an unnecessary paperwork burden that will increase the cost of providing Planning and Zoning services with no real benefit to the citizens who pay the taxes to support government services; and

WHEREAS, proposed changes in the local planning and zoning approval process will severely restrict or destroy the ability for residents to participate in the planning and zoning process; and

WHEREAS, the City of Graham strongly feels that local governments are best suited to represent their citizens on local matters.

NOW THEREFORE BE IT RESOLVED, that the **City of Graham Mayor and Council Members urges the North Carolina General Assembly to reconsider SB495, SB497, SB499, SB688, and HB765** and to consult with local municipalities to develop meaningful and appropriate solutions that do not seize local authority and to respect the interest of the residents they represent.

BE IT FURTHER RESOLVED that the City of Graham calls upon local elected officials and residents across the state to voice their concerns to the North Carolina General Assembly and advocate for the preservation of local planning and zoning authority that aligns with local community values and sound long-term development goals.

Adopted this the 13th day of May 2025.

- I. To approve a budget amendment in the amount of \$24,000, to cover unforeseen maintenance issues with Engine 10 (2014 Sutphen Engine).

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)
FD - Maintenance & Repair/Vehicles	35,000.00	59,000.00	24,000.00		24,000.00
	<u>35,000.00</u>	<u>59,000.00</u>	<u>24,000.00</u>	-	<u>24,000.00</u>
Section 2.					
REVENUES					
Fund Balance Appropriation	\$2,174,687.00	\$2,198,687.00	24,000.00		24,000.00
	<u>2,174,687.00</u>	<u>2,198,687.00</u>	<u>24,000.00</u>	-	<u>24,000.00</u>
Adopted this 13th day of May 2025.					

- J. To approve a budget amendment recognizing \$57,000 in realized tap fee revenue and increasing the meter valve and hydrant expense (Water & Sewer Distribution) by the same amount.

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)
Meter Valves & Hydrants	450,000.00	507,000.00	57,000.00		57,000.00
			<u>57,000.00</u>	-	<u>57,000.00</u>
Section 2.					
REVENUES					
Water & Sewer Taps	60,000.00	117,000.00	57,000.00		57,000.00
		<u>117,000.00</u>	<u>57,000.00</u>		<u>57,000.00</u>
Adopted this 13th day of May 2025.					

- K. To approve tax releases in the amount of \$269.77.

CITY OF GRAHAM				
RELEASE ACCOUNTS				
MAY				
<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
14400	2024	WHITE, WILLIAM TODD	SOLD BOAT	\$89.71
14400	2024	WHITE, WILLIAM TODD	SOLD BOAT MOTOR	\$30.46
11227	2023	WHITE, WILLIAM TODD	SOLD BOAT	\$89.71
11228	2023	WHITE, WILLIAM TODD	SOLD BOAT MOTOR	\$30.46
16584	2024	GOODMAN, CRYSTAL MORRIS	MH NEVER LOCATED IN CITY OF GRAHAM	\$14.47
13073	2023	GOODMAN, CRYSTAL MORRIS	MH NEVER LOCATED IN CITY OF GRAHAM	\$14.96

Mr. Tom Boney, Alamance News, inquired about item H regarding opposing HB 765.

Mayor Talley stated that House Bill 765 was written to take away the rights of local municipalities to deny large housing projects that the state wanted to put forward and does not allow the local municipality any input on what goes into the community.

Mayor Talley congratulated Officer Pollock on his recent retirement and thanked him for his service.

City Manager Garner relayed that item G's expiration date should be June 30, 2026, not June 20th.

Mayor Pro Tem Hall entered the meeting at 6:25 p.m.

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

PUBLIC HEARINGS:

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

A public hearing has been 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, February 11, and April 8, 2025, Council meetings) (The petitioner has requested to table this item to the June 10, 2025, Council meeting.)

Motion by Council Member Whitaker to table the rezoning to the June 10, 2025, Council meeting, seconded by Council Member Chin. The motion passed unanimously.

ITEM 2: REZONING - 0.51 ACRE LOT – 200 S MARSHALL STREET

A public hearing has been continued to consider rezoning a 0.51-acre lot, located on 2090 S. Marshall Street, from O-I (Office and Industrial) to B-2 (General Business). (Continued from the April 8, 2025, Council meeting.) (Planning Board recommended denial 6-0) (The Petitioner has requested to table this item to the June 10, 2025, Council meeting.)

Motion by Mayor Pro Tem Hall to table the rezoning to the June 10, 2025, Council meeting, seconded by Council Member Chin. The motion passed unanimously.

ITEM 3: REZONING – 113 W. GILBREATH STREET

A public hearing has been set to consider rezoning 0.83 acres located at 113 W Gilbreath Street from R-7 (High Density Residential) to C-B (Conditional Business) to allow for a single-chair hair salon. (Planning and Zoning recommended approval 7-0)

Assistant City Manager Aaron Holland stated this was a request to rezone 0.83 acres located at 113 W Gilbreath Street from R-7 (High Density Residential) to C-B (Conditional Business) to allow for a single-chair hair salon. He stated the current Development Ordinance did not allow permits for these types of uses to be utilized as home occupations. That was why the applicant was requesting the rezoning

classification. He shared the Planning Board recommended approval with the condition that the uses are limited to single-family in the primary dwelling and the beauty salon is separate from the primary residence.

Ms. Nadia Euliss Pickens, 113 W. Gilbreath Street, stated she intended to use a portion of the residence located at 113 W. Gilbreath Street as her salon. She shared she would have a single chair and her hours of operation would be part-time and by appointment only so that she could care for her mom. She stated there would be a modest free-standing, 20" x 12" sign at the front door, ample parking for one to two vehicles with no parking on the street, and the property would be handicap accessible both inside and outside.

The public hearing was opened, and there were no comments.

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

Motion by Council Member Whitaker to approve the rezoning of 0.83 acres located at 113 W Gilbreath Street from R-7 (High Density Residential) to C-B (Conditional Business) to allow for a single-chair hair salon and that it would be consistent with the downtown residential land use areas and consistent with policies 2.1.1, 2.1.6, and 2.3.2, as put forth by the Graham 2035 Comprehensive Plan, with the condition that the uses are limited to a single-family primary dwelling, a beauty salon, and an accessory dwelling unit in the attached accessory dwelling. The uses of the accessory dwelling shall not be operated in tandem. Must be one or the other, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 4: JOINT ANNEXATION ORDINANCE– BURLINGTON-GRAHAM – RACE TRACK ROAD

City Council considered approving an Ordinance and a Memorandum of Understanding for a joint annexation agreement between the Cities of Graham and Burlington for Race Track Road.

City Attorney Ward stated for the record that he did not participate in any votes or deliberations as a member of the Burlington City Council and did not participate at the staff level in reviewing any of the documents being considered.

Assistant City Manager Holland stated a private developer, Carla Sevilla of Glenwood Homes, has sought annexation into the City of Burlington for property owned off Racetrack Road, which is closer to the City of Graham's jurisdiction, but can be best served by the City of Burlington utilities. Part of the property is in Burlington and Graham's ETJ, and the remainder is in the County. For Burlington to satellite annex the property, an annexation agreement must be approved between both jurisdictions to move forward. This agreement was drafted by City staff at the developer's request to accommodate the development. Both Burlington and Graham have consulted to develop a limited line of agreement that defines annexation responsibility for parcels bounded by Monroe Holt Road to the north and Great Alamance Creek to the south. This line does not address annexation responsibility for parcels north of Monroe Holt Road nor south of Great Alamance Creek.

Mayor Talley stated she wanted an independent attorney to review this agreement regarding the expansion of the City's lines. She noted a developer wanted to develop this area, and the city of Graham could not provide utilities. Burlington was closer and could provide utilities, but this area was technically in Graham, which could be designated for expansion.

Assistant City Manager Holland shared the property was closer to Graham's jurisdiction, but a portion of the ETJ was in both Graham's and Burlington's jurisdictions. He noted that Burlington had utilities in the area where Graham did not.

Mayor Talley stated that this had nothing to do with City Attorney Coleman, but he was still in the same law firm as City Attorney Ward. She would feel more confident in deciding by having another attorney review the agreement. She asked who negotiated the agreement.

Assistant City Manager Holland stated it was a committee consisting of Graham City Attorney Coleman, Burlington City Attorney David Huffman, Burlington City Manager Craig Honeycutt, Graham City Manager Megan Garner, and himself.

Mayor Talley asked what they were proposing.

City Manager Garner stated that the proposal was initially presented to the City Council a number of months ago, and staff ultimately withdrew the request on the night of the meeting. She shared it addressed more of the area than what was being considered tonight with a more limited approach. She was considering the track being requested for annexation to provide the developer with what they needed, and then come back to both City Councils with a more comprehensive annexation area beyond just the small piece.

Council Member Whitaker agreed to have another attorney review the agreement.

Mayor Talley stated she did not want to set a precedent that every contiguous piece of property that would technically go into Graham's jurisdiction, and just because Graham could not provide utilities at that time, would automatically go to Burlington. She said if we say yes to this developer and say no to another and they sue Graham, we would set ourselves up to say yes to every piece going forward. She stated she did not feel comfortable with this agreement.

Motion by Mayor Talley to table this item to the next meeting and direct the City Manager to have an attorney specializing in real estate and annexation review the agreement and ordinance, and table to the June 10, 2025, Council meeting, seconded by Council Member Whitaker. The motion passed unanimously.

NEW BUSINESS:

ITEM 5: DEVELOPMENT ORDINANCE AMENDMENT – MULTI-TENANT INDUSTRIAL BUILDINGS

City Council considered amending the Development Ordinance by adding language to define and create a use type for Multi-Tenant Industrial Buildings. (Planning and Zoning Board recommended approval)

Assistant City Manager Holland stated City Staff had received a request for a text amendment to define and create a use classification for multi-tenant industrial facilities. Currently, the development ordinance does not have a specified use for this proposed type of development. We have an approved use for single industrial buildings and unified business developments. The unified business developments are particular to shopping centers and commercial developments. They do not permit any I-1 uses in these developments,

even though they are allowed in the I-1 zoning. Currently, there is no way for staff to approve these types of developments, as the closest related zoning use available was the unified business development. We have received multiple new requests for these developments and have suggested that a text amendment be proposed to define them in the City's ordinance. Planning Board reviewed the amendment at its April 29th meeting and recommended approval with a vote of 7-0, excluding the words "on sites" in the proposed definition.

Mayor Talley asked if Mebane or Burlington had a text amendment that read 'multi-occupancy distribution and warehouse'.

Mayor Pro Tem Hall stated there was a building in Mebane in the industrial park.

Assistant City Manager Holland stated other jurisdictions have this in the ordinance. He shared if a UDO were completed now, there would be something in place to speak to multi-tenant industrial buildings. He stated in the past, it was not a concern because you were not dealing with large-scale buildings.

Mr. Lawson Brown, of the Vernon Law Firm, introduced Taylor Squires, an associate working on this request. He also introduced Randy Warren, representing Welcome Industrial. He shared that they had met with Mayor Talley, and there were plans currently before the City staff that had been approved. Construction plans for 750,000 square feet of industrial space were also underway. He shared that a traffic study was conducted by Kimley-Horn, which NCDOT and its staff reviewed. He was now three years into the project in terms of planning when the issue arose that staff interpreted the closet use as a unified business development, requiring a special use permit for multiple tenants. He stated the ordinance was designed for retail space in a shopping center with numerous high-traffic areas. He noted the traffic count would be based on the square footage of the industrial facility, rather than the number of businesses. He said the staff saw it as a roadblock and could have presented it to the Council with a special use permit request. Still, after reviewing the request, the staff thought a text amendment would be more appropriate to allow for the maximum use of these industrial buildings and avoid being tripped up by the multiple tenant restrictions. He stated Mebane did allow this by right without a special use permit.

Assistant City Manager Holland read Burlington's ordinance pertaining to multi-tenant industrial and shared that it stated flex space was permitted in industrial zones, and was close to what Graham was proposing to have the ability to accommodate multiple businesses.

Motion by Mayor Talley to approve an Ordinance amendment to Article 2, Section 10.16, Article 4, and Section 10.135 to add language to the Development Ordinance to define and create a use type for Multi-Tenant Industrial Buildings with the word "on-site" removed as requested by the Planning Board, seconded by Council Member Whitaker. The motion passed unanimously.

ITEMS 6: POTENTIAL SIGNS AND BANNERS – OCCUPANCY TAX FUNDS

City Council considered reviewing potential sign options for City Hall and banners for Downtown Graham using Occupancy Tax funds.

Assistant City Manager Holland stated that funds were available from occupancy tax funding that could be used for the placement of a new monument-style sign with a digital display, which aligns with one of the Council's strategic actions. He noted a quote had been retained for an approximate cost, and also heard from the Council regarding the replacement of banners. He stated that staff were seeking approval to move forward with erecting a sign out front and purchasing new banners.

Council Member Whitaker asked about the quote for a City Hall digital sign.

Assistant City Manager Holland stated that there was no quote for banners yet, but the sign was estimated to be approximately \$63,000 to \$65,000.

Mayor Talley stated she had a quote for the banners.

City Manager Garner stated that the occupancy tax was a new revenue source for the fiscal year we are in, and we had \$79,000 budgeted. We had received the first two quarters and were on track to receive the estimated revenue of \$79,000. There are limitations on what those funds can be spent on, and this would be an eligible use of them.

Mayor Talley requested that the front of the building be cleaned up.

City Manager Garner shared the days of it being white may be over, but staff have explored several options, which we can talk about at a later time.

Tom Boney of Alamance News asked for an example of municipalities that have digital signs.

Mayor Talley said she knows we are trying to reduce the price of the sign and that the banners need to be replaced; she would like to move forward with this.

Motion by Mayor Talley to approve allocating TDA funds to be used for the purchase of a new monument sign for City Hall and replacement banners for downtown, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 7: SESQUICENTENNIAL PARK PROJECT OPTIONS

City Council reviewed and considered options for the Sesquicentennial Park.

Assistant City Manager Holland stated bids were received for the Sesquicentennial Park project which included a base bid with five alternate bid options. The deadline for bid submittal was April 25, 2025, with the bid opening on April 28, 2025. City staff have reviewed the bids from the two vendors that submitted (Pinam Construction and H.F. Mitchell Construction) and provide the following tabulation for Council consideration:

- Budget estimate for HF Mitchell to rebuild the park where it is currently located, including anticipated additional undercut (\$98 per yd), ECS testing, clock, refinish pergola, and 10% contingency: **\$470,701.00.**
- Budget estimate for Pinam to rebuild the park where it is currently located, including anticipated additional undercut (\$160 per yd), ECS testing, clock, refinish pergola, and 10% contingency: **\$379,425.00.**
- Options to not rebuild the park would require the base bid amount plus a combination of Alternate Bids 1-5.

CONTRACTOR	N.C. LICENSE NO.	TOTAL BASE BID AMOUNT	ALT 1	ALT 2	ALT 3	ALT 4	ALT 5
H. F. Mitchell Const. Co.	1007	\$ 76,500.00	\$ 17,640.00	\$ N/A	\$ 232,320.00	\$ 21,750.00	\$ 233,310.00
Pinam Construction Inc.	78381	\$ 81,432.00	\$ 32,000.00	\$ 63,500.00	\$ 63,500.00	\$ 28,000.00	\$ 86,432.00

He shared that Burke Robertson, Public Works Director, worked very closely with the individuals who submitted the requests and was present to answer questions.

Mayor Talley stated she had estimated half a million dollars, and these were estimates before any change orders. She asked when estimates are received, was it the normal course to budget a little more than that for change orders.

Assistant City Manager Holland stated a contingency would be built into the estimate, but a project going precisely as planned would be rare, so there is a chance you would have change orders, even with your best projects.

Council Member Parsons stated you don't know 100% what is in the ground.

Assistant City Manager Holland stated that was correct, and the two quotes would be a perfect world situation with the 10% contingency built into the quotes. The chances that it will remain a perfect world once you begin digging and realize what you have beyond a certain point could increase the price.

Mayor Talley asked the City Manager whom she had heard from regarding the park property.

City Manager Garner stated the only individual she had heard from recently was Griffin McClure, who emailed her today saying his stance was the same as he had previously indicated to the City Council.

Mayor Talley said she thought there was some interest in the park.

City Manager Garner stated that she had heard someone was interested in purchasing the parcel if it were to come up for sale.

Mayor Talley asked about their plans for the property.

City Manager Garner was not aware of the specifics.

Mayor Talley inquired about the quotes.

Assistant City Manager Holland shared if the Council wanted to build the park back where it was, the cost would be \$379,425, which was the lowest bid. He stated that the bids before the Council did not necessarily require a choice between the two; only if the Council wishes to rebuild the park, then these are the quotes from the vendors. He further shared that if the Council elected not to do these options, it would be the burden of whoever purchases the property. He said the only cost the City would be responsible for would be our staff taking up the bricks, pavers, benches, pergola, etc., and then storing them or placing them elsewhere.

Council Member Whitaker asked what type of burden that would be on staff to pull everything up, disassemble, and move it.

Burke Robertson, Public Works Director, stated it would depend on whether staff would be dismantling everything or just the brick pavers, benches, clock, and pergola. He said it could be taken down in a day.

Mayor Talley asked to figure out a way to make the bricks more prominent, like placing them in a sidewalk. She also shared that when events are taking place within the park, it's really loud due to the traffic.

Council Member Chin shared that a better location would be at the Civic Center.

Mayor Talley stated the pergola in that area would be nice for weddings or gatherings. She shared that Russell Compton had tried numerous tours, but it is just too loud, even with a microphone.

Council Member Whitaker asked how much say the Council would have over what would be built on the property if it were sold.

Assistant City Manager Holland stated that, legally, you could establish certain parameters within the request for individuals interested in purchasing the property and would run it through the City Attorney to ensure the Council does not overstep its bounds in what can be stated.

Mayor Talley suggested other areas for green space where the noise would be less noticeable.

Assistant City Manager Holland Aaron stated it would need to be property the City controlled. Downtown was primarily comprised of parking lots, so the city would need to consider any strategically placed spaces that could serve as green spaces or shelter options.

Mayor Talley shared that in West Jefferson, on one side of a parking lot, there was a storage shelter to store tables and chairs. The shelter's sides come down to form a structure that holds a farmers' market on weekends, and the parking lot is open the rest of the time.

City Manager Garner stated nothing in the proposed budget would include a new green space.

Mayor Talley suggested taking this up with the Downtown Master Plan, and needed to listen to the comments that have come in and present those to the one doing the downtown master plan.

City Manager Garner stated she did not know how long the bids would hold and would not be held until a Downtown Master Plan rewrite was completed. She shared if this was the direction the Council wanted to go, we would likely have to rebid this process at some point because most hold bids are good for 60 to 90 days.

Mayor Talley shared that she did not think citizens wanted to spend half a million dollars to fix the park, and in her opinion, did not see many people using it. She said it was not being a good steward of taxpayers' money.

Council Member Chin shared he was recently on the WBAG radio show, a citizen said they would love to have the park downtown, but did not want tax dollars paying for it. He further stated if folks wanted to have the park there, then it should be privately funded and not by the taxpayers.

Mayor Talley stated private donors initially funded the park because the taxpayers did not want to fund it. She said that's why we are in this position, because they did it the cheapest way they could with the amount of money they had. Unfortunately, it was filled with a variety of items in a basement that is now sinking and contaminated.

Council Member Whitaker stated that by doing right by the taxpayers, she suggested having Mr. Robertson's staff remove it, sell it, and let the buyer have the burden of repair. She also suggested imposing some limitations, such as what can be put there, to maintain the historic look of downtown. She stated that either the bricks should be given back to the people or placed somewhere else.

Council Member Parsons stated he had a hard time spending half a million when citizens are drinking rusty water. He stated if you want the park to stay, then fund it. In his opinion, the park was not more important than drinking water. He suggested placing it in the Downtown Master Plan, and if there was an individual group, allow them the opportunity to raise money.

Council Member Whitaker asked that the clock be used somewhere downtown.

Mayor Talley stated no matter what was decided, the park had to be removed for it to be repaired.

Mayor Pro Tem Hall stated, as he had voted previously, the park was placed there to remind everyone who comes to Graham and serve as a place to eat ice cream or lunch, and the City should repair it. He also stated the park should be re-envisioned, with the pergola removed and replaced by nice seating with a covering over it.

Mayor Talley stated it would be a lot of money. She asked the City Manager what was needed from the Council.

City Manager Garner stated her ask was to get some consideration or consensus from the Council so staff would know how to move forward. She stated she was hearing three no's for funding the repair and asked if they wanted staff to do anything to the park or leave it as is at this time.

Mayor Pro Tem Hall made a motion to leave it as is.

Council Member Parsons stated that he was okay with leaving it as is until a better alternative is found.

Council Member Chin stated the longer it is left as is, the more problems it will become.

Mayor Talley asked how deep the brick pavers had fallen.

Mr. Robertson stated in some areas it had settled a foot to a foot and a half.

Council Member Chin stated the City closed it because it was a hazard, and all it would take was for someone to climb the small wall and get hurt.

Mayor Talley stated she had heard equally from people who do not want to spend a lot of money, and their main concern was that the bricks not go away. She stated that the City's goal was to repurpose the bricks dedicated to the sesquicentennial with a plaque, marking the 150th birthday. She stated something had to be done, and it could not continue to fall into the hole.

Council Member Chin asked what it would take to pick up the bricks, disassemble the pergola, and store it.

Mr. Robertson stated that due to its width, a crane would be needed to lift it, but it could not be taken through the streets. He noted the pergola would need to be cut in half, transported, and reassembled.

Mayor Talley suggested placing the pergola at the Civic Center, which could be used in many different ways. She stated she was good with moving forward and having the public participate in the Downtown Master Plan rewrite.

Council Member Chin said he thought the Council should proceed with making a motion to remove the pergola, cut it, store it, remove the bricks, relocate it, and consider reassembling the pergola at the Civic Center, and then make a decision regarding the brick.

Mayor Talley asked how long it would take to move the pergola directly from the park to the Civic Center so it would not have to be moved twice.

Mr. Robertson said he would need to check on it. If a crane were needed, they would need a dedicated and ready-to-use area so the crane would make only one trip.

Council Member Chin said if it were cut and disassembled, it would be a matter of transporting it. He asked Mr. Robertson for the cost of cutting it and moving it in pieces, compared to using a crane.

Mayor Talley asked if staff could ensure that there were no trip hazards.

Mr. Robertson suggested hauling everything out, filling in with dirt, and planting grass over it.

City Manager Garner shared that Mayor Pro Tem Hall had a motion to leave it as is, and there was no second, so the motion died for lack of a second, unless you wanted to call for a second.

Mayor Talley said she did not hear anyone second the motion, so it died for lack of a second.

Council Member Chin made a motion to disassemble the pergola, pick up the memorial bricks, and do what is necessary as defined by Public Works to make that piece of property safe, and then consider declaring the land surplus and putting it up for sale, seconded by Council Member Whitaker. The motion passed 3-2. Mayor Pro Tem Hall and Council Member Parsons voted no.

Council Member Whitaker asked Council Member Parsons what he objected to.

Council Member Parsons stated he objected to proposing putting it up for sale. He said that if Public Works can get it back to a safe condition, the first part of the motion was fine, but he was not ready to put it up for sale.

Mayor Talley stated that was not what Council Member Chin was saying in the motion.

Council Member Chin stated staff was not going to dig up the basement and remediate the area.

Council Member Parsons said the second part of the motion was to consider it surplus.

City Manager Graner stated that, to ensure clarity, it would need to come back before the Council for

action before it can be declared as surplus property.

Council Member Parsons changed his vote to yes.

Mayor Talley stated the vote was 4-1 to move forward with removing it and making it safe, and then hear from the public how to repurpose that space without the cost of repair, which would be close to half a million dollars. The City did not have the money to do that at this time, but something needed to be done now to make it safe. She stated all the memorial bricks would be saved and repurposed, as well as the clock, pergola, and benches.

Tom Boney, Alamance News, asked how this Council could make a decision without holding a public hearing to hear citizen comments and acting without public notice. He reminded the Council that they had received a \$600,000 grant from the State, spent the money, and could have allocated it to this purpose, but had decided not to and instead spent it on other purposes.

Mayor Talley stated that the grant was specifically for crosswalks.

Mr. Boney stated he had asked Senator Galey, and that was not what she said. She was the one who got the money for the grant.

Mayor Talley stated that was exactly what was requested.

Mr. Boney relayed displeasure that the Council did not hold a public hearing to give the citizens a chance to speak.

Mayor Talley said that the citizens were given a chance to speak, and they did. She asked that he not print in his paper anything other than the Council was making the space safe. She stated that the items sitting on the base had to be removed to make repairs and make it safe. She also told Mr. Boney that the door was not shut for citizens to give input on the park's future.

Council Member Chin relayed to Mr. Boney that the Council would not use taxpayers' dollars to rebuild the park where it currently stands. He stated that if there were people in our community who wanted to raise the funds as they did for its construction, then we would rebuild it there.

Motion by Mayor Pro Tem Hall to take a 10-minute recess, seconded by Council Member Whitaker.

The Council took a 10-minute recess.

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

ITEM 8: OVERCHARGE CLAIM – TRASH PICKUP

City Council received an update, at Council Member Parsons's request, regarding an overcharge claim by Graham Furniture Mart for trash pickup.

Assistant City Manager Holland stated this was brought up at the end of last month's meeting. He shared over the span of July 2019 through August 2020, various charges for garbage pickup were charged to Paul Crotts in accordance with Chapter 16 of the Graham Code of Ordinances. These charges were related to

content that was too large to fit in the provided containers, which the Sanitation Department services. As seen in the attached document, the charges totaled \$1,517.33, which were reduced to \$853.11 after Mr. Crotts met with former City Manager Frankie Maness and later reduced again to an amount paid of \$719.16.

Mayor Talley stated the charges were way too much, and Mr. Crotts felt like he was singled out and started getting all these fees from the City.

Motion by Council Member Parsons to refund \$719.16, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 9: DOWNTOWN MASTER PLAN REWRITE

City Council discussed the rewriting of the Downtown Master Plan.

Assistant City Manager Holland stated at the conclusion of last month's Council meeting, staff was directed to bring forth a formal motion to repeal the existing Downtown Master Plan in anticipation of working towards a new plan in the upcoming fiscal year. City Council would need to consider and approve, including the cost for this project, in the upcoming fiscal year, and staff would need to obtain a consultant once approved. He stated the Council could repeal the plan tonight, and when they decide to move forward with a new downtown plan, staff would work to get the bids.

Council Member Whitaker asked how long it would take to write a new plan and what the ramifications of repealing it before we have a new one.

Assistant City Manager Holland stated, as it stood, having a plan does have benefits you can leverage for grants. He shared that not having a plan in place would cause us to score lower in certain instances. The time frame for the redo depends on the consultant. The last plan took six to nine months to get started, and you would be looking at a year.

Council Member Whitaker asked what the positives were to repeal the plan now.

Assistant City Manager Holland stated the Mayor had mentioned other plans referencing areas within the Downtown Master Plan in a positive way.

Mayor Talley voiced concerns about the roundabouts installed by NCDOT and was in favor of repealing the plan tonight with the idea that it was being rewritten.

Assistant City Manager Holland stated that if the Council wanted to repeal it, then they should keep in mind that it would be replaced.










Motion by Mayor Talley to repeal the Downtown Master Plan and move forward with the process of rewriting a new Downtown Master Plan, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 10: FY2025-2026 BUDGET PRESENTATION

City Manager Garner presented to the Council the FY 25-26 Budget books and gave the following overview:

City Manager Garner stated that the budget process began with the City Council in December 2024 at its planning session with City Council at the Civic Center. In January 2025, there was a department kickoff, and in March 2025, there was part two of the budget planning session, along with multiple individual departmental reviews.

During those budget sessions, the Council came up with the following Strategic Priorities:

	Explore Digital Signage at City Hall – Considered on tonight’s agenda		Address the Sesquicentennial Park Repair – Considered on tonight’s agenda
	Restructure Sanitation – Routine adjustments are made with more proposed if the sanitation collector position is approved		Implement Edmunds software and Personnel Policy – Payroll scheduled to go live May 2025; Personnel Policy already in effect
	High Quality Infrastructure - \$1,300,000 is proposed in FY26 to continue the neighborhood waterline enhancement project		Complete Comprehensive Plan - Anticipated for City Council consideration in summer 2025
	Hire a City Engineer – Action item at a future City Council meeting		Update Unified Development Ordinance – Action item at a future City Council meeting
	Market Graham better along the interstate – Potential use of occupancy tax funding to be spearheaded by the Public Relations Specialist, if funded		

General Fund (10)

- ☐ One penny on the tax rate is estimated to generate \$270,215 based on a 97% collection rate
- ☐ Balanced at \$22,750,562 with a \$0.02 increase to the tax rate
- ☐ No interfund transfers
- ☐ Street resurfacing proposed to increase for 12th consecutive year

General Fund Revenues: “Where the Money Comes From”

WHERE THE MONEY COMES FROM



General Fund Expenditures:

- ☐ Deferred maintenance/capital items equate to over \$1,500,000
- ☐ Mandatory employer retirement contribution increase
- ☐ Health insurance increase of 4%
- ☐ Expenditures for public safety (\$9,426,110) are expected to exceed all of the ad valorem tax levy (\$7,964,500) by over \$1,461,610
- ☐ New full-time positions funded:
 - ☐ Public Relations Specialist (funded through occupancy tax)
 - ☐ Sanitation Collector (existing title)
 - ☐ Building Maintenance Technician (funded using dollars previously allocated to individual departments)
 - ☐ One entry-level firefighter position per shift (not intended to be career ladders)

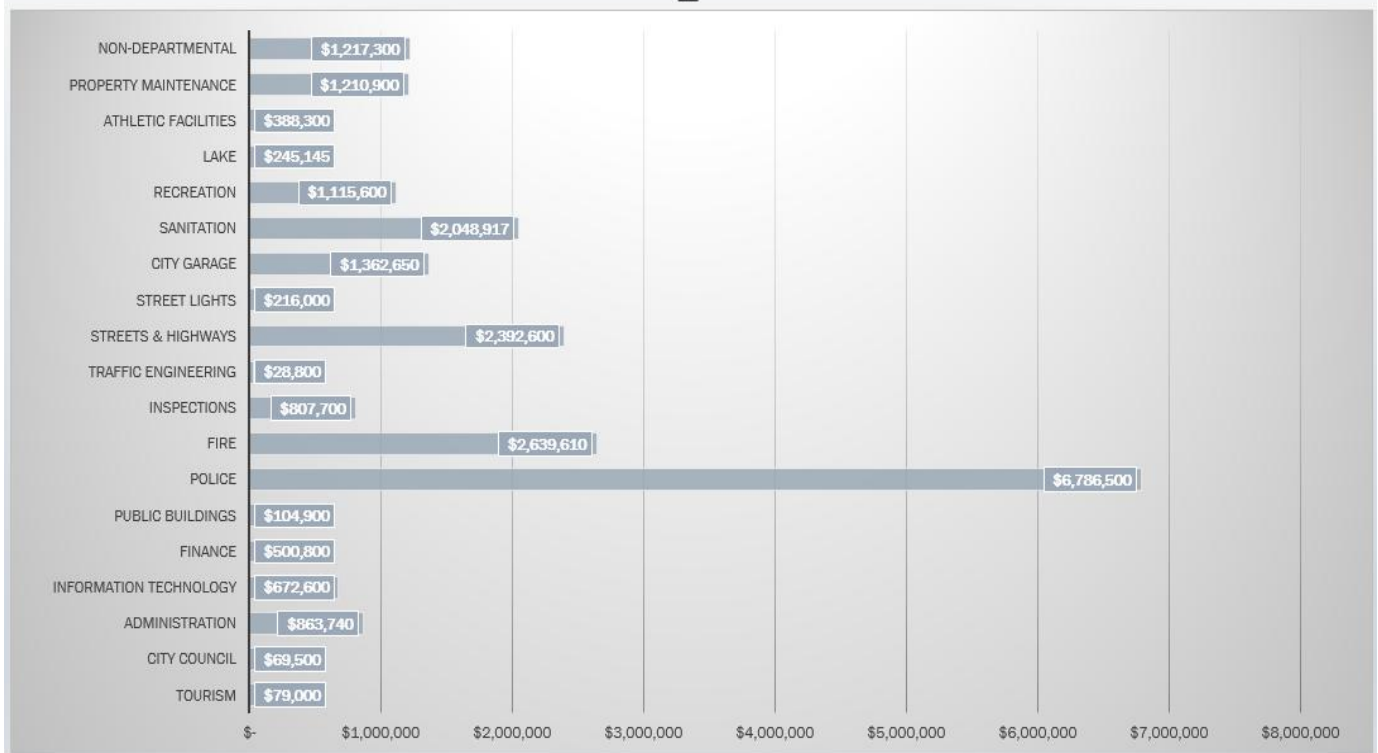
WHERE THE MONEY GOES



Proposed Fee Increases (General Fund)

- ☐ Inspections Department - Re-inspection Fees
 - ☐ Current \$60
 - ☐ Proposed \$100
- ☐ Garbage and recycling (3% CPI increase with Republic)
 - ☐ Current \$13.50
 - ☐ Proposed \$14.50
- ☐ Police – Parking fees
 - ☐ Current \$10
 - ☐ Proposed \$20
 - ☐ Late fee \$10 for every 30 days delinquent up to 90
- ☐ Lake – Boat rentals
 - ☐ Current \$4/hour and \$8/hour
 - ☐ Proposed \$15 flat fee

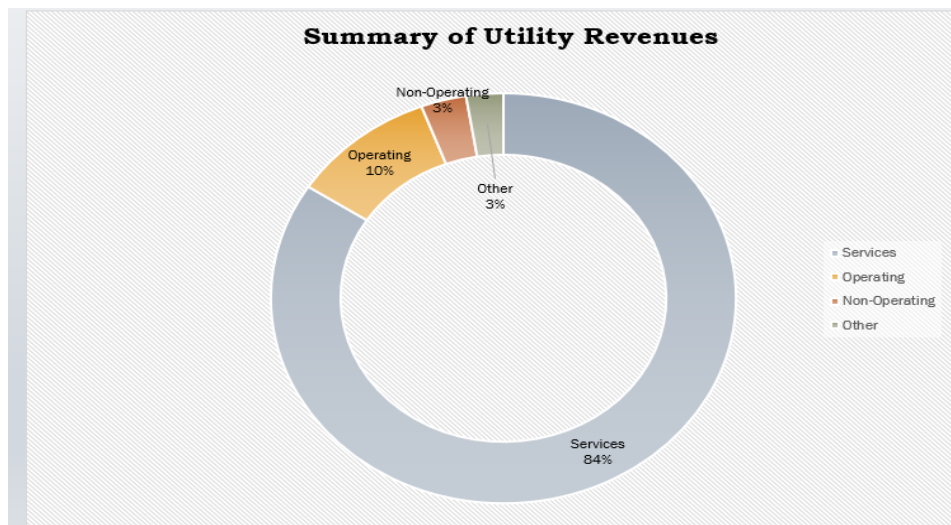
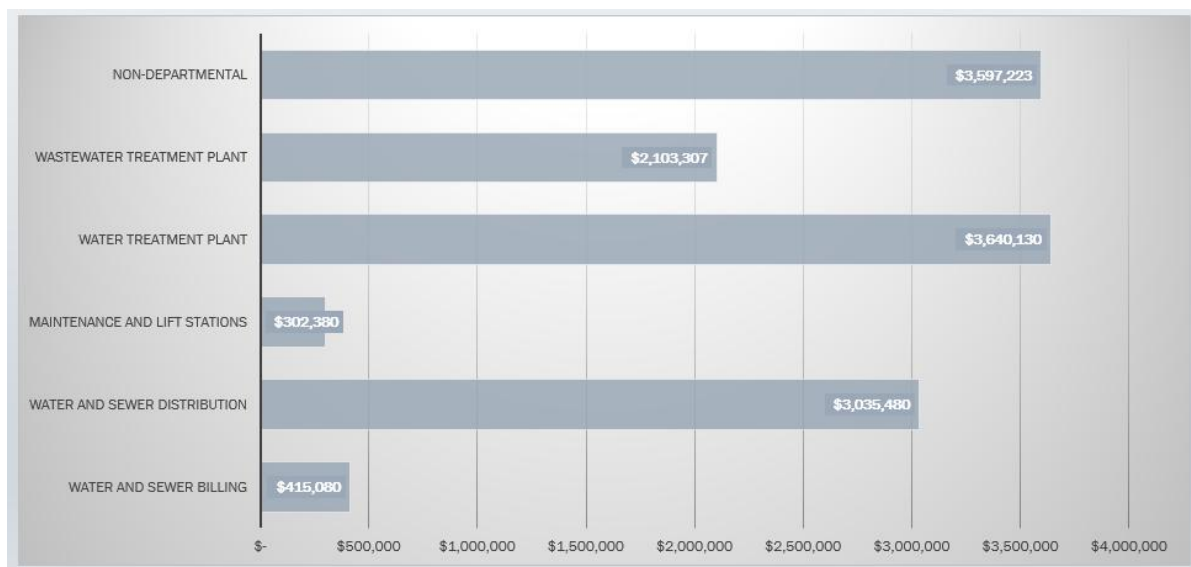
General Fund Departments



Water and Sewer (Fund 31)

- ☐ Balanced at \$13,093,600
- ☐ Proposed rate increase of 4%
 - ☐ Increase for 1,000 gallons ~\$0.92 water
 - ☐ Increase for 5,000 gallons ~ \$3.39/month
- ☐ No new positions or reclassification funded

1,000 gallons		5,000 gallons	
Current water	\$9.95	Current water	\$27.33
Proposed water	\$10.35	Proposed water	\$28.42
Current sewer	\$12.91	Current sewer	\$57.42
Proposed sewer	\$13.43	Proposed sewer	\$59.72



Upcoming Dates:

- ☐ May 20, 2025 – Council work session
- ☐ June 10, 2025 – Public Hearing

Budget Availability:

☐ Available in the office of the City Clerk

☐ Available on our website (www.cityofgraham.com) Wednesday, May 14th

City Manager Garner shared that Council would find a lot of information in the budget books, which contained quick facts and highlights, the Budget Message, breakdown of revenue and expenditures that go into detail on each department, a proposed pay plan, a proposed rate and fee schedule, and all Capital Improvement items that were submitted. She relayed the items highlighted were approved for funding, and the other items listed were not recommended for funding. She reminded the Council of the Budget Works Session scheduled for May 20, 2025, at 10:00 a.m. to review the budget, allowing for a week of review and return with questions. The Budget public hearing will be on June 10, 2025, at 6:00 p.m. as part of the regular Council meeting. The budget will be available online and in the City Clerk's office.

Mayor Talley stated that the property tax was reduced from 0.4799 to 0.2899, and although it is going up 2 cents, we are still down by half from where we were.

Mayor Talley strongly suggested that the Council send a resolution or request to the Alamance Tax Office regarding the recent evaluation of large commercial buildings. She stated that there was no way it was calculated correctly, and it was making residential customers pay more than their fair share compared to commercial owners.

The Council's consensus was to draft a resolution requesting that the County Commissioners conduct a reevaluation due to inaccuracies.

Mayor Talley inquired about a new fire station.

City Manager Garner relayed there was \$50,000 for design work built into the budget.

Mayor Talley asked to look at surrounding cities that had done a design-build and possibly save money by piggybacking to have a better idea of how to budget.

Council Member Parsons stated the fire study recommended the need for two stations.

City Manager Garner stated that the Fire Location Analysis did recommend two additional stations, one in the area of Rogers Road and one in the Graham Regional Park area.

Mayor Talley asked how much revenue the 2-cent tax increase would bring in.

City Manager Garner stated that the amount would be slightly over \$540,000.

PUBLIC COMMENT PERIOD

There were no public comments.

CITY STAFF COMMENTS

There were no City Staff comments.

CITY COUNCIL COMMENTS

Council Member Parsons shared that his house was currently on the market and he was looking to purchase property outside the City of Graham, and at some point, would be unable to serve on the City Council.

Mayor Talley reminded everyone about the Arts Around the Square event on Saturday, May 17, 2025.

Council Member Chin read the following statement for the record regarding the hiring of a new police chief.

1. Announcement of the Chief of Police position vacancy:
 - a. Has the announcement been written? What are the qualifications for the position? Please provide a copy to the Council to review before it is released.
 - b. When will the announcement for the Chief of Police position be released?
 - c. How will the announcement be publicized, such as through news media outlets and government websites, etc.?
 - d. How long will the announcement be open for applicants?
2. Selection Board:
 - a. Will there be a selection board to review all potential applicants?
 - b. Who will be on the selection board?
 - c. What will be the process to screen potential candidates?
3. Chief of Police Job Description – Please provide a copy of the job description of the Chief of Police.
4. Hiring Philosophy – Upon my election to the Council, I was informed that the priority in the hiring policy was to “Hire and promote within the organization” before going outside the organization to recruit.

Council Member Chin further stated he hoped we were true to that philosophy, and we needed to select the right person to be our Chief of Police. He said he would like to think that we have qualified candidates in our police force to be the Chief of Police, where we should not even consider outside applicants. He stated that if we hire someone from outside the police force, we would be sending a message to our police officers that none of them will ever be a Police Chief. He asked to go on the record and emphasized the importance of selecting the right person to be the Chief.

Council Member Parsons agreed.

Mayor Talley stated if he would leave it open to anyone who was not currently working for Graham but had worked for Graham.

Council Member Chin stated in his mind that would still be going outside.

Mayor Pro Tem Hall stated the problem with what you are saying is that the Council was only allowed to hire one person, and that is the City Manager. If we do anything other than that, then we would be directly involved.

Council Member Chin stated he was not saying the Council would hire; he was saying that the City Manager would consider those things. She has to hire, but this is an important position.

Mayor Talley stated that she thought the Manager wanted to know the Council's wishes. She noted that every Mayor in the past supported and elaborated at length about hiring from within. They did not always follow that decision, but they certainly always advocated for training people and acknowledged that the Manager had made huge strides in this area by reworking the job titles to allow employees a way to progress.

City Manager Garner stated that staff were constantly evaluating what made the most sense for the department as a whole, such as incorporating a Police Officer II, which provides a step between a Police Officer I and a corporal.

Council Member Whitaker shared one of her concerns was when a notice goes out saying you have a certain degree such as a masters and advocated to say a Master's degree or equivalent applicable training for those who do not have a master's degree but had a lot of training and worked their way up the ladder. She stated she had known people with master's degrees and would not necessarily want them to be a police chief. She did not want to exclude someone who does not have a degree.

Mayor Talley said one of our best City Managers started as a meter reader.

Council Member Whitaker stated she thought they would be excluding some people if they did not say equivalent or applicable training, and did not want to see that happen. She noted it was something she would like to see as a Council Member. She knew the decision would be made by the City Manager, but wanted to let her know what she would like to see to give more people a chance who have been around and done the jobs, and did not want to exclude anyone based on a master's degree.

Mayor Talley stated that having an education, such as a doctor, and operating on someone, then you might need to attend medical school, but if you are doing construction, a college degree does not necessarily help you. She stated it depended on the position and felt that law enforcement required boots-on-the-ground training, but also thought the person needed to be able to perform administrative work. She stated you could consider someone with a college degree who may not necessarily be the right person to hold that position, even though they have all the education in the world, and lack experience interacting with people. She stated it was essential to have someone good with employees, as well as with the community. She shared that they got pushback when they hired the Manager, but she had become a part of the community.

Council Member Chin and Whitaker did not grow up in this community, but they became part of it and made a commitment to it. She stated having a police chief who would visit businesses and participate in local community events would go a long way toward being accepted by the local community.

Mayor Talley shared that there would be an antique car show at 4:00 p.m., following the Arts Around the Square event, and then Jordan Picket would play at 7:00 p.m.

CLOSED SESSION:

City Council considered going into closed session pursuant to the terms of N.C.G.S. 143-318.11(a)(3) and N.C.G.S. 143-318.11(a)(6) 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: a personnel issue and consulting with the attorney.

Motion by Mayor Talley to go into closed session for two separate issues; pursuant to 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 and pursuant to N.C.G.S. 143-318.11(a)(6) for a personnel issue, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

OPEN SESSION:

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

ADJOURN

Motion by Mayor Pro Tem Hall to adjourn, seconded by Council Member Chin. The motion passed unanimously. The meeting adjourned at 10:51 p.m.

Renee M. Ward, CMC
City Clerk

May 13, 2025
City Council Meeting