

**City of Graham  
City Council Meeting Agenda  
October 13, 2026**



**6:00 p.m. | City Hall | 201 South Main Street | Graham, NC**

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**CALL TO ORDER:** Mayor Chelsea Dickey

**INVOCATION & PLEDGE OF ALLEGIANCE**

Invocation – Pastor Steven Boone, The Guiding Light Church

**CONFLICT OF INTEREST/CIVILITY:** City Clerk Renee Ward

**ADOPTION OF AGENDA:**

**CONSENT AGENDA:**

- A.** To approve the September 8, 2026 City Council Meeting and Closed Session minutes.
- B.** To approve an amendment to the Traffic Schedule to prohibit parking on the south side of Whitsett Street, starting at North Street and extending 160 feet east.
- C.** To adopt a resolution awarding a contract to Pipeline Utilities, Inc., in the amount of \$971,760 for the 10" water main replacement Phase 2A project, pending approval from the North Carolina Division of Water Infrastructure.
- D.** To approve the Alamance County Veterans Day Parade on Saturday, November 14, 2026, and the closure of McAden Street from 6:00 am to 1:00 pm, pending approval from NCDOT for the closure of a state road.
- E.** To approve a request to endorse the appointment of City Employee Jonathan Buckley to the Alamance County Board of Commissioners as a Plat Review Officer.
- F.** To approve the 65<sup>th</sup> Annual Graham Christmas Parade request for street closures beginning at Parker Street from Sideview to Elm Street, proceeding down North Main Street to South Main Street, and ending on McAden Street at Graham Middle School's parking lot. The requested street closures would be on Saturday, December 5, 2026, from 8:00 am to 1:30 pm (including setup and cleanup), pending NCDOT approval for the closure of a state road.
- G.** To approve the Project Ordinance for the Graham-Mebane Lake Spillway Repair Project. FEMA has obligated funding for the Graham/Mebane spillway repairs, covering 75% (\$15,809,232.89) of the estimated \$21,078,977.18 total cost. North Carolina Emergency Management will fund the remaining 25% (\$5,269,744.29). The spillway sustained structural damage during Tropical Storm Chantal in July 2025.

- H. To award the financing of a sanitation truck and motor grader to Atlantic Union, included in the Fiscal Year 2027 budget.
- I. To approve amendments to the Rules and Procedures for Elected Officials, Rule 16, Order of Business, adding Ethics and Civility Statements, and Rule 22, Second Not Required to Second Required.
- J. To approve a Budget Amendment in the amount of \$1,950 for the purchase of three plaques designating buildings located at 334 East Harden, 118 North Main, and 135 West Elm Streets as historical properties in the City of Graham.
- K. To approve a revision to the previously adopted ARPA Enabled Project Ordinance to reflect the final total for the salt shed project and transfer the unspent balance of \$10,574 to the Property Maintenance budget for building maintenance.
- L. To approve a Budget Amendment accepting a donation of \$10,000 from the Friends of Graham Recreation and Parks to upgrade equipment at the Graham Recreation Center for use by the afterschool and summer day camp programs.
- M. To approve tax refunds in the amount of \$446.58 and tax releases in the amount of \$977.28.

#### **PUBLIC HEARINGS:**

##### **1. REZONING – 0.72 ACRE LOT – 311 CHEEKS LANE**

A public hearing is scheduled to consider rezoning a 0.72-acre lot at 311 Cheeks Lane from R-18 (Low Density Residential) to C-B (Conditional Business) to develop an overflow parking lot for River Mill Academy. (Planning Board recommends approval)

##### **2. REZONING – 10.05 ACRES – OFF 0 HANFORD ROAD**

A public hearing has been continued to consider rezoning 10.05 acres of property from R-18 (Low-Density Residential) to C-R (Conditional Residential) to construct 16 Cottage Homes and ten custom-built homes off Hanford Road. (Continued from June 9, 2026 and August 11, 2026, City Council meetings) (Planning Board recommends approval)

#### **NEW BUSINESS:**

##### **3. STREET CLOSURE – MOORE STREET**

City Council will consider supporting the road closure of Moore Street near the Creative Directions building at 554 Moore Street for the first annual Community Impact and Business Expo from 8:00 am to 8:00 pm on Saturday, September 25, 2027. Moore Street is a NCDOT road and will require approval.

#### **4. PRE-REGULATORY LANDFILL – NCDEQ**

City Council will consider a request from the North Carolina Department of Environmental Quality regarding a Pre-Regulatory Landfill (PRLF) identified on two City-owned properties. A PRLF is a location where unregulated waste disposal occurred prior to January 1, 1983. The two identified locations are 402 Goley Street (Civic Center Area) and 1402 E. Gilbreath Street (Graham Memorial Area).

#### **5. MARSHALL STREET PLAYGROUND – NEW EQUIPMENT**

City Council will consider approving a budget amendment in the amount of \$88,000 to purchase and install new equipment at the Marshall Street playground.

#### **6. PRE-MEETING FOR CITY COUNCIL**

City Council will discuss and direct staff on having a meeting before the regularly scheduled Tuesday City Council meeting.

#### **PUBLIC COMMENTS**

#### **CITY STAFF COMMENTS**

#### **CITY COUNCIL COMMENTS**

#### **CLOSED SESSION:**

City Council will consider going into closed session in accordance with North Carolina General Statute 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 for both current (City of Mebane versus City of Graham, Case #25CV007126-000) and potential litigation.

#### **ADJOURNMENT**

# **City of Graham**

## **City Council Meeting Minutes**

### **September 8, 2026**



The City Council of the City of Graham held a regularly scheduled meeting on September 8, 2026 at 6:00 p.m. in the Council Chamber, City Hall Municipal Building, 201 South Main Street, Graham, NC.

#### **Council Members Present:**

Mayor Chelsea Dickey  
Mayor Pro Tem Ricky Hall  
Council Member Bobby Chin  
Council Member Bonnie Whitaker  
Council Member Jim Young

#### **Staff Present:**

Megan Garner, City Manager  
Aaron Holland, Assistant City Manager  
Bob Ward, City Attorney  
Bryan Coleman, City Attorney  
Renee Ward, City Clerk

**CALL TO ORDER:** Mayor Dickey called the meeting to order and presided.

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

Pastor Derek Thorpe of North Graham Baptist Church gave the invocation, and all stood for the Pledge of Allegiance.

#### **ADOPTION OF AGENDA:**

Motion by Mayor Pro Tem Hall to adopt the agenda, seconded by Council Member Young. The motion passed unanimously.

#### **CONSENT AGENDA:**

- A.** To approve the August 11, 2026 City Council and Closed Session minutes.
- B.** To approve a Budget Amendment in the amount of \$152,000 for the Wastewater Treatment Plant, comprising \$120,000 for Biosolids Dewatering/Disposal and \$32,000 for Clarifier 2 Gearbox labor.
- C.** To approve a Budget Amendment in the amount of \$7,000 in State Drug Forfeiture revenue for the Police Department's patch replacement.
- D.** To approve resolutions for the Fall 2026 Graham-Mebane Wastewater Treatment Plant PFAS & Reliability and 2026-2036 Water & Sewer System Capital Improvement Plan.
- E.** To approve an amendment to Section 4-4 of the City of Graham Personnel Policy to establish a separate probationary period of six months for qualified, in-state lateral-transfer officers per the North Carolina Criminal Justice Education and Training Standards Commission.
- F.** To approve tax releases in the amount of 2,148.53.



Motion by Mayor Pro Tem Hall to approve the Consent Agenda with a correction to the minutes, seconded by Council Member Chin. The motion passed unanimously.

## **PUBLIC HEARINGS:**

### **ITEM 1: REZONING – 0.73 ACRES – 1528 E. HARDEN STREET**

A public hearing was scheduled to consider rezoning a 0.73-acre lot at 1528 E. Harden Street from R-G (General Residential) to B-2 (General Commercial) to allow the existing house on the lot to be used for commercial purposes. (Planning Board recommended approval)

Assistant City Manager Holland stated this request was to rezone a 0.73-acre lot at 1528 E Harden Street from R-G (General Residential) to B-2 (General Commercial) to allow the existing house on the lot to be used for commercial purposes. The land currently falls in the Commercial Corridor Land Use category, which supports commercial growth in strategically located clusters within the NC-54 and NC-87 corridors. He shared that this was on the agenda last month when Council approved the annexation, and the property owner was now seeking rezoning for commercial use.

The public hearing was opened, and the following person spoke.

Dewey Brown, Jr., 1015 E. Harden Street, Graham, stated he took an old, dilapidated property, cleaned up the landscaping, remodeled the house, and improved the area. He was present to answer questions.

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

Motion by Council Member Young to approve the rezoning of 0.73-acre lot of property from R-G (General Residential) to B-2 (General Commercial) to allow the existing house on the lot to be used for commercial purposes and that it would be consistent with the current land use plan for the overall goal of occupying the structure on the lot and is consistent with the Commercial Corridor land use type and furthers policy 2.2.1, and 2.3.2 as put forth by the Graham 2035 Comprehensive Plan, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

### **ITEM 2: REMOVE OVERLAY DISTRICT – 0.056-ACRE LOT – S. MAIN STREET/HWY 87**

A public hearing was scheduled to remove the Overlay District from a 0.056-acre portion of a 0.4111-acre property within the S. Main Street/Hwy 87 Overlay District. The remainder of the property is zoned B-2 (General Commercial) and, upon removal of the Overlay Zoning, would allow avoidance of a required sidewalk extension and to provide new parking in the front yard to support the existing commercial use. (Planning Board recommended approval)

Assistant City Manager Holland stated this request was to remove a 0.056-acre portion of a 0.411-acre property that falls under the S Main St/Hwy 87 Overlay District. He stated this property was once part of a larger property that was split when Moore Street was cut through and was left with an overlay from the prior property, even though it was not adjacent to Highway 87. The request was to remove the overlay so the property owner would not be restricted by the overlay conditions and restrictions associated with Highway 87.

The public hearing was opened, and the following spoke:

Justin Kesler, representing Angela Hall, owner of Ancora Wealth Partners, stated they would like to move their office from Burlington to Graham and construct a parking lot in the front because they cannot place it in the back due to the septic tank and overlay restrictions.

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

Motion by Council Member Young to approve removing a portion of the overlay district from the 0.4111-acre property that falls under the S. Main Street/Hwy 87 Overlay District, consistent with Section 10.437 of the Development Ordinance and furthering Strategy 2.1.5 of the 2035 Comprehensive Plan, seconded by Council Member Chin. The motion passed unanimously.

### **NEW BUSINESS:**

### **ITEM 3: FUNDING REQUEST – HISTORIC RESOURCES COMMISSION – HISTORIC PLAQUES**

City Council considered approving a resolution authorizing \$650 each in funding to install three new plaques on buildings with historic significance, in conjunction with the Historic Resources Commission.

Assistant City Manager Aaron Holland requested the Council's approval to fund the production of plaques to be placed on three buildings in Graham for \$650 per plaque + tax. The HRC has successfully installed plaques in prior years with City funding, as recently as 2023. Two of the proposed buildings are designated as contributing in the Historic Resources Handbook, and another was designated as a Historic Landmark in March 2026. They are listed as follows:

1. Children's Chapel United Church of Christ – 334 E. Harden – Designated as a historic landmark March 2026.
2. Green and McClure Furniture Building – 118 N. Main – Contributing.
3. Graham Historical Museum – 135 W. Elm – Contributing.

Mayor Dickey asked whether the board followed a policy or set of guidelines to identify these three businesses.

Chair Ben Beushausen and Co-Chair Richard Shevlin stated they had a list of all historic sites, reviewed who had already received plaques, picked three more, and contacted the owners to get approval to receive a historic plaque.

Mayor Dickey asked what qualified as a historic site.

Mr. Beushausen stated there were several guidelines, mainly for downtown historic buildings and a few outside the downtown district.

Mayor Dickey asked if there was a local firm to order the plaques.

Mr. Shevlin stated they received four to six quotes and unfortunately the local company was twice as expensive for the same quality. He stated the Florida company was selected based on the price and customer service.

Council Member Whitaker asked about shipping cost.

Mr. Shevlin stated the shipping was included in the \$650 along with installation hardware.

Mayor Dickey said she would have liked them to use a local company.

Council Member Young shared that the board did its due diligence by researching local companies, but no one could match the Florida company, which has been around since 1936. He stated it did not seem feasible to go with a local company and spend two to three times more per plaque.

Motion by Council Member Young to approve ordering three plaques at \$650 each, seconded by Mayor Pro Tem Hall. The motion passed 4-1. Mayor Dickey voted no.

#### **ITEM 4: ACCEPTANCE OF PUBLIC STREETS AND RIGHT OF WAY – MEADOWVIEW GLEN - PHASE 2**

City Council will consider approving a resolution authorizing the adoption and maintenance of portions of Meadowview Drive located within Phase 2 of the Meadowview Glen Subdivision.

Assistant City Manager Holland stated the Development in Phase 2 of the Meadowview Glen Subdivision has been completed, and the streets have been offered to the City of Graham for adoption. Public Works, the City's Engineer, and the Planning Department inspected these streets for compliance with the proposed development pattern permitted under their approved construction drawings. All public infrastructure in these phases has been deemed complete and meet acceptance standards. The portions of the streets to be dedicated are as follows: Meadowview Drive (50-foot and 110-foot public ROW) includes approximately 0.16 miles. The total roadway length in these sections of the Meadowview Glen neighborhood is approximately 0.16 miles.

Motion by Mayor Pro Tem Hall to approve adopting ownership of the portions of Meadowview Drive located within Phase 2 of Meadowview Glen Subdivision, seconded by Council Member Chin. The motion passed unanimously.

#### **ITEM 5: DOWNTOWN GRANT USAGE DISCUSSION**

City Council will discuss allocation of the remaining State downtown grant funds.

Assistant City Manager Holland stated at the conclusion of the August 11, 2026 meeting, discussion ensued about how to use the remaining State funds. Staff recommended considering a prior item for downtown utility work, including a recent \$350,000 state allocation, which would expand the scope of the downtown waterline replacement project. He also shared that Mayor Dickey asked Council to consider new planters and pedestrian wayfinding signage. He said staff reached out to vendors for planter pricing, which ranged from \$28,000 to \$40,000, and \$40,000 for wayfinding signs. He asked Council to direct staff on the projects mentioned.

Mayor Dickey said the downtown planters are rusting at the bottom, and downtown businesses have requested some facelift items for the area. She asked Council to consider new planters and pedestrian wayfinding signage. She also mentioned the garbage truck that continued to leak liquids and asked if this could come out of the grant funds as well.

Following a brief discussion, the Council directed staff to estimate these costs for both options.

Council Member Whitaker asked about the cost of a garbage truck.

City Manager Garner said it depended on the model, and the price could range from \$ 250,000 to \$300,000. She stated that, as discussed with the Mayor earlier, the state funding agency said a trash truck would be in a gray area and may or may not be approved because the \$600,000 allocation was for downtown enhancements or improvements.

Council Member Whitaker asked how long it would take to find out if the truck could be approved.

City Manager Garner stated within a week.

Council Member Whitaker said she agreed with replacing the planters and getting a new sanitation truck, and asked whether the grant would cover that and the remaining amount for water lines. She asked about the cost of the previously approved Rapid Flashing Beacons for the crosswalks.

City Manager Garner stated it was in the \$80,000 range, allocated from the \$600,000 grant.

Assistant City Manager Holland said the lights had been purchased and that about \$20,000 remained that could be applied.

Council Member Chin suggested combining the money with the \$350,000 to upgrade the waterlines.

Mayor Dickey said she spoke with Representative Riddell, and another pot of money is waiting for the City to apply for it and could be used for the waterline enhancement. She stated she agreed the waterlines are in desperate need of repair and needed to be prioritized, and that those funding mechanisms are easier to come by than a grant source that would allow for wayfinding and planters.

City Manager Garner said the money was for eight or nine counties impacted by Tropical Storm Chantal, not just Graham or Alamance County, and it is not guaranteed. She stated the Utilities department would apply for something related to the water plant for that money since it had been earmarked for Chantal damage. She shared that the top priority was unlikely to be a downtown waterline replacement with that funding, but rather something plant-related that insurance did not cover or FEMA would not reimburse.

Council Member Young stated if the money Representative Riddell mentioned was not guaranteed, then waterline replacement would make more sense. He stated he did not think that wayfinding signs would make a difference and that the planters need to be replaced.

Council Member Chin shared that the City's communications person planned to begin highlighting businesses downtown, which would be more beneficial than a sign.

Motion by Mayor Pro Tem Hall to approve planters for downtown and use the rest for waterline improvements, seconded by Council Member Young. The motion passed 4-1. Mayor Dickey voted no.

Assistant City Manager Holland asked for clarity: planters are not to exceed \$40,000, and the remaining funds go to the waterline project and paying off the \$20,000 for Flashing Beacon lights.

Council stated that was correct.

#### **ITEM 6: FALL FEST EVENT – STREET CLOSURE – W. ELM STREET**

City Council will consider an amendment to include the closure of W. Elm Street on Saturday, September 19, 2026 from 8:00 am to 6:00 p.m. for the Fall Fest event. (Rain date of October 18, 2026)

Assistant City Manager Holland stated Ms. Cheryl Rich submitted an amendment to the approved Special Events application for the Fall Fest event scheduled for Saturday, September 19 (rain date: October 18) to include the closure of W. Elm Street. The event is expected to run from 8 am to 6 pm (includes setup and cleanup).

Council Member Whitaker asked why the street needed to be closed.

Cheryl Rich stated the festival gets really busy with a lot of people, and the sidewalks do not provide enough room for everyone to place food trucks or do line dancing. She said it would be a great space for arts and crafts vendors, food trucks, and room for dancing.

Council Member Whitaker asked if they had spoken to the businesses on West Elm.

Ms. Rich stated they had not, but most of them are closed on that day and did not think it would affect anyone on that street. She said she assumed it would help anyone who was open on that street because there would be a lot of foot traffic.

Council Member Whitaker said she could not imagine all these businesses being closed on a Saturday and that Council had heard from many business owners who did not want streets closed because people could not get to certain places. She mentioned C & Z was mostly a take-out, and people would want to park near there to pick up take-out orders, so she did not see a need to close the street.

Motion by Council Member Young to approve the amendment to include the closure of W. Elm Street on September 19, 2026 (rain date October 18<sup>th</sup>) from 8:00 am to 6:00 pm for Fall Fest, seconded by Council Member Chin. The motion passed 3-2. Mayor Pro Tem Hall and Council Member Whitaker voted no.

Mayor Dickey asked about providing 18 hay bales for Fall Fest to place in the downtown green space for a pumpkin patch. She asked if Public Works could place an extra 18 bales to use as part of the downtown fall decorations, which would stay up through the month.

Council Member Whitaker shared that Public Works had not been putting out the hay bales.

City Manager Garner stated we thought Public Works was providing the hay bales but found out recently that there was a local business that had been donating hay bales and putting them out.

Motion by Council Member Young to purchase the hay bales from the Appearance Commission budget.

Amy Wilkinson, Main Line, 134 S Main Street, shared that the fall decorations would stay up through the week before Thanksgiving. She said the Graham Area Business Association (GABA) would give them money for decorations, but it did not include hay bales. She also asked if they could begin decorating earlier.

City Manager Garner said it would help to clarify who would be responsible for clean-up.

Council Member Young stated that it would fall under the Appearance Commission.

Mayor Dickey shared that the Appearance Commission cleans up the decorations.

City Manager Garner said they had not cleaned up the hay bales in the past and asked whether that was going back to staff or the event organizer.

Mayor Dickey said the commission discussed involving the Boy Scouts in cleanup.

Mayor Pro Tem Hall shared that once the hay bales get wet, they are extremely heavy. He also shared that Public Works had to use forklifts and load them into dump trucks.

Mayor Dickey stated that if that was the precedent, it would be a great idea to leave it with City staff to be used as fertilizer.

Council Member Young stated as long as the Appearance Commission was helping.

City Manager Garner pointed out that Staff would have to pick up the front end of this, which they have not done in the past. She asked for clarification on whether this was moving forward as a staff function and what the expectation was.

Council Member Young stated it should be the Appearance Commission.

City Manager Garner stated that if that would include the hay bales moving forward, the City would take care of it this year, and then the City would be out of it completely in the future.

Mayor Dickey agreed that moving forward, the Appearance Commission would take care of it.

City Manager Garner asked if Council would like to continue the \$1,500 allocation into the upcoming budget year. Council agreed.

Motion by Council Member Young to purchase the hay bales from the Appearance Commission budget, seconded by Mayor Pro Tem Hall.

Council Member Chin asked how many hay bales would be purchased.

City Manager Garner stated 30 bales from the \$1,500 allocation that is given to the Appearance Commission, and moving forward, fall decorations, while they still may be funded, would be 100% the

responsibility of the Appearance Commission, and that includes hay bales moving forward. Council agreed. The motion stated above passed 3-2. Council Members Whitaker and Chin voted no.

## **ITEM 7: CITY OF GRAHAM'S BOARDS AND COMMISSIONS APPOINTMENTS**

City Council considered appointments for the following boards and commissions due to recent resignations:

### **ABC Board – 1 Appointment**

Applicants: Stacy Koon, Glenn Patterson

Motion by Mayor Pro Tem Hall to appoint Glenn Patterson to the ABC Board, seconded by Council Member Young. The motion passed unanimously.

### **Graham Historical Museum Board – 1 Appointment**

Applicants: Corbin Craig, Brooke Flood, Jillian Lea

Motion by Council Member Young to appoint Brooke Flood to the Graham Historical Museum Board, seconded by Council Member Whitaker. The motion passed unanimously.

### **Graham Housing Authority – 1 Appointment**

Applicants: Sonya Carter, Jeffrey Rieman, Nicole Cousin

Motion by Mayor Pro Tem Hall to appoint Nicole Cousin to the Graham Housing Authority, seconded by Council Member Young. The motion passed 3-2. Mayor Dickey and Council Member Whitaker voted no.

## **ITEM 8: ETHICS AND CIVILITY STATEMENTS DISCUSSION**

City Council discussed and directed Staff to implement Council's intent to adopt Ethics and Civility Statements.

City Manager Garner stated after the July City Council meeting, she emailed City Council and proposed two items for their future consideration. She shared that the first was to reestablish the ethics statement to be read at the beginning of each meeting and provided verbiage used in the past. The second item was to consider adopting a civility statement, also read at the beginning of each meeting, similar to the ethics statement. She stated that at last month's meeting, the Mayor provided ethics and civility statements that she drafted and provided to each Council member. She asked Council for direction on whether Council wanted to proceed and which version.

Council Member Whitaker asked the City Manager to read the statement she proposed.

City Manager Garner read the following statement, "Members of Council, it is my responsibility to remind you of your duty to avoid conflicts of interest, and I ask if there are any potential conflicts concerning tonight's agenda items." She also said that, in the past, the City Clerk read the statement. She did not have a statement for the civility statement.

Council Member Whitaker said she preferred the ethics statement the City Manager provided and that the other one was too wordy.

Council Member Chin stated that every Council member had taken the ethics-mandated class and that all members were well versed in ethics, integrity, and civility. He asked why it needed to be brought up at each meeting.

City Manager Garner said the July meeting was not as productive or civil as it could have been, and it frustrated staff, citizens, and Council to walk out of the meeting without accomplishing much. She said she did not expect all five to agree on everything and that disagreement was fine, but there was a civil way to disagree and still walk away and maintain professional relationships. Additionally, there were also non-civil ways to disagree. She shared her goal was to make meetings smoother even when there was dissension, which was no problem, but to have a more positive interaction for people who attend the meetings or watch them on YouTube. Even if they didn't agree with a decision, they understood the thought process behind it and felt they had a chance to speak and be heard.

Council Member Chin suggested the following civility statement: As the City Council draws those present, we have the responsibility and duty to conduct tonight's meeting with civility, professionalism, and respect.

City Manager Garner stated that since the Mayor had a vote, it would be helpful for someone else to read the statements, whether it be the City Clerk or someone else.

Mayor Pro Tem Hall agreed with the City Manager's statement and would like to appoint the City Clerk to read the statements.

Council Member Young stated he did not think we needed reminders. He shared that everyone had taken an oath when they took office. He also did not think we needed reminders to be decent human beings and be nice to each other. He said he thought they all could find some balance with each other but did not think they needed a reminder each meeting. He also shared that decency is a two-way street; if you read the comments people post on YouTube, it is not very decent. He said if the Council voted to read the statements, then the City Clerk should read them.

Mayor Dickey stated that whatever would work best for this board. She said the City Manager suggested it, so she drafted something for review; it came back around in emails, and everyone said we did not need it anymore.

Council Member Whitaker stated she did not see anything wrong with a gentle reminder at the beginning of the meeting as long as it is short and to the point.

City Manager Garner read the following statements for approval:

*Ethics: Members of Council, it is my responsibility to remind you of your duty to avoid conflicts of interest. I ask if there are any potential conflicts concerning tonight's agenda items.*

*Civility: As the City Council and to all those present, we have the responsibility and duty to conduct tonight's meeting with civility, professionalism, and respect.*

Motion by Mayor Pro Tem Hall to approve the ethics and civility statements as stated by the City Manager, which are to be read by the City Clerk, seconded by Council Member Whitaker. The motion passed 3-2. Council Members Young and Chin voted no.



City Manager stated a change to the Rules and Procedures to incorporate the statements would be on the next agenda.

### **PUBLIC COMMENTS**

Keith Westbrook, 604 Trockwilder Ct, Graham, thanked the Police Department for being present during the first few days of school to help with traffic and prevent kids from being picked up on the side of the road. He inquired about the Pedestrian Plan and when it would be implemented. He also asked again for a sidewalk on Elm Street, for downtown flags to be replaced, and to fix the trash truck.

Richard Wright, 236 South Marshall Street, commented on 9/11. Shared he was a leader for the Sesquicentennial Park purchase. He shared that they had 60 pledges ranging from \$5,000 to \$10. Dr. Powell will match donations. The committee completed LLC paperwork and established an EIN. He said the committee would not ask the City for a penny.

Eric Chrismon, 208 Albright Avenue, said it was nice to have a green space and be able to decorate it. He asked what the difference was between a citizen complaint and a citizen request. He then asked about Flock cameras, who approved them, whether the information collected goes to a private company, and whether he was being surveilled without his consent. He asked what the purpose was and how much it cost to get information from the company.

Corbin Craig, 404 Eden Court, Graham, shared how much he appreciated the City's goal of repairing waterlines. He shared that after a visit to California, he saw firsthand what happens when you fall behind on repairing or replacing old infrastructure and how it caused devastation within the city. He encouraged Council to keep water line replacements as a priority.

### **CITY STAFF COMMENTS**

Assistant City Manager Holland asked for no parking on a portion of Whitsett Street where water meter boxes are located and are being run over by cars parked there. He asked for Council consensus and would bring back an amendment to the traffic schedule to have no parking along a portion of Whitsett at the next Council meeting. Council agreed.

Assistant City Manager Holland informed Council that staff could not obtain three commercial appraisals for Sesquicentennial Park but had secured one, and a second appraiser who asked to work jointly with the commercial appraiser. He asked Council to approve one appraisal or have the two appraisers work together to produce two opinions. Council agreed to have two appraisers work jointly to produce a stronger, more valid single number.

Mayor Dickey asked the attorneys about the correspondence received from Carolina Holdings and whether it would implicate the process of declaring the park surplus.

City Attorney Coleman stated the City of Graham had provided all documents to Mr. Cox and that the City was selling the property as is. He said that as long as the City discloses any known defects and allows the buyer to inspect, we would have the protection of an "as-is" condition. He said if we conceal defects or misrepresent, we would not get the protection of "as-is."

Assistant City Manager Holland also shared that the parking over sidewalks that Mayor Pro Tem Hall brought up at last month's meeting had been addressed, and also found a third area that needed addressing.

### **CITY COUNCIL COMMENTS**

Council Member Chin shared the NC Hall of Fame BBQ Cook-off would be held October 9<sup>th</sup> and 10<sup>th</sup> and asked the Pork Council to support a first responder challenge team to represent Graham. He said if the Pork Council agreed, we would need someone from Police and Fire to participate in the cook-off.

Council Member Young brought attention to the Mayor's website, where she continued to host a Graham Community Committee using her campaign website. He read the following statement:

*"Mayor, members of Council, City Manager, City Attorney, and citizens of Graham: I want to return tonight to an issue I have previously raised concerning the Mayor's Graham Community Committee, the use of her political campaign website to operate and promote it, and the collection of information from Graham citizens through that campaign infrastructure. I want to begin by making an important distinction. I am not standing here tonight claiming that I have proven a violation of law. I have asked the North Carolina League of Municipalities and election officials for guidance because I want the legal questions answered by the appropriate authorities. But while we wait for those answers, there are facts sitting directly in front of us that I believe deserve attention. And frankly, my concerns have increased rather than decreased."*

#### **WHAT HAPPENED WHEN I RAISED THIS ISSUE:**

*"When I previously raised my concerns during Council comments, the Mayor responded that if the City would allow her to put the Community Committee on the City's website, she would not have to put it on her campaign website. I found that response troubling. The reason a privately created committee cannot simply be placed on the City website and presented as a City committee is fairly obvious: This Council did not create it. To my knowledge, the Graham City Council has never voted to establish the Graham Community Committee. We have never defined its purpose. We have never established its membership. We have never adopted rules governing it. And we have never authorized it to act as an official advisory body of the City of Graham. The Mayor certainly has the right to organize a private group of citizens. I told the Mayor during that discussion that there are plenty of other ways to do that. She could, for example, create a Facebook group or another private community forum completely separate from her political campaign infrastructure. Instead, this committee continues to be promoted through Chelsea Dickey for Graham, her political campaign website."*

#### **THE MAYOR SAID SHE WOULD ADD A CLARIFICATION:**

*"During that same discussion, the Mayor stated that she would put a statement on the website addressing the campaign donation issue and providing clarification. I took her at her word. As of my latest review of the website, I have not found that promised clarification. The Graham Community Committee remains on the Chelsea Dickey for Graham website. The page continues to describe it as an application-based committee and asks interested citizens to apply. The same page continues to provide links for political campaign donations. That is no longer a hypothetical concern. I raised the concern publicly. The Mayor acknowledged the concern. The Mayor said she would provide clarification. And as of my latest review, that clarification is not there. I believe the public deserves better than that."*

### **WHAT EXACTLY ARE CITIZENS APPLYING FOR?**

*"The website says: "Graham Community Committee." It says the committee brings neighbors together to help shape what's next for our town. It tells citizens there is a seat at the table. And then it says: "This is an application-based committee." That wording matters. Because if an ordinary Graham resident sees a Graham Community Committee promoted by the Mayor of Graham, I believe it is entirely reasonable for that person to think this has some official connection to the City or the Office of the Mayor. But it apparently does not. So why isn't that stated clearly? Why doesn't the page simply say: "The Graham Community Committee is a privately organized group created by Chelsea Dickey. It is not a committee of the City of Graham, has not been authorized by the Graham City Council, and participation does not constitute appointment to a City board or committee." That would resolve a large part of this issue immediately."*

### **THE CAMPAIGN CONNECTION:**

*"My concern becomes greater because of where all of this is happening. This isn't being operated through a neutral community website. It is being operated through Chelsea Dickey for Graham. That is political campaign infrastructure. The website contains campaign material. It contains political contribution links. It directs contributions through ActBlue. And elsewhere on that same website, citizens are told: "Chelsea wants to hear from you! Your voice matters in shaping Graham's future." They are then directed to:*

*[REDACTED]. That is not a City of Graham email address. That is a campaign email address. So I think we need to ask a question that has become impossible to ignore: Where does the information collected from Graham citizens actually go?"*

### **MY CONCERN ABOUT CITIZEN INFORMATION:**

*"I want to be very precise here. I do **not** presently have evidence proving that information collected through the Community Committee is being transferred to ActBlue, campaign consultants, campaign volunteers, or anyone else. Therefore, I am not going to stand here and claim that it is. But I am concerned about the possibility. Given how this system has been structured, I believe that concern is reasonable. Citizens are being recruited for something called the Graham Community Committee through a political campaign website. They are being asked to apply. The same website solicits political contributions. The same website directs citizen communications through an email address beginning with the word "**vote**." And despite my previously raising this exact concern, I still do not see a clear disclosure explaining what happens to the information citizens provide. So I want some straightforward answers. Who receives the applications? Where are they stored? Who has access to them? Are they maintained in a campaign database? Are campaign consultants or campaign workers able to access them? Can the names and contact information be used for future political communications? Can they be used for fundraising? Can they be used for voter outreach? Can they be shared with ActBlue or another political organization? And if none of those things are happening: Then say so. Put it directly on the application. Tell citizens exactly who receives their information and exactly how it will—and will not—be used. That is transparency."*

### **THE EXPLANATION DOESN'T SOLVE THE PROBLEM:**

*The Mayor's explanation that she is using the campaign website because the committee cannot be placed on the City's website does not resolve my concern. It actually highlights it. If this is not a City committee, don't make it look like one. If this is a private organization, identify it as a private organization. If this is mayoral outreach being conducted personally by the Mayor, say that. And if political campaign infrastructure is collecting the information, tell citizens that before they submit it. The answer cannot simply be: "The City wouldn't let me put it on its website, so I put it on my campaign website." Those are not the only two choices. There are countless ways to create an independent community organization without mixing it with a political campaign.*

**LEGALITY IS NOT THE ONLY STANDARD:**

*"I have said this before, and I will say it again: Everything I am describing may ultimately be determined to be legal. If the League of Municipalities and election officials tell me that North Carolina law permits it, I will acknowledge that. But public officials should aspire to something beyond simply asking: "Can I legally do this?" We should also ask: "Is this transparent?" "Is this clear to the public?" "Could a reasonable citizen misunderstand what this is?" And: "Would I be comfortable explaining exactly where this citizen's information goes?" Something can be technically legal and still be a bad practice. Something can be legal and still create an appearance of impropriety. And something can be legal while still unnecessarily damaging public trust."*

**THIS CAN BE FIXED VERY EASILY:**

*"The remarkable thing about this situation is how easily much of it could be resolved. Put a clear disclaimer on the Community Committee page stating that it is not a committee of the City of Graham and was not created or authorized by Graham City Council. State exactly who operates it. State exactly who receives the applications. State whether information collected through the committee is maintained separately from campaign information. State whether the information can be used for campaign communications, fundraising, or political outreach. And provide a separate method of communication for residents who want to discuss City business without submitting their information through political campaign infrastructure. That's not an unreasonable burden. That's basic transparency."*

**WHY I AM CONTINUING TO RAISE THIS:**

*"I know some people would prefer that I simply stop asking these questions. I'm not going to do that. Not because I have already decided that something illegal is happening. I haven't. I'm continuing to ask because these questions have still not been answered. I raised them directly with the Mayor. I suggested an easy alternative. The Mayor said she would add clarification. I have not found that clarification. Meanwhile, the committee remains on the campaign website, the campaign donation links remain, the campaign email remains, and Graham citizens continue to be invited to provide information through that infrastructure. At some point, "trust me" is not a substitute for transparency."*

**CLOSING**

*"This isn't about preventing the Mayor from talking with citizens. She should talk with citizens. So should I. So should every member of this Council. This isn't about preventing the Mayor from creating a private community organization. She has every right to do that. And it isn't about preventing legitimate campaign activity. The issue is much simpler. Citizens should know which one they are participating in. If they're dealing with the City of Graham, tell them they're dealing with the City. If they're dealing with a private organization, tell them it's private. If they're dealing with the Mayor individually, tell them that. And if their personal information is being collected through political campaign infrastructure, tell them exactly what happens to that information before they hit "Submit." I have asked outside authorities to tell us where the legal lines are. I will respect those answers when they come. But regardless of where the minimum legal line is drawn, I believe Graham's citizens deserve a higher standard: Clear disclosure. Clear boundaries. Accurate information. And no reason to wonder whether civic participation is being mixed with political campaign activity. Until those questions are answered, I will continue asking them. Because that's part of the job I was elected to do."*

*Thank you, Council Member Young*

Mayor Dickey:

- Benches will be placed back in downtown this week.
- City Staff is finalizing the downtown flag designs.
- Discover Graham Instagram, which would highlight local businesses, will launch at the end of October.
- Facade and Downtown Beautification grants are live on the Graham Facebook page.
- Railroad closings will start soon – check the City’s website for closings.
- Weekly movies in the park – check the Recreation and Parks Facebook page.
- 9-11 Run Walk - September 12<sup>th</sup>.
- Esperanza – September 26<sup>th</sup>.
- Fall Fest Downtown – September 19<sup>th</sup>.
- She shared that the Police Department had an agreement with Flock, and would get more details
- She asked where citizens could call about a broken water meter. City Manager Garner stated they could call the main customer service number at City Hall.
- She suggested having all Boards and Commissions, including the ABC Board and Graham Housing Authority, make presentations to Council. Council was not in favor.
- Inquired about the PED Plan, where we were, and whether there was any funding for projects. She would like updates on all strategic plans and which items have been checked off. Assistant City Manager Holland stated these plans are used when seeking funding for projects. He replied to Mr. Westbrook's comment that East Elm Street was a project the City had tried to get on DOT’s radar, but because it was a State Highway, the City was at the mercy of the State.
- Mayor Dickey suggested the Council meet a week before Council meetings to discuss the agenda. The Council decided to discuss it further at the October Council meeting.

### **CLOSED SESSION:**

City Council considered going into closed session in accordance with North Carolina General Statute 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 for current litigation (Steven B. Wall and Todd Dean v. The City of Graham, et al. File 26CV004657-000).

Motion by Council Member Young to go into closed session in accordance with North Carolina General Statute 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 for current litigation (Steven B. Wall and Todd Dean v. The City of Graham, et al. File 26CV004657-000), seconded by Mayor Pro Tem Hall. The motion passed unanimously.

Motion by Council Member Young to end closed session, seconded by Council Member Chin. The motion passed unanimously.

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

No action was reported.

## ADJOURNMENT

Motion by Mayor Pro Tem Hall to adjourn, seconded by Council Member Young. The motion passed unanimously. (8:50 pm)

*Renee M. Ward, CMC*

City Clerk

September 8, 2026  
City Council Meeting

15



  
**CITY OF**  
**Graham**  
NORTH CAROLINA  
**STAFF REPORT**

|              |                                                                                  |
|--------------|----------------------------------------------------------------------------------|
| SUBJECT:     | WHITSETT STREET NO PARKING                                                       |
| PREPARED BY: | AARON HOLLAND. ASSISTANT CITY MANAGER, BURKE ROBERTSON,<br>PUBLIC WORKS DIRECTOR |

### REQUESTED ACTION:

Approve an amendment to the Traffic Schedule to prohibit parking on the south side of Whitsett Street, starting at North Street and extending 160 ft east.

### BACKGROUND/SUMMARY:

City staff has had numerous issues along the intersection of Whitsett Street and North Street with individuals driving/parking over and ultimately destroying meter boxes. Because Whitsett Street is a 20-ft-wide ribbon paved street, staff requests no parking on the south side of Whitsett Street starting at North Street for 160 ft to the east.



### FISCAL IMPACT:

Purchasing unplanned replacement meter boxes strains the budget due to unexpected costs.

### STAFF RECOMMENDATION:

Approval



### SUGGESTED MOTION(S)

I move to approve an amendment to the Traffic Schedule to prohibit parking on the south side of Whitsett Street, starting at North Street and extending 160 ft east.



## STAFF REPORT

|              |                                                           |
|--------------|-----------------------------------------------------------|
| SUBJECT:     | AWARD CONTRACT FOR 10" WATER MAIN REPLACEMENT<br>PHASE 2A |
| PREPARED BY: | AARON HOLLAND, ASSISTANT CITY MANAGER                     |

### REQUESTED ACTION:

Award contract to Pipeline Utilities, Inc. for the 10" water main replacement Phase 2A project.

### BACKGROUND/SUMMARY:

Bids were received for the 10" waterline replacement Phase 2A project on June 4<sup>th</sup>, 2026. The City received seven (7) bids for Phase 2A, ranging from \$1,274,950 to \$2,400,922.65. All bids complied with the bidding requirements, and Pipeline Utilities, Inc., submitted the lowest responsive base bid of \$1,274,950, which was later reduced through negotiations to \$971,760. The low bid for this project is consistent with the Engineer's Estimate for this phase and within the total project budget. Because this project is intended to be funded with funds administered by the North Carolina Division of Water Infrastructure (NCDWI), the award is recommended as tentative, pending NCDWI approval.

### FISCAL IMPACT:

The total estimated cost after reduction is \$971,760.

### STAFF RECOMMENDATION:

Approval.

### SUGGESTED MOTION(S):

I move to approve the resolution awarding the contract to Pipeline Utilities, Inc. for the 10" water main replacement Phase 2A project.





September 21, 2026

Aaron Holland  
Assistant City Manager  
City of Graham  
201 South Main Street  
Graham, NC 27253

Subject: 10" Water Main Replacement – Phase 2A  
NCDWI Project No.: SRP-D-ARP-0174  
AWCK Project No. 22089  
Recommendation of Tentative Award

Mr. Holland:

Bids for the subject project were received on Thursday, June 4<sup>th</sup>, 2026 at 2:00 pm in the City of Graham Council Chamber at Graham City Hall. Seven (7) bids were received, opened, and read aloud in the presence of bidders and staff with the lowest bid received from Pipeline Utilities, Inc. Attached with this letter is a certified copy of the Tabulation of Bids showing each bidder's name and the amount of each bid received. We have reviewed the bids, found two mathematical errors on two bid submissions, neither impacting the low bid results, with all other bids complied with the bidding requirements.

Pipeline Utilities, Inc. is out of Goldsboro, NC and has been a licensed general contractor in the state of North Carolina since 1926. Pipeline Utilities has successfully completed numerous utility projects for the City of Graham and around the Triangle area, including waterline installations of similar size and scope to this project.

The low bid for this project is consistent with the Engineer's Estimate for this phase, but outside of the current project budget due to phase one contract extension work currently underway. Through discussions with the low bidder, the scope of work has been revised to include the proposed interconnection installation to the Town of Green Level, essential to the overall project scope, while removing the portion of 16" waterline extension along Trollinger Road. This reduction in scope allows for the critical interconnection to be installed, with the potential of re-capturing the 16" extension should there be underruns of quantities on the above mention contract extension work, which would allow additional funds to become available.

As illustrated in the table below, the low bid received was \$1,274,950.00. Through negotiation with the low bidder, the project scope was able to be reduced by almost 24%, allowing the total project cost of \$971,760.00. Project contingency, construction administration, and grant administration were allocated with the Phase 1 project award, therefore the Phase 2A project budget includes construction only.

| <u>City of Graham</u>                        |                 |
|----------------------------------------------|-----------------|
| <b>10" Water Main Replacement - Phase 2A</b> |                 |
| Base Bid                                     | \$1,274,950.00  |
| Negotiated Reduction of<br>16" Wate Main     | \$ (303,190.00) |
| Total Construction<br>Project Award          | \$971,760.00    |

We recommend that the City tentatively award a contract to Pipeline Utilities, Inc. in the amount of \$971,760.00 as they were the lowest responsible and responsive bidder. With the intent to fund this project with moneys administered by the North Carolina Division of Water Infrastructure (NCDWI), the award is recommended to be tentative, based upon NCDWI's approval. Following NCDWI's approval, we will issue a Notice of Award to Pipeline Utilities, Inc. and request a project schedule and earliest expected Notice to Proceed.

Sincerely,

ALLEY, WILLIAMS, CARMEN & KING, INC.



S. Brent Mills, P.E.

CC: Josh Johnson, P.E.  
Tonya Mann, Utilities Director

Enclosures: Certified Bid Tabulation  
Resolution of Tentative Award

# TABULATION OF BIDS

City of Graham

10" Water Line Replacement - Phase 2A

Thursday, June 4th, 2026

201 South Main Street, Graham, NC, 27253

Project No. 22089

Bids Opened By: Brent Mills, PE

Witnessed By: Tonya Mann, Utilities Director

Josh Johnson, PE

| <u>CONTRACTOR</u>                | <u>LICENSE NO.</u> | <u>BID SECURITY</u> | <u>ADDEN. #1</u> | <u>CQS</u> | <u>E-VERIFY</u> | <u>MBE/WBE</u> | <u>IRAN CERT.</u> | <u>Total Base Bid</u> |
|----------------------------------|--------------------|---------------------|------------------|------------|-----------------|----------------|-------------------|-----------------------|
| Pipeline Utilities, Inc.         | 325                | ✓                   | ✓                | ✓          | ✓               | ✓              | ✓                 | \$1,274,950.00        |
| PDC, Inc.                        | 56550              | ✓                   | ✓                | ✓          | ✓               | ✓              | ✓                 | \$1,372,460.00        |
| North State Water & Sewer, Inc.  | 76022              | ✓                   | ✓                | ✓          | ✓               | ✓              | ✓                 | \$1,373,180.00        |
| Breece Enterprises, Inc.         | 19819              | ✓                   | ✓                | ✓          | ✓               | ✓              | ✓                 | \$1,446,650.00        |
| Moffat Pipe, Inc.                | 54906              | ✓                   | ✓                | ✓          | ✓               | ✓              | ✓                 | \$1,562,540.00        |
| *Cardinal Civil Contracting, LLC | 73070              | ✓                   | ✓                | ✓          | ✓               | ✓              | ✓                 | \$1,405,369.00        |
| **Precision Earth & Pipe         | 81875              | ✓                   | ✓                | ✓          | ✓               | ✓              | ✓                 | \$2,400,922.65        |

\*Cardinal Civil Contracting, LLC bid form includes mathematical error on bid item #27.

Adjustment does not affect total bid amount.

\*\*Precision Earth & Pipe bid form includes mathematical error on bid item #25.

Adjustment does not affect total bid amount.

*Steven B. Mills*

THIS IS CERTIFIED TO BE A TRUE COPY OF BIDS RECEIVED



## RESOLUTION OF TENTATIVE AWARD

**WHEREAS**, the City of Graham, North Carolina has received bids, pursuant to duly advertisement notice therefore, for construction of the 10" Water Main Replacement – Phase 2A, and

**WHEREAS**, Alley, Williams, Carmen & King, Inc., the Consulting Engineers have reviewed the bids; and

**WHEREAS**, Pipeline Utilities, Inc. was the lowest bidder for the 10" Water Main Replacement – Phase 2A, in the total bid amount of \$1,274,950.00, and

**WHEREAS**, negotiations with the low bidder and City of Graham have revised the scope of the improvements and agreed on a construction contract amount of \$971,760.00.

**WHEREAS**, Alley, Williams, Carmen & King, Inc. recommend **TENTATIVE AWARD** to the lowest bidder at the contract amount of \$971,760.00.

**NOW, THERE FORE, BE IT RESOLVED** that **TENTATIVE AWARD** is made to Pipeline Utilities, Inc. in the Total Bid Amount of \$971,760.00.

**BE IT FURTHER RESOLVED** that such **TENTATIVE AWARD** be contingent upon the approval of the North Carolina Department of Environmental Quality.

Upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the above **RESOLUTION** was unanimously adopted.

This is \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
(Name and Title of Authorized Representative)

(Seal)

**Attest:**

\_\_\_\_\_  
(Name, Clerk)



  
**CITY OF**  
**Graham**  
 NORTH CAROLINA  
**STAFF REPORT**

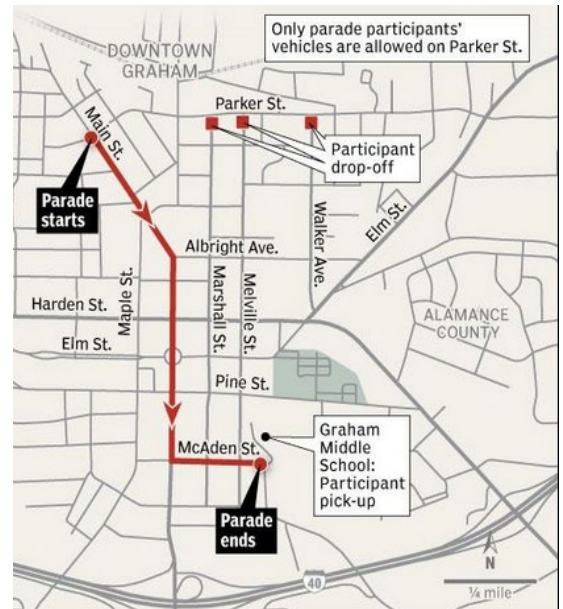
|              |                                        |
|--------------|----------------------------------------|
| SUBJECT:     | STREET CLOSURE FOR VETERANS DAY PARADE |
| PREPARED BY: | AARON HOLLAND, ASSISTANT CITY MANAGER  |

**REQUESTED ACTION:**

Approve the Veterans Day Parade request and closure of McAden Street submitted by the Alamance County Veteran Services for November 14, 2026.

**BACKGROUND/SUMMARY:**

The Alamance County Veterans Services requests the approval of the Veterans Day Parade as described in the attached application and the following parade route. The route would include the procession beginning at Parker Street and North Main Street, proceeding down North Main Street to South Main Street, and ending on McAden Street at Graham Middle School's back parking lot. The requested closure of these streets would be from 6 am to 1 pm and would need to be approved by NCDOT, as these are State roads, excluding McAden Street, which is a City street.



**FISCAL IMPACT:**

The proposed street closure will not have any fiscal impacts for the City of Graham.

**STAFF RECOMMENDATION:**

Approval. The various City departments that may be involved have reviewed the request and provided the organizer with pertinent information that must be satisfied.

**SUGGESTED MOTION(S):**

I move we approve the request from Alamance County Veterans Services for the Veterans Day Parade on November 14, 2026, which includes the closure of McAden Street, pending approval from NCDOT for the closure of state roads.



1. Your email: [REDACTED]

2. Event name (if applicable): Veterans Day Parade

3. Reason for the event (be specific): To honor Veterans

4. Event date(s): Nov. 14, 2026

5. Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m. - 8 a.m. setup | 8 a.m. event start | 2 p.m. event ends | 2 p.m. - 4 p.m. cleanup):

Setup 6:00-8:00 am / Event Starts 10:00 am / Event ends 1:00 pm

6. Event category

Please check all that apply appropriate category for your event.

☐ Concert/Performance

☐ Exhibit

☐ Farmer's Market

☐ Festival/Fair

☒ Parade/Procession

☐ Run/Walk

☐ Food Truck Rodeo

☐ Other: \_\_\_\_\_

7. Where are you requesting for your event to occur?

Be specific identifying street names or City facilities being requested for use?

Main Street

8. Does your event include the request to close streets?

Yes ☒ No ☐

9. Identify the street(s) you are requesting to have closed for your event.

Parker, MoAden, Main

10. Identify your street closure time(s) and will you anticipate when they will return to normal traffic flow.

6:00 am - 1:00 pm



11. What is your anticipated event attendance total? 4,000

12. Does your event include musical entertainment?

☐ Yes ☒ No

13. Where will your musical entertainment be located?

---

14. Will sound amplification be used? ☐ Yes ☒ No

If yes, provide the start time and end time.

---

15. Will inflatables or similar devices be used at your event? ☐ Yes ☒ No

If yes, please describe. \*Please note, Insurance requirements must be met in order to offer this activity.

---

16. Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?

☐ Yes ☒ No

If yes, please describe. \*\*\*Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.

---

17. Will alcohol be served, sold or consumed at your event?

☐ Yes ☒ No

If you answered yes to the question above, please check all that apply to your event.

☐ Alcohol will be available free of charge

☐ Alcohol will be by purchase only

☐ Alcohol being served and or sold at my event includes

☐ Beer only

☐ Wine only

☐ Beer & Wine



18. Describe your security plan to ensure the safe sale and or distribution of alcohol at your event.

---

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19. Does your event include food concession and/or food preparation areas?

Yes ☐ No ☒

If yes, please select the method of cooking that pertains to your event.

☐ Gas

☐ Electric

☐ Charcoal

☐ Other: \_\_\_\_\_

20. Do you plan to provide portable toilets at your event?

Yes ☒ No ☐

If yes, list the total number of portable toilets: 5

21. Portable toilet company name: Lloyds Portable Toilet Rental

If no, please explain \_\_\_\_\_

22. Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event.

---

Does your event require additional trash receptacles?

Yes ☐ No ☒

If yes, what is the requested number of additional trash receptacles? \_\_\_\_\_

23. Will there be any tents, canopies or temporary structures at your event?

Yes ☐ No ☒





24. Applicant name and affiliated agency if applicable

BRENDA ADAMS, PARADE DIRECTOR / ALB. CO. VETERANS SERVICES

25. Applicant's Address

50 VALERIA CT. BURLINGTON, NC 27215

26. Applicant's phone number

336 380-1131

27. Applicant's email address

[REDACTED]

28. Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address)

\_\_\_\_\_

\_\_\_\_\_

29. How many years has this event taken place? 12



## STAFF REPORT

|              |                                               |
|--------------|-----------------------------------------------|
| SUBJECT:     | UPDATE TO REVIEW OFFICERS FOR ALAMANCE COUNTY |
| PREPARED BY: | CAMERON WEST, PLANNER II                      |

### REQUESTED ACTION:

Request the Alamance County Commissioners to appoint Jonathan Buckley and remove Nathan Page as Review Officers.

### BACKGROUND/SUMMARY:

Alamance County allows municipal staff to review plats for sufficiency under North Carolina's statutory criteria, at the municipality's request.

Johnathan Buckley is duly qualified to review plats for the County and would allow for an alternative source for approvals when Cameron West is out of the office.

### FISCAL IMPACT:

N/A

### STAFF RECOMMENDATION:

Approval.

### SUGGESTED MOTION(S):

I move that we approve the request to the Alamance County Board of Commissioners to appoint Jonathan Buckley as a Plat Review Officer.

# RESOLUTION ENDORSING THE APPOINTMENT OF REVIEW OFFICER

**WHEREAS**, the North Carolina General Assembly, in its 1997 session, amended Chapter 47 of the North Carolina General Statutes and required the Board Commissioners of each County, by resolution, to designate by name a person, or persons, experienced in mapping or land records management as Review Officer to review each map and plat before it is presented to the Register of Deeds for recording; and

**WHEREAS**, the Alamance County Board of Commissioners endorses the appointment of **Jonathan Buckley, Planner, City of Graham**, as Review Officer.

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF ALAMANCE COUNTY DOTH RESOLVE:**

1. That Jonathan Buckley is hereby designated Review Officer for the County of Alamance pursuant to N.C.G.S 47-30.2
2. That the Clerk to the Board of County Commissioners shall record this Resolution in the Alamance County registry and have it indexed under the Grantor Index in the name of each officer.
3. That the Review Officer shall carry out and perform the duties prescribed pursuant to N.C.G.S. 47-30.2

**Approved this 13<sup>th</sup> day of October 2026.**

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Chair

---

Vice-Chair

---

Commissioner

---

Commissioner

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Commissioner

**City of Graham**  
P.O. Drawer 357  
201 South Main Street  
Graham, North Carolina 27253  
(336) 570-6700 Fax (336) 570-6703  
www.cityofgraham.com

October 12, 2026

Alamance County Board of Commissioners  
124 West Elm Street  
Graham, NC 27253

**RE: City of Graham Recommended Plat Review Officer Appointment**

Dear Chair and Commissioners,

The City of Graham recently had a new staff member complete the process of reviewing plats for conformance with the statutory criteria in the State of North Carolina. Jonathan Buckley is duly qualified to review plats and meets all requirements for this role.

The Graham City Council voted unanimously at its October 12, 2026, meeting to recommend appointing **Jonathan Buckley** as Alamance County Review Officer. Therefore, we formally request that the Alamance County Board of Commissioners appoint Mr. Buckley as a Plat Review Officer.

Thank you for your consideration.

Sincerely,

Chelsea Dickey  
Mayor, City of Graham

# CERTIFICATE OF ATTENDANCE

*This certificate is awarded to*

***Jonathan Buckley***

FOR 4 HOURS OF ATTENDANCE AT THE VIRTUAL  
WORKSHOP

“PLAT REVIEW OFFICER”

Virtual - September 22nd, 2026



Topics:

**Plat Review Officer Workshop  
(4 hours)**

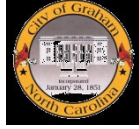
**N. C. Department of the Secretary of State**

*Richard A. Elkins*

Richard Elkins, Land Records Manager  
Land Records Management Program

September 22nd, 2026

Date



# STAFF REPORT

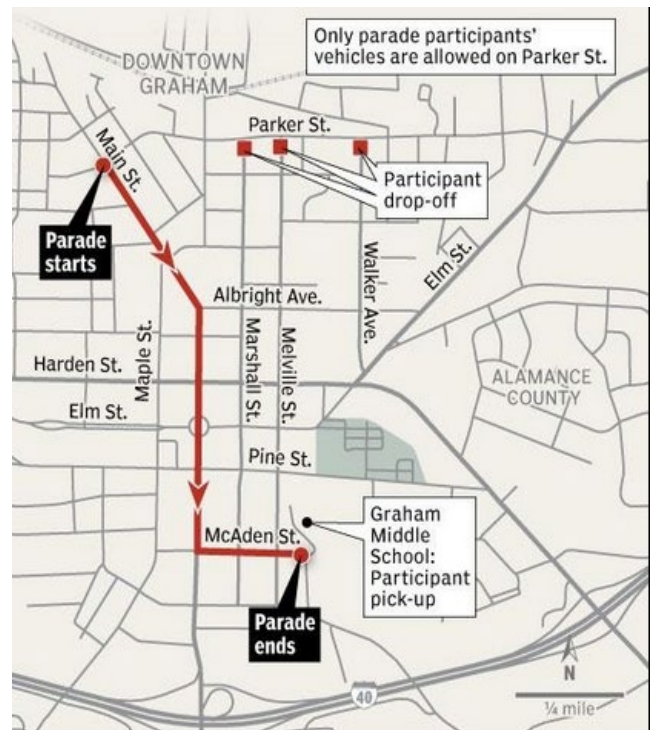
|              |                                            |
|--------------|--------------------------------------------|
| SUBJECT:     | STREET CLOSURE FOR GRAHAM CHRISTMAS PARADE |
| PREPARED BY: | AARON HOLLAND, ASSISTANT CITY MANAGER      |

## REQUESTED ACTION:

Approve the 65th Annual Graham Christmas Parade request and street closures submitted by the Graham Area Business Association for December 5, 2026.

## BACKGROUND/SUMMARY:

The Graham Area Business Association requests approval for the 65th Annual Graham Christmas Parade as described in the attached application and the following parade route. The route would include the procession beginning at Parker Street from Sideview to Elm Street, proceeding down North Main Street to South Main Street, and ending on McAden Street at Graham Middle School's parking lot. The requested closure of these streets would be from 8 am to 1 pm (including setup and cleanup) and would also need NCDOT approval for any involved State roads.



## FISCAL IMPACT:

N/A

## STAFF RECOMMENDATION:

Approval. The various City departments that may be involved have reviewed the request and provided the organizer with pertinent information that must be satisfied.

## SUGGESTED MOTION(S):

I move to approve the Graham Area Business Association's request for the 65th Annual Graham Christmas Parade on December 5, 2026, including the closure of any listed City streets and pending NCDOT approval for the closure of State roads.





1. Your email: [REDACTED]
2. Event name (if applicable): Graham Christmas Parade
3. Reason for the event (be specific): religious annual parade
4. Event date(s): DECEMBER 5 2026
5. Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m. - 8 a.m.

setup | 8 a.m. event start | 2 p.m. event ends | 2 p.m. - 4 p.m. cleanup):

9 am Parker St. closed from Sidenew to Elm St.

6. Event category Rec Ctr. Parking lot for horses. Climax St. and Main to McAden:  
E McAden St. to Middle School. Lineup by 9am Parade starts  
Please check all that apply appropriate category for your event. at 10 am until 1 pm.

☐ Concert/Performance

☐ Exhibit

☐ Farmer's Market

☐ Festival/Fair

☒ Parade/Procession

☐ Run/Walk

☐ Food Truck Rodeo

☐ Other: \_\_\_\_\_

7. Where are you requesting for your event to occur?

Be specific identifying street names or City facilities being requested for use?

see above

8. Does your event include the request to close streets?

Yes ☒ No ☐

9. Identify the street(s) you are requesting to have closed for your event.

Parker St. Main St. McAden St. Climax St.

10. Identify your street closure time(s) and will you anticipate when they will return to normal traffic flow.

8 am - 1 pm or earlier. Open as soon as parade concludes





11. What is your anticipated event attendance total? 1500

12. Does your event include musical entertainment?

☒ Yes ☐ No

13. Where will your musical entertainment be located?

on street on parade

14. Will sound amplification be used? ☒ Yes ☐ No

If yes, provide the start time and end time.

10 - 1 pm

15. Will inflatables or similar devices be used at your event? ☐ Yes ☒ No

If yes, please describe. \*Please note, Insurance requirements must be met in order to offer this activity.

16. Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?

☐ Yes ☒ No

If yes, please describe. \*\*\*Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.

17. Will alcohol be served, sold or consumed at your event?

☐ Yes ☒ No

If you answered yes to the question above, please check all that apply to your event.

☐ Alcohol will be available free of charge

☐ Alcohol will be by purchase only

☐ Alcohol being served and or sold at my event includes

☐ Beer only

☐ Wine only

☐ Beer & Wine





18. Describe your security plan to ensure the safe sale and or distribution of alcohol at your event.

N/A

19. Does your event include food concession and/or food preparation areas?

Yes ☐ No ☒

If yes, please select the method of cooking that pertains to your event.

☐ Gas

☐ Electric

☐ Charcoal

☐ Other: \_\_\_\_\_

20. Do you plan to provide portable toilets at your event?

Yes ☒ No ☐

If yes, list the total number of portable toilets: 3

21. Portable toilet company name: Big Yellow

2 at Main and Parker  
1 at Culp on Parker

If no, please explain \_\_\_\_\_

22. Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event.

Street sweeper usually follows parade route

Does your event require additional trash receptacles?

Yes ☐ No ☒

If yes, what is the requested number of additional trash receptacles? \_\_\_\_\_

But we do need barricades and extra trash  
cans on Main St.

23. Will there be any tents, canopies or temporary structures at your event?

Yes ☐ No ☒





24. Applicant name and affiliated agency if applicable

Graham Christmas Parade Committee sponsored by  
Graham Area Business Assoc

25. Applicant's Address

Po Box 872 Graham, NC 27253

26. Applicant's phone number

336-516-7036

27. Applicant's email address

[REDACTED]

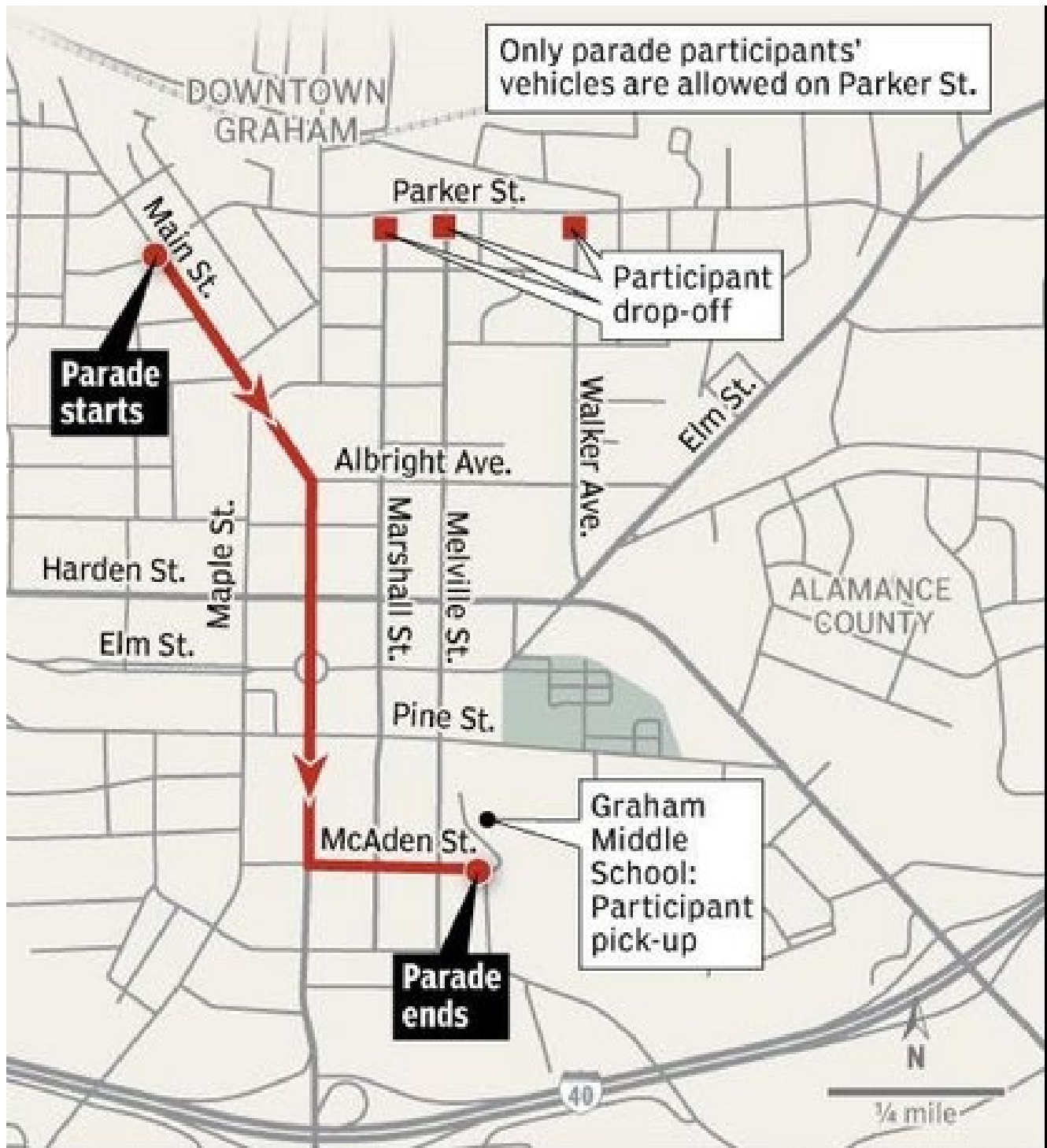
28. Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address)

Chuck Talley 336-516-7036

[REDACTED]

29. How many years has this event taken place? 61 years Please do not contact any

other agencies (i.e. Alamance  
County Rescue) The parade committee handles  
this. Thanks.



  
**STAFF REPORT**

|              |                                            |
|--------------|--------------------------------------------|
| SUBJECT:     | GRAHAM-MEBANE LAKE SPILLWAY REPAIR PROJECT |
| PREPARED BY: | AARON HOLLAND, ASSISTANT CITY MANAGER      |

**REQUESTED ACTION:**

Approve the project ordinance for the Graham-Mebane Lake Spillway Repair Project.

**BACKGROUND/SUMMARY:**

In July 2025, Tropical Storm Chantal caused severe damage to infrastructure across Central North Carolina, dumping over 12 inches of rain in some areas, destroying roads, and triggering record flash flooding. The storm made roads impassable, washed-out bridges, and caused major infrastructure issues, including shutdowns of water treatment plants.

FEMA has obligated funding for the Graham/Mebane spillway repairs, covering 75% (\$15,809,232.89) of the estimated \$21,078,977.18 total cost. North Carolina Emergency Management will fund the remaining 25% (\$5,269,744.29). The spillway sustained structural damage during Tropical Storm Chantal in July 2025.

**FISCAL IMPACT:**

Funding for repairs is to be covered by FEMA and NCEM. Please note that these figures are projected cost estimates, and final funding will be adjusted based on actual project expenditures.

**STAFF RECOMMENDATION:**

Approval

**SUGGESTED MOTION(S)**

To approve the project ordinance for the Graham-Mebane Lake Spillway Repair Project.

**CAPITAL PROJECT ORDINANCE  
GRAHAM-MEBANE LAKE SPILLWAY REPAIR PROJECT**

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

Section 1. The Project authorized is the Graham-Mebane Lake Spillway Repair Project.

Section 2. The officials of the City of Graham are hereby directed to proceed with this project within the terms of the project. Staff is authorized to execute change orders within the budget ordinance.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

|                             |                         |
|-----------------------------|-------------------------|
| Proceeds from FEMA and NCEM | \$ 21,078,977.18        |
| <b>TOTAL</b>                | <u>\$ 21,078,977.18</u> |

Section 4. The following amounts are appropriated for this project:

|                                    |                         |
|------------------------------------|-------------------------|
| Professional & Contracted Services | \$ 21,078,977.18        |
| <b>TOTAL</b>                       | <u>\$ 21,078,977.18</u> |

Section 5. The Finance Director shall report on the financial status of this project as directed by the City Council and will inform the Council of any unusual occurrences.

Section 6. Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project.

Section 7. This ordinance shall take effect upon passage.

**Adopted this 13<sup>th</sup> day of October 2026.**

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Chelsea Dickey - Mayor

ATTEST:

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Renee M. Ward – City Clerk



## STAFF REPORT

|              |                                  |
|--------------|----------------------------------|
| SUBJECT:     | Public Works Equipment Financing |
| PREPARED BY: | Megan Garner, City Manager       |

### REQUESTED ACTION:

Approve the Public Works equipment included in the Fiscal Year 2027 budget to be financed with Atlantic Union.

### BACKGROUND/SUMMARY:

As a part of the budget adoption, City Council approved the purchase of a sanitation truck and motor grader to be financed. On August 20, the City released a request for financing proposals that was due September 10. The following items were submitted for financing:

1. Heil Python 28 Yard Automated Side Loader (\$396,246)
2. CAT 120 Motor Grader AWD (\$395,845)

Three banks submitted financing proposals. The interest rates offered were as follows:

- Atlantic Union — 4.44%
- First Bank — 4.65%
- First Horizon — 5.10%

A total of eight banks received the financing request, which was also posted on the City's website, with three banks submitting proposals by the September 10 deadline.

### FISCAL IMPACT:

Debt service for both purchases is included in the Fiscal Year 2027 budget.

### STAFF RECOMMENDATION:

Approve the Public Works equipment included in the Fiscal Year 2027 budget to be financed with Atlantic Union.





## STAFF REPORT

|              |                                          |
|--------------|------------------------------------------|
| SUBJECT:     | Revision to Rules of Procedure Amendment |
| PREPARED BY: | Megan Garner, City Manager               |

### REQUESTED ACTION:

Approve the revised Rules of Procedure.

### BACKGROUND/SUMMARY:

At the September 8, 2026 meeting, City Council voted to incorporate two statements (ethics and civility) to be read by the City Clerk at the beginning of each meeting. Below are two proposed amendments to the Rules of Procedure:

**Page 7, Rule 16**, add “Ethics and Civility Statements (read by City Clerk)” after the Pledge and Invocation. New order would be as follows:

Current:

- Pledge and Invocation
- Ethics and Civility Statements (read by City Clerk)
- Adoption of the Agenda
- Approval of the Consent Agenda
- Approval of the Previous Meeting Minutes
- Public Hearings
- Administrative Reports
- Committee Reports
- Old Business
- New Business
- Public Comments

**Page 9, Rule 22**, Currently reads: “Second Not Required”, amended to read “Second Required”. This language will reflect the statement included in this rule.



**FISCAL IMPACT:**

None.

**STAFF RECOMMENDATION:**

Approval.

**SUGGESTED MOTION(S):**

Approve the revised Rules of Procedure.



## **Rules of Procedure**

### **Part I. Applicability**

#### **Rule 1. Applicability of Rules**

These rules apply to all meetings of the Graham City Council. For purposes of these rules, a meeting of the Council occurs whenever a majority of the Council's Members gather, whether in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the Council's real or apparent jurisdiction. The term "majority" as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half.

### **Part II. Quorum**

#### **Rule 2. Quorum**

A majority of the actual membership of the council including the mayor, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

### **Part III. Open Meetings**

#### **Rule 3. Remote Participation in Council Meetings**

No Member who is not physically present for a Council meeting may participate in the meeting by electronic means except as may be provided by law.

#### **Rule 4. Meetings to Be Open to the Public**

Except as permitted by Rule 5, all meetings of the Council shall be open to the public, and any person may attend its meetings.

#### **Rule 5. Closed Sessions**

**(a) Motion to Enter Closed Session.** The City Council may enter a closed session from which the public is excluded only upon a motion duly made and adopted in open session. The motion to enter closed session must cite one or more of the permissible bases for closed session listed in paragraph (b) of this rule. A

motion to enter closed session under sub-paragraph (b)(1) or (b)(3) must contain the additional information specified in those provisions.

**(b) Bases for Closed Session.** A closed session is permissible under the following circumstances and no others:

(1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of North Carolina or of the United States or that does not constitute a public record within the meaning of Chapter 132 of the General Statutes. The motion to enter closed session must name or cite the law that renders the information confidential or privileged.

(2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.

(3) To consult with the City attorney or another attorney employed or retained by the City in order to preserve the attorney-client privilege. If the Council expects to discuss a pending lawsuit with its attorney, the motion to enter closed session must include the names of the parties to the lawsuit.

(4) To discuss matters relating to (a) the location or expansion of industries or other businesses in the area served by the City or (b) the closure or realignment of a military installation. The Council may reach agreement in closed session on a tentative list of economic development incentives to be offered in negotiations, but the approval of the signing of any economic development contract or commitment and the authorization of the payment of economic development expenditures must take place in open session.

(5) To establish or instruct staff or agents concerning the City's position in negotiating the price or other material terms of an agreement for the acquisition of real property by purchase, exchange, or lease.

(6) To establish or instruct staff or agents concerning the amount of compensation or other material terms of an employment contract.

(7) To consider the qualifications, competence, performance, character, fitness, or conditions of appointment or employment of a public officer or employee or prospective public officer or employee, except when the individual in question is a Member of the City Council or other public body or is being considered to fill a vacancy on the City Council or other public body. Final action to appoint or employ a public officer or employee must take place in open session.

(8) To hear or investigate a charge or complaint by or against a public officer or employee. Final action discharging an employee or removing an officer must occur in open session.

(9) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.

(10) To view a law enforcement recording released pursuant to G.S. 132-1.4A.

(11) On any other basis permitted by law.

**(c) Closed Session Participants.** Unless the Council directs otherwise, the City Manager, Assistant City Manager, City Attorney, and City Clerk may attend closed sessions of the Council. No other person may attend a closed session unless authorized by a majority of the Council.

**(d) Motion to Return to Open Session.** Upon completing its closed session business, the Council shall end the closed session by adopting a duly made motion to return to open session.

## **Rule 6. Meeting Minutes**

**(a) Minutes Required for All Meetings.** The Council must keep full and accurate minutes of all of its meetings, including closed sessions. To be "full and accurate," minutes must record all actions taken by the Council. They should set out the precise wording of each motion and make it possible to determine the number of votes cast for and against each motion. The minutes need not record discussions of the Council, though the Council in its discretion may decide to incorporate such details into the minutes.

**(b) Record of "Ayes" and "Noes."** The minutes shall list each Member by name and record how each Member voted on a particular matter.

**(c) General Accounts of Closed Sessions.** In addition to minutes, the Council must keep a general account of each closed session. The general account must be sufficiently detailed to provide a person not in attendance with a reasonable understanding of what transpired. The Council may combine the minutes and general account of a closed session into one document, so long as the document contains both a complete record of actions taken and the level of detail required for a general account.

**(d) Sealing Closed Session Records.** Minutes and general accounts of closed sessions shall be sealed until unsealed by order of the Council, or if the Council delegates the authority to unseal to one or more staff Members, in accordance with guidelines adopted by the Council. The sealed minutes and general account of any closed session may be withheld from public inspection so long as public inspection would frustrate the purpose(s) of the closed session.

## **Rule 7. Broadcasting and Recording Meetings**

**(a) Right to Broadcast and Record.** Any person may photograph, film, tape-record, or otherwise reproduce any part of a Council meeting that must take place in open session. Except as provided in paragraph (c) of this rule, any radio or television station may broadcast any such part of a Council meeting.

**(b) Advance Notice.** Any radio or television station that plans to broadcast any portion of a Council meeting shall so notify the City Clerk no later than twenty-four hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of a Council meeting.

**(c) Equipment Placement.** The City Clerk may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a Council meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the City Clerk determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the City Clerk may require the pooling of the equipment and the personnel operating it.

**(d) Alternative Meeting Site.** If the news media request an alternative meeting site to accommodate news coverage, and the Council grants the request, the news media making the request shall pay the costs incurred by the City in securing an alternative meeting site.

#### **Part IV. Organization of the Council**

##### **Rule 8. Organizational Meeting; Selection of Mayor Pro Tempore**

**(a) Scheduling Organizational Meeting.** The Council must hold an organizational meeting following each general election in which Council Members are elected. The organizational meeting must be held either (1) on the date and at the time of the Council's first regular meeting in December following the election or (2) at an earlier date, if any, set by the incumbent Council. The organizational meeting may not be held before municipal election results are officially determined, certified, and published as required by law.

**(b) Oath of Office.** As the first order of new business at the organizational meeting, all newly elected Members of the Council must take and subscribe the oath of office set out in Article VI, Section 7, of the North Carolina Constitution. Each Member's oath must be filed with the City Clerk. Although a Member who is not present for the organizational meeting may take the oath of office at another time, every Member must take, subscribe, and file the oath before he or she begins performing any of the duties of the Member's office.

**(c) Selection of Mayor Pro Tempore.** As the second order of business at the organizational meeting, the Council shall elect from among its Members a Mayor Pro Tempore using the procedures specified in Rule 38. The Mayor Pro Tempore shall serve for a term of two-years.

#### **Part V. Types of Meetings**

##### **Rule 9. Regular Meetings**

**(a) Regular Meeting Schedule.** The Council shall hold a regular meeting on the second Tuesday of each month, except that if a regular meeting day is a legal holiday, the meeting shall be held on the next business day. The meeting shall be held at the Council Chamber located at City Hall and begin at 6pm. The Council shall adopt a meeting schedule each year consistent with this rule. A copy of the Council's current meeting schedule shall be filed with the City Clerk and posted on the City's website.

**(b) Change to Meeting Schedule.** Notwithstanding paragraph (a) of this rule, the Council may amend its regular meeting schedule to add or delete meetings or to change the date, time, or location of one or more meetings on the schedule. The amended schedule shall be filed with the City Clerk at least seven (7) calendar days before the day of the first meeting held pursuant to the revised schedule and posted on the City's website.



## **Rule 10. Special Meetings**

**(a) Calling Special Meetings.** A special meeting of the Council may be called by the Mayor, the Mayor Pro Tempore, or any two Council Members. A special meeting may also be called by vote of the Council in open session during a regular meeting or another duly called special meeting.

**(b) Notice to the Public.** At least forty-eight hours before a special meeting of the Council, notice of the date, time, place, and purpose of the meeting shall be (1) posted on the Council's principal bulletin board or, if the Council has no such board, at the door of the Council's usual meeting room and (2) delivered, e-mailed, or mailed to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the City Clerk. Furthermore, if the Council has a website maintained by at least one City employee, notice of the special meeting's date, time, place, and purpose shall be posted on the website in advance of the meeting.

### **(c) Notice to Members.**

*(1) Meeting called by the Mayor, the Mayor Pro Tempore, or any two Council Members.* At least forty-eight hours before a special meeting called by the Mayor, the Mayor Pro Tempore, or any two Council Members, written notice of the meeting stating its date, time, and place, as well as the subjects to be considered, shall be delivered to the Mayor and each Council Member or left at his or her usual dwelling place.

*(2) Meeting called by vote of the Council in open session.* When a special meeting is called by vote of the Council in open session during a regular meeting or another duly called special meeting, the motion or resolution calling the special meeting shall state the meeting's date, time, place, and purpose. Written notice of the special meeting's date, time, place, and purpose shall be mailed or delivered at least forty-eight hours before the meeting to each Council Member not present for the meeting at which the special meeting was called, and to the Mayor if he or she was not present at that meeting.

**(d) Transacting Other Business.** Unless all Members are present or any absent Member has signed a written waiver of notice, only those items of business specified in the notice to Council Members may be taken up at a special meeting. Even when all Members are present or any absent Member has signed a waiver, the Council may take up an item of business not covered by the notice only if the Council first determines in good faith that the item must be discussed or acted upon immediately.

## **Rule 11. Emergency Meetings**

**(a) Grounds for Emergency Meeting.** Emergency meetings of the City Council may be called only to address generally unexpected circumstances demanding the Council's immediate attention.

**(b) Calling Emergency Meetings.** There are two methods by which an emergency meeting of the Council may be called.

(1) The Mayor, the Mayor Pro Tempore, or any two Members of the Council may at any time call an emergency Council meeting by signing a written notice stating the date, time, and place of the meeting and the subjects to be considered. The notice shall be delivered to the Mayor and each Council Member or left at his or her usual dwelling place at least six hours before the meeting.

(2) An emergency meeting may be held when the Mayor and all Members of the Council are present and consent thereto, or when any absent Member has signed a written waiver of notice.

**(c) Notice to Media of Emergency Meetings.** Notice of an emergency meeting shall be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written request with the City Clerk for notice of emergency meetings. To be valid, the request must include the newspaper's, wire service's, or station's telephone number. Notice may be given by telephone, e-mail, or the same method used to notify Council Members. Notice must be provided immediately after Council Members have been notified and at the expense of the party notified.

## **Rule 12. Recessed Meetings**

**(a) Calling Recessed Meetings.** When conducting a properly called regular, special, or emergency meeting, the Council may recess the meeting to another date, time, or place by a procedural motion made and adopted, as provided in Rule 31, Motion 3, in open session. The motion must state the time (including the date, if the meeting will resume on a different day) and place at which the meeting will reconvene.

**(b) Notice of Recessed Meetings.** If the Council has a website maintained by one or more City employees, notice of the recessed meeting's date, time, and place must appear on the webpage prior to the meeting. No further notice of a properly called recessed meeting is required.

## **Part VI. Agenda**

### **Rule 13. Agenda**

#### **(a) Draft Agenda.**

*(1) Preparation.* The City Clerk shall prepare a draft agenda in advance of each meeting of the City Council.

*(2) Requesting placement of items on draft agenda.* For a regular meeting, a request to have an item of business placed on the draft agenda must receive a consensus and/or affirmative vote of the City Council at an open meeting at least seven working days before the date of the meeting.

*(3) Supplemental information/materials.* If the Council is expected to consider a proposed ordinance or ordinance amendment, a copy of the proposed ordinance or amendment shall be attached to the draft agenda. An agenda package shall be prepared that includes, for each item of business listed on the draft agenda, as much background information on the topic as is available and feasible to provide.

*(4) Delivery to Council Members.* Each Council Member shall receive a hard or electronic copy of the draft agenda and the agenda package. Except in the case of an emergency meeting, the agenda and agenda package shall be furnished to each Member at least six calendar days before the meeting.

*(5) Public inspection.* The draft agenda and agenda package shall be available to the public when the document(s) are ready to be or have been circulated.

#### **(b) Adoption of the Agenda.**

(1) *Adoption.* As its first order of business at each meeting, the Council shall review the draft agenda, make whatever revisions it deems appropriate, and adopt a formal agenda for the meeting.

(2) *Amending the agenda.* Both before and after it adopts the agenda, the Council may add or subtract agenda items by majority vote of the Members present and voting, except that:

- the Council may not add to the items stated in the notice of a special meeting unless the requirements in Rule 10(d) are satisfied; and
- only business connected with the emergency may be considered at an emergency meeting.

**(c) Consent Agenda.** The Council may designate part of an agenda for a regular meeting as the consent agenda. Items may be placed on the consent agenda by the person(s) charged with preparing the draft agenda if the items are judged to be noncontroversial and routine. Prior to the Council's adoption of the meeting agenda under subparagraph (b)(1) of this rule, the request of any Member to have an item moved from the consent agenda to other business must be honored by the Council. All items on the consent agenda must be voted on and adopted by a single motion.

**(d) Informal Discussion of Agenda Items.** The Council may informally discuss an agenda item even when no motion regarding that item is pending.

#### **Rule 14. Acting by Reference to Agenda or Other Document**

The Council shall not deliberate, vote, or otherwise take action on any matter by reference to the agenda or any other document with the intention of preventing persons in attendance from understanding what action is being considered or undertaken. The Council may deliberate and vote by reference to the agenda or any item on the agenda, including the consent agenda, provided copies of the agenda are available for public inspection at the meeting and are sufficiently worded to enable the public to understand what is being deliberated or acted upon.

#### **Rule 15. Agenda Items from Members of the Public**

If a member of the public wishes to request that the Council include an item on its regular meeting agenda, he or she must submit the request to the City Clerk by the deadline specified in Rule 13(a)(2). The Council in its discretion may place an item on the agenda via consensus or majority vote. The City Council is not obligated to place an item on the agenda merely because such a request has been received.

#### **Rule 16. Order of Business**

Items shall be placed on a regular meeting agenda according to the order of business. The usual order of business for each regular meeting shall be as follows:

- Pledge and Invocation
- Ethics and Civility Statements (read by City Clerk)
- Adoption of the Agenda

- Approval of the Consent Agenda
- Approval of the Previous Meeting Minutes
- Public Hearings
- Administrative Reports
- Committee Reports
- Old Business
- New Business
- Public Comments

Without objection, the Mayor may call agenda items in any order most convenient for the dispatch of business.

## **Part VII. Role of the Presiding Officer**

### **Rule 17. The Mayor**

**(a) Presiding Officer.** When present, the Mayor shall preside at meetings of the Council.

**(b) Right to Vote.** The Mayor votes on the same basis as other Council Members, though in no event may the Mayor break a tie on a motion on which he or she has already voted.

**(c) Recognition of Members.** A Member must be recognized by the Mayor (or other presiding officer) in order to address the Council, but recognition is not necessary for an appeal pursuant to Rule 31, Motion 1.

**(d) Powers as Presiding Officer.** As presiding officer, the Mayor is to enforce these rules and maintain order and decorum during Council meetings. To that end, the Mayor may:

- (1) rule on points of parliamentary procedure, to include ruling out of order any motion clearly offered for obstructive or dilatory purposes;
- (2) determine whether a Member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain and rule on objections from other Members on this ground;
- (3) entertain and answer questions of parliamentary procedure;
- (4) call a brief recess at any time; and
- (5) adjourn in an emergency.

**(e) Appeals of Procedural Rulings.** A Member may appeal a decision made or answer given by the Mayor under subparagraph (d)(1), (2), or (3) in accordance with Rule 31, Motion 1.

### **Rule 18. The Mayor Pro Tempore**

**(a) Presiding in Mayor's Absence.** When present, the Mayor Pro Tempore shall preside over Council meetings in the Mayor's absence with all the powers specified in Rule 17(d).

**(b) Delegation of Mayor's Powers/Duties.** In the Mayor's absence, the Council may confer on the Mayor Pro Tempore any of the Mayor's powers and duties. Likewise, if the Mayor becomes physically or mentally unable to perform the duties of his or her office, the Council may by unanimous vote declare the Mayor incapacitated and confer any of the Mayor's powers and duties on the Mayor Pro Tempore. When the Mayor announces that he or she is no longer incapacitated, and a majority of the Council concurs, the Mayor shall resume the exercise of his or her powers and duties.

**(c) Duty to Vote.** Even when presiding over a Council meeting, the Mayor Pro Tempore has the same duty as other Members to vote on all questions unless he or she has been excused from voting on a matter in accordance with Rule 28.

#### **Rule 19. Other Presiding Officer**

If both the Mayor and Mayor Pro Tempore are absent, the Council may elect from among its Members a temporary presiding officer to chair the meeting. While serving as temporary presiding officer, a Member has the powers listed in Rule 17(d). Service as a temporary presiding officer does not relieve a Member of the duty to vote on all questions unless excused from voting pursuant to Rule 28.

#### **Rule 20. When the Presiding Officer Is Active in Debate**

If the Mayor becomes active in debate on a particular proposal, he or she may have the Mayor Pro Tempore preside during the Council's consideration of the matter. If the Mayor Pro Tempore is absent or is also actively debating the matter, the Mayor may designate another Member to preside until the matter is concluded. Similarly, if the Mayor Pro Tempore or a temporary presiding officer is presiding and takes an active part in debating a topic, he or she may designate another Council Member to preside temporarily.

### **Part VIII. Motions and Voting**

#### **Rule 21. Action by the Council**

Except as otherwise provided in these rules, the Council shall act by motion. Any Member may make a motion, including the Mayor.

#### **Rule 22. Second Required**

A second is required for all motions.

#### **Rule 23. One Motion at a Time**

A Member may make only one motion at a time.

#### **Rule 24. Withdrawal of Motion**

The Member who introduces a motion may withdraw the motion unless the motion has been amended or the presiding officer has put the motion to a vote.

#### **Rule 25. Debate**

The presiding officer shall state the motion and then open the floor to debate, presiding over the debate according to the principles listed below.

- The maker of the motion is entitled to speak first.
- A Member who has not spoken on the issue shall be recognized before a Member who has already spoken.
- To the extent practicable, the debate shall alternate between proponents and opponents of the measure.
- No Member may speak more than twice on the same substantive motion. A Member's first speech on a substantive motion shall be limited to [10] minutes, and any second speech on the same motion shall be limited to [five] minutes. The same rules apply to debate on a procedural motion, except that a Member's first speech shall not exceed [five] minutes, and any second speech shall be limited to [two] minutes.

#### **Rule 26. Adoption by Majority Vote**

A motion is adopted if supported by a simple majority of the votes cast, a quorum being present, except when a larger majority is required by these rules or state law.

#### **Rule 27. Changing a Vote**

A Member may change his or her vote on a motion at any time before the presiding officer announces whether the motion has passed or failed. Once the presiding officer announces the result, a Member may not change his or her vote without the unanimous consent of the remaining Members present. A Member's request for unanimous consent to change a vote is not in order unless made immediately following the presiding officer's announcement of the result.

#### **Rule 28. Duty to Vote**

**(a) Duty to Vote.** Every Council Member must vote except when excused from voting as provided by this rule.

**(b) Grounds for Excusal.** A Member may be excused from voting on a matter involving the Member's own financial interest or official conduct, though not if the proposal in question is one to alter the compensation or allowances paid to Council Members. Members may also be excused from voting when prohibited from voting under G.S. 14-234 (contract providing direct benefit to Member), G.S.



160A-381(d) (legislative zoning decision likely to have a direct, substantial, and readily identifiable financial impact on Member), G.S. 160A-388(e)(2), G.S. 160D-109, or G.S. 160A-109(d).

**(c) Procedure for Excusal.**

*(1) At Member's request.* Upon being recognized at a duly called meeting of the Council, a Member who wishes to be excused from voting shall so inform the presiding officer, who must then submit the matter to a vote of the remaining Members present. If a majority of the remaining Members present vote to excuse the Member, the Member is excused from voting on the matter.

*(2) On Council's initiative.* Even when a Member has not asked to be excused from voting on a matter, a majority of the remaining Council Members present may by motion and vote excuse the Member from voting if grounds for doing so exist so under paragraph (b).

**(d) Consequence of Non-Excused Failure to Vote.** Except as specified in paragraph (e), if a Member who has not been excused from voting fails to vote on a matter, the Member's failure to vote shall be recorded as an affirmative vote, provided:

(1) the Member is physically present in the Council Chamber, or

(2) the Member has physically withdrawn from the meeting without being excused by majority vote of the remaining Members present.

**(e) Mayor's Duty to Vote.** The provisions of this rule apply to the Mayor.

**Rule 29. Voting by Written Ballot**

**(a) Secret Ballots Prohibited.** The Council may not vote by secret ballot.

**(b) Rules for Written Ballots.** The Council may decide by majority vote or unanimous consent to vote on a motion by written ballot. Each Member must sign his or her ballot, and the minutes must record how each Member voted by name. The ballots must be made available for public inspection in the City Clerk's office immediately following the meeting at which the vote took place and remain there until the minutes of that meeting are approved, at which time the ballots may be destroyed.

**Rule 30. Substantive Motions**

A substantive motion is not in order if made while another motion is pending. Once the Council disposes of a substantive motion, it may not take up a motion that presents essentially the same issue at the same meeting, unless it first adopts a motion to reconsider pursuant to Rule 31, Motion 14.

**Rule 31. Procedural Motions**

**(a) Certain Motions Allowed.** The Council may consider only those procedural motions listed in this rule. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast, a quorum being present, for adoption.

**(b) Priority of Motions.** The procedural motions set out in this paragraph are listed in order of priority. A procedural motion is not in order so long as another procedural motion of higher priority is pending, except that:

- any procedural motion other than an appeal under Motion 1 is subject to amendment as provided in Motion 12, and
- a motion to call the question (end debate) may be made with regard to any procedural motion in accordance with Motion 9.

When several procedural motions are pending, voting must begin with the procedural motion highest in priority, provided that a motion to amend or end debate on the highest priority motion must be voted on first.

**Motion 1. To Appeal a Ruling of the Presiding Officer.** Any Member may appeal the presiding officer's ruling on whether a motion is in order or on whether a speaker has violated reasonable standards of courtesy. The presiding officer's response to a question of parliamentary procedure may also be appealed by any Member. An appeal is in order immediately after the disputed ruling or parliamentary response and at no other time.

The Member who moves to appeal need not be recognized by the presiding officer, and if timely made, the motion may not be ruled out of order.

**Motion 2. To Adjourn.** This motion may be used to close a meeting. It is not in order if the Council is in closed session. Unlike the motion to adjourn described in Robert's, this motion is debatable and amendable.

**Motion 3. To Recess to a Time and Place Certain.** This motion may be used to call a recessed meeting as permitted under Rule 12. The motion must state the time (including the date, if the meeting will reconvene on a different day) and place at which the meeting will resume. The motion is not in order if the Council is in closed session.

**Motion 4. To Take a Brief Recess.**

**Motion 5. To Follow the Agenda.** This motion must be made at the time an item of business that deviates from the agenda is proposed; otherwise, the motion is out of order as to that item.

**Motion 6. To Suspend the Rules.** To be adopted, a motion to suspend the rules must receive affirmative votes equal to at least two-thirds of the Council's actual Membership, excluding vacant seats but including the Mayor. The Council may not suspend provisions in these rules that are required under state law.

**Motion 7. To Divide a Complex Motion.** This motion is in order whenever a Member wishes to consider and vote on parts of a complex motion separately. The Member who makes this motion must specify how the complex motion will be divided.

**Motion 8. To Defer Consideration.** The Council may defer its consideration of a substantive motion, and any proposed amendments thereto, to an unspecified time. A motion that has been deferred expires unless the Council votes to revive it pursuant to Motion 13 within 100 days of deferral. A new

motion having the same effect as a deferred motion may not be introduced until the latter has expired.

**Motion 9. To End Debate (Call the Previous Question).** If adopted, this motion terminates debate on a pending motion, thereby bringing it to an immediate vote. This motion is not in order until every Member has had an opportunity to speak once on the pending motion.

**Motion 10. To Postpone to a Certain Time.** This motion may be employed to delay the Council's consideration of a substantive motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the Council may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6.

**Motion 11. To Refer a Motion to a Committee.** The Council may vote to refer a substantive motion to a committee for study and recommendations. While the substantive motion is pending before the committee, the Council may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6. If the committee fails to report on the motion within 30 days of the referral date, the Council must take up the motion if asked to do so by the Member who introduced it.

**Motion 12. To Amend.**

**(a) Germaneness.** A motion to amend must concern the same subject matter as the motion it seeks to alter.

**(b) Limit on Number of Motions to Amend.** When a motion to amend is under consideration, a motion to amend the amendment may be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.

**(c) Amendments to Ordinances.** Any amendment to a proposed ordinance must be reduced to writing before the vote on the amendment.

**Motion 13. To Revive Consideration.** The Council may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 8, provided it does so within 100 days of its vote to defer consideration.

**Motion 14. To Reconsider.** The Council may vote to reconsider its action on a matter, provided the motion to reconsider is made (a) at the same meeting during which the action to be reconsidered was taken and (b) by a Member who voted with the prevailing side. For purposes of this motion, "the same meeting" includes any continuation of a meeting through a motion to recess to a certain time and place (Motion 3). The motion is not in order if it interrupts the Council's deliberation on a pending matter.

**Motion 15. To Rescind.** The Council may vote to rescind an action taken at a prior meeting provided rescission is not forbidden by law.

**Motion 16. To Prevent Reintroduction for Six Months.** This motion may be used to prevent the reintroduction of a failed substantive motion for a time, but it is in order only when made immediately following the substantive motion's defeat. To be adopted, this motion must receive votes equal to at least two-thirds of the Council's actual Membership, excluding vacant seats but including the Mayor.

If this motion is adopted, the ban on reintroduction remains in effect for six months or until the Council's next organizational meeting, whichever occurs first.

## **Part IX. Ordinances and Contracts**

### **Rule 32. Introduction of Ordinances**

For purposes of these rules, the "date of introduction" for a proposed ordinance is the date on which the Council first votes on the proposed ordinance's subject matter. The Council votes on the subject matter of a proposed ordinance when it votes on whether to adopt or make changes to the proposed ordinance.

### **Rule 33. Adoption, Amendment, and Repeal of Ordinances**

#### **(a) Adoption of Ordinances.**

*(1) Proposed ordinances to be in writing.* No proposed ordinance shall be adopted unless it has been reduced to writing and distributed to Members before a vote on adoption is taken.

*(2) Adoption on date of introduction.* To be approved on the date of introduction, a proposed ordinance or any action having the effect of an ordinance must receive affirmative votes equal to at least two-thirds of the Council's actual Membership, excluding vacant seats.

*(3) Adoption after date of introduction.* To be approved after the date of introduction, a proposed ordinance or any action having the effect of an ordinance must receive affirmative votes equal to at least a majority of all Council Members not excused from voting on the matter. In calculating the number of affirmative votes necessary for approval, the Council shall count the Mayor.

**(b) Amendment and Repeal of Ordinances.** The same voting requirements that govern the adoption of proposed ordinances also apply to the amendment or repeal of an ordinance.

### **Rule 34. Adoption of the Budget Ordinance**

**(a) Special Rules for the Adoption or Amendment of the Budget Ordinance.** Notwithstanding any provision in the City charter, general law, or local act,

(1) the Council may adopt or amend the budget ordinance at a regular or special meeting of the Council by a simple majority of those Members present and voting, a quorum being present;

(2) no action taken with respect to the adoption or amendment of the budget ordinance need be published or is subject to any other procedural requirement governing the adoption of ordinances or resolutions by the Council; and

(3) the adoption or amendment of the budget ordinance and the levy of taxes in the budget ordinance are not subject to the provisions of any City charter or local act concerning initiative or referendum.

**(b) Notice Requirements for Budget Meetings.** During the period beginning with the submission of the budget to the Council and ending with the adoption of the budget ordinance, the Council may hold any special meetings that may be necessary to complete its work on the budget ordinance. Except for the notice requirements of the open meetings law, which continue to apply, no provision of law concerning the call of special meetings applies during that period so long as

- each Member of the board has actual notice of each special meeting called for the purpose of considering the budget; and
- no business other than consideration of the budget is taken up.

**(c) No Authority for Closed Sessions.** This rule shall not be construed to authorize the Council to hold closed sessions on any basis other than the grounds set out in Rule 5.

### **Rule 35. Approval of Contracts and Authorization of Expenditures**

**(a) Contracts to be in Writing.** No contract shall be approved or ratified by the City Council unless it has been reduced to writing at the time of the Council's vote.

**(b) Approval of Contracts.** To be approved or ratified, a contract must receive affirmative votes equal to at least a majority of all Council Members not excused from voting on the contract, including the Mayor's vote in the event of a tie.

**(c) Authorization of Expenditure of Public Funds.** The same vote necessary to approve or ratify a contract is required for the Council to authorize the expenditure of public funds, except when the expenditure is authorized pursuant to Rule 34.

## **Part X. Public Hearings and Comment Periods**

### **Rule 36. Public Hearings**

**(a) Calling Public Hearings.** In addition to holding public hearings required by law, the Council may hold any public hearings it deems advisable. The Council may schedule hearings or delegate that responsibility to City staff Members, as appropriate, except when state law directs the Council itself to call the hearing. The City Council delegates scheduling authority of zoning and quasi-judicial matters to staff members.

**(b) Public Hearing Locations.** Public hearings may be held anywhere within the City or within the county where the City is located.

**(c) Rules for Public Hearings.** The Council may adopt reasonable rules for public hearings that, among other things:

- Fix the maximum time allotted to each speaker at 3 minutes;
- Provide for the designation of spokespersons for groups of persons supporting or opposing the same positions;
- Provide for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the

capacity of the hall (so long as arrangements are made, in the case of a hearing subject to the open meetings law, for those excluded from the hall to listen to the hearing);

- Provide for the maintenance of order and decorum in the conduct of the hearing.

**(d) Notice of Public Hearings.** Any public hearing at which a majority of the Council is present shall be considered part of a regular or special meeting. Consequently, the relevant notice and related requirements of the open meetings law, as set out in Rules 9 through 12, apply to such hearings. Some statutes mandate additional notice for particular types of hearings, and such notice must be provided together with notice of the meeting during which the hearing will take place.

**(e) Continuing Public Hearings.** The Council may continue any public hearing without further advertisement to a time and place certain, provided the time (including the date, if the hearing will resume on a different day) and place of the continued hearing are announced in open session. Except for hearings conducted pursuant to paragraph (g), if a quorum of the Council is not present for a properly scheduled public hearing, the hearing must be continued until the Council's next regular meeting without further advertisement.

**(f) Conduct of Public Hearings.** At the time appointed for the hearing, the Mayor shall call the hearing to order and proceed to allow public input in accordance with any rules adopted by the Council for the hearing. Unless the Council extends the hearing, when the time allotted for the hearing expires, or when no one wishes to speak who has not done so, the Mayor shall entertain a motion to close the hearing, and the Council shall resume the regular order of business.

### **Rule 37. Public Comment Periods**

**(a) Frequency of Public Comment Periods.** The Council must provide at least one opportunity for public comment each month at a regular meeting, except that the Council need not offer a public comment period during any month in which it does not hold a regular meeting.

**(b) Rules for Public Comment Periods.** The Council may adopt reasonable rules for public comment periods that, among other things:

- Fix the maximum time allotted to each speaker at 3 minutes;
- Speakers may not give their allotted time to another speaker to increase that person's allotted time;
- Provide for a sign-up sheet including the requestor's name, address, and a short description of the topic on which he/she would like to speak. Said sheet will be available until the public comment period concludes;
- Speakers should not address an item already on the agenda;
- Speakers must be civil in their language and presentation
- It is recommended if there are several people who wish to speak on the same subject, they select one speaker to speak for all;
- Any Council Member may ask the speaker questions for clarification; however, the time used by a Council Member to ask a question or response to his/her question shall not be counted against the speaker's three-minute time allotment.
- Each speaker shall be recognized by the Mayor as having the exclusive right to be heard;



- Speakers shall not discuss the candidacy of any person seeking public office, including the person addressing the City Council;
- Any action on items brought up during the public comment period will be at the discretion of the City Council;
- Provide for the maintenance of order and decorum in the conduct of the hearing.

**(c) Content-Based Restrictions Generally Prohibited.** The Council may not restrict speakers based on residency or subject matter, as long as their comments pertain to subjects within the Council's real or apparent jurisdiction.

## **Part XI. Appointments and Appointed Bodies**

### **Rule 38. Appointments**

**(a) Appointments in Open Session.** The Council must consider and make any appointment to another body or, in the event of a vacancy on the Council, to its own Membership in open session.

**(b) Nomination and Voting Procedure.** All appointments shall be made as provided by law and City ordinances.

**(c) Mayor.** The Mayor may make nominations and vote on appointments under this rule.

**(d) Multiple Appointments.** If the Council is filling more than one vacancy, each Member shall have as many votes in each balloting as there are slots to be filled, and the votes of a majority of the total number of Members voting shall be required for each appointment. No Member may cast more than one vote for the same candidate for the same vacancy during a single balloting.

**(e) Duty to Vote.** It is the duty of each Member to vote for as many appointees as there are appointments to be made, but failure to do so shall not invalidate a Member's ballot.

**(f) Vote by Written Ballot.** The Council may vote on proposed appointments by written ballot in accordance with Rule 29.

### **Rule 39. Committees and Boards**

**(a) Establishment and Appointment.** The Council may establish temporary and standing committees, boards, and other bodies to help carry on the work of City government. Unless otherwise provided by law or the Council, the power of appointment to such bodies lies with the Council.

**(b) Open Meetings Law.** The requirements of the open meetings law apply whenever a majority of an appointed body's Members gather in person or simultaneously by electronic means to discuss or conduct official business. They do not apply to meetings solely among the City's professional staff.

**(c) Procedural Rules.** The Council may prescribe the procedures by which the City's appointed bodies operate, subject to any statutory provisions applicable to particular bodies. In the absence of rules adopted by the Council, an appointed body may promulgate its own procedural rules, so long as they are in keeping with any relevant statutory provisions and generally accepted principles of parliamentary procedure.

## **Part XII. Miscellaneous**

### **Rule 40. Amendment of the Rules**

These rules may be amended at any regular meeting or at any properly called special meeting for which amendment of the rules is one of the meeting's stated purposes. Any amendment to these rules must be consistent with the City charter, any relevant statutes, and generally accepted principles of parliamentary procedure. To be adopted, a motion to amend these rules must be approved by a majority of the Council's Members, excluding vacant seats but including the Mayor.

### **Rule 41. Reference to Robert's Rules of Order Newly Revised**

The Council shall refer to Robert's Rules of Order Newly Revised for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted Robert's, the Mayor shall make a ruling on the issue subject to appeal to the Council under Rule 31, Motion 1.

Adopted this the 10<sup>th</sup> day of March, 2026.

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Chelsea Dickey, Mayor

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Renee Ward, City Clerk



## STAFF REPORT

|              |                                                                  |
|--------------|------------------------------------------------------------------|
| SUBJECT:     | Budget Amendment for Historic Plaques                            |
| PREPARED BY: | Jonathan Buckley, Planner, Aaron Holland, Assistant City Manager |

### REQUESTED ACTION:

Approve budget amendment in the amount of \$1950 for the purchase of plaques for the buildings located at 334 East Harden, 118 North Main and 135 West Elm.

### BACKGROUND/SUMMARY:

The Graham HRC made a presentation at last month's meeting requesting Council's approval to fund the production of plaques to be placed on three buildings in Graham for \$650 per plaque. The HRC has successfully worked to install plaques in prior years with funding support from the City. Two of the proposed buildings are designated as contributing in the Historic Resources Handbook, and the other was designated as a historic landmark in March 2026. They are listed as follows:

1. Children's Chapel United Church of Christ – 334 E. Harden – Designated as a historic landmark, March 2026.
2. Green and McClure Furniture Building – 118 N. Main – Contributing.
3. Graham Historical Museum – 135 W. Elm – Contributing.

### FISCAL IMPACT:

Funds were not allocated for this budget year to purchase plaques. A budget amendment would need to be approved in order to move forward with purchase.

### STAFF RECOMMENDATION:

Approval.

### SUGGESTED MOTION(S):

I move that we approve the budget amendment in the amount of \$1950 for the purchase of plaques for the buildings located at 334 East Harden, 118 North Main and 135 West Elm.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT  
THE 2026 - 2027 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:**

| EXPENDITURES                         |    |          |             |             |            | INCREASE    |
|--------------------------------------|----|----------|-------------|-------------|------------|-------------|
| DEPARTMENT/ACCOUNT                   |    | APPROVED | AMENDED     | INCREASE    | (DECREASE) | ( DECREASE) |
| City Council - Miscellaneous Expense | \$ | 6,500.00 | \$ 8,450.00 | \$ 1,950.00 |            | \$ 1,950.00 |
|                                      | \$ | 6,500.00 | \$ 8,450.00 | \$ 1,950.00 | \$ -       | \$ 1,950.00 |

| Section 2.<br>REVENUES |    | APPROVED     | AMENDED | INCREASE     | (DECREASE) | INCREASE<br>(DECREASE) |
|------------------------|----|--------------|---------|--------------|------------|------------------------|
| Fund Balance           | \$ | 4,639,935.00 | \$      | 4,641,885.00 | \$         | 1,950.00               |
|                        | \$ | 4,639,935.00 | \$      | 4,641,885.00 | \$         | 1,950.00               |

Renee M. Ward, City Clerk



## STAFF REPORT

|              |                                         |
|--------------|-----------------------------------------|
| SUBJECT:     | ARPA Enabled Project Ordinance Revision |
| PREPARED BY: | Megan Garner, City Manager              |

### REQUESTED ACTION:

Approve a revision to the previously adopted ARPA Enabled Project Ordinance to reflect the final total for the salt shed project and transfer the unspent balance of \$10,574 to the Property Maintenance budget for building maintenance needs.

### BACKGROUND/SUMMARY:

On April 9, 2024, the City Council of the City of Graham approved the use of the revenue replacement option for use of the ARPA funds. By such action, the previously designated ARPA projects are now considered ARPA enabled projects. The unencumbered balance would remain the same; however, if this request is approved, the unspent funds in the amount of \$10,574 from the salt shed project would transfer to Property Maintenance's building maintenance line.

### FISCAL IMPACT:

No overall increase.

### STAFF RECOMMENDATION:

Make a motion to approve a revision to the previously adopted ARPA Enabled Project Ordinance to reflect the final total for the salt shed project and transfer the unspent balance of \$10,574 to the Property Maintenance budget for building maintenance needs.

**RESOLUTION ESTABLISHING THE BUDGET FOR  
ARPA ENABLED FUNDS GRANT ORDINANCE**

**WHEREAS**, on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by the President;

**WHEREAS**, Section 9901 of ARPA amended Title VI of the Social Security Act (the Act) to add section 602, which establishes the Coronavirus State Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal Recovery Fund (together, the Fiscal Recovery Funds);

**WHEREAS**, on June 8, 2021, the City Council of the City of Graham hereby created an American Rescue Plan Act (ARPA) Local Fiscal Recovery Fund.

**WHEREAS**, the Grant Project Ordinance was amended numerous times to include various projects throughout the City Departments; and

**WHEREAS**, on April 9, 2024, the City Council of the City of Graham approved to use the revenue replacement option for use of the ARPA funds.

**WHEREAS**, on May 12, 2026, the City Council of the City of Graham approved a revision to the project ordinance for the inclusion of a salt shed;

**WHEREAS**, on October 13, 2026, the City Council of the City of Graham approved a revision to the project ordinance to reduce the amount of the salt shed and transfer the balance of \$10,574 to the Property Maintenance building maintenance line;

**WHEREAS**, by such action, the previously designated ARPA projects are now considered ARPA enabled projects;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA**, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby revised to include additional projects:

Section 1. The Project authorizes the use of ARPA Funds to be designed as revenue replacement, which allowed funding previously designated for personnel related expenses to be transition to ARPA enabled projects.

Section 2. The officials of the City of Graham are hereby directed to proceed with this project within the terms of the project. Staff is authorized to execute change orders within the budget ordinance.

Section 3. The following revenues are available to the City to complete the project:

|                                  |                    |
|----------------------------------|--------------------|
| ARPA Enabled Revenue Replacement | \$4,986,340        |
| <b>TOTAL</b>                     | <b>\$4,986,340</b> |

Section 4. The following amounts are appropriated for this project at this time:

| Project                             | Department   | Total               |
|-------------------------------------|--------------|---------------------|
| 10" Water Line Replacement          | Utilities    | \$3,500,000         |
| SROs & COPS Position Equipment      | PD           | \$ 62,101           |
| 3 Vehicles                          | PD           | \$ 204,033          |
| Fuel Master System Upgrade          | IT           | \$ 18,000           |
| Civic Center Repairs - Roof & Floor | REC          | \$ 66,343           |
| Cameras at Parks - Entrances        | IT           | \$ 11,128           |
| GM Lake – Ramp Renovation           | Lake         | \$ 195,000          |
| Albright Ave Water Line Replacement | Utilities    | \$ 550,000          |
| Garage Addition                     | Public Works | \$ 215,000          |
| Fire Department Equipment           | FD           | \$ 33,016           |
| Employee Dental                     | All          | \$ 54,000           |
| Salt Shed                           | Public Works | \$ 54,426           |
| Property Maintenance Transfer       | Public Works | \$ 10,574           |
| <b>Subtotal</b>                     |              | <b>\$ 4,973,621</b> |
| <b>ARPA Funding Allocation</b>      |              | <b>\$ 4,986,340</b> |

Section 5. The Finance Director shall report on the financial status of this project as directed by the City Council and will inform the Council of any unusual occurrences.

Section 6. Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project.

Section 7. This ordinance shall take effect upon passage.

**This the 13<sup>th</sup> day of October 2026.**

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Chelsea Dickey, Mayor

ATTEST:

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Renee Ward, City Clerk



**CITY OF GRAHAM**  
**BUDGET AMENDMENT ORDINANCE**  
**2026-2027**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT**  
**THE 2026 - 2027 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:**

**Section 1.**  
**EXPENDITURES**

| DEPARTMENT/ACCOUNT                             |    | APPROVED  |    | AMENDED    |    | INCREASE  | (DECREASE) | INCREASE<br>( DECREASE) |
|------------------------------------------------|----|-----------|----|------------|----|-----------|------------|-------------------------|
| Property Maintenance - Maint & Repair Building | \$ | 95,000.00 | \$ | 105,574.00 | \$ | 10,574.00 |            | \$ 10,574.00            |
|                                                | \$ | 95,000.00 | \$ | 105,574.00 | \$ | 10,574.00 | \$ -       | \$ 10,574.00            |

**Section 2.**  
**REVENUES**

|                    |    | APPROVED |    | AMENDED   |    | INCREASE  | (DECREASE) | INCREASE<br>(DECREASE) |
|--------------------|----|----------|----|-----------|----|-----------|------------|------------------------|
| Transfer from ARPA | \$ | -        | \$ | 10,574.00 | \$ | 10,574.00 |            | \$ 10,574.00           |
|                    | \$ | -        | \$ | 10,574.00 | \$ | 10,574.00 | \$ -       | \$ 10,574.00           |

Adopted this 13th day of October 2026.

Attest:

\_\_\_\_\_  
Mayor Chelsea Dickey

\_\_\_\_\_  
Renee M. Ward, City Clerk



## STAFF REPORT

|              |                                                                         |
|--------------|-------------------------------------------------------------------------|
| SUBJECT:     | ACCEPT DONATION OF \$10,000 FROM FRIENDS OF GRAHAM RECREATION AND PARKS |
| PREPARED BY: | Brian Faucette, Director of Recreation and Parks                        |

### REQUESTED ACTION:

Accept \$10,000 from the Friends of Graham Recreation and Parks to upgrade equipment at the Graham Recreation Center for use by the afterschool and summer day camp programs.

### BACKGROUND/SUMMARY:

On behalf of the Friends of Graham Recreation and Parks, GRPD staff submitted an application for a Progress and Enhancement grant from Impact Alamance to purchase equipment to create an “Innovation Lab” to be used by participants in the afterschool and summer day camp programs. The equipment will include new furniture for the center such as flexible seating for students and equipment for STEM programs such as circuit kits, a LEGO wall, and coding activities.

### FISCAL IMPACT:

No additional funds are requested, the grant will cover the cost of all equipment.

### STAFF RECOMMENDATION:

Approval

### SUGGESTED MOTION(S):

I make a motion to accept the donation of \$10,000 from the Friends of Graham Recreation and Parks to upgrade equipment at the Graham Recreation Center for use by the afterschool and summer day camp programs.

**CITY OF GRAHAM**  
**BUDGET AMENDMENT ORDINANCE**  
**2026-2027**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT**  
**THE 2026 - 2027 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:**

**Section 1.**  
**EXPENDITURES**

| DEPARTMENT/ACCOUNT                     |    | APPROVED |    | AMENDED   |    | INCREASE  | (DECREASE) | INCREASE<br>( DECREASE) |
|----------------------------------------|----|----------|----|-----------|----|-----------|------------|-------------------------|
| Recreation - Small Equipment Purchases | \$ | 2,500.00 | \$ | 12,500.00 | \$ | 10,000.00 |            | \$ 10,000.00            |
|                                        | \$ | 2,500.00 | \$ | 12,500.00 | \$ | 10,000.00 | \$ -       | \$ 10,000.00            |

**Section 2.**  
**REVENUES**

|                      |    | APPROVED |    | AMENDED   |    | INCREASE  | (DECREASE) | INCREASE<br>(DECREASE) |
|----------------------|----|----------|----|-----------|----|-----------|------------|------------------------|
| Recreation Donations | \$ | 3,000.00 | \$ | 13,000.00 | \$ | 10,000.00 |            | \$ 10,000.00           |
|                      | \$ | 3,000.00 | \$ | 13,000.00 | \$ | 10,000.00 | \$ -       | \$ 10,000.00           |

Adopted this 13th day of October 2026.

Attest:

\_\_\_\_\_  
Mayor Chelsea Dickey

\_\_\_\_\_  
Renee M. Ward, City Clerk

**CITY OF GRAHAM  
RELEASE ACCOUNTS**

---

**OCTOBER**

| <u>ACCT #</u> | <u>YEAR</u> | <u>NAME</u>              | <u>REASON FOR RELEASE</u>                  | <u>AMOUNT<br/>RELEASED</u> |
|---------------|-------------|--------------------------|--------------------------------------------|----------------------------|
| 21780         | 2026        | WHITFIELD, LOGAN RUSSELL | DOES NOT LIVE IN THE CITY LIMITS - TRAILER | \$40.86                    |
| 2533          | 2026        | LONGEST, SHERRIE L       | QUALIFIED FOR HOMESTEAD EXEMPTION          | \$358.03                   |
| 6837          | 2026        | SOUTHERN, JACKIE T       | QUALIFIED FOR HOMESTEAD EXEMPTION          | \$564.16                   |
| 22406         | 2026        | KAT LANCE LLC            | BOAT NOT LOCATED IN CITY LIMITS            | \$6.19                     |
| 22407         | 2026        | KAT LANCE LLC            | BOAT MOTOR NOT LOCATED IN CITY LIMITS      | \$8.04                     |

***TOTAL RELEASES      \$977.28***

**CITY OF GRAHAM  
RELEASE ACCOUNTS**

---

**OCTOBER**

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***TOTAL RELEASES      \$977.28***



# STAFF REPORT

Prepared by Jonathan Buckley, Planner

## River Mill Parking Lot (CR2501)

**Type of Request:** Conditional Rezoning

### Meeting Dates

Planning Board on September 15<sup>th</sup>, 2026

City Council on October 13<sup>th</sup>, 2026

### Contact Information

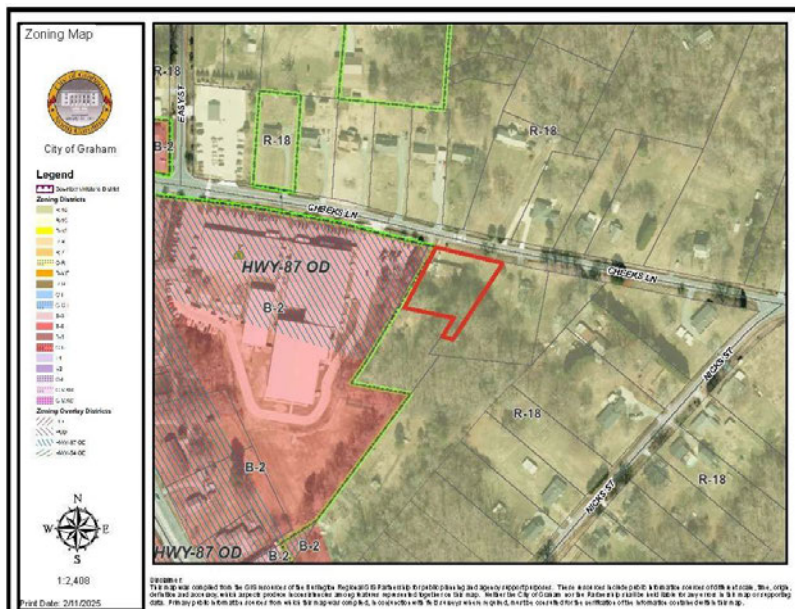
River Mill Academy

235 Cheeks Lane, Graham NC, 27253



## Summary

This is a request to rezone a .72-acre lot at 311 Cheeks Lane from R-18 (Low Density Residential) to C-B (Conditional Business) for the purpose of developing a parking lot for their overflow parking at the School. The lot is currently vacant and is surrounded by single family homes and the school itself. This property is listed on the Future Land Use Map as Suburban Residential. This land use area describes principle uses as detached single-family homes with supporting uses of places of worship, daycares, park facilities, schools, civic spaces, and consideration of accessory dwelling units, provided they are designed to maintain the single-family character of neighborhoods. designated neighborhood centers may include neighborhood-oriented commercial, small professional offices, live-work units, and home occupations provided they do not generate excessive traffic and parking. Since this development is associated with the greater plan of the school, it would be in line with the future land use plan. At their September meeting, Planning Board recommended approval with no additional conditions proposed.



### Location

311 Cheeks Lane

### GPIN:

8883450043

### Current Zoning

R-18 (Low Density Residential)

### Proposed Zoning

C-B (Conditional Business)

### Overlay District

N/A

### Surrounding Zoning

R-18 and B-2

### Surrounding Land Uses

Single Family, School

### Size

.72 acres

### Public Water & Sewer

Yes

### Floodplain

No

### Staff Recommendation

Approval



### Legend

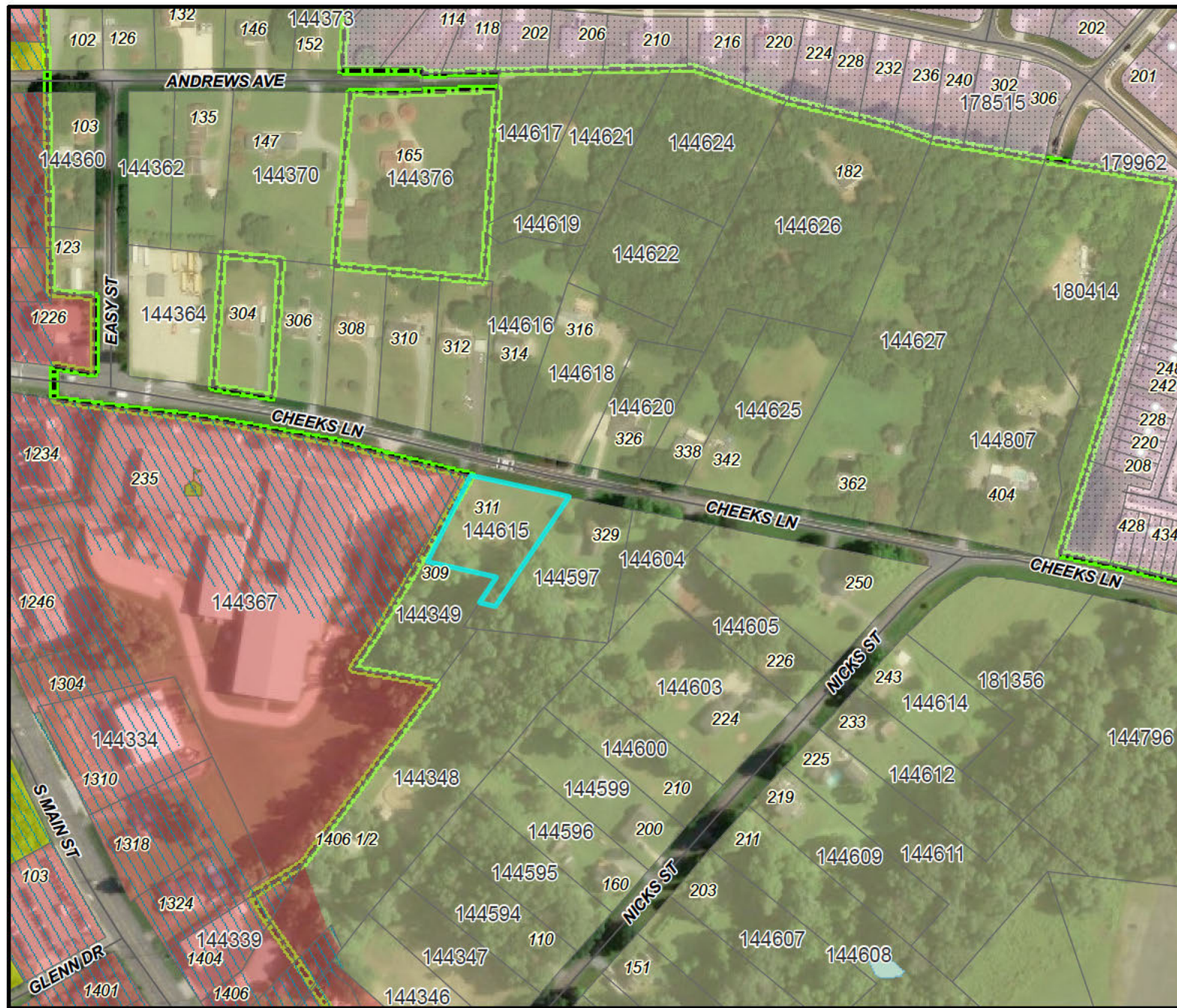
## Zoning Districts

 HWY-54 OD

25



Print Date: 8/31/2026



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### Legend

- Streets  
□ Parcels

## Future Land Use

- Downtown District
- Mixed Use Commercial
- Education District
- Employment District
- Industrial / Warehousing
- Mixed Use Residential
- Downtown Residential
- Suburban Residential
- Commercial Corridor
- Rural Residential

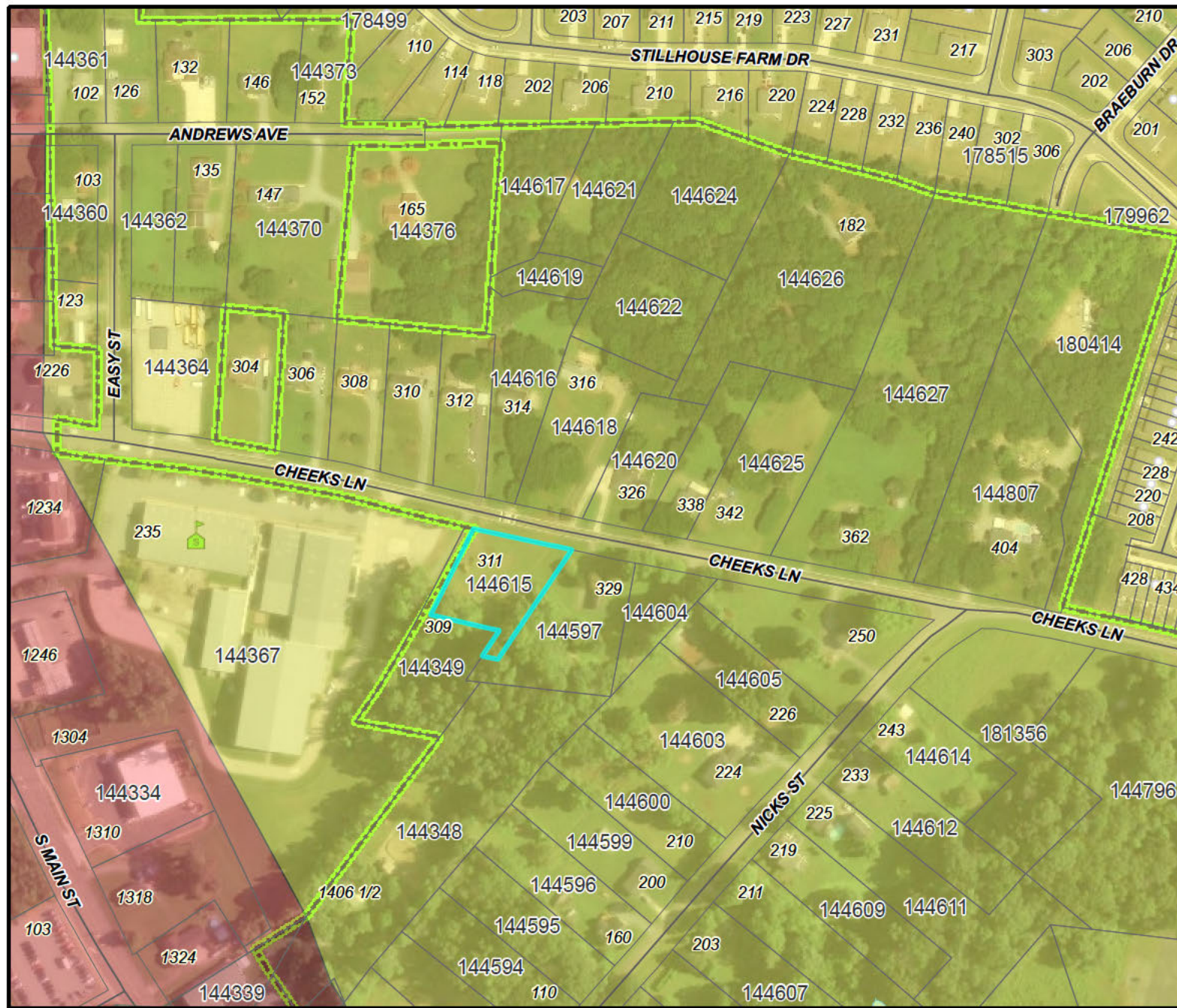
### ALAM INTEREST POINT

- |                                                                                     |                   |
|-------------------------------------------------------------------------------------|-------------------|
|    | Airport           |
|    | Cemetery          |
|    | Education/School  |
|    | Fire Station      |
|    | Government Office |
|   | Historic/Museum   |
|  | Jail              |
|  | Library           |



1:3,150

Print Date: 8/31/2026



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# RIVER MILL ACADEMY

## Alamance County, North Carolina

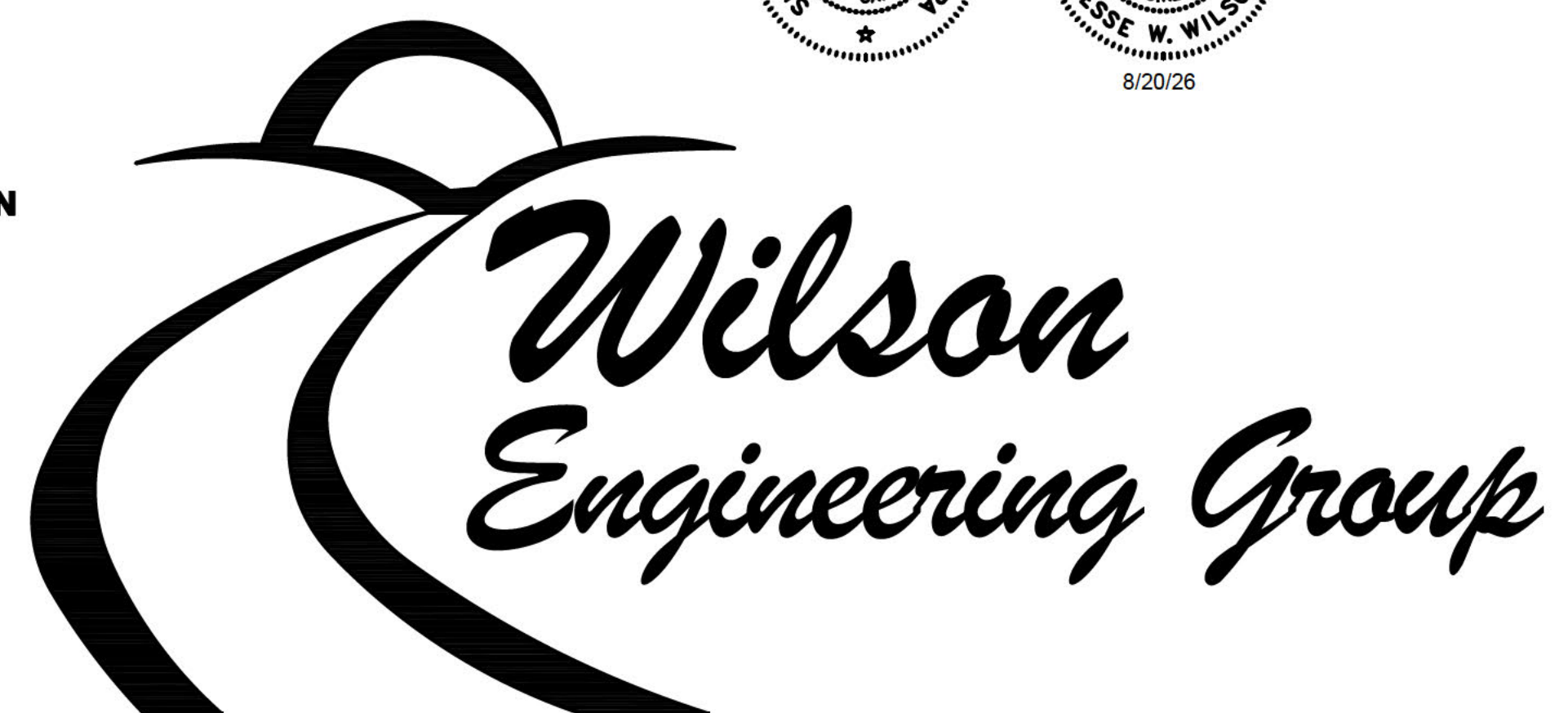
# PARKING LOT ADDITION LAYOUT, GRADING & EROSION CONTROL, LANDSCAPE PLAN

AUGUST 2026

### SHEET INDEX

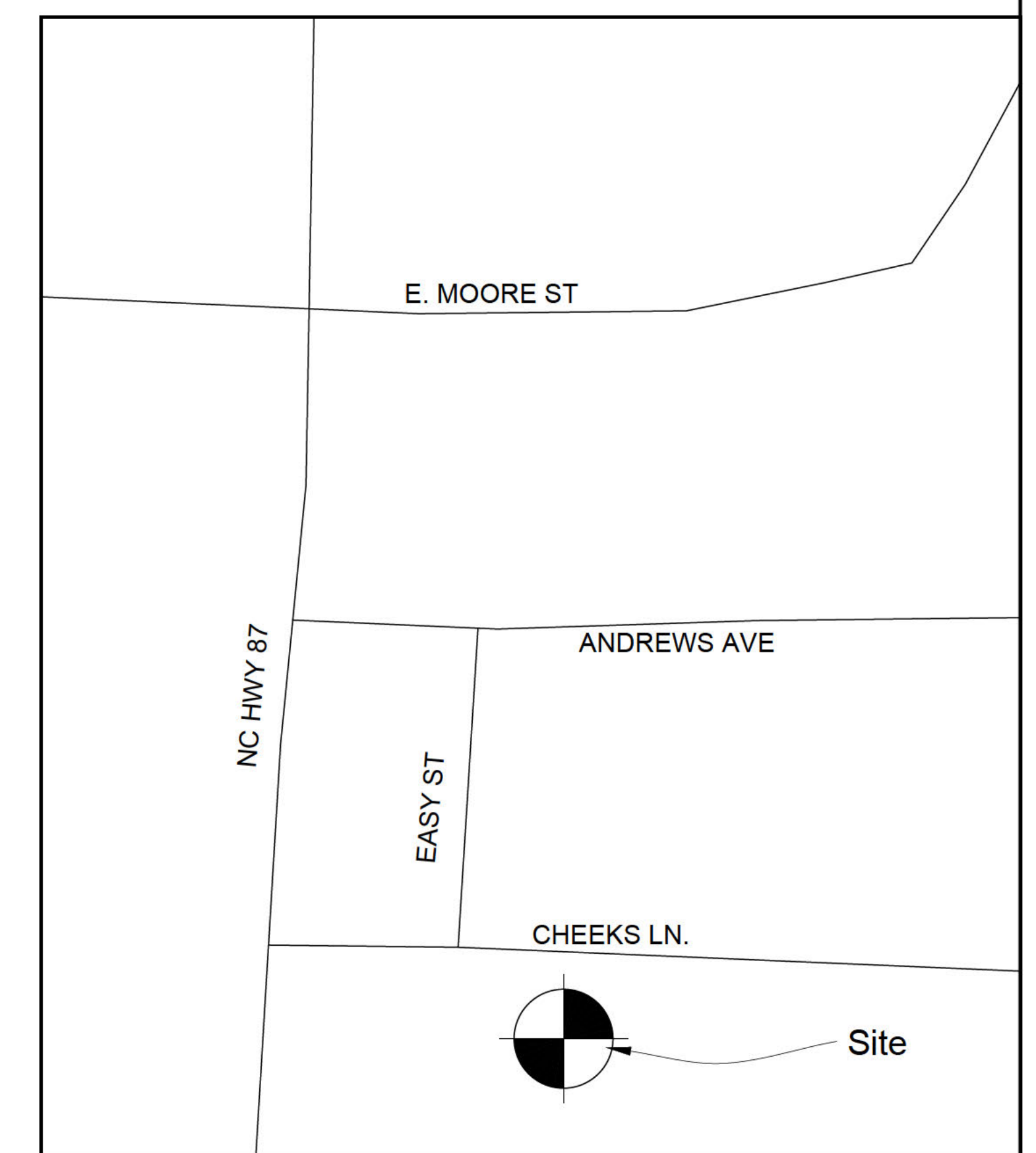
1. LAYOUT & LANDSCAPING BUFFER PLAN, GRADING & EROSION CONTROL PLAN
2. EROSION CONTROL & MISC. DETAILS

NOTE: CONDITIONAL REZONING - CR2501 - R-18 TO C-B



*Civil / Environmental  
Design & Consulting*

1001 CHESTNUT DRIVE  
SMITHFIELD, NORTH CAROLINA 27577  
VOICE (336) 308-9613



**VICINITY MAP**  
NO SCALE



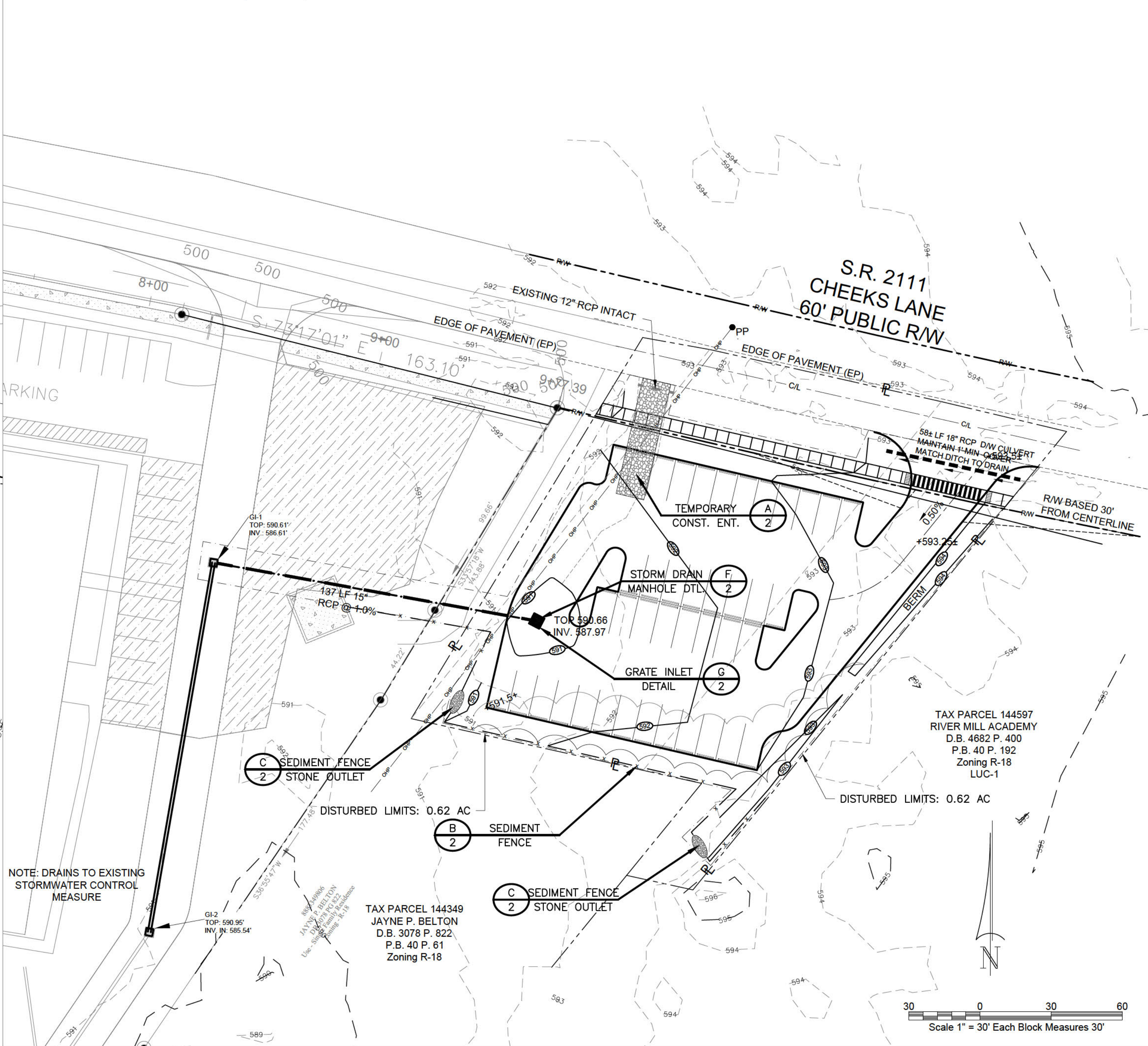
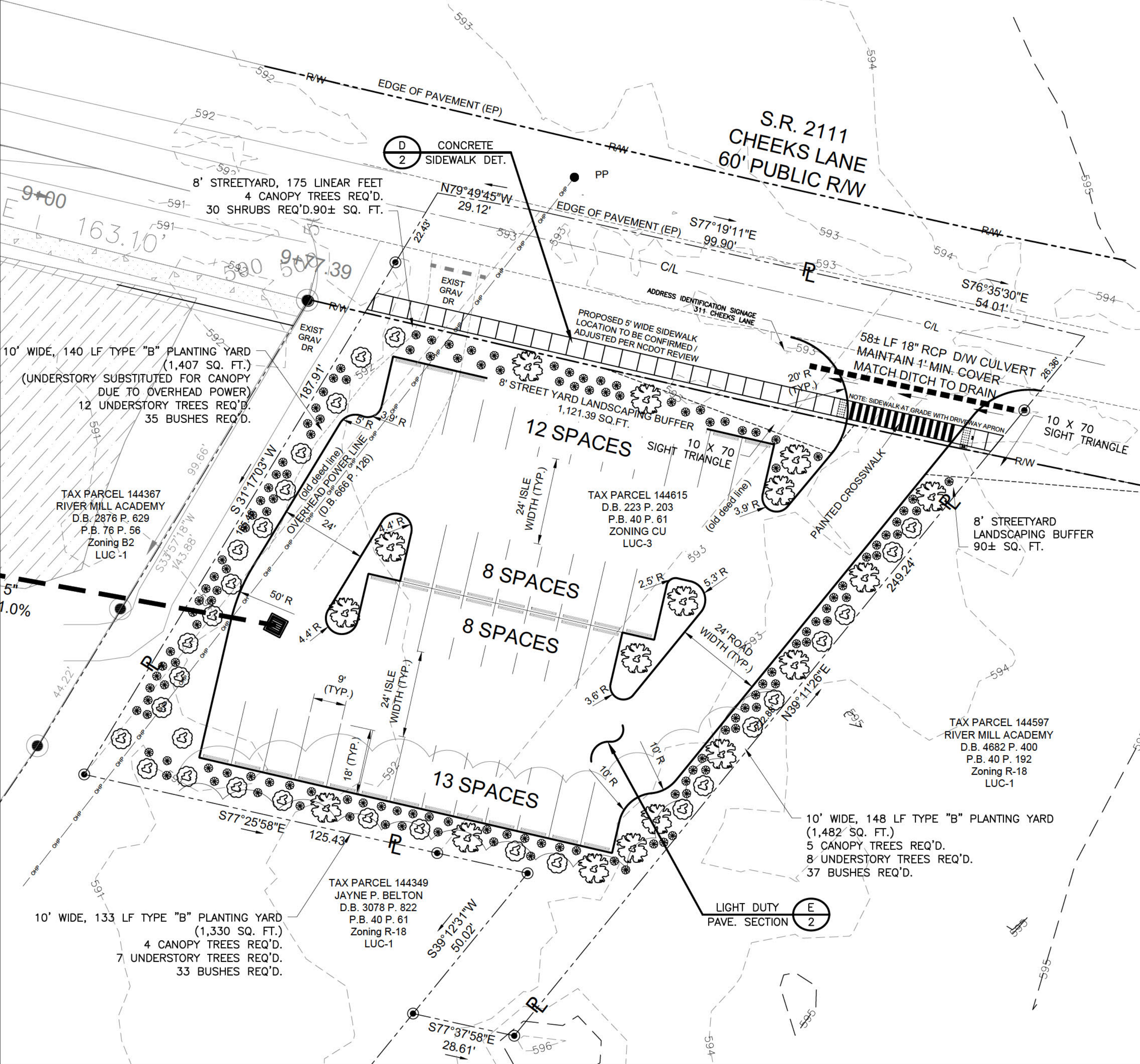
BOUNDARY & SURVEY NOTE.

BOUNDARY & SURVEY INFORMATION FROM PLAT BOOK 84 PAGE 108,  
DATED 10/30/23 BY JEFFREY H. RUDD PLS-4099, LEASBURG, NC.

NOTE: NO ON-SITE LIGHTING TO  
BE INCLUDED

BOUNDARY & SURVEY NOTE.

BOUNDARY & SURVEY INFORMATION FROM PLAT BOOK 84 PAGE 108,  
DATED 10/30/23 BY JEFFREY H. RUDD PLS-4099, LEASBURG, NC.



LAYOUT PLAN / LANDSCAPING PLAN

SCALE: 1"=20'

GRADING & EROSION CONTROL PLAN

SCALE: 1"=30'

PLANTING YARD REQUIREMENTS - AREA % METHOD:

TOTAL PROPERTY AREA: 0.72 ACRE (31,363.2 SQ. FT.)  
TOTAL PROPERTY AREA MINUS RIGHT-OF-WAY AREA: 0.56 ACRES (24,545.6 SQ. FT.)

MAX. AREA REQUIRED FOR PLANTING YARDS FOR LOTS LESS THAN 55,000 SQ. FT.  
(15% OF TOTAL PROPERTY AREA INCLUDING R/W AREA): 0.15 X 31,363.20 = 4,704.48 SQ. FT.

TOTAL PROPOSED PLANTING YARD AREA:

8' WIDE STREET YARD AREA: 1,224 + 90 = 1,314 SQ. FT.  
10' EAST SIDE PLANTING YARD AREA: 1,482 SQ. FT.  
10' SOUTH SIDE PLANTING YARD AREA: 1,330 SQ. FT.  
10' EAST SIDE PLANTING YARD AREA: 1,407 SQ. FT.  
TOTAL PROPOSED PLANTING YARD AREA: 5,523 SQ. FT.

PROPOSED TYPE "B" SIDE PLANTING YARD

MINIMUM PLANTING YARD REQUIREMENTS:

- CANOPY TREES REQ'D.: 3 PER 100 LINEAR FEET
- UNDERSTORY TREES REQ'D.: 5 PER 100 LINEAR FEET
- SHRUBS REQ'D.: 25 PER 100 LINEAR FEET

NOTE: 1 UNDERSTORY PER CANOPY MAY BE SUBSTITUTED WHEN  
IN CONFLICT WITH OVERHEAD POWER

PROPOSED STREET PLANTING YARD - CHEEK LANE

- MINIMUM PLANTING REQUIREMENTS: 176' LENGTH FRONTAGE
- 8' MIN. PLANTING YARD WIDTH OFF SIGHT TRIANGLES
- CANOPY TREES REQ'D.: 2 PER 100 LINEAR FEET
- SHRUBS REQ'D.: 17 PER 100 LINEAR FEET

PROPOSED PARKING AREA PLANTING YARD

MINIMUM PLANTING YARD REQUIREMENTS:

- CANOPY TREES: 1 PER 12 PARKING SPACES

NOTE: ALL ISLANDS TO BE MULCHED

GRADING AND EROSION CONTROL LEGEND

- EXISTING TREE LINE
- PROPOSED TREE LINE
- EXISTING CONTOUR
- PROPOSED GRADE CONTOUR
- CONSTRUCTION/CLEARING LIMITS
- CENTER LINE
- PROPERTY LINE (RL)
- SEDIMENT FENCE
- SEDIMENT FENCE STONE OUTLET
- CONSTRUCTION ENTRANCE/EXIT, RIP-RAP CHANNEL OR APRON
- SECTION NUMBER OR DETAIL LETTER

PERMANENT SEEDING

DEFINITION:  
SEEDING DISTURBED AREAS WITH PERENNIAL GRASSES AND (OR) LEGUMES TO  
PROVIDE PERMANENT VEGETATIVE COVER TO LESSEN RUNOFF AND SOIL EROSION.  
PURPOSE:  
TO LESSEN SOIL EROSION AND PERMANENTLY STABILIZE DISTURBED AREAS CREATED  
BY GRADING OF CONSTRUCTION SITES.  
CONDITIONS WHERE PRACTICE APPLIES:  
ALL BARE SOIL AREAS ON CONSTRUCTION SITES WHICH ARE NOT COVERED BY  
STRUCTURES OR OTHER EROSION CONTROL DEVICES.  
PREPARATION:  
PREPARE SEEDBED BY RIPPING, CHISELING, HARROWING, OR PLOWING TO A DEPTH  
OF AT LEAST SIX INCHES SO AS TO PRODUCE A LOOSE, FRAGILE SURFACE.  
REMOVE ALL STONES, BOULDERS, STUMPS OR DEBRIS FROM THE SURFACE  
WHICH WOULD PROHIBIT GERMINATION OR PLANT GROWTH.  
INCORPORATE 800-1,000 POUNDS 10-10-10 FERTILIZER PLUS 500 POUNDS OF  
TWENTY PERCENT (20%) SUPERPHOSPHATE PER ACRE AND TWO TONS OF  
DOLOMITIC LIME PER ACRE UNLESS SOIL TESTS INDICATE THAT A LOWER RATE  
OF LIME CAN BE USED.  
MULCHING AFTER SEEDING WITH 1.5 TONS OF GRAIN STRAW PER ACRE AND EITHER  
CRIMP STRAW INTO SOIL OR TACK WITH LIQUID ASPHALT AT 400 GALLONS PER  
ACRE OR EMULSIFIED ASPHALT AT 300 GALLONS PER ACRE.  
SELECT SEEDING MIXTURE AND BEST PLANTING DATES FROM THE FOLLOWING TABLE:  
SEEDING MIXTURE: SEEDING RATE (LB./ACRE) PLANTING DATES

| SEEDING MIXTURE:                                                                                                                            | SEEDING RATE (LB./ACRE)      | PLANTING DATES                       |
|---------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------------------------------|
| TALL FESCUE<br>(LOW MAINTENANCE)                                                                                                            | 100-150 LBS.                 | AUG. 15 - OCT. 15<br>FEB. 15 - MAY 1 |
| TALL FESCUE<br>WATERWAYS AND LAWNS<br>(HIGH MAINT.)                                                                                         | 200-250 LBS.                 | AUG. 15 - OCT. 15<br>FEB. 15 - MAY 1 |
| BLEND OF TWO TURF-<br>TYPE TALL FESCUES<br>(90%) AND TWO OR<br>MORE IMPROVED<br>KENTUCKY BLUEGRASS<br>VARIETIES (10%)<br>(HIGH MAINTENANCE) | 200-250 LBS.                 | AUG. 15 - OCT. 15<br>FEB. 15 - MAY 1 |
| TALL FESCUE<br>AND<br>KOBÉ OR KOREAN<br>LESPEDEZA (SEE NOTE 1)                                                                              | 100 LBS.<br>AND<br>20-25 LBS | FEB. 15 - MAY 1<br>AUG. 15 - OCT. 15 |

PERMANENT SEEDING (CONT.)

| SEEDING MIXTURE:                                                  | SEEDING RATE (LB./ACRE)                  | PLANTING DATES                        |
|-------------------------------------------------------------------|------------------------------------------|---------------------------------------|
| SPECIES<br>SERECIA LESPEDEZA                                      | 60 LBS.                                  |                                       |
| TALL FESCUE<br>AND<br>SERECIA LESPEDEZA                           | 50 LBS.<br>AND<br>60 LBS.                | NOV. 1 - FEB. 1<br>(UNSCARIFIED)      |
| TALL FESCUE<br>AND<br>GERMAN MILLET OR<br>SUDANGRASS (SEE NOTE 2) | 60 LBS.<br>AND<br>30 LBS.                | JULY AND AUGUST                       |
| TALL FESCUE<br>AND<br>RYEGRASS (SEE NOTE 2)                       | 70 LBS.<br>AND<br>25 LBS.                | NOV. 1 - JAN. 30                      |
| COMMON BERMUDAGRASS                                               | 8 LBS. (HULLED)<br>15-20 LBS. (UNHULLED) | APRIL 15-JUNE 30<br>FEB. 1 - MARCH 30 |

- FOR SPRING SEEDING, USE SCARIFIED LESPEDEZA SEED. FOR LATE FALL AND  
WINTER SEEDINGS, USE UNSCARIFIED SEED.
- ANNUALS SUCH AS MILLET, SUDANGRASS AND RYEGRASS MUST BE KEPT AT  
10-12" MAXIMUM HEIGHT.

PLANTING LEGEND

|                     | SCIENTIFIC NAME     | COMMON NAME    | PLANTING SIZE        | MATURITY HEIGHT    |
|---------------------|---------------------|----------------|----------------------|--------------------|
| NEW CANOPY TREES    | QUERCUS SHUMARD     | SHUMARD OAK    | MIN: 8" CALIPER: 2"  | 40-60'             |
| UNDERSTORY TREES    | AMELANCHIER ARBOREA | SERVICEBERRY   | MIN: 40" CALIPER: 1" | NO TALLER THAN 12' |
| SHRUBS              | ITEA VIRGINICA      | HENRY'S GARNET | ----                 | 3-5'               |
| PARKING AREA CANOPY | QUERCUS SHUMARD     | SHUMARD OAK    | MIN: 8" CALIPER: 2"  | 40-60'             |

ALL LANDSCAPING SHALL COMPLY WITH CHAPTER V OF THE CITY OF GRAHAM DEVELOPMENT ORDINANCE LATEST REVISION.



1001 CHESTNUT DRIVE  
SMITHFIELD, NC 27577  
(336) 308-9613



| REV. NO. | DESCRIPTION                            | DATE    | BY  | APPROVED |
|----------|----------------------------------------|---------|-----|----------|
| 1        | REVISED PER CITY REC. B-17250 COMMENTS | 8/20/26 | JWW |          |

SITE LAYOUT & LANDSCAPING PLAN  
GRADING & EROSION CONTROL PLAN

RIVER MILL ACADEMY  
311 CHEEKS LANE  
GRAHAM, NC

PROJECT NUMBER

DESIGNED BY

DRAWN BY

CHECKED BY

SCALE

AS NOTED

DATE

8/20/26

1 of 2







## Conformity to the *Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Future Land Use Suburban Residential Principal Uses: Suburban residential neighborhoods are primarily settings for existing and future single family detached housing, but may also contain additional housing typologies and low-impact supporting uses in neighborhood activity centers. affordable detached homes within attractive walkable neighborhoods will continue to make Graham an attractive place to live for people who work in Graham and surrounding communities.

### Applicable Policies:

- **Policy 2.3.2: Innovative spaces, spaces of innovation.** Graham promotes the development of flex space, live-work units, and adaptive structures for office, retail, and light industry.
- **Policy 2.2.1: Focused development.** In order to maintain Graham's affordability and promote growth, the City will facilitate smart growth development by promoting infill development and focused, walkable, and mixed use, built environments.

---

### Staff Recommendation

Based on the *Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff recommends approval of the rezoning:

- Rezoning the property would be consistent with the Suburban Residential Land Use type and policies 2.3.2 and 2.2.1, as put forth by the Graham 2035 Comprehensive Plan

### Planning Board Recommendation

- Planning Board recommended approval with no additional conditions proposed. 5-0.

#### Planning Type

Neighborhoods

#### Development Type

Suburban Residential

The term neighborhood refers to the idea of a compact, walkable, diverse, and connected community. As the building blocks of City urban fabric, neighborhoods should be organized around small scale activity centers that provide civic and commercial functions within a five to ten-minute walk for residents to meet their daily needs. Neighborhoods should be well connected internally and externally for bicyclists, pedestrians, and commuters. Small blocks and high connectivity ratios should be established and maintained both within and between neighborhoods



# STAFF REPORT

Prepared by Jonathan Buckley, Planner

## White Rock Estates W Moore Street C-R (CR2602)

**Type of Request:** Conditional Rezoning

### Meeting Dates

Planning Board on April 21, 2026, May 19, 2026  
and September 15, 2026.

City Council on June 9, 2026, August 11, 2026 and  
October 13, 2026.

### Contact Information

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## Summary

This is a request to rezone 10.05 acres of property from R-18 (Low-Density Residential) to C-R (Conditional Residential). The previous plan that was reviewed by Planning Board showed 16 Cottage Homes and 10 Custom Built Homes (26 total) separated by a pond on site and connecting the two sides via a walking path. The updated site plan reduces the number of homes to 15 cottage homes and 9 custom built homes (24 total) and added additional on-street parking spaces. It also removes the 10-foot wide type D buffer and replaces it with an opaque evergreen buffer which abuts the west property owner based on comments from Planning Board. The plan still shows private roadways and connections to City Water. However, the plan also proposes private sewer connections with a sewer pump station on-site, located at the southern portion of the property. The applicant requested new conditions regarding minimum lot size and setbacks for both home types. The entirety of the parcel falls within the Suburban Residential Future Land Use Zone. The future land use plan mentions the principle uses in this zone are predominantly detached single family homes and that new neighborhoods may include a range of duplexes, town homes, and small scale multi-family dwellings of twelve units or less. The Future Land Use Plan also states that the appropriate density inside of the zone is 3-6 dwelling units per acre. The current 10.05 acre lot layout of the updated 24 home would fall just shy of the 3-6 dwelling units per acre. With there being a riparian buffer and pond on the lot, some of the area is un-developable. The total lot coverage and total area of roads and sidewalks come out to 4.97 acres. This acreage would allow for 29.82 lots to be developed based on the 6 dwelling units per acre with some additional room to increase that number based on open space not inside of the riparian buffer zone. Due to extensive changes to the plans, City Council previously motioned to have it resubmitted for second review. Upon resubmittal, Planning Board's previous concerns with density and parking were alleviated, and they recommended approval with proposed conditions.

### Location

0 Hanford Road

### GPIN:

8873964303

### Current Zoning

R-18 (Single Family  
Residential)

### Proposed Zoning

C-R (Conditional Residential)

### Overlay District

N/A

### Surrounding Zoning

R-12, R-18

### Surrounding Land Uses

Single Family, Vacant

### Size

10.05 acres

### Public Water & Sewer

Yes

### Floodplain

No



# Zoning



City of Graham

## Legend

Downtown Historic District

### Zoning Districts

- R-18
- R-15
- R-12
- R-9
- R-7
- C-R
- R-MF
- R-G
- O-I
- C-O-I
- B-3
- B-2
- B-1
- C-B
- I-1
- I-2
- C-I
- C-MXR
- C-MXC

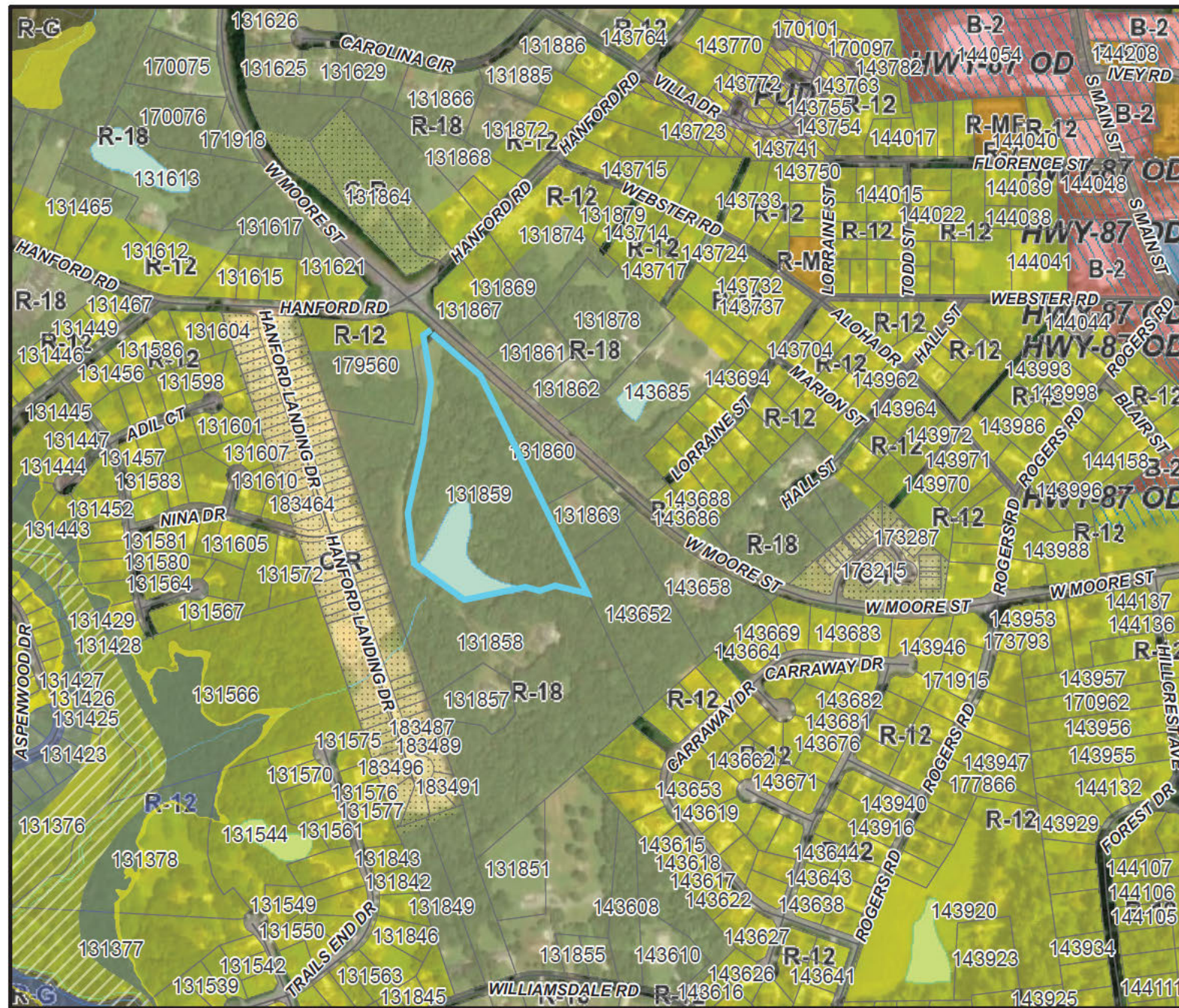
### Zoning Overlay Districts

- HD
- PUD
- HWY-87 OD
- HWY-54 OD



1:7,147

Print Date: 4/6/2026



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# CR2602 FLUM Map



City of Graham

## Legend

— Streets

□ Parcels

## Future Land Use

■ Downtown District

■ Mixed Use Commercial

■ Education District

■ Employment District

■ Industrial / Warehousing

■ Mixed Use Residential

■ Downtown Residential

■ Suburban Residential

■ Commercial Corridor

■ Rural Residential

## ALAM\_INTEREST\_POINT

✈ Airport

✠ Cemetery

🏫 Education/School

🚒 Fire Station

🏛 Government Office

🏠 Historic/Museum

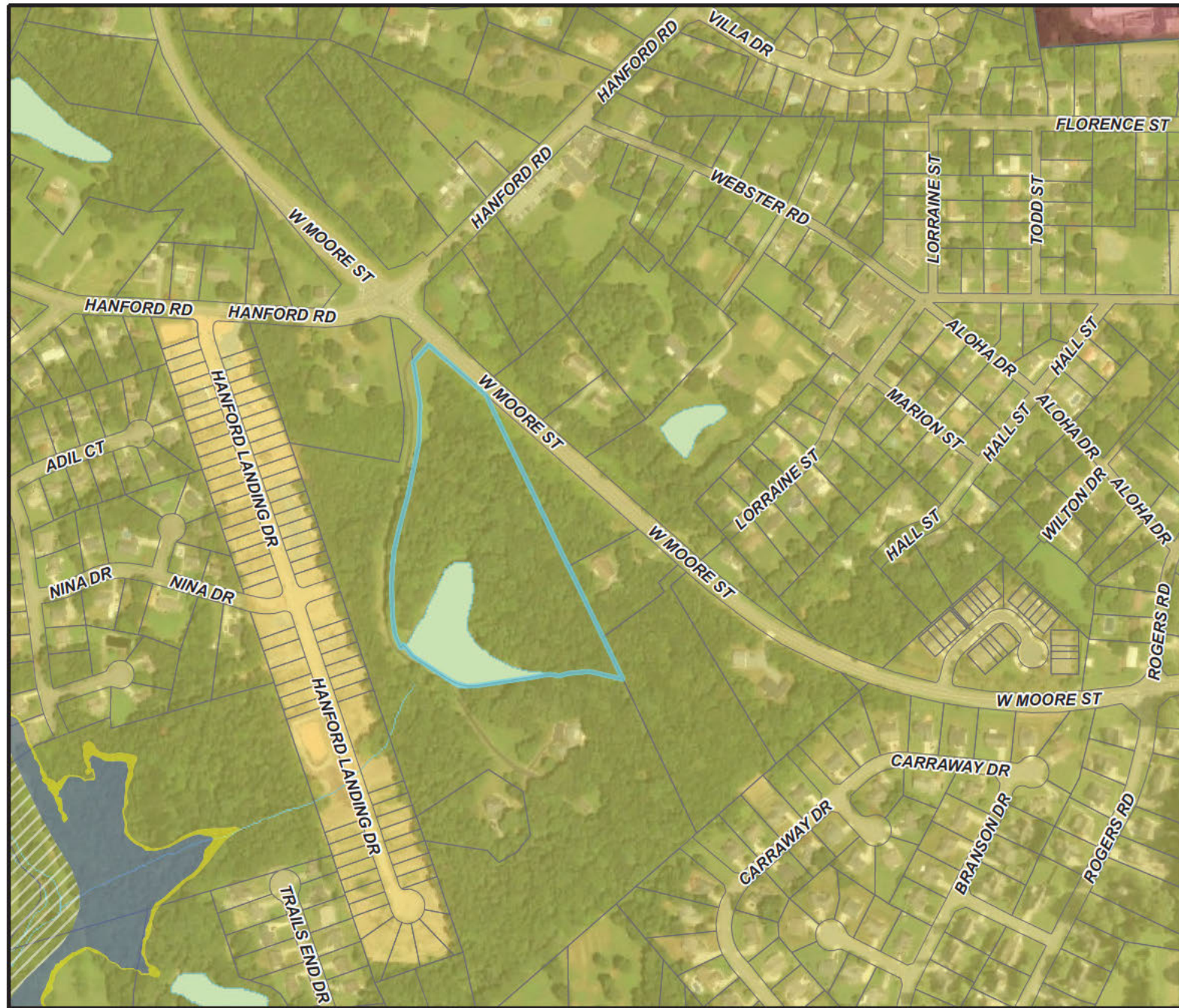
🚔 Jail

📖 Library



1:5,548

Print Date: 8/28/2026



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# GENERAL NOTES:

1. THIS MAP IS NOT FOR CONVEYANCE, RECORDATION OR SALES.
2. BOUNDARY AND TOPOGRAPHIC SURVEYS WERE PERFORMED BY YOUR LAND SURVEYOR, PLLC. 5704 CARRIAGEHOUSE CT. APEX, NC 27539
3. STORMWATER DRAINS TO LITTLE ALAMANCE CREEK; RIVER BASIN: CAPE FEAR.
4. THERE ARE JURISDICTIONAL STREAM AND WETLANDS ON SITE.
5. ENVIRONMENTAL CONSULTING PROVIDED BY SOIL & ENVIRONMENTAL SERVICES DATED 8/6/2023
6. THERE ARE NO DESIGNATED SPECIAL FLOOD HAZARD ZONE (100-YEAR FLOODPLAIN) ON THE PROPERTY. (DFIRM PANEL # 8573 & 8593)
7. SOILS CONSIST OF LOW TO HIGH PLASTICITY CLAYS AND SILTS, OR SILT SAND.
8. GEOTECHNICAL ENGINEERING CONSULTING PROVIDED BY GEOTECHNOLOGIES INC. 3200 WELLINGTON CT #108, RALEIGH, NC 27615.
9. ALL CONSTRUCTION IS TO BE PER CITY OF GRAHAM, NCDOT, SPECIFICATIONS AND DETAILS.
10. STORMWATER DETENTION OR DOWNSTREAM EVALUATION HAS BEEN PROVIDED TO THE TOWN.

# PROJECT DATA:

1. DEVELOPMENT: SINGLE FAMILY RESIDENTIAL
2. OWNER/DEVELOPER: WACA PROPERTIES  
956 DICKERSON DRIVE  
TROY, OHIO 45373  
937-269-6676  
HANFORD ROAD G  
GRAHAM, NC 27253
3. PROJECT ADDRESS:

# DENSITY INFORMATION

4. CURRENT ZONING: R-1B
5. CURRENT ALLOWABLE UNITS: 24.5
6. CURRENT DENSITY IN UNITS PER ACRE: 2.42 du/acre
7. PROPOSED ZONING: CR
8. PROPOSED UNITS: 24
9. PROPOSED DENSITY IN UNITS PER ACRE: 2.35 du/acre

# LAND USE INFORMATION

6. LONG RANGE PLAN DESIGNATION: SUBURBAN RESIDENTIAL
7. EXISTING CONDITIONS: VACANT - WOODED WITH POND
8. PROPOSED USE: RESIDENTIAL SINGLE-FAMILY
9. VICINITY LAND USES: RESIDENTIAL

# GIS INFORMATION

10. PARCEL ID: 88759644503
11. PARCEL AREA: 13.1859 (PID)  
10.05 ACRE

# INFRASTRUCTURE INFORMATION

12. ACCESS: WEST MOORE STREET
13. MUNICIPAL UTILITIES: Streets: Private  
Sidewalks/Sidepaths and Trails: Private

14. COTTAGE HOME LOTS: ~3,000 SQ. FEET  
min. lot width at setback: 48'  
min. lot depth: 55'  
PROPOSED SETBACKS: 20' FRONT  
10' SIDE & REAR

# DIMENSIONAL LOT INFORMATION

15. CUSTOM HOME LOTS: ~6,000 SQ. FEET  
min. lot width at setback: 61'  
min. lot depth: 84'  
PROPOSED SETBACKS: 20' FRONT  
10' SIDE & REAR

# PARKING PROVISIONS:

16. PARKING PROVISIONS:  
Not less than 2 spaces per lot outside right of way.  
Additional parking provided in public use spaces at 0.5 space per lot  
(8 common use parking spaces proposed)

# PLANNING AND SPATIAL INFORMATION: PARCEL TOTAL AREA: 10.05 Acre

This is a cluster subdivision proposed to preserve natural features with integrated architectural home site designs

17. Area in 24 Parcels: 2.85 Acres (28% of the total)
- Area in Right of Way: 2.12 Acres (21% of the total)
- Area in Open Space: 5.07 Acres (50% of the total)

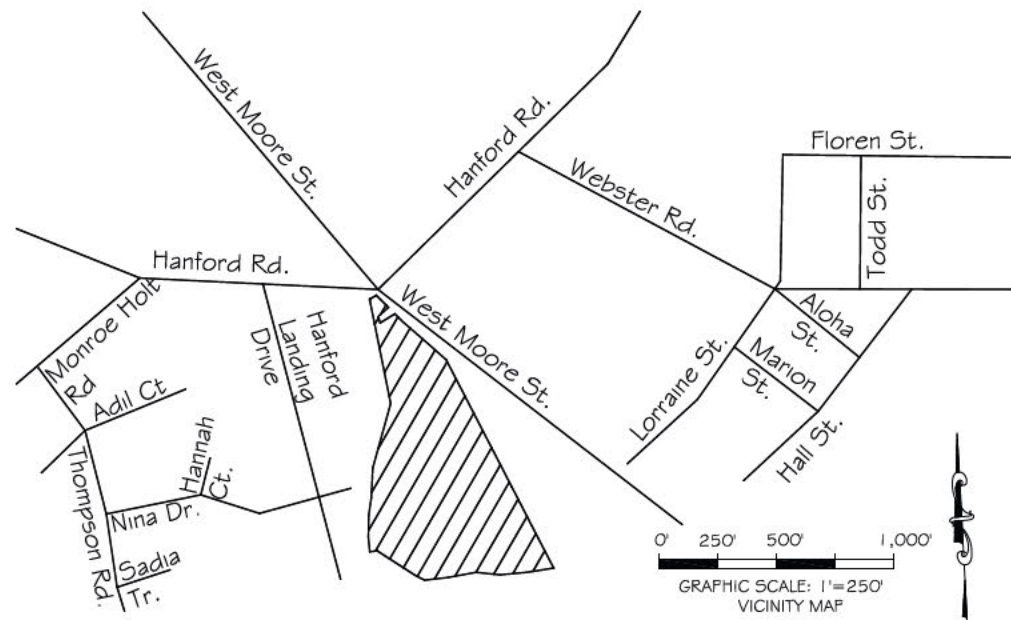
- Percentage of total open space: 50%
- Percentage of ACTIVE open space (1.88/5.07): 37%

# IMPERVIOUS SURFACE INFORMATION:

18. Total Impervious Surface Proposed: 2.76 Acres (28%)
- Roads/Parking/Sidewalks: 1.68 Acres (17%)
- Private Driveways and Sidewalks: 0.33 Acres (3%)
- Homeowner Allocation - Cottages: 0.34 Acres (3%)
- Homeowner Allocation - Custom: 0.41 Acres (4%)

# CONDITIONAL ZONING PLAN FOR

# WHITE ROCK ESTATES



O HANFORD ROAD  
GRAHAM, NC 27253

# Professional Design Engineer Certification

I, \_\_\_\_\_ PE, certify that, pursuant to generally accepted engineering standards in the community, it is my professional opinion that runoff from this project is controlled and treated for water quality and water quantity in accordance with the City of Graham's Stormwater Manual and that this project complies with the City of Graham's Stormwater, Floodplain, and Water Supply Watershed Ordinances

Seal By: \_\_\_\_\_ PE

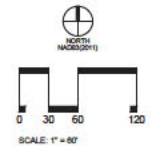
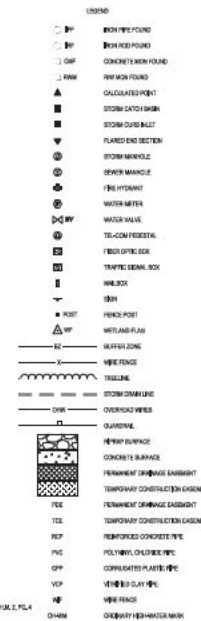
Date: \_\_\_\_\_

# SHEET INDEX

- 1 - COVER SHEET WITH VICINITY MAP
- 2 - EXISTING CONDITIONS SURVEY
- 3 - PRELIMINARY PLAN - CONDITIONAL ZONING PLAN

WHITE ROCK  
ESTATES

THE L.E.A.D.S. GROUP, P.A.  
1000 W. HARRIS STREET  
SUITE 100  
FAYETTEVILLE, NC 28404  
704.781.1111  
Local Engineers And Development Services

[illegible]

GRAHAM TOWNSHIP,  
ALAMANCE COUNTY, NORTH CAROLINA  
DATE: 11/04/2025 SCALE: 1" = 60'  
CONTOUR INTERVAL = 1 FOOT  
PREPARED FOR:  
CSD ENGINEERING

[illegible]

Seal:

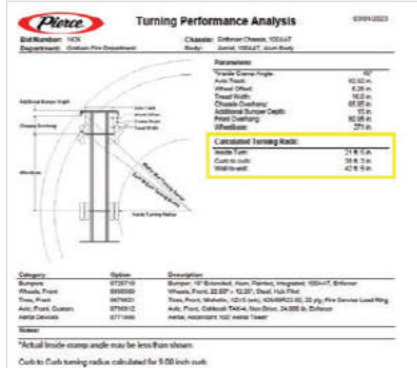


Project #: YLS25021 Sheet:  
Date: 11/04/2025  
Drawn by: WJT 1 of 1



1. THIS MAP IS NOT FOR CONVEYANCE OR SALES.
2. THIS IS A CONDITIONAL REZONING PLAN EXHIBIT R-18 TO CR
3. THE CITY OF GRAHAM TECHNICAL REVIEW AND OTHER REVIEW AGENCIES REVIEW AND APPROVAL WILL BE REQUIRED FOR CONSTRUCTION.
4. CUL DE SACS AND ENTRY GATE SHALL CONFORM TO CITY OF GRAHAM / NC STATE FIRE CODE REQUIREMENTS
5. PRIVATE REFUSE COLLECTION IS PROPOSED.

| Lot Number | Lot Area<br>(square feet) | Lot Designation | Frontage<br>(feet) | Depth<br>(feet) |
|------------|---------------------------|-----------------|--------------------|-----------------|
| 1          | 3,571                     | Cottage         | 48.5               | 60              |
| 2          | 3,179                     | Cottage         | 48.5               | 60              |
| 3          | 4,547                     | Cottage         | 75.3               | 67              |
| 4          | 4,500                     | Cottage         | 83                 | 55              |
| 5          | 3,277                     | Cottage         | 55                 | 58              |
| 6          | 3,007                     | Cottage         | 45                 | 72              |
| 7          | 3,910                     | Cottage         | 47                 | 71              |
| 8          | 3,269                     | Cottage         | 41                 | 69              |
| 9          | 3,546                     | Cottage         | 33.8               | 56              |
| 10         | 3,173                     | Cottage         | 50                 | 65              |
| 11         | 3,149                     | Cottage         | 48                 | 65              |
| 12         | 3,145                     | Cottage         | 48.5               | 64.8            |
| 13         | 3,283                     | Cottage         | 50.6               | 64.8            |
| 14         | 3,332                     | Cottage         | 51.3               | 64.8            |
| 15         | 3,091                     | Cottage         | 48.6               | 55.3            |
| 16         | 7,240                     | Custom          | 71                 | 84.1            |
| 17         | 6,447                     | Custom          | 61                 | 90              |
| 18         | 6,773                     | Custom          | 61.9               | 90.1            |
| 19         | 6,743                     | Custom          | 61                 | 90.1            |
| 20         | 6,447                     | Custom          | 61                 | 90              |
| 21         | 6,447                     | Custom          | 61                 | 90              |
| 22         | 11,367                    | Custom          | 120                | 113.9           |
| 23         | 10,426                    | Custom          | 120                | 110             |
| 24         | 10,298                    | Custom          | 130                | 110             |



PRELIMINARY PLANNING AND ZONING PURPOSES ONLY, NOT APPROVED FOR CONSTRUCTION



**Proposed Zoning Conditions - 0 Hanford Road -Graham - North Carolina**

- 1) The project proposes a zoning change from R-18 residential to Conditional Residential zoning C-R with an average density of 2.39 units per acre.
- 2) The proposed Maximum Number of Single-Family Residential Units shall be 24 units.
- 3) The project offers two distinctive home type options that will be gated. The western side “custom cottage homes” option with setbacks as shown on the conditional zoning plan and the eastern side “custom ranch homes” option with setbacks as shown on the conditional zoning plan.
- 4) Private streets are proposed within this conditional zoning.
- 5) Private streets shall have a minimum right-of-way width of 45’ and a street section of 27’ back to back and the (HOA) homeowners will have maintenance responsibilities after the appropriate warranty period.
- 6) Each home will have 2 parking spaces and a total of 12 additional parking spaces: 8 additional spaces at the end of each street and 4 additional spaces at the split of the entry street. This provision results in an additional 0.5 parking spaces per unit. On-street parking shall only be allowed on one side of any street having width not less than 31’ back-to-back. Streets narrower than this minimum will be signed no parking. City standard 48’ R cul-de-sac will be provided.
- 7) The project proposes sidewalks on both sides of private streets on the Cottage Home Sections and on one side in the Custom Home Section. We will use roll curb throughout both street sections. NCDOT frame grate and hood curb inlet structures are proposed for the private streets.
- 8) The project proposes to connect to municipal water and sewer services from the City of Graham. The project proposes Private Sewer and Public Water, and both will be built to City Standards.
- 9) A self-managed home owner’s association is proposed.
- 10) The home owner’s association shall provide provisions to maintain all private and common areas and for both the legislation and enforcement of neighborhood regulations. Provisions will include prohibiting on-street parking within Private Streets, any long term parking, outside storage of unused vehicles, trailers or other nuisance items and activities.
- 11) The common and open spaces, private easements, private rights of way, other common features and common area maintenance not publicly dedicated shall be controlled in unified ownership through the home owner’s association.
- 12) The project proposes both active and passive open space with inviting community amenities including a fishing pond with a fountain feature, walking trails, an outdoor pergola and seating areas throughout the neighborhood for residents. Trails within stream buffer areas shall be constructed in accordance with applicable standards.
- 13) Street trees shall be the responsibility of the home owner’s association including long term care, pruning as needed and any associated infrastructure repairs as needed due to their maturity.
- 14) The project proposes to make an extensive effort to preserve existing vegetation and retain the scenic wooded views with modest and attractive landscaped entrance markers and supplemental buffers surrounding the perimeter of the development.
- 15) The project proposes architecturally integrated construction where homes are situated into the environment to blend with the natural features and topography as best as practical.

## **Revised plan noted for 8" Public Water**

### **Note for Future Sewer Connection:**

A Private Sanitary Sewer to be built to public (City of Graham standards), is proposed at White Rock Estates. A private pump station and force main are also proposed for construction, connecting to the existing City of Graham sewer in Moore Street or Hanford Road. Private sewer and pump station maintenance is proposed and will be provided for by the Homeowner's Association.

In the event that an easement providing access to a public gravity sewer connection becomes available, the Homeowner's Association reserves the right to propose a gravity public sewer connection to allow for the abandonment of both the private pump station and private force main, and the subsequent transfer of ownership and maintenance responsibility of the White Rock Estates sanitary sewer system.

### **Maintenance Provision:**

The City of Graham shall have the right to access public water and sewer at White Rock Estates. Where the public utilities lie within paved streets or sidewalks owned by the Homeowner's Association, it shall be the responsibility of the Homeowner's Association to repair, replace, and restore any paved streets or sidewalks affected by the maintenance or repair of these utilities.

## Conformity to the *Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Future Land Use Suburban Residential Principal Uses: Suburban residential neighborhoods are primarily settings for existing and future single family detached housing, but may also contain additional housing typologies and low-impact supporting uses in neighborhood activity centers. Affordable detached homes within attractive walkable neighborhoods will continue to make Graham an attractive place to live for people who work in Graham and surrounding communities.

### Applicable Policies:

- **Policy 4.3.1: Land Use Patterns.** Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. *This amendment would allow for efficient land use and connection to existing services.*
- **Policy 5.1.2: Variety of ownership opportunities.** Encourage a variety of homeownership opportunities and choices by supporting the development of condominiums, cooperatives, and land trusts. *This amendment will offer flexibility in home ownership by presenting options for rental and/or owned residential units.*
- **Policy 5.2.1: Diverse Neighborhood.** Encourage a mix of housing types within Graham, including detached, duplex, multifamily, townhomes, and live-work units. *This amendment will diversify the City's residential housing stock and support the downtown landscape.*

#### Planning Type

Neighborhoods

#### Development Type

Suburban Residential

The term neighborhood refers to the idea of a compact, walkable, diverse, and connected community. As the building blocks of City urban fabric, neighborhoods should be organized around small-scale activity centers that provide civic and commercial functions within a five to ten-minute walk for residents to meet their daily needs.

Neighborhoods should be well connected internally and externally for bicyclists, pedestrians, and commuters. Small blocks and high connectivity ratios should be established and maintained both within and between neighborhoods.

#### Appropriate Density

3-6 dwelling units per acre

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### Staff Recommendation

Based on the *Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff provides the following statement:

- Rezoning the property would be consistent with the Suburban Residential land use areas and consistent with policies 4.3.1, 5.1.2, and 5.2.1, as put forth by the *Graham 2035 Comprehensive Plan*

### Planning Board Recommendation

- Recommended approval on condition of an 8-foot tall privacy fence being installed along the east and west property lines and around the pump station, a vehicular turn-around before the front gate and implementation of all conditions proposed by the applicant. 4-0.

## STAFF REPORT

|                     |                                                                           |
|---------------------|---------------------------------------------------------------------------|
| <b>SUBJECT:</b>     | SUPPORT FOR STREET CLOSURE REQUEST FOR COMMUNITY IMPACT AND BUSINESS EXPO |
| <b>PREPARED BY:</b> | AARON HOLLAND, ASSISTANT CITY MANAGER                                     |

### REQUESTED ACTION:

Consider a request to support the closure of Moore Street near the Creative Directions building at 554 Moore Street for the 1<sup>st</sup> annual Community Impact and Business Expo from 8 a.m. to 8 p.m. on September 25, 2027.

### BACKGROUND/SUMMARY:

John Graves (Creative Directions Inc.) is requesting to host the 1<sup>st</sup> annual Community Impact and Business Expo on September 25, 2027. Mr. Graves is requesting a street closure on Moore Street near 554 Moore Street. Because Moore Street is not a city-maintained street, the City Council is being asked to approve support for the event and the closure for an application NCDOT requires to close state-maintained streets.



### FISCAL IMPACT:

N/A

### STAFF RECOMMENDATION:

The road closure is for an NCDOT road and will require their review.

### SUGGESTED MOTION(S):

I move that we approve support for the closure of Moore Street in the vicinity of the Creative Directions building at 554 Moore Street for the 1<sup>st</sup> annual Community Impact and Business Expo from 8 a.m. to 8 p.m. on September 25, 2027.





1. Your email: [REDACTED]
2. Event name (if applicable): Community Impact and Business Expo
3. Reason for the event (be specific): Networking and Community Awareness
4. Event date(s): September 25, 2027
5. Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m. - 8 a.m. setup | 8 a.m. event start | 2 p.m. event ends | 2 p.m. - 4 p.m. cleanup):  
Setup 8am, start 10am, end 7pm, cleanup till 9pm latest

6. Event category

Please check all that apply appropriate category for your event.

☐ Concert/Performance

☐ Exhibit

☐ Farmer's Market

☒ Festival/Fair

☐ Parade/Procession

☐ Run/Walk

☐ Food Truck Rodeo

☐ Other: \_\_\_\_\_

7. Where are you requesting for your event to occur?

Be specific identifying street names or City facilities being requested for use?

Moore St ,

8. Does your event include the request to close streets?

Yes ☒ No ☐

9. Identify the street(s) you are requesting to have closed for your event.

Moore St just past the Pottery and at the curve before the railings past the Creative Directions building

10. Identify your street closure time(s) and will you anticipate when they will return to normal traffic flow.

8am to 8pm



11. What is your anticipated event attendance total? 1,000

12. Does your event include musical entertainment?

☒ Yes ☐ No

13. Where will your musical entertainment be located?

In front of the Building Creative Directions Inc.

14. Will sound amplification be used? ☒ Yes ☐ No

If yes, provide the start time and end time.

12 pm to 5pm

15. Will inflatables or similar devices be used at your event? ☒ Yes ☐ No

If yes, please describe. \*Please note, Insurance requirements must be met in order to offer this activity.

We have the insurance and the vendors will as well

16. Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?

☐ Yes ☒ No

If yes, please describe. \*\*\*Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.

17. Will alcohol be served, sold or consumed at your event?

☐ Yes ☒ No

If you answered yes to the question above, please check all that apply to your event.

☐ Alcohol will be available free of charge

☐ Alcohol will be by purchase only

☐ Alcohol being served and or sold at my event includes

☐ Beer only

☐ Wine only

☐ Beer & Wine



18. Describe your security plan to ensure the safe sale and or distribution of alcohol at your event.

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19. Does your event include food concession and/or food preparation areas?

Yes ☒ No ☐

If yes, please select the method of cooking that pertains to your event.

☐ Gas

☐ Electric

☐ Charcoal

☒ Other: Food Trucks

20. Do you plan to provide portable toilets at your event?

Yes ☒ No ☐

If yes, list the total number of portable toilets: 8

21. Portable toilet company name: Piedmont Portapotties

If no, please explain \_\_\_\_\_

22. Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event.

The Cleanup Crew will take trash away

Does your event require additional trash receptacles?

Yes ☒ No ☐

If yes, what is the requested number of additional trash receptacles? 10

23. Will there be any tents, canopies or temporary structures at your event?

Yes ☒ No ☐



24. Applicant name and affiliated agency if applicable

Creative Directions Inc. ( John H. Graves )

25. Applicant's Address

554 W. Moore St. Graham, NC 27253

26. Applicant's phone number

[REDACTED]

27. Applicant's email address

[REDACTED]

28. Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address)

\_\_\_\_\_

\_\_\_\_\_

29. How many years has this event taken place? 0





**CITY OF**  
**Graham**  
NORTH CAROLINA  
**STAFF REPORT**

|              |                                          |
|--------------|------------------------------------------|
| SUBJECT:     | PRE-REGULATORY LANDFILL & ACCESS REQUEST |
| PREPARED BY: | AARON HOLLAND. ASSISTANT CITY MANAGER    |

---

**REQUESTED ACTION:**

Provide direction to staff for Pre-regulatory Landfill and access request from NC Department of Environmental Quality (NCDEQ).

**BACKGROUND/SUMMARY:**

The City of Graham recently received notice from the NCDEQ Division of Waste Management related to a Pre-regulatory Landfill (PRLF) that has been identified on two City-owned properties. A PRLF is a location where unregulated waste disposal occurred prior to January 1, 1983. The two identified locations are 402 Goley Street (Civic Center Area) and 1402 E. Gilbreath Street (Graham Memorial Area). Since these locations predate modern landfill regulations and environmental standards, further assessment is advised to investigate potential public health and environmental risks stemming from past waste disposal practices.

Property owners who fully cooperate with the assessment and remediation process can receive these services at potentially no cost. This initiative is funded through the statewide solid waste disposal tax, which also offers several other benefits.

**FISCAL IMPACT:**

Participation with the assessment and remediation process can potentially be at no cost to the City. Should the City elect to opt out, any future remediation expenses will be the responsibility of the City.

**STAFF RECOMMENDATION:**

N/A

**SUGGESTED MOTION(S)**

Possible motions will be dependent upon Council discussion.

JOSH STEIN  
Governor  
D. REID WILSON  
Secretary  
MICHAEL SCOTT  
Director



September 21, 2026

City Of Graham  
201 S Main St  
Graham, NC 27253

**RE:** Notice of Pre-Regulatory Landfill & Access Request  
Civic Center Area  
PRLF ID# NONCD0000726  
402 Goley St / PIN# 8884420904  
Graham, Alamance County, NC

Dear Property Owner:

The North Carolina Department of Environmental Quality (NCDEQ), Division of Waste Management, Pre-Regulatory Landfill (PRLF) Program is writing to inform you that a Pre-Regulatory Landfill (PRLF) has been identified on your property.

A Pre-Regulatory Landfill (PRLF) is a location where unregulated waste disposal occurred prior to January 1, 1983. Because these sites were established before modern landfill regulations and environmental protection standards were in place, additional assessment is recommended to evaluate potential public health and environmental concerns associated with historical waste disposal activities.

The North Carolina General Assembly established the PRLF Program to assess and address potential environmental and public health hazards associated with unregulated disposal sites. Property owners who fully cooperate with the State in its assessment and remediation activities may receive these services at no cost to them, subject to the availability of program funding. The program is funded by a statewide solid waste disposal tax.

Participation in the PRLF Program provides several important benefits to property owners. Through the program, NCDEQ can delineate the boundary of the waste disposal area (WDA), evaluate whether contamination is migrating beyond the WDA boundary, assess potential risks to human health and the environment, and, when necessary, implement appropriate remedial measures. Participation in the PRLF Program will provide information needed to make informed decisions and the remedial action plan along with land use restrictions will help control and potentially reduce liability for you as the property owner.



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200

Property owners who choose not to participate in the PRLF Program may not receive the benefits of State-funded assessment and remediation. Refusal to cooperate may result in the property owner being required to investigate and address environmental conditions associated with the landfill at their own expense. Limiting access may also hinder the State's ability to determine the nature and extent of contamination and could increase potential liability and future costs associated with the property. Depending on the landfill size and conditions, the cost to complete the assessment and implement corrective actions can be substantial.

As the owner of property containing a PRLF, you are responsible for contamination and waste associated with the landfill, particularly if contaminants migrate beyond your property boundaries or impact neighboring properties, groundwater, surface water, or other environmental resources.

To assist the PRLF Program in evaluating current site conditions, we request that you complete and return the enclosed forms:

1. Owner Permission for Property Access
2. Property Owner Consent to Land Use Restrictions
3. U.S. Army Corps of Engineers Access Authorization

These forms provide authorization for NCDEQ, PRLF Program independent contractor, and U.S. Army Corps of Engineers personnel to access your property to conduct a limited assessment. The consent to land use restrictions form is intended to provide notification and obtain your consent that before remediation could occur, land use restrictions would need to be recorded.

The limited assessment could include WDA delineation, landfill vapor evaluation, potable well sampling, and determining if there are any imminent health risks to people on the property or adjacent properties. Providing access is an important first step in allowing the PRLF Program to evaluate potential environmental concerns and determine whether additional assessment or remediation may be warranted.

Upon receipt of the completed access agreement, the PRLF Program may conduct a site visit. A Property Owner Questionnaire may be provided as a follow-up to gather additional information regarding current property conditions, land use, and site history. This information will assist NCDEQ in evaluating the property and determining appropriate next steps.

Please see the enclosed Fact Sheet document for additional information regarding the PRLF Program and the PRLF Program website at [www.deq.nc.gov](http://www.deq.nc.gov). Select Waste Management from the Division drop down, select Superfund Section, then select Pre-Regulatory Landfill Program.

If you have any questions, concerns, or would like additional information regarding the PRLF Program or this letter, please do not hesitate to contact the PRLF Program's independent contractor, Mati Freeman with Terracon at [REDACTED] or (919) 436-2997. If



you still have questions after contacting Mati Freeman with Terracon, please contact the PRLF Project Manager, Jordan Brummal at 919-707-8619 or by e-mail, [REDACTED]

A pre-addressed and stamped envelope is enclosed for your convenience, or you may submit the signed documents electronically at the following email: [REDACTED]

Thank you for your cooperation.

Attachments: Pre-Regulatory Landfill Program Property Access Policy  
Owner Permission for Property Access  
Property Owner Consent to Land Use Restrictions  
U.S. Army Corps of Engineers Access Authorization  
PRLF Fact Sheet



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200



## Pre-Regulatory Landfill Program Property Access Policy

### Overview

Per § 130A-310.1, DEQ is required to develop and implement a program for locating, cataloguing, and monitoring all inactive hazardous substance or waste disposal sites in North Carolina. The Pre-Regulatory Landfill (PRLF) Program was established in 2007 to identify, assess, and remediate sites that accepted a wide range of waste types without regulatory oversight prior to January 1, 1983.

This policy will provide consistent guidelines for Pre-Regulatory Landfill (PRLF) Program project managers (PM) and Independent Contractors (ICs) requesting property owner access permission and management of properties that deny or rescind access permission or do not participate in the state-funded assessment or remedial action plan.

The PRLF Program will send letters to all PRLF owners, based on historic records available, informing them they have a landfill on their property that was operational prior to state regulations managing the disposal of solid waste. The letter will explain the PRLF Program, benefits of participation in the program, responsibility of owning a superfund site, and consequences and risk of not participating in the program. The letter will also request access to the properties and explain how the access will be utilized to conduct a limited assessment, waste delineation, landfill vapor evaluation, and potable well sampling to determine if there are any imminent risks associated with the landfill and to establish minimum information for risk prioritization.

### Access Permission Letter

The PRLF Program has located and catalogued 668 landfills. Current landfill conditions, such as the number of developed parcels, occupied structures, and potable wells within 1,000 feet of the suspect waste boundary have been captured in the PRLF Program database. The risk priority scores, available on the program website, reflect the updated conditions at each landfill. Out of the 668 landfills, 419 landfills have one or more developed parcels within 1,000 feet of the suspect waste boundary and 249 landfills do not have developed parcels, occupied structures, or potable wells within 1,000 feet of the suspect waste boundary.

Initiating an assessment and delineating contamination at a PRLF site requires obtaining access permission from property owners that have the waste disposal area on their property or property owners that are impacted by contamination migrating beyond the delineated waste disposal area boundary. After being assigned a new site by the PRLF Program Supervisor, the PRLF PM can coordinate with the IC to identify the subject properties at each landfill and request access permission. Distribution of property owner access permission letters will be based on the current risk priority scores, highest to lowest.

The PRLF Comprehensive Access packet should be mailed via United States Postal Service (USPS) to the landfill property owners. If an email address is available, the letters should be sent via email in addition to the USPS hard copy mailing. The packet includes the following:

1. PRLF Property Owner Letter
2. Owner Permission for Property Access Form
3. Property Owner Consent to Land-Use Restrictions Form
4. U.S. Army Corps of Engineers Access Authorization Form

Property owner response is requested in 10 days. If the IC doesn't receive the signed forms within 10 business days of mailing the packet, resend the entire packet and use USPS tracking (return receipt – green card) and provide copies of the tracking information to the PRLF PM. If the second mailing attempt does not generate a response from the property owner in 10 business days, send the packet a third time using certified mail and provide copies of the certified tracking information to the PRLF PM. If the IC does not receive the access permission form from the property owner within 10 business days of accepting the certified packet, the property will be identified as a non-participating property. After three attempts to establish communication with a property owner and all three attempts resulted in no response or a decline to provide access permission, the property will be added to a non-participating list.

Once access permission is obtained from all or a portion of the property owners containing the waste disposal area, the next step is to send notification letters to surrounding property owners within 500 feet of the suspect waste disposal area. This notification informs the surrounding property owners that they live within 500 feet of a PRLF and assessment activities will be commencing. Refer to the PRLF Public Outreach Guidance document for details regarding notification procedures before initiating the assessment.

After the three rounds of letters have been mailed, the assessment will be initiated on all properties that provided access permission. As a starting point, the landfill boundary will be delineated and landfill gas probes installed. Additional assessment activities will be dependent on site conditions and based on a review with the PRLF Supervisor and IC.

### Property Owner Failed to Respond or Declined Access Permission

The Property Owner Not Participating letter should be sent to the property owner if they did not respond to the three mailing attempts or declined to provide access permission. Depending on property ownership type, private single-family home versus rental or commercial property, additional steps may be required to manage non-participating property owners.

#### Private ownership – single family home

Single-family homeowners that do not participate in the PRLF Program, communication could not be established or they declined access permission, should be sent the Property Owner Not Participating letter via certified mail and a copy loaded to Laserfiche. This letter will inform the property owner that the PRLF Program is moving forward with the next landfill on the priority list and they are responsible for controlling the waste and associated contamination. The letter will also inform property owners that their parcel will be highlighted on the site locator tool as not participating in the program (both for the assessment and remedial action plan, whichever is applicable).

If the current property owner or future property owner decides later, they want to participate in the assessment or remedy, they can contact the PRLF Program and the site may be evaluated based on existing projects and funding to determine when the property could be addressed.

The Property Owner Not Participating letter will be mailed to the non-participating property owner annually to serve as a reminder they own a PRLF and to offer the limited assessment of their property.

Private ownership – rental or commercial property, **no assessment data**

Rental or commercial property owners that do not participate in the PRLF Program, communication could not be established or they declined access permission, should be sent the Property Owner Not Participating letter via certified mail and a copy loaded to Laserfiche. This letter will inform the property owner that the PRLF Program is moving forward with the next landfill on the priority list and they are responsible for controlling the waste and associated contamination. The letter will also inform property owners that their parcel will be highlighted on the site locator tool as not participating in the program (both for the assessment and remedial action plan, whichever is applicable).

A copy of the Property Owner Not Participating letter should also be mailed, via certified mail, to the County Health Director and local or county government officials and a copy loaded to Laserfiche. Include site specific information, such as occupied structures on top of waste and typical PRLF risks in the county health director/local or county government official letter.

Tenants of the rental or commercial property should be informed that the owner either declined access permission or did not respond to multiple requests. Send the tenants a copy of the Property Owner Not Participating letter, that was mailed to the owner, along with the PRLF fact sheet.

If the current property owner or future property owner decides later, they want to participate in the assessment or remedy, they can contact the PRLF Program and the site may be evaluated based on existing projects and funding to determine when the property could be addressed.

Private ownership – rental or commercial property, **partial assessment data**

Rental or commercial property owners that did not participate in the partial assessment would have received the Property Owner Not Participating letter informing them of the information outlined above for properties with no assessment data.

If the partial assessment data suggests an imminent hazard exists, explosive or hazardous conditions, along or around non-participating property boundaries, send the PRLF Access Request with Warrant Provision letter with a figure showing the sample points and results to inform the property owner of these unsafe conditions. The letter should also provide a brief description of completed work, request access permission to collect data on the non-participating property and explain that the PRLF Program may pursue obtaining an administrative warrant if the property owner doesn't provide access permission.

Local and state public health authorities and other pertinent local or county officials should receive a copy of the letter sent to the non-participating property owner informing them of properties with potentially unsafe conditions used by the public.





## Owner Permission for Property Access

Civic Center Area  
PRLF ID# NONCD0000726

City Of Graham  
402 Goley St / PIN# 8884420904  
Graham, Alamance County, NC

I/We own the above referenced property.

I/We hereby grant permission to the State and the State's representatives to access my/our property to conduct an environmental investigation to evaluate potential public health and environmental hazards, resulting from past operations of an old unregulated landfill present on the property and, if necessary, to abate or control hazards posed by wastes and contaminated material by implementing a remedial action plan. The Division of Waste Management (Division) and its contractors are permitted to enter and have continued access to my Property.

Examples of remedial investigation and remedial action activities include, but are not limited to the following:

1. Installation of monitoring wells for groundwater and/or landfill gas;
2. Taking soil, groundwater, surface water and/or landfill gas samples as may be necessary;
3. Delineating the waste boundary; and
4. Response actions and installation of remedial action measures (landfill cover system) to mitigate any threats to human health or the environment.

I/We understand that:

- The Division and its contractors shall attempt to perform any activities at the Property in a manner that minimizes interference with use of the Property.
- All monitoring wells will be properly abandoned in accordance with applicable laws and regulations.



- The Division will make reasonable attempts to notify you at least 48 hours prior to entering the Property for any purpose. The Division or its contractors shall have immediate access to the property for situations that the Division determines to be an emergency.
- The Division's contractors shall have the authority to prepare, sign, file, and deliver any application, approval, or waste manifest on my behalf necessary to conduct assessment and remediation pursuant to this agreement.
- The Division's contractors shall, on my behalf, have the authority to negotiate and sign an encroachment agreement on a government or utility owned right of way if the encroachment agreement is necessary to conduct assessment and remediation pursuant to this agreement. The Contractor shall post the bond for the encroachment agreement if one is required.

I/We understand prior to any abatement activities, the proposed remedy for the site and associated land use restrictions required to make the property safe will be discussed with all property owner representatives.

Print

\_\_\_\_\_  
Name of Property Owner/Corporation (Print)

Signature

\_\_\_\_\_  
Name of Property Owner/Corporation (Signature)

Date

\_\_\_\_\_

Email address

\_\_\_\_\_

Phone number

\_\_\_\_\_

Return to: Chris Driscoll, Project Geologist  
Terracon Consultants, Inc.  
7327-G W Friendly Avenue  
Greensboro, North Carolina 27410  
[REDACTED]

*This document may not be modified.*



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200



NORTH CAROLINA  
Environmental Quality

## Property Owner Consent to Land-Use Restrictions

### Individual Ownership

I, \_\_\_\_\_, owner of real property located at \_\_\_\_\_,  
[name of owner] [street address]  
\_\_\_\_\_, \_\_\_\_\_ County, North Carolina ("Property"), am agreeable to the imposition  
[town or city] [County]  
of Land-Use Restrictions ("Restrictions") on the Property partially or completely in lieu of  
remediation of hazardous substances to unrestricted-use levels. I understand and agree that  
I may refuse to consent upon review of the specific Restrictions proposed for the Property.

<check the boxes that apply>

☐ I am the sole owner of the Property holding fee simple title to the Property free, clear  
and unencumbered;

[or]

☐ There are non-financial encumbrances (utility easements, greenways, lease  
agreements, land-use restrictions, etc.) on the property. I have provided to the  
Superfund Section the names of all other persons that own an interest in or hold an  
encumbrance on the Property (Attachment A) and have notified such persons of my  
intention to record Restrictions on the Property;

and, [if applicable]

☐ I understand that if other interest in, or encumbrances on, the Property conflict with  
the proposed Restrictions, the persons who own such interests or hold such  
encumbrances must agree to subordinate such interest or encumbrances to the  
Restrictions. The subordination agreement[s] is [are] included as Attachment B for  
reference.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signatory's name typed or printed





JOSH STEIN

Governor

D. REID WILSON

Secretary

MICHAEL SCOTT

Director



NORTH CAROLINA  
Environmental Quality

## U.S. Army Corps of Engineers Access Authorization

Civic Center Area  
PRLF ID# NONCD0000726

City Of Graham  
402 Goley St / PIN# 8884420904  
Graham, Alamance County, NC

I/We hereby grant permission to the U.S. Army Corps of Engineers to access my/our property to conduct a wetland jurisdictional determination located at 402 Goley St, Graham, Alamance County, North Carolina (PIN# 8884420904) and;

Provide results of the study to the North Carolina Department of Environmental Quality, Division of Waste Management, Superfund Section, Special Remediation Branch, Pre-Regulatory Landfill Program and the assigned firm under contract with the State of North Carolina.

Print

\_\_\_\_\_  
Name of Property Owner/Corporation (Print)

Signature

\_\_\_\_\_  
Name of Property Owner/Corporation (Signature)

Date

\_\_\_\_\_

Return to: Chris Driscoll, Project Geologist  
Terracon Consultants, Inc.  
7327-G W Friendly Avenue  
Greensboro, North Carolina 27410  
[REDACTED]

*This document may not be modified.*



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200



JOSH STEIN  
Governor  
D. REID WILSON  
Secretary  
MICHAEL SCOTT  
Director



September 21, 2026

City of Graham  
201 S Main St  
Graham, NC 27253

**RE:** Notice of Pre-Regulatory Landfill & Access Request  
Graham Disposal  
PRLF ID# NONCD0000104  
1402 Gilbreath St / PIN# 8893062329  
Graham, Alamance County, NC

Dear Property Owner:

The North Carolina Department of Environmental Quality (NCDEQ), Division of Waste Management, Pre-Regulatory Landfill (PRLF) Program is writing to inform you that a Pre-Regulatory Landfill (PRLF) has been identified on your property.

A Pre-Regulatory Landfill (PRLF) is a location where unregulated waste disposal occurred prior to January 1, 1983. Because these sites were established before modern landfill regulations and environmental protection standards were in place, additional assessment is recommended to evaluate potential public health and environmental concerns associated with historical waste disposal activities.

The North Carolina General Assembly established the PRLF Program to assess and address potential environmental and public health hazards associated with unregulated disposal sites. Property owners who fully cooperate with the State in its assessment and remediation activities may receive these services at no cost to them, subject to the availability of program funding. The program is funded by a statewide solid waste disposal tax.

Participation in the PRLF Program provides several important benefits to property owners. Through the program, NCDEQ can delineate the boundary of the waste disposal area (WDA), evaluate whether contamination is migrating beyond the WDA boundary, assess potential risks to human health and the environment, and, when necessary, implement appropriate remedial measures. Participation in the PRLF Program will provide information needed to make informed decisions and the remedial action plan along with land use restrictions will help control and potentially reduce liability for you as the property owner.



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Property owners who choose not to participate in the PRLF Program may not receive the benefits of State-funded assessment and remediation. Refusal to cooperate may result in the property owner being required to investigate and address environmental conditions associated with the landfill at their own expense. Limiting access may also hinder the State's ability to determine the nature and extent of contamination and could increase potential liability and future costs associated with the property. Depending on the landfill size and conditions, the cost to complete the assessment and implement corrective actions can be substantial.

As the owner of property containing a PRLF, you are responsible for contamination and waste associated with the landfill, particularly if contaminants migrate beyond your property boundaries or impact neighboring properties, groundwater, surface water, or other environmental resources.

To assist the PRLF Program in evaluating current site conditions, we request that you complete and return the enclosed forms:

1. Owner Permission for Property Access
2. Property Owner Consent to Land Use Restrictions
3. U.S. Army Corps of Engineers Access Authorization

These forms provide authorization for NCDEQ, PRLF Program independent contractor, and U.S. Army Corps of Engineers personnel to access your property to conduct a limited assessment. The consent to land use restrictions form is intended to provide notification and obtain your consent that before remediation could occur, land use restrictions would need to be recorded.

The limited assessment could include WDA delineation, landfill vapor evaluation, potable well sampling, and determining if there are any imminent health risks to people on the property or adjacent properties. Providing access is an important first step in allowing the PRLF Program to evaluate potential environmental concerns and determine whether additional assessment or remediation may be warranted.

Upon receipt of the completed access agreement, the PRLF Program may conduct a site visit. A Property Owner Questionnaire may be provided as a follow-up to gather additional information regarding current property conditions, land use, and site history. This information will assist NCDEQ in evaluating the property and determining appropriate next steps.

Please see the enclosed Fact Sheet document for additional information regarding the PRLF Program and the PRLF Program website at [www.deq.nc.gov](http://www.deq.nc.gov). Select Waste Management from the Division drop down, select Superfund Section, then select Pre-Regulatory Landfill Program.

If you have any questions, concerns, or would like additional information regarding the PRLF Program or this letter, please do not hesitate to contact the PRLF Program's independent contractor, Mati Freeman with Terracon at [REDACTED] or (919) 436-2997. If



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200

you still have questions after contacting Mati Freeman with Terracon, please contact the PRLF Project Manager, Jordan Brummal at 919-707-8619 or by e-mail, [REDACTED]

A pre-addressed and stamped envelope is enclosed for your convenience, or you may submit the signed documents electronically at the following email: [REDACTED]

Thank you for your cooperation.

Attachments: Pre-Regulatory Landfill Program Property Access Policy  
Owner Permission for Property Access  
Property Owner Consent to Land Use Restrictions  
U.S. Army Corps of Engineers Access Authorization  
PRLF Fact Sheet



North Carolina Department of Environmental Quality | Division of Waste Management  
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## Pre-Regulatory Landfill Program Property Access Policy

### Overview

Per § 130A-310.1, DEQ is required to develop and implement a program for locating, cataloguing, and monitoring all inactive hazardous substance or waste disposal sites in North Carolina. The Pre-Regulatory Landfill (PRLF) Program was established in 2007 to identify, assess, and remediate sites that accepted a wide range of waste types without regulatory oversight prior to January 1, 1983.

This policy will provide consistent guidelines for Pre-Regulatory Landfill (PRLF) Program project managers (PM) and Independent Contractors (ICs) requesting property owner access permission and management of properties that deny or rescind access permission or do not participate in the state-funded assessment or remedial action plan.

The PRLF Program will send letters to all PRLF owners, based on historic records available, informing them they have a landfill on their property that was operational prior to state regulations managing the disposal of solid waste. The letter will explain the PRLF Program, benefits of participation in the program, responsibility of owning a superfund site, and consequences and risk of not participating in the program. The letter will also request access to the properties and explain how the access will be utilized to conduct a limited assessment, waste delineation, landfill vapor evaluation, and potable well sampling to determine if there are any imminent risks associated with the landfill and to establish minimum information for risk prioritization.

### Access Permission Letter

The PRLF Program has located and catalogued 668 landfills. Current landfill conditions, such as the number of developed parcels, occupied structures, and potable wells within 1,000 feet of the suspect waste boundary have been captured in the PRLF Program database. The risk priority scores, available on the program website, reflect the updated conditions at each landfill. Out of the 668 landfills, 419 landfills have one or more developed parcels within 1,000 feet of the suspect waste boundary and 249 landfills do not have developed parcels, occupied structures, or potable wells within 1,000 feet of the suspect waste boundary.

Initiating an assessment and delineating contamination at a PRLF site requires obtaining access permission from property owners that have the waste disposal area on their property or property owners that are impacted by contamination migrating beyond the delineated waste disposal area boundary. After being assigned a new site by the PRLF Program Supervisor, the PRLF PM can coordinate with the IC to identify the subject properties at each landfill and request access permission. Distribution of property owner access permission letters will be based on the current risk priority scores, highest to lowest.

The PRLF Comprehensive Access packet should be mailed via United States Postal Service (USPS) to the landfill property owners. If an email address is available, the letters should be sent via email in addition to the USPS hard copy mailing. The packet includes the following:



1. PRLF Property Owner Letter
2. Owner Permission for Property Access Form
3. Property Owner Consent to Land-Use Restrictions Form
4. U.S. Army Corps of Engineers Access Authorization Form

Property owner response is requested in 10 days. If the IC doesn't receive the signed forms within 10 business days of mailing the packet, resend the entire packet and use USPS tracking (return receipt – green card) and provide copies of the tracking information to the PRLF PM. If the second mailing attempt does not generate a response from the property owner in 10 business days, send the packet a third time using certified mail and provide copies of the certified tracking information to the PRLF PM. If the IC does not receive the access permission form from the property owner within 10 business days of accepting the certified packet, the property will be identified as a non-participating property. After three attempts to establish communication with a property owner and all three attempts resulted in no response or a decline to provide access permission, the property will be added to a non-participating list.

Once access permission is obtained from all or a portion of the property owners containing the waste disposal area, the next step is to send notification letters to surrounding property owners within 500 feet of the suspect waste disposal area. This notification informs the surrounding property owners that they live within 500 feet of a PRLF and assessment activities will be commencing. Refer to the PRLF Public Outreach Guidance document for details regarding notification procedures before initiating the assessment.

After the three rounds of letters have been mailed, the assessment will be initiated on all properties that provided access permission. As a starting point, the landfill boundary will be delineated and landfill gas probes installed. Additional assessment activities will be dependent on site conditions and based on a review with the PRLF Supervisor and IC.

### Property Owner Failed to Respond or Declined Access Permission

The Property Owner Not Participating letter should be sent to the property owner if they did not respond to the three mailing attempts or declined to provide access permission. Depending on property ownership type, private single-family home versus rental or commercial property, additional steps may be required to manage non-participating property owners.

#### Private ownership – single family home

Single-family homeowners that do not participate in the PRLF Program, communication could not be established or they declined access permission, should be sent the Property Owner Not Participating letter via certified mail and a copy loaded to Laserfiche. This letter will inform the property owner that the PRLF Program is moving forward with the next landfill on the priority list and they are responsible for controlling the waste and associated contamination. The letter will also inform property owners that their parcel will be highlighted on the site locator tool as not participating in the program (both for the assessment and remedial action plan, whichever is applicable).

If the current property owner or future property owner decides later, they want to participate in the assessment or remedy, they can contact the PRLF Program and the site may be evaluated based on existing projects and funding to determine when the property could be addressed.

The Property Owner Not Participating letter will be mailed to the non-participating property owner annually to serve as a reminder they own a PRLF and to offer the limited assessment of their property.

**Private ownership – rental or commercial property, no assessment data**

Rental or commercial property owners that do not participate in the PRLF Program, communication could not be established or they declined access permission, should be sent the Property Owner Not Participating letter via certified mail and a copy loaded to Laserfiche. This letter will inform the property owner that the PRLF Program is moving forward with the next landfill on the priority list and they are responsible for controlling the waste and associated contamination. The letter will also inform property owners that their parcel will be highlighted on the site locator tool as not participating in the program (both for the assessment and remedial action plan, whichever is applicable).

A copy of the Property Owner Not Participating letter should also be mailed, via certified mail, to the County Health Director and local or county government officials and a copy loaded to Laserfiche. Include site specific information, such as occupied structures on top of waste and typical PRLF risks in the county health director/local or county government official letter.

Tenants of the rental or commercial property should be informed that the owner either declined access permission or did not respond to multiple requests. Send the tenants a copy of the Property Owner Not Participating letter, that was mailed to the owner, along with the PRLF fact sheet.

If the current property owner or future property owner decides later, they want to participate in the assessment or remedy, they can contact the PRLF Program and the site may be evaluated based on existing projects and funding to determine when the property could be addressed.

**Private ownership – rental or commercial property, partial assessment data**

Rental or commercial property owners that did not participate in the partial assessment would have received the Property Owner Not Participating letter informing them of the information outlined above for properties with no assessment data.

If the partial assessment data suggests an imminent hazard exists, explosive or hazardous conditions, along or around non-participating property boundaries, send the PRLF Access Request with Warrant Provision letter with a figure showing the sample points and results to inform the property owner of these unsafe conditions. The letter should also provide a brief description of completed work, request access permission to collect data on the non-participating property and explain that the PRLF Program may pursue obtaining an administrative warrant if the property owner doesn't provide access permission.

Local and state public health authorities and other pertinent local or county officials should receive a copy of the letter sent to the non-participating property owner informing them of properties with potentially unsafe conditions used by the public.

JOSH STEIN  
Governor

D. REID WILSON  
Secretary

MICHAEL SCOTT  
Director



NORTH CAROLINA  
Environmental Quality

## Owner Permission for Property Access

Graham Disposal  
PRLF ID# NONCD0000104

City of Graham  
1402 Gilbreath St / PIN# 8893062329  
Graham, Alamance County, NC

I/We own the above referenced property.

I/We hereby grant permission to the State and the State's representatives to access my/our property to conduct an environmental investigation to evaluate potential public health and environmental hazards, resulting from past operations of an old unregulated landfill present on the property and, if necessary, to abate or control hazards posed by wastes and contaminated material by implementing a remedial action plan. The Division of Waste Management (Division) and its contractors are permitted to enter and have continued access to my Property.

Examples of remedial investigation and remedial action activities include, but are not limited to the following:

1. Installation of monitoring wells for groundwater and/or landfill gas;
2. Taking soil, groundwater, surface water and/or landfill gas samples as may be necessary;
3. Delineating the waste boundary; and
4. Response actions and installation of remedial action measures (landfill cover system) to mitigate any threats to human health or the environment.

I/We understand that:

- The Division and its contractors shall attempt to perform any activities at the Property in a manner that minimizes interference with use of the Property.
- All monitoring wells will be properly abandoned in accordance with applicable laws and regulations.



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200



- The Division will make reasonable attempts to notify you at least 48 hours prior to entering the Property for any purpose. The Division or its contractors shall have immediate access to the property for situations that the Division determines to be an emergency.
- The Division's contractors shall have the authority to prepare, sign, file, and deliver any application, approval, or waste manifest on my behalf necessary to conduct assessment and remediation pursuant to this agreement.
- The Division's contractors shall, on my behalf, have the authority to negotiate and sign an encroachment agreement on a government or utility owned right of way if the encroachment agreement is necessary to conduct assessment and remediation pursuant to this agreement. The Contractor shall post the bond for the encroachment agreement if one is required.

I/We understand prior to any abatement activities, the proposed remedy for the site and associated land use restrictions required to make the property safe will be discussed with all property owner representatives.

Print

\_\_\_\_\_  
Name of Property Owner/Corporation (Print)

Signature

\_\_\_\_\_  
Name of Property Owner/Corporation (Signature)

Date

\_\_\_\_\_

Email address

\_\_\_\_\_

Phone number

\_\_\_\_\_

Return to: Chris Driscoll, Project Geologist  
Terracon Consultants, Inc.  
7327-G W Friendly Avenue  
Greensboro, North Carolina 27410  
[REDACTED]

*This document may not be modified.*



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200



## Property Owner Consent to Land-Use Restrictions

### Individual Ownership

I, \_\_\_\_\_, owner of real property located at \_\_\_\_\_,  
[name of owner] [street address]  
\_\_\_\_\_, \_\_\_\_\_ County, North Carolina ("Property"), am agreeable to the imposition  
[town or city] [County]  
of Land-Use Restrictions ("Restrictions") on the Property partially or completely in lieu of  
remediation of hazardous substances to unrestricted-use levels. I understand and agree that  
I may refuse to consent upon review of the specific Restrictions proposed for the Property.

<check the boxes that apply>

☐ I am the sole owner of the Property holding fee simple title to the Property free, clear  
and unencumbered;

[or]

☐ There are non-financial encumbrances (utility easements, greenways, lease  
agreements, land-use restrictions, etc.) on the property. I have provided to the  
Superfund Section the names of all other persons that own an interest in or hold an  
encumbrance on the Property (Attachment A) and have notified such persons of my  
intention to record Restrictions on the Property;

and, [if applicable]

☐ I understand that if other interest in, or encumbrances on, the Property conflict with  
the proposed Restrictions, the persons who own such interests or hold such  
encumbrances must agree to subordinate such interest or encumbrances to the  
Restrictions. The subordination agreement[s] is [are] included as Attachment B for  
reference.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signatory's name typed or printed



JOSH STEIN  
Governor  
D. REID WILSON  
Secretary  
MICHAEL SCOTT  
Director



## U.S. Army Corps of Engineers Access Authorization

Graham Disposal  
PRLF ID# NONCD0000104

City of Graham  
1402 Gilbreath St / PIN# 8893062329  
Graham, Alamance County, NC

I/We hereby grant permission to the U.S. Army Corps of Engineers to access my/our property to conduct a wetland jurisdictional determination located at 1402 Gilbreath St, Graham, Alamance County, North Carolina (PIN# 8893062329) and;

Provide results of the study to the North Carolina Department of Environmental Quality, Division of Waste Management, Superfund Section, Special Remediation Branch, Pre-Regulatory Landfill Program and the assigned firm under contract with the State of North Carolina.

Print

\_\_\_\_\_  
Name of Property Owner/Corporation (Print)

Signature

\_\_\_\_\_  
Name of Property Owner/Corporation (Signature)

Date

\_\_\_\_\_

Return to: Chris Driscoll, Project Geologist  
Terracon Consultants, Inc.  
7327-G W Friendly Avenue  
Greensboro, North Carolina 27410  
[REDACTED]

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# Pre-Regulatory Landfill (PRLF) Program

*Before 1983, solid and hazardous waste regulations were almost non-existent. The General Assembly authorized the Pre-Regulatory Landfill Program in 2007 to identify, assess, and mitigate risks posed by pre-1983 landfills.*

**Statutory Authority: G.S. 130A-310.6**

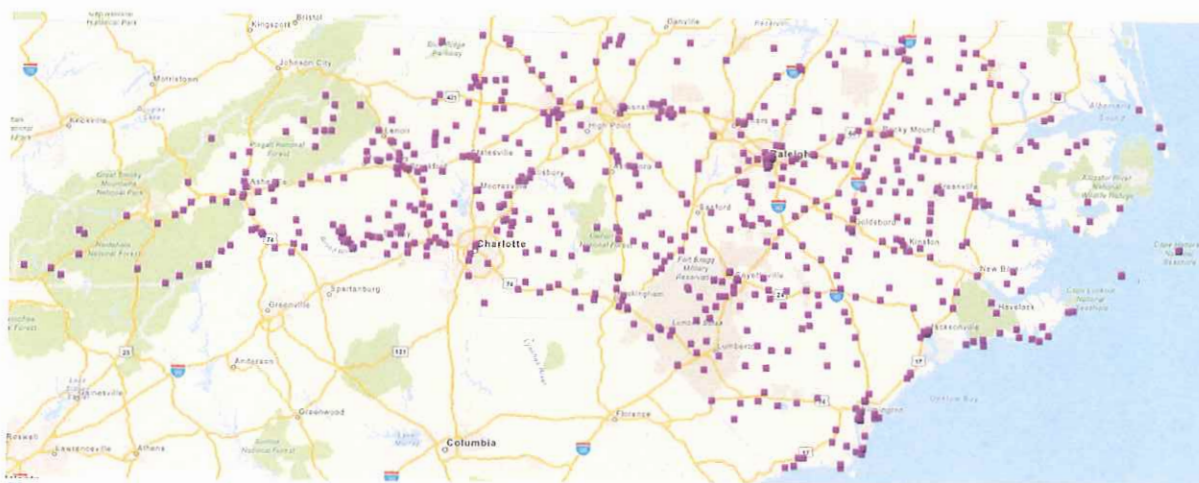
By statute, the PRLF Program only applies to municipal solid waste sites that ceased adding waste before 1983.

## About the Program:

- Since 2009, \$1/ton of a state-wide disposal tax is allocated to DEQ to manage engineering contractors that locate the sites, determine property and surrounding uses, and identify water supply wells and other routes of potential exposure.
- A risk-based approach is used to prioritize sites, covering the landfill with clean soil and recording land use restrictions.
- Successful reuse of PRLF properties include several parks, business, and a charter school.
- Cleanups have allowed residential development of adjacent properties.
- Staff have developed an inventory and prioritization system, collected GIS location information, and made all site records available online.

## By the Numbers

- 688 PRLFs have been identified to date.
- 98 sites undergoing investigation or remediation activity.
- 43 sites have been fully remediated.
- \$1,936,349 – average remediation cost per site.
- 78% of sites are wholly or partially owned by private parties.
- 370 acres of waste are now secured.
- 1,642 water supply wells sampled.
- 30 homes provided with alternate water supplies.



Pre-Regulatory Landfill Sites in North Carolina

## Risk Posed by PRLFs

- Could contain hazardous wastes, medical wastes, and/or asbestos-containing materials.
- Contaminated soils and hazardous materials could be exposed.
- Hazardous vapors from contaminated groundwater and waste can migrate to homes, schools or businesses.
- Contaminated groundwater and eroding waste gets discharged to creeks.
- 80% of sites have residences, schools, churches, day cares, parks, and/or drinking water sources on or within 1,000 feet.
- Groundwater contamination has affected or could affect drinking water supplies.
- Could contain explosive levels of methane.
- Contaminated soils, hazardous wastes, and asbestos-containing materials can and have been taken and used as fill at other properties.





## STAFF REPORT

|              |                                                  |
|--------------|--------------------------------------------------|
| SUBJECT:     | MARSHALL ST. PLAYGROUND REPLACEMENT              |
| PREPARED BY: | Brian Faucette, Director of Recreation and Parks |

### REQUESTED ACTION:

Approve a budget amendment in the amount of \$88,000 to purchase and install new equipment at the Marshall St. Playground.

### BACKGROUND/SUMMARY:

The current equipment at the Marshall St. Playground was installed in approx. 1996. The equipment is nearing the end of its safe and useful life. When repairs are needed, replacement parts must be custom made as they are no longer stocked by the manufacturer.

GRPD staff requested \$60,000 in the Capital Improvement Plan (CIP) for FY '26-'27 to replace the equipment. City Council deferred funding for new equipment at the Marshall St. Playground in the initial budget approval and requested that GRPD staff solicit feedback from the community concerning what type of equipment would best serve the neighborhood.

On June 25, GRPD began advertising an online survey to provide input on the future of Marshall St. Playground and a community meeting to be held at Marshall St. Playground on July 28. Postcards inviting neighbors to the community meeting were mailed directly to 500+ residents living within .3 mile from the playground in mid-July.

20 members of the community attended the community meeting and 22 online responses were submitted. The top requests included:

- Playsets for ages 2-5 & ages 5-12 including slides and climbing elements
- Swings (specifically Expression Swings)
- Exercise Equipment for Adults/Older Youth
- Seating/Picnic Tables
- Shade
- Fencing

Two designs to include as many of the requested elements as possible were submitted.

**Option #1** – \$76,100 (includes \$27,060-installation) – Highlights – play structure for children ages 5-12 featuring shading, climbers, slides and accessible elements, swings, and a bench with shade

**Option #2** - \$95,595 (includes \$32,120-installation) - Highlights – includes all options in #1 adds two adult exercise elements



**Fencing** - \$10,000 - estimate for approx. 289'

To reduce costs for all options, the City of Graham will remove the old equipment and surfacing and will purchase and install new playground surfacing.

#### **FISCAL IMPACT:**

In addition to the cost of playground equipment and installation of equipment in option #1 and fencing, an additional budget allocation of \$3,000 for safety surfacing will need to be included.

#### **STAFF RECOMMENDATION:**

Approval of \$88,000 to purchase and install a new playground and installation of perimeter fencing.

#### **SUGGESTED MOTION(S):**

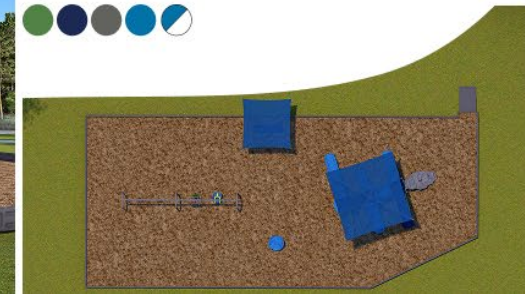
Approve a budget amendment in the amount of \$88,000 to purchase and install new equipment at the Marshall St. Playground.





## Marshall St. Park

Option 1





**CITY OF GRAHAM**  
**BUDGET AMENDMENT ORDINANCE**  
**2026-2027**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT**  
**THE 2026 - 2027 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:**

**Section 1.**  
**EXPENDITURES**

| DEPARTMENT/ACCOUNT                    |    | APPROVED | AMENDED      | INCREASE     | (DECREASE) | INCREASE<br>( DECREASE) |
|---------------------------------------|----|----------|--------------|--------------|------------|-------------------------|
| Recreation - Capital Outlay Equipment | \$ | -        | \$ 88,000.00 | \$ 88,000.00 |            | \$ 88,000.00            |
|                                       | \$ | -        | \$ 88,000.00 | \$ 88,000.00 | \$ -       | \$ 88,000.00            |

**Section 2.**  
**REVENUES**

|              |    | APPROVED     | AMENDED         | INCREASE     | (DECREASE) | INCREASE<br>(DECREASE) |
|--------------|----|--------------|-----------------|--------------|------------|------------------------|
| Fund Balance | \$ | 4,641,885.00 | \$ 4,729,885.00 | \$ 88,000.00 |            | \$ 88,000.00           |
|              | \$ | 4,641,885.00 | \$ 4,729,885.00 | \$ 88,000.00 | \$ -       | \$ 88,000.00           |

Adopted this 13th day of October 2026.

Attest:

\_\_\_\_\_  
Mayor Chelsea Dickey

\_\_\_\_\_  
Renee M. Ward, City Clerk





## STAFF REPORT

|              |                              |
|--------------|------------------------------|
| SUBJECT:     | Pre-Meeting for City Council |
| PREPARED BY: | Megan Garner, City Manager   |

### REQUESTED ACTION:

Direct staff on City Council's consensus for having a meeting before the regularly scheduled Tuesday City Council meeting.

### BACKGROUND/SUMMARY:

At the September 8, 2026 meeting, Mayor Dickey suggested City Council hold some sort of meeting to discuss the agenda prior to the second Tuesday Council meeting. There are various forms this can take.

### FISCAL IMPACT:

Any potential fiscal impact is dependent upon City Council action.

### STAFF RECOMMENDATION:

Staff is seeking City Council's direction on what they would like to see from this meeting.

### SUGGESTED MOTION(S):

Dependent upon City Council.