

City of Graham City Council Meeting Agenda January 14, 2024



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

CALL TO ORDER: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS:

- 9/11 Commemorative 5K Event check presentation – Children of Fallen Heroes
- 9/11 Commemorative 5K Event First Responders Team Cup – Graham Fire Department

CONSENT AGENDA:

- A. To approve the December 10, 2024, City Council Meeting and December 16, 2024, Special Meeting minutes.
- B. To approve a request for the ACC Reinhartsen 5K run/walk event, which will occur beyond campus on March 15, 2025, from 7:00 a.m. to 10:30 a.m., and to close a small portion of Jimmie Kerr Road (pending NCDOT approval).
- C. To approve a budget amendment in the amount of \$25,000 in State Drug Forfeiture Revenue to the State account balance for use.
- D. To approve a budget amendment in the amount of \$103,607 for additional Powell Bill funds.
- E. To approve a budget amendment in the amount of \$17,279 in insurance proceeds revenue for pump damages and to increase the Wastewater Capital Outlay Equipment budget by \$17,279.
- F. To approve tax releases for \$458.04 and tax refunds for \$5,516.49.

PUBLIC HEARINGS:

1. REZONING – 4.7 ACRES – Off IVEY ROAD AND EAST GILBREATH STREET

A public hearing has been scheduled to consider rezoning 6.27 acres of property from R-18, Low-Density Residential, to C-R, Conditional Residential, to construct 29 townhomes located off Ivey Road and East Gilbreath Street.

(Planning Board Recommended Approval 5-0 with conditions)

NEW BUSINESS:

2. REQUEST FOR ORDINANCE TEXT AMENDMENT – CHAPTER 4 – ANIMALS AND FOWL

City Council will consider amending Chapter 4 – Animals and Fowl, Article 1, Section 4-5(b) Hogs, to increase the number of pot-belly pigs allowed from one to two if the property is a minimum of two acres.

3. ROAD CLOSURES FOR GRAHAM RECREATION AND PARKS PROGRAMS – DOWNTOWN GRAHAM

City Council will consider approving the following road closures for the Graham Recreation Department Programs in Downtown Graham:

- **Slice of Summer:** closure of the 100 blocks of East and West Elm Streets and North and South Main Streets on Sunday, June 8, 2024, from 1 - 9 pm. We also request approval of the same road closures from 1 – 9:00 pm on Sunday, June 15, 2024, as an alternative date.
- **Pumpkin Bash:** closure of the 100 blocks of East and West Elm Streets on Saturday, October 25, 2024, from 2 -10:30 pm and North and South Main Streets from 4 -10:30 pm.
- **Thursdays at Seven Concert Series:** closure of the 100 block of West Elm Street on May 23, June 27, July 25, August 22, September 12, & September 26 for the 2024 Thursdays at Seven Concert Series. All closures will begin at 5:00 pm and re-open by 11:30 pm. In the event a concert must be postponed, we also request the same closure as above on the following dates: May 30, June 6, 13, 20; July 11, 18; August 1, 8, 15, 29; September 5, 19; October 3, 10, 17.
- **9/11 Commemorative 5K Event:** closure of the northbound lane of Maple Street from Pine Street to McAden Street, McAden Street from South Main to Maple Street, the southbound lane of South Main Street from Pine Street to McAden Street, Pine Street from South Main to Maple Street from 6:00 – 11:00 am on Saturday, September 14, 2024. If the event date needs to be rescheduled, we request the same closure as above for Saturday, September 7, 2024.

4. VOTING DELEGATE – NCLM BIENNIUM LEGISLATIVE GOALS

City Council will consider assigning a City of Graham delegate to vote on the proposed North Carolina League of Municipalities 2025-26 Biennium Legislative Goals.

OLD BUSINESS:

5. 2024 PEDESTRIAN PLAN UPDATE

The City Council will consider approving the City of Graham 2024 Pedestrian Plan Update.

(Continued from the September 10, October 8, November 12, 2024, and December 10, 2024, Council meetings.)

PUBLIC COMMENT PERIOD

CITY STAFF COMMENTS

CITY COUNCIL COMMENTS

CLOSED SESSION: City Council will consider going into closed session pursuant to the terms of N.C.G.S.143-318-11(a)(3) to consult with an attorney employed or retained by the public body to preserve the attorney-client privilege between the attorney and the public body.

ADJOURN



STAFF REPORT

SUBJECT:	9/11 COMMEMORATIVE 5K EVENT – PRESENTATION
PREPARED BY:	BRIAN FAUCETTE, DIRECTOR OF RECREATION AND PARKS

REQUESTED ACTION:

9/11 Commemorative 5K Event Check presentation to Children of Fallen Heroes in the amount of \$4,035.88.

9/11 Commemorative 5K Event First Responders Team Cup presentation to the Graham Fire Department.

BACKGROUND/SUMMARY:

Recreation Program Manager Emma Griffin and representatives from the Graham Fire Department and Graham Police Department will present the check to Ken Wasley with Children of Fallen Heroes.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

No action by Council is needed.

SUGGESTED MOTION(S):

NONE

City of Graham

City Council Meeting Minutes October

December 10, 2024



The City Council of the City of Graham held a regularly scheduled meeting at 6:00 p.m. on December 10, 2024, in the Council Chamber, City Hall Municipal Building at 201 South Main Street, Graham, NC.

Council Members Present:

Mayor Jennifer Talley
 Mayor Pro Tem Ricky Hall
 Council Member Bobby Chin
 Council Member Joey Parsons
 Council Member Bonnie Whitaker

Staff Present:

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

CALL TO ORDER: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE – Council Member Chin gave the invocation, and all stood for the Pledge of Allegiance.

CONSENT AGENDA:

- A. To approve the November 7, 2024, Special Meeting and November 12, 2024, City Council Meeting minutes.
- B. To award a contract to Park Construction of NC, Inc., for \$8,160,012, including a 5% contingency for Phase 1 of the 10” waterline replacement project.
- C. To approve an amendment to the audit contract with Stout, Stuart, McGowen & King to allow a time extension to February 28, 2025.
- D. To approve an amendment to the 2024-25 Fee Schedule to reduce Backflow Annual Testing (For Irrigation Accounts) from \$10.42 to \$3.48 effective January 1, 2025.
- E. To approve a budget amendment recognizing \$1,449 in insurance proceeds revenue and increase the Police Department Vehicle Maintenance budget by \$1,449.

CITY OF GRAHAM					
BUDGET AMENDMENT ORDINANCE					
2024-2025					
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT					
THE 2024 - 2025 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:					
Section 1.					
EXPENDITURES					
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Police Department - Repair/Maintenance	90,000.00	91,449.00	1,449.00		1,449.00
	<u>90,000.00</u>	<u>91,449.00</u>	<u>1,449.00</u>	-	<u>1,449.00</u>
Section 2.					
REVENUES					
	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
General Fund - Insurance Proceeds	11,800.00	1,449.00	(10,351.00)		(10,351.00)
	<u>11,800.00</u>	<u>1,449.00</u>	<u>(10,351.00)</u>	-	<u>(10,351.00)</u>

Adopted this 10th day of December 2024.

- F. To approve a budget amendment in the amount of \$15,000 in State Drug Forfeiture Revenue to the State account balance for use.

CITY OF GRAHAM					
BUDGET AMENDMENT ORDINANCE					
2024-2025					
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT					
THE 2024 - 2025 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:					
Section 7.					
CAPITAL PROJECTS AND OTHER SPECIAL FUNDS					
REVENUES	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
State Drug Fund Balance	1,400.00	15,000.00	13,600.00		13,600.00
	1,400.00	15,000.00	13,600.00	-	13,600.00
Section 7.					
CAPITAL PROJECTS AND OTHER SPECIAL FUNDS					
EXPENDITURES	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
State Drug Funds	\$1,400.00	\$15,000.00	13,600.00		13,600.00
	1,400.00	15,000.00	13,600.00	-	13,600.00
Adopted this 10th day of December 2024.					

- G. To approve a resolution prohibiting pornography viewing on City networks and devices as required by NCGS 143-805(c) and to approve a budget amendment for \$16,000 for software implementation.

**RESOLUTION PROHIBITING VIEWING OF PORNOGRAPHY ON
CITY OF GRAHAM NETWORKS AND DEVICES**

WHEREAS, House Bill 971 / North Carolina General Statute §143-805 requires all public agencies to adopt a policy governing the use of its network and devices owned, leased, maintained, or otherwise controlled by the City of Graham; and

WHEREAS, the City of Graham prohibits viewing pornography by its employees on the City’s network or devices owned or maintained by the City as stated in the City of Graham’s recently revised Technology Use Policy effective July 14, 2022.

NOW, THEREFORE, be it resolved that the following policies shall apply in the City of Graham:

1. No employees of the City of Graham, elected officials, or City appointees shall view pornography on any computer network owned, leased, maintained, or otherwise controlled by the City, whether on a City-owned and maintained device, or a privately owned or controlled device.
2. No employee, elected official, or appointee of the City shall view pornography on a device owned, leased, maintained or otherwise controlled by the City.
3. Each year, and no later than August 1, the City shall report information required in NCGS §143-805 to the State Chief Information Officer.
4. This policy shall not apply to an investigation, law enforcement training, or actions related to law enforcement purposes; identifying potential security or cyber security threats, establishing, testing, and maintaining firewalls, protocols, and otherwise implementation of this policy; or other exceptions as specifically outlined in NCGS §143-805(d).
5. The terms used herein shall be defined as outlined in NCGS §143-805(g).

6. Any employee, elected official, or appointee of the City who has saved pornography to a device owned, leased, maintained, or otherwise controlled by the City shall remove, delete, or uninstall the pornography immediately, no later than January 1, 2025.
7. Any employee of the City who violates any provision of this policy shall be subject to disciplinary action under the City’s personnel policy.
8. Any City appointee who violates this policy's provision shall be subject to removal by the City Council.
9. Any elected official who violates any provision of this policy shall be subject to censure proceedings.

BE IT FURTHER RESOLVED that this Resolution shall become effective on the date of its adoption.

This the 10th day of December 2024.

- H.** To approve a budget amendment recognizing \$425,000 in loan proceeds for the purchase of a sanitation truck.

CITY OF GRAHAM					
BUDGET AMENDMENT ORDINANCE					
2024-2025					
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT					
THE 2024 - 2025 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:					
Section 1.					
EXPENDITURES					
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Sanitation - Capital Outlay Equipment	-	425,000.00	425,000.00		425,000.00
	-	425,000.00	425,000.00	-	425,000.00
Section 2.					
REVENUES					
	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Loan Proceeds	\$0.00	\$425,000.00	425,000.00		425,000.00
	-	425,000.00	425,000.00	-	425,000.00
Adopted this 10th day of December 2024.					

- I.** To approve tax releases for \$1,868.73 and tax refunds for \$588.19.

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

PUBLIC HEARINGS:

1. REZONING – 4.7 ACRES – Off HANOVER ROAD AND JEFFREYS STREET

A public hearing has been continued to consider rezoning 4.7 acres from I-1, Light Industrial, and R-G, General Residential, to C-R, Conditional Residential, to construct 41 townhomes off Hanover Road and Jeffreys Street.

(Continued from the November 12, 2024, City Council meeting) (Planning Board Recommended Denial 5-0)

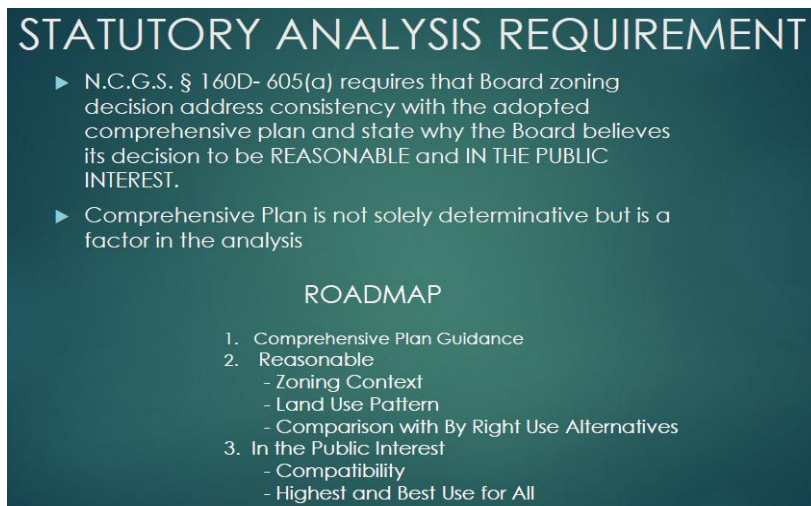
Mayor Talley asked to be recused due to owning property near the proposed rezoning.

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

Mayor Pro Tem Hall stated everyone would be allowed to speak and would be limited to three minutes.

Assistant City Manager Aaron Holland stated this request was to rezone 4.7 acres of property from I-1(Light-Industrial) and R-G (General Residential) to C-R (Conditional Residential) to construct 41 townhomes. The property is fully inside the Industrial/Warehousing future land use zone. The site falls under the 5-acre threshold for requiring open space, but it has been provided. All lots will have two driveway parking spaces and one garage parking space. The project meets the R-MF density requirement listed in Section 10.245 of the City of Graham Development Ordinance. The Planning Board recommended denial of the initial project with a unanimous vote of 5-0. Since the Planning Board meeting, the developers have updated their plan to address comments made by the Planning Board members and surrounding residents. The adjustments to the plan include dropping the number of units from 53 to 41, increasing the exterior property line setbacks from 15 to 25 to meet the R-MF standards noted in the Development Ordinance, increasing the planting widths to the suggested type C criteria, adding opaque fencing around the northern and southern residential properties, increasing the active open space area and relocating and increasing the guest parking. The developers are requesting a condition of a reduced building separation of 12 feet from the required 25 feet.

Attorney Amanda Hodiernie stated she was here on behalf of the property owner and the contract purchaser, Citizen’s Properties, LLC. She presented the following presentation on the proposed property development:



STATUTORY ANALYSIS REQUIREMENT

- ▶ N.C.G.S. § 160D- 605(a) requires that Board zoning decision address consistency with the adopted comprehensive plan and state why the Board believes its decision to be REASONABLE and IN THE PUBLIC INTEREST.
- ▶ Comprehensive Plan is not solely determinative but is a factor in the analysis

ROADMAP

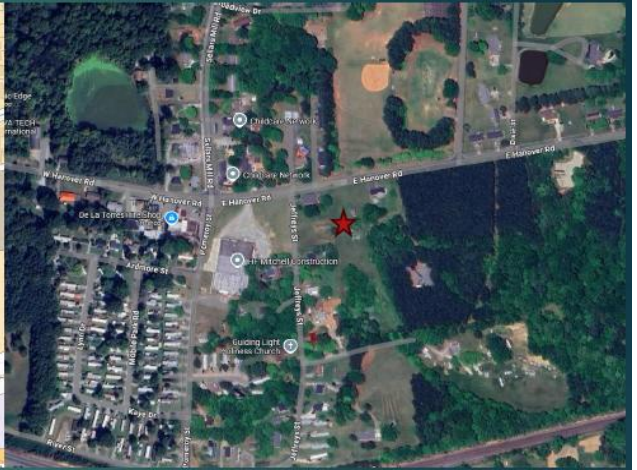
1. Comprehensive Plan Guidance
2. Reasonable
 - Zoning Context
 - Land Use Pattern
 - Comparison with By Right Use Alternatives
3. In the Public Interest
 - Compatibility
 - Highest and Best Use for All



SUMMARY OF REQUEST

- ▶ Property known as GPIN 8884295359
- ▶ 4.7 Acres
- ▶ Currently zoned R-G and I-1
 - ▶ Allows for large variety of By Right Uses
- ▶ Proposed Zoning is Conditional Residential
 - ▶ Consolidates zoning into single land use classification
 - ▶ Binding site plan included with zoning with specific commitments, restrictions and enhancements

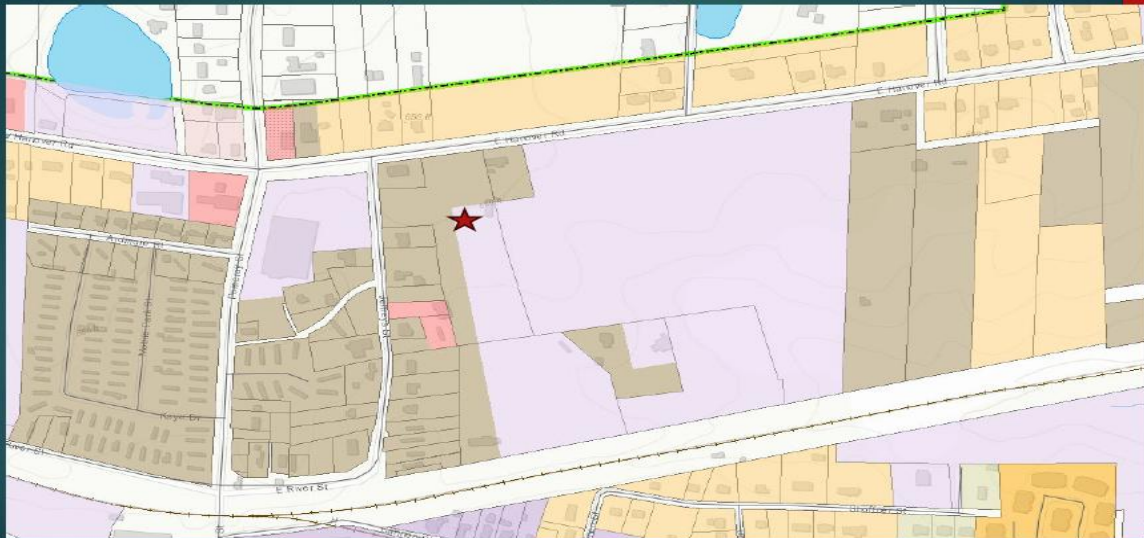
SUBJECT PROPERTY



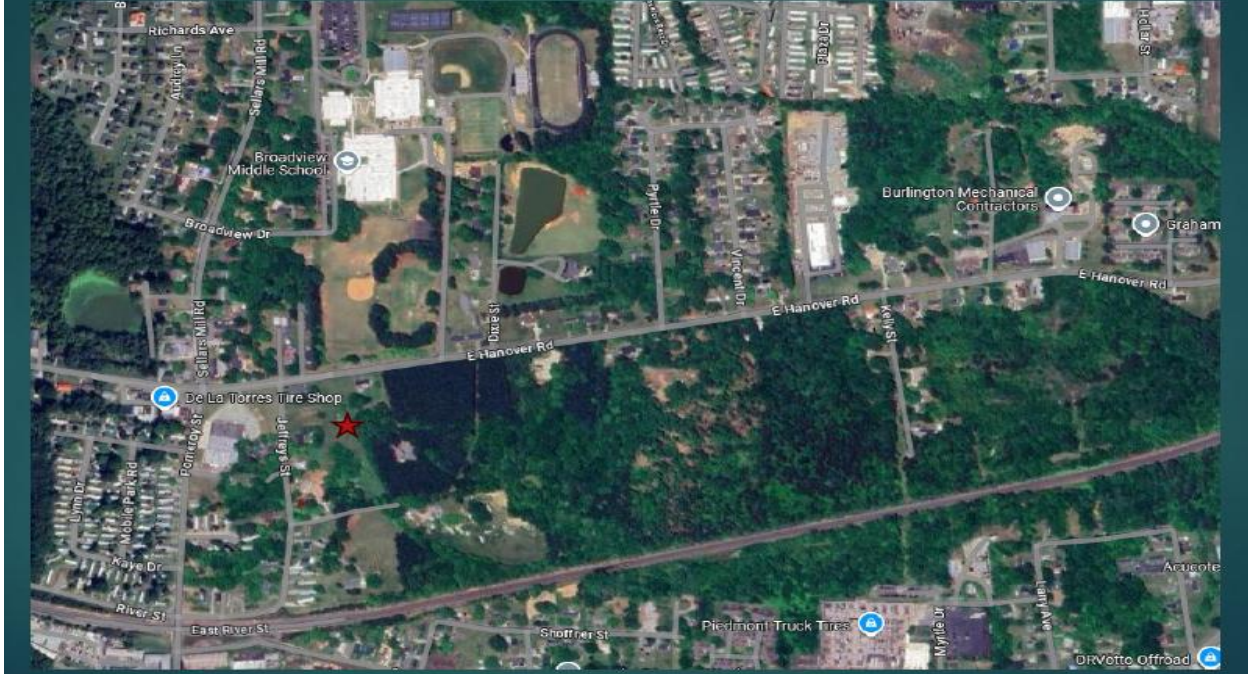
COMPREHENSIVE PLAN GUIDANCE

- ▶ Future Land Use Plan Designation is Industrial... **HOWEVER**
 - Site cannot meet Plan specified attributes of this designation: No Easy Access to Interstate Corridor, No ability to heavily buffer residential uses
 - Industrial Site Selection Criteria do not favor this parcel
 - Small Size
 - Adjacent to Residential
 - 2 Schools across the street where main access would be located
 - Not along railway
 - Poor access to 85/40 Interstate Corridor
 - Market has proven this fact, ie Copeland Mills property next door
- ▶ Meets Policy 5.1.1 for Housing Variety
- ▶ Meets Policy 3.3.2 for Focused Development
- ▶ Meets Policy 4.3.1 for Land Use Patterns
- ▶ Meets Policy 5.2.1 for Diverse Neighborhood

ZONING CONTEXT



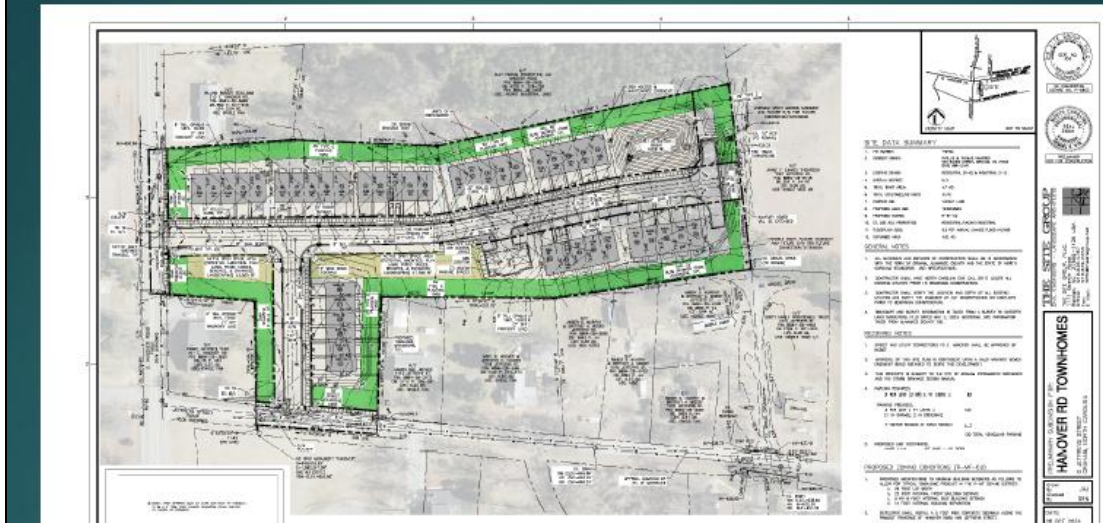
LAND USE PATTERN



BY RIGHT USE ALTERNATIVES

- ▶ R-G District:
 - ▶ 61 Unit Apartment Complex
 - ▶ with a 25 foot buffer
 - ▶ And simultaneous 25 foot Setback
- ▶ I-1 District:
 - ▶ Auto Body Repair Shop
 - ▶ Food Processing
 - ▶ Metal Fabricator
 - ▶ Bottling Plant

TRC REVIEWED SITE PLAN



TRC REVIEWED SITE PLAN



HANOVER ROAD TOWNHOMES
GRAHAM, NORTH CAROLINA

- Conditional Residential Request
- Site Plan Commitment
- Maximum of 41 units
- Parking in Excess of Requirement
- Internal and Project Frontage Sidewalks
- Enhanced Buffering on Perimeter
- Privacy Fences
- Open Space with Play Areas and Intentional Gathering Areas
- On Site Stormwater Management
- Project provides infrastructure planning for public road connection to land locked properties to the East



Attorney Hodieme stated the project provides infrastructure planning for public road connection to land locked properties to the east. She shared the T-turn was a variable right-of-way into future public dedication, and when the properties around begin to develop, they were prepared to be a part of that road network. She stated for now, it was just a turn-around for mail delivery, trash trucks, etc. She specified, for the record, that when the Council was ready to build out the rest of the property, they would extend the road to the property edges at their cost.

CHANGES SINCE PLANNING BOARD

PREVIOUS PLAN	CURRENT, REVISED PLAN
53 Townhomes Proposed	41 Townhomes Proposed
5 Guest Spaces	7 Guest Spaces; Relocated more central to community
15 Foot Perimeter Setback Proposed	25 Foot Perimeter Setback Proposed
Type D Planting Yard at 10 Feet	Type C Planting Yard at 25 Feet
No Fencing Proposed	Fencing along shared property lines with all requesting residential neighbors
Active Open Space at 5,000 square ft.	Active Open Space at 11,000 square ft. Removal of Dog Park
T Turn Around at Terminus of Street	Ability to Convert to Future Public ROW

APPLIED STATUTORY ANALYSIS

1. Comprehensive Plan Guidance
2. Reasonable
 - Zoning Context
 - Land Use Pattern
 - Comparison with By Right Use Alternatives
3. In the Public Interest
 - Compatibility
 - Highest and Best Use for All

The public hearing was opened, and the following spoke:

Mr. Tom Boney, Alamance News, inquired about the size of the future townhomes, exterior features, target market, and whether they were two stories.

Attorney Hodiern stated the townhomes were two stories, 1,400 to 1,500 square feet, modern farmhouses, and one-car garages in each unit.

Council Member Whitaker asked what the targeted pricing would be.

Attorney Hodiern stated anywhere between \$265,000 and low \$300,000s.

Mr. Keith Westbrook, 604 Trockwilder Court, Graham, spoke in favor of the rezoning and stated the project was good for the area.

Mr. Steve Moser lives at the corner of the proposed property and spoke in opposition to the rezoning. He expressed concern that if the townhomes did not sell, they would become low-income housing. He also stated parking concerns and that he had not granted an easement for the project.

Mr. Tom Boney stated that Mayor Talley had recused herself due to owning property near the proposed property and expressed concern that if the Talley's jointly owned property in the proposed neighborhood, could the Mayor's husband, Mr. Chuck Talley, be permitted to speak. Mr. Boney asked the City Attorney for his opinion.

City Attorney Ward stated it had been discussed, and he did not see a problem with Mr. Talley speaking. Furthermore, nothing in the state statutes prevents a husband or spouse from speaking.

Mr. Chuck Talley, 808 Sideview Street, Graham, spoke in opposition to the rezoning, stating it was not consistent with the 2035 Comprehensive Plan. He shared that the City Council needed to ensure the proposed zoning was harmonious with the neighborhood. He further stated the front of the homes should not all be driveways; the entire front would be concrete. He also expressed traffic issues.

Mr. Billy Stallings, 213 East Hanover Road, spoke in opposition to the development. He expressed that the price was steep and forty townhomes were too many. He also spoke about the overcrowded schools.

Ms. Peggy Teer, 201 East Hanover Road, spoke in favor of the rezoning.

Mr. Jerry Linens, 223 Banks Street, spoke in favor of the rezoning, which was the best use for the area.

Attorney Hodiern stated several asked about the pricing and whether it was realistic. She said discussing economics and home pricing in a rezoning context was dangerous. Still, at some point, you needed a catalyst if you wanted to invest in the community and create something everyone wanted to be a part of. She expressed the developer was in town, would continue to be in the community, and wanted to invest in the community. She shared that the pricing was not something you start on day one and build your project around it. Instead, you see a piece of property, see what would work best for the community, and try to get it done. She asked Council to be careful to focus on the land use, how it fits, how it is compatible, and what it does for the City of Graham, and then focus on the fact the project is an investment in an area that a lot of people we heard from are looking forward to.

Attorney Hodierné went on to explain that zoning did not mean it was ready to go tomorrow but meant the project was ready to move forward to finalize all the other details that come after the rezoning. She stated a neighbor commented that he would like to keep his property industrial but wanted to point out that this project did not preclude any property owner from doing that. She stated that, in fact, the proposed project would further that goal because you cannot develop that property industrially without access to a public road, and it could be done on a private easement.

Council Member Parsons asked about the easement and whether water was available.

Attorney Hodierné stated it was for sewer, and water was readily available on Hanover Road.

Mr. John Thompson, representing the heirs of 1001 Jeffreys Street, stated that the family had been there for 125 – 130 years and spoke in opposition to the rezoning. He said the developer should buy his property along with Chuck Talley's and develop the whole area.

Mr. Chuck Talley asked if the utilities were in place, which was a key item. He stated he understood the purpose of rezoning and said it should be pushed back to the Planning and Zoning Board to iron out all the details. He further stated he was unsure why it did not go back before the Planning and Zoning Board since they turned it down. He said he did not see the purpose of passing this project until they got the rights-of-way. He noted that personally getting the rights-of-way and putting Hughes Street back in was a win for him.

Attorney Hodierné stated that this did not go back to the Planning Board. Rather, they communicated with staff, and staff could have sent them that route if they wanted to, but it was not sent back because everything done was discussed and directed by the Planning Board. She stated that if you watched the meeting video and read the minutes, modifications they felt needed to be made were exactly what was brought forward tonight.

The public hearing was closed.

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

Council Member Chin stated the project was a good idea but that the whole area needed to be examined. He said if you look at the whole area, it is zoned industrial, and this would be an ink spot on the border. He stated that Graham was challenged by not having enough property to be developed industrially. He stated Graham was challenged by not having enough property for small industry and did not want Graham to become a bedroom community. He said when that happens, the revenue depends on property tax, and many of our residents live on a fixed income. When we fall into that spiral and have to depend upon property tax, those living on a fixed income would have to leave. He stated Graham was challenged with land that could be developed for businesses. He said they needed to have the vision to speculate as to what could be done if you had all the land, and he was sure some investors would be interested if you had a proposal that addressed that. He said this was a visionary project and asked them to consider the full picture and the property between Jeffreys Street and Pomeroy. He stated if there were a vision for all the property, the Council would probably support it because it would move Graham forward.

Council Member Whitaker stated they did not own all the property. She stated it was an industrial area and shared concerns about the schools, infrastructure, and adding more places to live. She said if we keep putting in more and more places to live, we would end up being a bedroom community, and if we give up industrial

spaces, our taxes would go up. She said many businesses were interested in coming to Graham, and if we keep giving up all the industrial-zoned areas, there would be nowhere to go.

She said it was a nice project but was concerned about the pricing in that area and was not sure you could get that for the area. She said this had nothing to do with the zoning but was just a comment.

Mayor Pro Tem Hall stated his biggest concern was turning around tomorrow, applying, and putting up apartments in that area, which is not where we want to go. He said the proposed price point was in line with the housing market and it takes baby steps to bring an area out of blight. He said regardless of whether the Council approves the project, the schools are already overburdened and did not hold up when other cities are developing areas that also affect schools. He said if we lose the industrial property, we could end up with another parking lot to park trucks.

Council Member Chin asked if the developer had considered approaching the owners along Jeffreys to acquire their land in exchange for a unit in the development.

Attorney Hoderne stated it would be an economic transaction or negotiation between a willing seller and a willing buyer. She noted that the conversation was putting an option on those properties for those owners to tie this property's evolution of highest and best use to them. She stated it would artificially diminish this property because it has been said to go hand in hand with theirs, and now we are further apart in the negotiations. She shared there was a reason you do not talk about other properties outside the subject property in rezoning hearings.

Council Member Chin said, "Instead of thinking small, think big." He said she would set a trend if she had all that land and your project was the first piece of it, then incorporating a small-town center with shopping. He asked Ms. Hoderne to think outside of just developing a residential neighborhood because that was what was being proposed.

Attorney Hoderne stated that Council Member Chin's proposal was more in line with the long-range small-area planning that the City's Planning Staff would typically do, and the developer can only control the subject property.

Council Member Chin stated it was one of those things where you sit around the table with fellow developers and discuss. He said we are doing things piece meal. He said those who are living in the area that is being acquired should be offered something besides just buying them out.

Attorney Hoderne stated that tying one property's fate to its neighbor and diminishing and impairing this property owner's abilities and future because of what the neighbor may or may not agree to do in an economic contest outside of this was problematic for the property owner who has actually come to the table and wants to contribute something.

Council Member Chin stressed that it was not a "you win, I lose" situation but seemed to be our model.

Attorney Hoderne stated, "But now this property loses because its fate is now tied to other property owners, who have been told their property holds the key to its future."

Council Member Parsons asked if the Council approved the rezoning request, but the developer could not get an easement; the Council would be put in an awkward position of having property that could not be developed. He said the city was lacking in industrial property.

Assistant City Manager Holland stated that the Council had the right to rezone it to whatever they wanted. He noted that the zoning was conditional based on the parameters set, and if progress is not made, the Council can rezone it to something else.

Attorney Hodiernie stated an industrial user would also need a sewer easement, and any user coming to the property would have to figure that out.

Mr. Tom Boney asked to ask a question.

City Manager Garner informed the Council that the public hearing had been closed and if they wanted to continue hearing public comments, she asked Mayor Pro Tem Hall to reopen the hearing.

Mayor Pro Tem Hall asked if the Council would like to reopen the public hearing. Council Member Whitaker stated no.

Mr. Boney continued to ask his question.

City Manager Garner restated that if the Council elects to take questions or comments it should please reopen the public hearing.

Mayor Pro Tem Hall moved to reopen the public hearing, but the motion failed because it lacked a second.

Motion by Council Member Chin to deny the rezoning of 4.7 acres located off Hanover Road and Jeffreys Street from I -1, Light Industrial and R-G, General Residential to CR, Conditional Residential to construct 42 townhomes and that it would not be consistent with policies 5.1.1, 3.3.2, and strategy 4.3.1, as put forth by the Graham 2035 Comprehensive Plan and the plan itself does not meet the Industrial/Warehousing requirements of the Future Land Use Plan, seconded by Council Member Whitaker. The motion passed 3-1 to deny the rezoning. Council Members Chin, Whitaker, and Parsons voted to deny the rezoning, and Mayor Pro Tem Hall voted against the denial.

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

The council took a ten-minute recess. (7:40 pm – 7:50pm)

2. AMENDMENT – DEVELOPMENT ORDINANCE – BOARDING HOUSES

A public hearing was scheduled to consider an Ordinance amendment to Article 2, Section 10.16, Article 4, Section 10.135, and Article 4, Section 10.149 to add language to the Development Ordinance to define and create a use type for Boarding Houses.

Assistant City Manager Holland stated this was one of two ordinance amendments the Council had asked staff to bring forward. He shared that currently, the City does not address boarding houses or short-term rentals. The City Council tasked staff with defining and creating use types for Boarding Houses inside the City of Graham Development Ordinance.

Boarding House Definition - A residential establishment that accommodates single-room occupancies

of unrelated individuals for compensation. Guests are expected to stay on a long-term basis, at least 90 days consecutively, as these establishments cater to people who need temporary or semi-permanent accommodation. Guests may have access to a number of communal services, including but not limited to a kitchen, housekeeping, meals, and laundry services. *This does not include hotels, motels, bed and breakfasts, and short-term rentals.*

Mr. Holland stated the definition was boilerplate with nothing controversial, and the Planning Board wanted to add more to the definition to make it stronger; however, enforcement would be challenging and recommended denial.

Mayor Talley asked how Burlington dealt with boarding houses.

City Attorney Ward shared that the Burlington City Attorney looked at this broadly and decided the first thing was to do an inventory and see if there were any existing boarding houses. He said if they were already existing, they would have to address the issue of non-conformity. He shared that Burlington did adopt a boarding house regulation; however, it has not been easy to enforce because it would be complaint-driven unless you were willing to get an administrative search warrant to determine if they complied with the ordinance. According to Senate Bill 300, which was passed several years ago, he said you could not make it a misdemeanor. He stated that if the Council adopted the change tonight, it would require a special use permit, giving you some control.

Mayor Talley stated for clarity, that anyone wanting to have a boarding house would have to get a special use permit and meet the six criteria of a Special Use Permit and the additional criteria as proposed tonight.

Council Member Chin asked why we keep adding ordinances when no one has complained.

Council Member Parsons stated the City would have language in an ordinance to enforce if someone complained.

The public hearing was opened, and no one spoke.

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

Motion by Mayor Talley to approve the Ordinance amendment to Article 2, Section 10.16, Article 4, Section 10.135, and Article 4, Section 10.149 to add language to the Development Ordinance to define and create a use type for Boarding Houses, seconded by Mayor Pro Tem Hall. The motion passed 4-1. Council Member Chin voted no.

3. AMENDMENT – DEVELOPMENT ORDINANCE – SHORT TERM RENTALS

A public hearing was scheduled to consider an Ordinance amendment to Article 2, Section 10.16, Article 4, Section 10.135, and Article 4, Section 10.136, adding language to the Development Ordinance to define and create a use type for Short-Term Rentals.

Assistant City Manager Holland stated the City Council had asked staff to define and create use types for Short Term Rentals inside the City. He shared the new amendment would now permit Short Term Rentals to operate inside the City Limits as an approved use by right in the R-G, R-7, R-9, R-12, B-1, &

B-2 Zoning Districts. Additional notes were created for the permitted use that would require further regulation. The Planning Board recommended approval of the text amendment by a vote of 4-2. Discussing the number of occupants per bedroom was a concern for an opposition member.

Short-Term Rental Definition: A Zoning Permit is required to operate the use. No signage advertising the use is permitted on site. All exterior lighting shall be residential in nature. One parking space per bedroom is required, not including on-street parking. Overnight occupancy will not exceed two persons per bedroom. A furnished dwelling that is rented as a whole for periods of less than 30 days consecutively for compensation. These should be rented for traveling activities including, but not limited to, vacation, leisure, recreation, or employment. *This does not include hotels, motels, boarding homes, or bed and breakfasts.*

Assistant City Manager Holland stated the point of the definition would not allow for bedrooms to be rented. You would now have to rent the whole house.

Mayor Pro Tem Hall stated he would like to see no on-street parking.

Mayor Talley disagreed, saying that parking was an issue during the day, but at night, you would be recycling the parking, which was the highest and best use of parking.

Tom Boney, Alamance News, asked if this was aimed at Airbnbs.

Mayor Talley stated that the complaint came in regarding a residential house that was used as a short-term rental but more like a boarding house.

Mr. Boney stated he was under the impression that the State had defined Airbnbs and given certain parameters that the City could not change.

Assistant City Manager Holland stated there were challenges to Airbnb's ordinance in other locations, and it failed when it went to court because it was too restrictive beyond what a city could do.

Mr. Boney asked Mayor Talley if she owned or operated any Airbnbs.

Mayor Talley stated she does.

Mr. Boney asked if it would create a conflict similar to the rezoning by voting and discussing it.

Mayor Talley stated she pays taxes and votes on taxes but would defer to the City Attorney.

City Attorney Ward stated 160(d) impacted all Airbnbs City-wide and not just the mayors individually.

Mr. Boney asked if the Mayor's Airbnb relied on on-street parking.

Mayor Talley stated she had parking downtown and that getting a downtown boutique hotel that would rely on on-street parking had been discussed. She further stated she had no plans of having a boutique hotel.

The public hearing was closed.

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

Motion by Council Member Whitaker to approve the Ordinance amendment to Article 2, Section 10.16, Article 4, Section 10.135, and Article 4, Section 10.136 to add language to the Development Ordinance to define and create a use type for Short Term Rentals, seconded by Mayor Talley. The motion passed unanimously.

OLD BUSINESS:

4. 2024 PEDESTRIAN PLAN UPDATE

The City Council considered approving the City of Graham 2024 Pedestrian Plan Update. (Continued from the September 10, October 8, and November 12, 2024, Council meetings.)

Mayor Talley asked to postpone one more time to finish up the changes.

Motion by Mayor Pro Tem Hall to table this item to the January 12, 2025 Council meeting, seconded by Council Member Whitaker. The motion passed unanimously.

NEW BUSINESS:

5. REQUEST FOR ORDINANCE TEXT AMENDMENT – CHAPTER 4 – ANIMALS AND FOWL

City Council considered a request from a citizen to amend Chapter 4 – Animals and Fowl, Article 1, Section 4-5(b) to allow an additional domesticated pot-belly pig in an area over two acres.

Assistant City Manager Holland stated the request was to increase the number of pot-belly pigs allowed per lot. He noted currently, you are restricted to only one per lot with other requirements in place. He explained that Ms. Ramsey had proposed the City increase the number to no more than two per lot and it would have to be two acres or more. He stated if the Council agreed to move forward with the Ordinance, he asked the Council to direct staff to bring the change back for approval.

Ms. Crystal Ramsey, 720 West Harden Street, shared that ivy and invasive plants were taking over her property of 4.6 acres. She said that she did have goats trying to help, but the goats eat from the top down but do not kill the ivy. She stated that the pigs have the ability to kill the ivy. She said pigs are a herd species; having only one pig causes single-pig syndrome and can become aggressive.

Mr. Keith Westbrook reiterated that she does need two pigs.

Motion by Council Member Whitaker to direct City staff to rewrite the ordinance allowing two pot-belly pigs per property with two or more acres.

PUBLIC COMMENT PERIOD

Mr. Chuck Talley, 808 Sideview Street, Graham, asked the Council to review RG, Residential General. He stated that RG zoning was in most of the northern part of the City and was concerned that a single-wide trailer could be put in its place if an older house was removed. He did not want people to feel disadvantaged

if something went wrong with the house next door. It should be put back as a permanent fixture.

Assistant City Manager Holland asked to clarify the request and if it was something the Council wanted staff to review.

Mayor Talley said Mr. Talley was concerned that you could put in a single-wide trailer if someone in an RG zoning house were to burn down.

Mr. Talley said he wanted to ensure that RG would not allow single-wide manufactured housing into an established neighborhood with permanent houses.

Assistant City Manager Holland stated the challenge would be making a lot of properties non-conforming. He asked the Council if they wanted staff to bring back to Council removing the use by right in RG single-wide mobile homes. He stated he would need to confer with the attorneys because you would now create a non-conforming situation for anyone sitting on an RG property in a mobile home.

The consensus of the Council was to have staff look at RG areas and report back to the Council.

Mr. Keith Westbrook, 604 Trockwilder Court, Graham, spoke about parking issues at Graham High School, parking on both sides of the road to pick up kids, and that it was a safety issue.

CITY STAFF COMMENTS

There were no comments.

CITY COUNCIL COMMENTS

The City Council wished everyone a Merry Christmas and thanked staff for all their hard work.

ADJOURN

Motion by Mayor Pro Tem Hall to adjourn, seconded by Council Member Chin. The motion passed unanimously. The meeting adjourned at 8:50 p.m.

Renee M. Ward, CMC
City Clerk

City of Graham

City Council Special Meeting Minutes

Budget Planning Session

December 16, 2024



The City Council of Graham held a special meeting, a Budget Planning Session, at 8:30 a.m. on December 16, 2024, at the Graham Civic Center, 503 McGee Street, Graham, NC.

Council Members Present:

Mayor Jennifer Talley
Mayor Pro Tem Ricky Hall
Council Member Bobby Chin
Council Member Joey Parsons
Council Member Bonnie Whitaker

Staff Present:

Megan Garner, City Manager
Aaron Holland, Assistant City Manager
Renee Ward, City Clerk

Facilitator Rebecca Jackson reviewed the strategic planning session objectives and agenda.

Ms. Jackson asked the Council to list some of its successes and accomplishments and what should be celebrated.

1. Reduced property taxes
2. Improved City employee morale with better insurance and pay
3. Bringing back the Arts Around the Square event
4. Received grants (\$17.5 million for infrastructure, \$500,000 PFAS)
5. Purchased a new fire ladder truck (*reduced insurance premiums and response times*)
6. Attracted a new business (Revere South)
7. NC Commerce Park – New Buc-ees being constructed, Walmart and Cintas expanding
8. Pedestrian Plan updated
9. New water line

Department heads top three accomplishments from the past 12 months:

1. Employee Health Fair – (an effort to keep employees healthier) – New Wellness Program
2. Water/Waste Water Upgrades – Phase 1 of the new BNR treatment, lead, and copper inventory requirement was completed, and a \$500,000 grant for the PFAS study at the Water Treatment Plan.
3. Police – Implementation of Cadet Pay to support recruitment efforts, successful CALEA Accreditation
4. Fire – replaced a 50-year-old ladder truck, completion of an updated new Fire Station Location Analysis
5. IT – successful upgrades to increase security
6. Inspections – maintained next-day inspections
7. Public Works – provided quality services to a growing population, completed garage addition, maintained landscaping

8. Parks and Recreation – purchased property to expand recreation, completed master plan, added John boats.
9. Planning - Pedestrian Plan updated

Recognized and Discussed 2023 Council Vision Themes:

1. Environmental protection – clean, healthy, safe
2. High Quality of Life - Families, elderly, singles, professional
3. Recreation – people playing
4. Great place to work and raise a family
5. Thriving private industry and commercial
6. Smart growth
7. Quality job growth

Mayor Talley said she was worried about water quality and setting residential density. She added that citizens wanted new restaurants and industries and preferred family homes.

Council Member Chin said there was a need for industrial property and wanted to slow down the rezoning of potential industrial property for housing.

Council Member Whitaker shared the need for thriving industry and residential and that the City lacked the infrastructure to support growth and quality commercial property.

Council Member Parsons said the high quality of life, thriving private industry, and commercial properties needed work.

Mayor Pro Tem Hall expressed the need to increase recreational play areas due to a diverse population and improve water quality with upgrades. He said the City needed more small businesses, grocery stores, and restaurants.

Council Member Parsons shared his concern with environmental protection and private industry.

Council discussed some of the Employee Survey feedback:

- A fair and equitable succession plan
- Employee handbook updated and approved by City Council
- Location for additional fire station to decrease response time
- New branding and marketing strategies
- Keep up the pace with growth with employees and services
- Aging equipment

Resident Feedback: (Items Council hears from residents, their needs, and priorities)

- Need more sidewalks
- Traffic issues around schools
- Better grocery and restaurants
- Hotel and convention center

- Recycling program and whether it is needed
- Improvement in water lines in older parts of the City
- Additional Fire Station
- Better clothing stores for men and women
- Upgrade the electrical grid to support new development
- Hire a City Engineer
- Downtown parking – angled wrong
- Number of new homes – too many and too dense
- More parking and amenities
- Special events

The Council discussed and listed trends, political impacts, and the current economy.

Internal trends:

Employee Personnel Policy
 Job descriptions
 Hiring policy
 Retirees' succession plans
 Fair and equitable
 Balance in citizen's voice and being heard
 Part-time IT support person
 Software implementation

External trends:

Residents coming into Graham
 Increased traffic
 Road conditions
 Overcrowded schools
 Need for free wi-fi

Political impact:

Demographics are changing
 New administration
 Bureaucracy and regulations
 Expectations for broadband and wi-fi
 Electrical grid for industry

Economic

Energy bills high
 Water bills high
 Gas and grocery high
 Harder to get by financially

Uncertainties:

State and federal funding
 Expectations for services are always increasing

What does the Council want to see that has not been presented?

1. Restructure sanitation routes
2. Process to guide a developer and advertise what the City has that can be purchased or redeveloped. (Assistant City Manager Holland shared the City contracts through the Chamber, which markets our available properties.)

Council's strategic actions/goals:

1. Hire City Engineer – analyze salary and job expectations
2. UDO revision
3. Downtown Master Plan revision
4. Implement payroll software and Personnel Policy
5. Sesquicentennial Park repair/move
6. New fire station
7. Market Graham with better signage along the interstate
8. Comprehensive Plan update
9. Economic Development Board – needs to be defined and possible grant support for local businesses
10. Effective tax rate and balanced budget
11. Restructure sanitation to meet demand
12. Effective Retention Policy
13. Identify areas in the Land Use Plan/ETJ for potential development
14. Increase the capacity of the water reservoir
15. Address funding for resurfacing and backlog
16. Marketing City events: website – social media – share positive stories – market services – active boards and commissions
17. Explore options to build a sports complex
18. Increase volunteer firefighters' program
19. High quality of life for residents
20. Development and expansion

Council's top strategic action priorities:

1. Explore digital signage at City Hall to promote events downtown
2. Restructure Sanitation
3. Complete the Comprehensive Plan
4. High-quality infrastructure
5. Address the Sesquicentennial Park repair/move to a new location
6. Implement Edmund's payroll software and Personnel Policy
7. Market Graham with better signage along the interstate.
8. Revise the Downtown Master Plan
9. Hire a City Engineer
10. Update Unified Development Ordinance (UDO)

What needs work:

- Community relations and outreach
- Work/study sessions for City Council – possibly quarterly to discuss goals and progresses

- Beware of shared constituencies – unofficial stakeholders with a lot of influence – understand and stay engaged.
- Non-profit boards – people expecting information or money
- Reactive to certain processes and the need for clear rules

Next steps:

- Staff will look at strategies/goals and include them within the budget.
- If the Council chooses not to budget a goal, it will come off the list.
- Get together quarterly to discuss strategic plan and budget work session items.

City Manager Garner announced that a Budget Workshop was scheduled for May 20, 2025, and the first quarterly Strategic Plan/Budget work session would be scheduled for March, pending Council availability.



STAFF REPORT

SUBJECT:	ACC 5K RUN/WALK EVENT
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Approve the portion of the ACC Reinhartsen 5k Run/Walk event which will occur beyond campus on March 15, 2025, and involve the closure of a small portion of Jimmie Kerr Road (pending NCDOT approval).

BACKGROUND/SUMMARY:

Annually, ACC hosts the Reinhartsen 5K Run/Walk on campus to raise funds for student scholarships. As seen in the included route, the majority of this event takes place on campus with a small portion occurring on Jimmie Kerr Rd. This event did not require City Council approval in past years as both Jimmie Kerr Rd is a NCDOT road with a majority of the route outside of the City limits. In compliance with the City Council’s directive, any closure of a street within the City will require City Council approval of the event.

FISCAL IMPACT:

There is no fiscal impact on the City of Graham in order to close the street.

STAFF RECOMMENDATION:

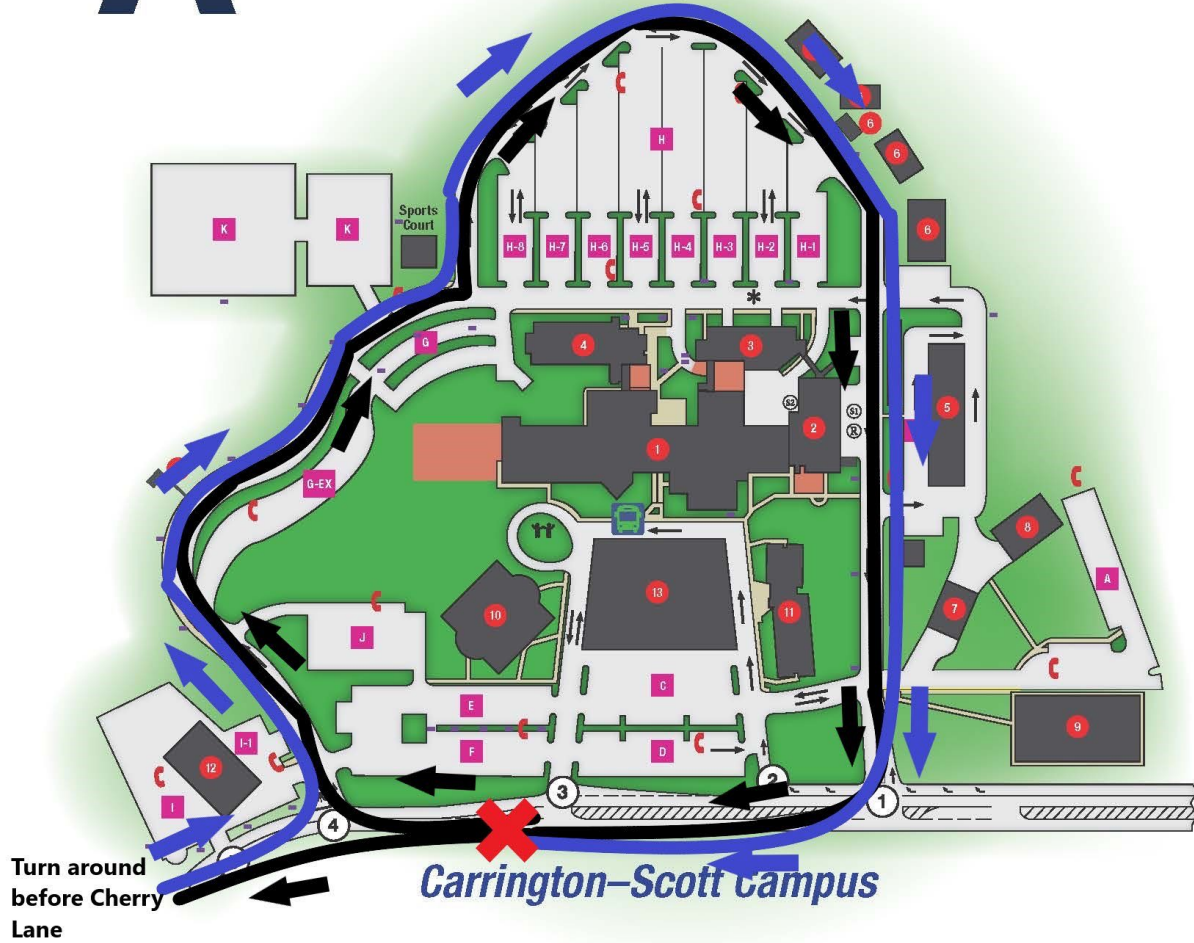
Approval. The various City departments that may be involved have reviewed the request and have provided the organizer with pertinent information that will need to be satisfied.

SUGGESTED MOTION(S):

I move we approve the request for the ACC Reinhartsen 5k Run/Walk event which will occur beyond campus on March 15, 2025, from 7 am-10:30 am (setup included) and involve the closure of a small portion of Jimmie Kerr Road (pending NCDOT approval.)



X Start/Finish



PARKING LOTS	
A	FACULTY / STAFF / STUDENTS / ♿
B	FACULTY / STAFF
C	FACULTY / STAFF / STUDENTS / ♿ / 🇺🇸
D	STUDENTS
E	FACULTY / STAFF / STUDENTS / ♿
F	STUDENTS
G	FACULTY / STAFF
G-EX	FACULTY / STAFF / STUDENTS
H	STUDENTS / ♿ / 🇺🇸
H-1-8	FACULTY / STAFF
I	STUDENTS / ♿ / 🇺🇸
I-1	FACULTY / STAFF
J	STUDENTS / 🇺🇸
K	GRAVEL / STUDENTS

(STUDENT LOTS ARE ALSO AVAILABLE FOR VISITORS)

BUILDINGS	
1	MAIN BUILDING
2	A - BUILDING
3	B - BUILDING
4	G - GEE - BUILDING
5	F - BUILDING / HORTICULTURE
6	GREENHOUSES
7	D - GROUNDS BUILDING
8	E - MAINTENANCE BUILDING
9	C - BIOTECH CENTER OF EXCELLENCE
10	H - POWELL HEALTH BUILDING
11	L - LITERACY BUILDING
12	ADVANCED APPLIED TECHNOLOGY CENTER - AATC (AUTOMOTIVE, WELDING, MECHATRONICS, MACHINING & HVAC)
13	S - SSC (STUDENT SUCCESS CENTER)
14	NATIVE PRAIRIE OVERLOOK

LEGEND	
	SPEED LIMIT 10mph (CAMPUS WIDE)
	ACCESSIBLE PARKING
	VETERAN PARKING ONLY
	LINKTRANSIT & PART
	CHILD CARE DROP OFF
	SERVICE AREA
	ABSS EARLY COLLEGE BUS/PARENT DROP-OFF/ PICK-UP
	TRAFFIC DIRECTION
	RECEIVING & SHIPPING
	EMERGENCY PHONE
	SOLAR PANELS
	SECURITY LIGHTS



CITY OF GRAHAM SPECIAL EVENT APPLICATION

Thank you for considering Graham to host your Special Event, we're glad you see our City as a great place to hang out!

All requests for parade and street events under the City of Graham's ordinance Chapter 20, Article V, Section 171 - 174 and 183 - 185 will be reviewed by the Graham Special Events Committee (SEC). Any Street closures or use of public spaces will need City Council approval.

SEC* - Public Works Director, Fire Chief, Police Captain, Recreation Director, and Assistant City Manager

Next Steps** - Depending on the location of the event and the request(s), applicants may be required to provide event insurance which names the City as an additional insured, schedule public safety through Extra Duty Solutions, provide an event map, give detail for sanitation purposes, and other similar logistical information.

Applicants are encouraged to reach out to the Assistant City Manager prior to completing this form if they have any questions pertaining to the City's requirements, event locations, event logistics, etc.

City of Graham
Aaron Holland, Assistant City Manager
201 South Main Street
Graham, NC 27253
336.570.6700
aholland@cityofgraham.com



1. Your email: **derader420@alamancecc.edu**
2. Event name (if applicable): **Reinhartsen 5k**
3. Reason for the event (be specific): **Scholarship Fundraising**
4. Event date(s): **Saturday, March 15th, 2025**
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):
Reinharsten 5K 07:00 am - 08:00 am setup | 09:00 am event start | 10:30 am event ends
6. Event category: **5k run/walk**

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? **The route starts and ends at ACC. Temporary closure of Jimmie Kerr Road from ACC to Cherry Lane & Cherry Lane (from Jimmie Kerr Road) to Back Creek Bridge is needed.**

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. **Jimmie Kerr Rd from ACC to Cherry Lane & Cherry Lane to Back Creek Bridge.**

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

Closure will be needed from 9 am to 10:30 am



11. What is your anticipated event attendance total? **150**

12. Does your event include musical entertainment?

Yes No

13. Where will your musical entertainment be located?

This will not be a musical event; however, sound station will be placed at ACC

14. Will sound amplification be used? Yes No

If yes, provide the start time and end time.

Sound amplification will be used between the hours of 8:30 am to 10:30 am

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 will have a Star/Finish Line and an inflatable bouncy man

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 **X**___

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

21. Portable toilet company name: **N/A**

If no, please explain **Participants may use ACC facilities**

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

Since the race starts and ends at ACC, our volunteers and staff will take care of the cleanup Does

your event require additional trash receptacles?

Yes ___ No **X**___

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

X___ No ___

Within ACC Campus



24. Applicant name and affiliated agency if applicable

Alamance Community College- Darian Rader

25. Applicant's Address

1247 Jimmie Kerr Rd, Graham, NC 27253

26. Applicant's phone number

336-532-5036

27. Applicant's email address

derader420@alamancecc.edu

28. Provide the event's point of contact if different from the applicant. (First & Last name, Phone
Darian Rader, (336)532-5036 is work phone number, (937) 733-9534 is cell and can be used
outside of regular business hours to call or text.

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



STAFF REPORT

SUBJECT:	FEDERAL FORFEITURE FUND BUDGET AMENDMENT 2024-2025
PREPARED BY:	CHIEF M.K. BAKER/MEGAN GARNER, CITY MANAGER

REQUESTED ACTION:

Approve the budget amendment to reflect \$25,000 in Federal drugs funds for use by the Police Department.

BACKGROUND/SUMMARY:

The Graham Police Department participates in the Department of Justice Asset Forfeiture Program. This is a nationwide law enforcement initiative that removes the tools of crime from criminal organizations, deprives wrongdoers of the proceeds of their crimes, recovers property that may be used to compensate victims, and deters crime. One of the ancillary benefits of asset forfeiture is the potential to share federal forfeiture proceeds with cooperating state and local law enforcement agencies through equitable sharing. Being one of the recipient agencies, the Police Department receives these funds as we participate in certain investigations.

To use these funds, as directed by NCGS 159-8 contained in the Local Government Budget and Fiscal Control Act, the law enforcement agency's governing body must authorize the transfer of these revenue funds to a required, separate, budgeted account for its use. The use of these funds rest with the law enforcement agency head. Equitably shared funds shall be used by law enforcement agencies for law enforcement purposes only to add to the department's budget, not supplement.

The Police Department is requesting a budget amendment for the use of these funds. This request is in compliance with the rules and regulations for the use of forfeiture funds under Federal guidelines.

FISCAL IMPACT:

There is no cost to the City of Graham as transferred funds come from the equitable sharing program. The funds to be transferred to the federal drug fund budget total \$25,000.

The \$25,000 in budget will increase expenditures as well as revenues as this amount is coming from the available federal drug fund balance.

- Law enforcement operations and investigations \$25,00.00

The \$25,000.00 will be used to reduce this liability of the police department compensatory time by 575.8002 hours which is roughly 29.42% of the police total compensatory time accruals.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S)

Make a motion to approve the budget amendment to increase budgeted Federal drug funds by \$25,000.

CITY OF GRAHAM

**BUDGET AMENDMENT ORDINANCE
2024-2025**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT
THE 2024 - 2025 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:**

Section 7.

**CAPITAL PROJECTS AND OTHER SPECIAL FUNDS
REVENUES**

	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Federal Drug Fund Balance	50,000.00	75,000.00	25,000.00		25,000.00
	50,000.00	75,000.00	25,000.00	-	25,000.00

Section 7.

**CAPITAL PROJECTS AND OTHER SPECIAL FUNDS
EXPENDITURES**

	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Federal Drug Funds	\$50,000.00	\$75,000.00	25,000.00		25,000.00
	50,000.00	75,000.00	25,000.00	-	25,000.00

Adopted this 14th day of January 2025.

Attest:

Mayor Jennifer Talley

Renee M. Ward, City Clerk



STAFF REPORT

SUBJECT:	POWELL BILL BUDGET AMENDMENT
PREPARED BY:	MEGAN GARNER

REQUESTED ACTION:

Approve a budget amendment recognizing an additional \$103,607 in Powell Bill funds.

BACKGROUND/SUMMARY:

When the City Council approved the fiscal year 2024-2025 budget ordinance, it included a Powell Bill allocation of \$551,000. The state issues two disbursements and the second, which was received in December 2024, brought our total allocation to \$654,607; an increase of \$103,607. In order to allocate these funds towards street resurfacing projects, an approved budget amendment is required.

FISCAL IMPACT:

The budget amendment recognizes \$103,607 in Powell Bills funds that have already been received by the City.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S)

I move to approve a budget amendment recognizing an additional \$103,607 in Powell Bill funds.

CITY OF GRAHAM

**BUDGET AMENDMENT ORDINANCE
2024-2025**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT
THE 2024 - 2025 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:**

Section 1.

EXPENDITURES

DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Streets - Surfacing	600,000.00	703,607.00	103,607.00		103,607.00
	600,000.00	703,607.00	103,607.00	-	103,607.00

Section 2.

REVENUES

	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Powell Bill	\$551,000.00	\$654,607.00	103,607.00		103,607.00
	551,000.00	654,607.00	103,607.00	-	103,607.00

Adopted this 14th day of January 2025.

Attest:

Mayor Jennifer Talley

Renee M. Ward, City Clerk



STAFF REPORT

SUBJECT:	BUDGET AMENDMENT – INSURANCE PROCEEDS
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Approve the budget amendment to recognize \$17,279 in insurance proceeds revenue and increase the Wastewater- Capital Outlay Equipment budget by \$17,279.

BACKGROUND/SUMMARY:

Due to the impact of Tropical Storm Debbie, the pumphouse was submerged and caused significant damage to the existing pumps. This required that the pumps be rebuilt at a cost of approximately \$67,000 of which \$17,279 will be reimbursed from insurance proceeds.

FISCAL IMPACT:

The additional \$17,279 in insurance proceeds will increase the Wastewater-Capital Outlay Equipment budget line as indicated in the attached budget ordinance.

STAFF RECOMMENDATION:

Approval

SUGGESTED MOTION(S)

I move we approve the budget amendment to recognize \$17,279 in insurance proceeds revenue and increase the Wastewater- Capital Outlay Equipment budget by \$17,279.

CITY OF GRAHAM

BUDGET AMENDMENT ORDINANCE
2024-2025

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT
THE 2024 - 2025 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:

Section 1.

EXPENDITURES

DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Wastewater - Capital Outlay Equipment	45,000.00	62,279.00	17,279.00		17,279.00
	45,000.00	62,279.00	17,279.00	-	17,279.00

Section 2.

REVENUES

	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Utilities Fund - Insurance Proceeds	-	17,279.00	17,279.00		17,279.00
	-	17,279.00	17,279.00	-	17,279.00

Adopted this 14th day of January 2025.

Attest:

Mayor Jennifer Talley

Renee M. Ward, City Clerk

**CITY OF GRAHAM
REFUNDS**

JANUARY

<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR REFUND</u>	<u>REFUND AMOUNT</u>
145336	2023	PATEL, HARENDRA J ETAL	BOER ADJUSTED VALUE FOR 2023	\$222.51
147225	2023	JOGI, 2012 LLC (PATEL)	BOER ADJUSTED VALUE FOR 2023	\$5,293.98

TOTAL REFUNDS ***5,516.49***

**CITY OF GRAHAM
RELEASE ACCOUNTS**

JANUARY

<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
6451	2024	MINOR, RICKY ALAN	QUALIFIED FOR HOMESTEAD EXEMPTION	\$437.09
15032	2024	KIRKPATRICK, RONALD G	BOAT NOT LOCATED IN CITY LIMITS	\$16.05
17122	2024	SHOEMAKER, ARNOLD NORMAN	SOLD MOBILE HOME BEFORE JAN 2024	\$4.90

TOTAL RELEASES \$458.04



STAFF REPORT

Prepared by Cameron West, Planner

Ivey Road Townhomes (CR2401)

Type of Request: Conditional Rezoning

Meeting Dates

Planning Board on December 17, 2024

City Council on January 14, 2024

Contact Information:

Jawkaw Properties LLC

144 42nd Ave Ct NW Hickory, NC 28601

(336) 609-5137

amanda@isaacsonsheridan.com

Summary

This is a request to rezone 6.27 acres of property from R-18 (Low Density Residential) to C-R (Conditional Residential) for the purpose of constructing 29 town homes. The site plans to have private roadways and connect to water and sewer through the existing utilities surrounding the property. The property is fully inside of 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 development falls in around 4.62 dwelling units per acre which meets the appropriate density in the suburban residential land use zone of 3-6 dwelling units per acre. The site plans to have one entrance into the development on Ivey Road as comments from NCDOT during the TRC review suggested that there be no driveway connection on the East Gilbreath side due to distance requirements and potential traffic impacts. The applicant has requested some conditions with the development that can be found on the site plan and on the owners conditions sheet provided in the packet. Outside of these conditions, all aspects of the R-MF zoning district are being met. Since the development is over 5 acres in size the applicant was required to provide open space within the development and all areas can be found on the site plan. Planning Board Recommended approval of the project at a vote of 5-0. Along with the recommendation, the Planning Board recommended multiple conditions as well. Those are: To accept the updated owners conditions presented during the meeting, Require an 8 foot tall, at time of planting, evergreen tree buffer to supplement the Type C buffer required on the South Eastern portion of the property. Plantings shall be spaced to 90% opacity to decrease visibility into the development, In the same South Eastern portion, a berm is to be installed to divert water away from the neighboring property, work with Gas Company and NCDOT to relocate driveway further east to provide more space between Strout driveway, Open space grilling area along the Strout property line to be changed to undisturbed open space, include berm on Ivey Road Street planting, acceptance of alternative turnaround approved by Fire Marshall, SCM to meet pre/post calculations required by ordinance, and require streets to be public.

<u>Location</u>
Off of Ivey Road and E Gilbreath Street
<u>GPINS:</u>
8883689826, 8883687363
<u>Current Zoning</u>
R-18 (Low Density Residential)
<u>Proposed Zoning</u>
C-R (Conditional Residential)
<u>Overlay District</u>
N/A
<u>Surrounding Zoning</u>
R-18, I-1, R-MF, & C-MXR
<u>Surrounding Land Uses</u>
Single Family, Industrial, Multi-Family
<u>Size</u>
6.27 Acres
<u>Public Water & Sewer</u>
Yes
<u>Floodplain</u>
No

Graham Zoning



City of Graham

Legend

— Streets

□ Tax Parcels (unofficial)

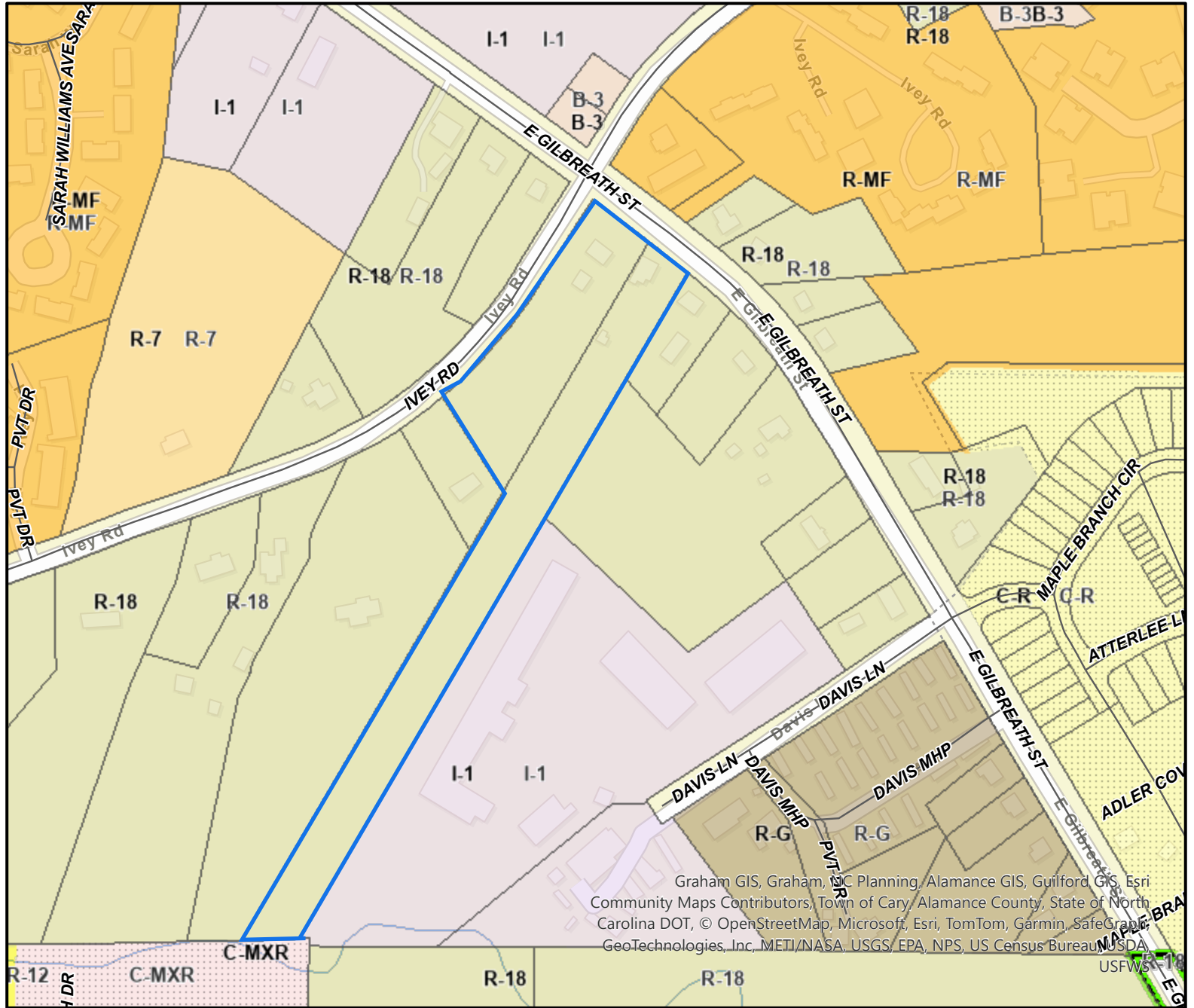
Zoning Districts

- B-1, Central Business District
- B-2, General Business District
- B-3, Neighborhood Business District
- C-B, Conditional Business
- C-I, Conditional Industrial
- C-MXC, Conditional Commercial Mixed Use
- C-MXR, Conditional Residential Mixed Use
- C-O-I, Conditional Office and Institutional
- C-R, Conditional Residential District
- I-1, Light Industrial District
- I-2, Heavy Industrial District
- O-I, Office and Institutional
- R-7, High-Density Residential District
- R-9, High-Density Residential District
- R-12, Medium-Density Residential District
- R-15, Medium-Density Residential District
- R-18, Low-Density Residential District



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Print Date: 11/21/2024



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Graham Zoning



City of Graham

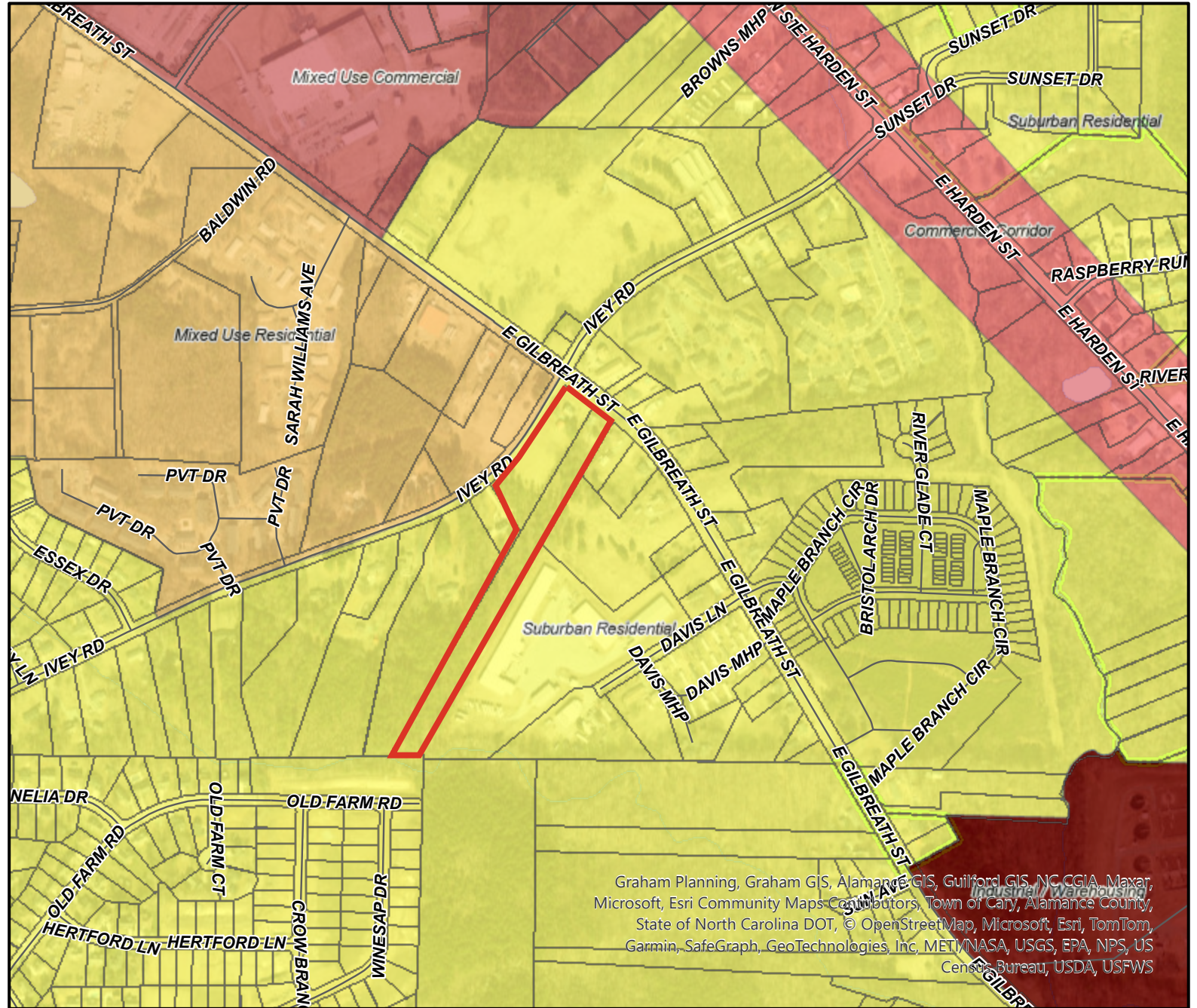
Legend

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- Citations
- 2.4m Resolution Metadata
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- Future Land Use**
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- Mixed Use Commercial
- Education District
- Employment District
- Industrial / Warehousing
- Mixed Use Residential
- Downtown Residential
- Suburban Residential
- Commercial Corridor
- Rural Residential
- Future LandUse Annotation
- Graham ETJ
- Graham City Limit
- Alamance Lakes, Ponds, etc.
- Surface Streams
- Railroads
- ALAM_INTEREST_POINT
- Airport



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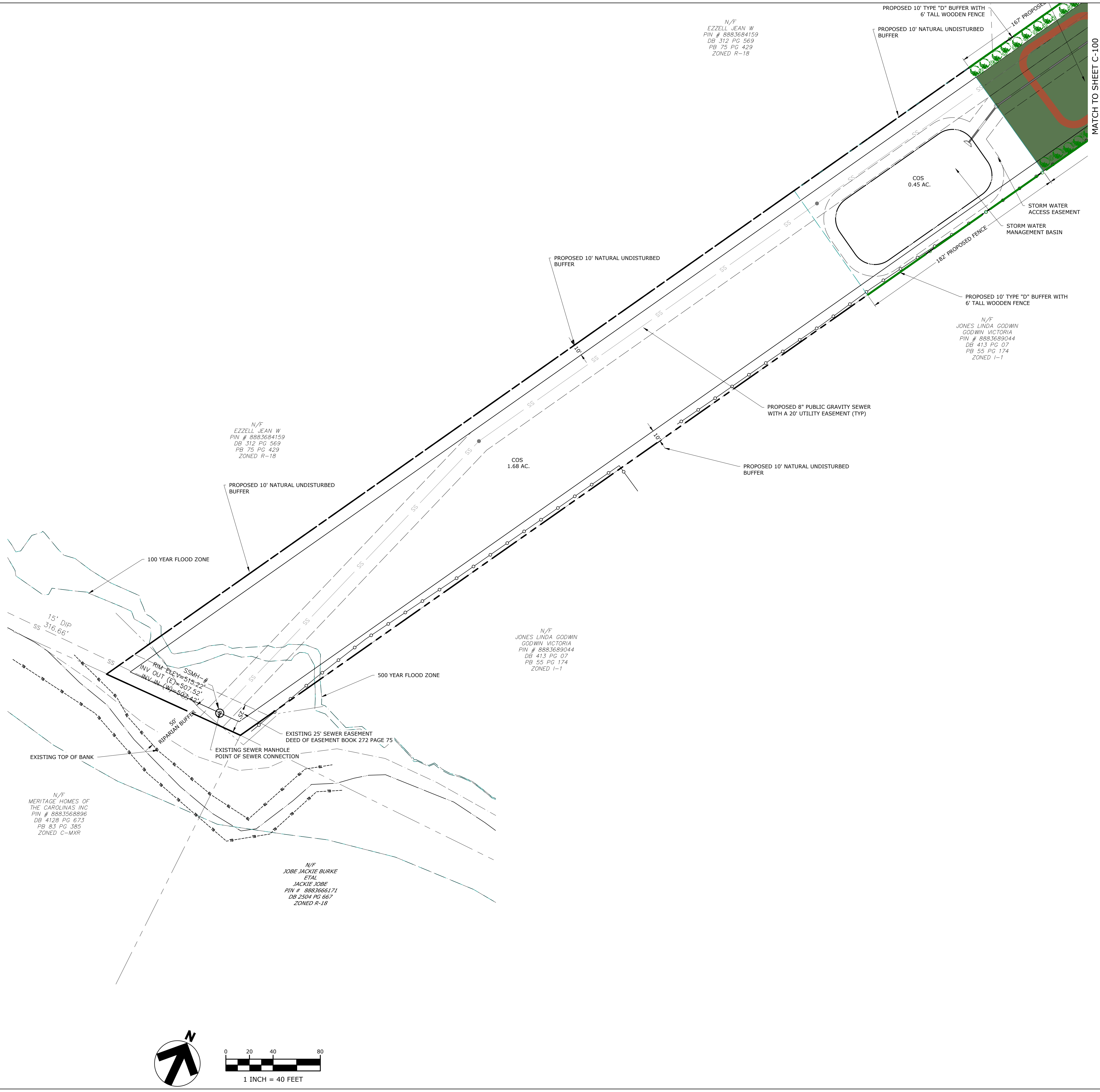
Print Date: 12/10/2024



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NOT FOR CONSTRUCTION
 PLANNING AND ZONING REVIEW PLANS

NO.	DATE	DESCRIPTION	BY
2	10/21/2024	City of Graham 2nd REVIEW COMMENTS	
1	10/02/2024	City of Graham 1st REVIEW COMMENTS	

DRAWN | FC
 DESIGNED | FC
 CHECKED | DC
 PROJECT # | 11111111

SHEET NUMBER
C-101

PRELIMINARY SKETCH PLAN - SOUTHERN PORTION
IVEY HEIGHTS
CHAD MEREDITH
 GRAHAM, ALAMANCE COUNTY, NORTH CAROLINA

December 1, 2024

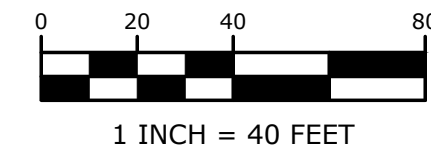
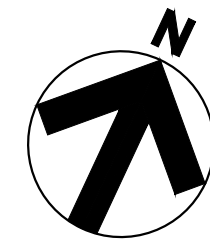
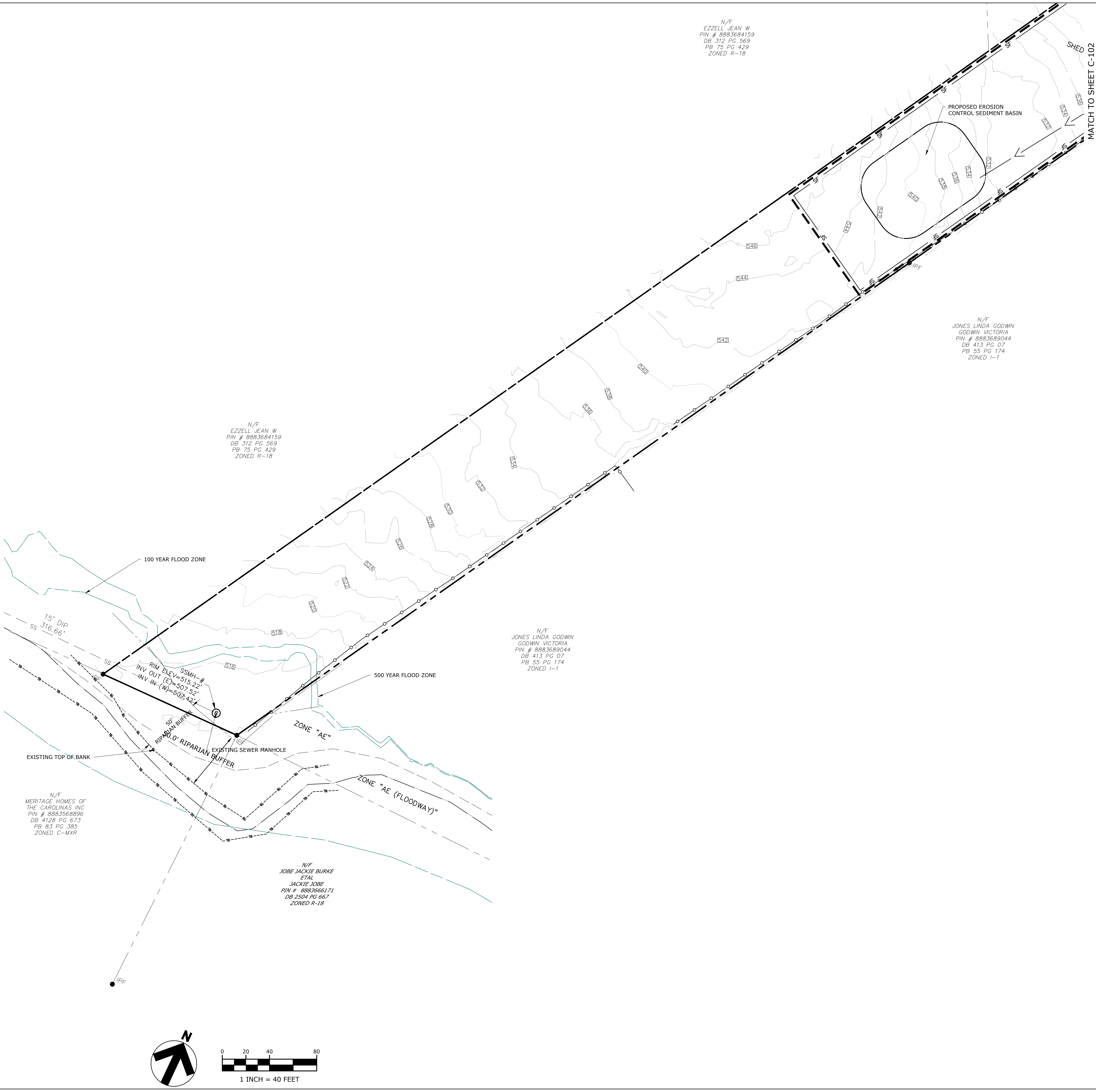


NORTH CAROLINA COL
 P-1888

POB Engineering
 16439 Bastille Dr.
 Charlotte, NC 28278
 704-564-3824
 Frank.Cantrell@pobengineering.com



Plot Stamp: 12/1/2024 11:08:07 AM - F.Cantrell
 File: Z:\Shared\Projects\Chad Meredith\Ivey Heights\Civil\DWG\01_Base\Sketch Plan\2024-09-30 Sketch 3 Existing.dwg, Tab: C-103 SITE PLAN SHEETS (2)



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SHEET NUMBER

C-103

PRELIMINARY SKETCH PLAN - EXISTING CONDITIONS
 SOUTHERN PORTION
 IVEY HEIGHTS
 CHAD MEREDITH
 GRAHAM, ALAMANCE COUNTY, NORTH CAROLINA

December 1, 2024



NORTH CAROLINA COL
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Owner's conditional Zoning requests

1. Internal Setbacks to be allowed as shown on the Preliminary Sketch Plan Front 20'

Side 5' (Does not Occur)

Rear 15'

Corner Side 10' (Does not Occur)

Building Height 35' (per the Ordinance)

Minimum distance between buildings to be 25' (per the Ordinance)

2. ~~Allow a proposed 20' Type "C" Buffer in lieu of a 30' Type "B" Buffer along the East Boundary from Gilbreath to the gas easement, and from the gas easement to the active open space as labeled on the Preliminary Sketch Plan.~~ No Buffer required here along the streetscape. 8 Foot Planted Streetyard provided per the Ordinance.

3. Allow a 10' wide Type "D" Buffer with 6 foot tall opaque fence in lieu of a 20 30' Type "CB" Buffer along the east Boundary of the Active Open Space with the Walking trail and along the southern boundary along the active open space from Ivey Road and along the active open space with the proposed trail, as labeled on the Preliminary Sketch Plan.

4. ~~Allow a 10' natural undisturbed buffer in lieu of a 30' Type "B" Buffer along the easterly and westerly boundary of the panhandle portion of the property as labeled on the Preliminary Sketch Plan.~~ No development proposed on the panhandle, so no buffer requirement, however if it were, the required buffers would be Type C on the East (20 ft. average) and Type D on the West (5 ft. average).

5. Waive any requirement for plantings in the gas easement. Plantings are not generally allowed in easement areas.

6. ~~Allow a single ingress/egress to this development. From previous town meetings, it was brought up that a second entrance would be so close to the intersection of Ivey Rd and Gilbreath Street. The 150' sight triangle would also make a second entrance undesirable.~~ 29 Townhomes does not trigger a 2nd entrance requirement.

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 5.1.1 Housing Variety.** Encourage a mix of housing types within Graham to increase choice. These can include single family dwellings units, multifamily dwelling units, small units, pre-fabricated homes, co-housing and clustered housing. *This project would construct additional high-density housing.*
- **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.
- **Strategy 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. *The site would connect to existing city infrastructure, with redundant access and water and sewer connections and could be extended through future roadway connections if developed.*

Staff Recommendation

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

- Rezoning the property would be in consistence with the Suburban Residential Land Use type and policies 5.1.1, 2.2.1, and strategy 4.3.1, as put forth by the Graham 2035 Comprehensive Plan

Planning Board Recommendation:

Planning Board Recommended approval of the project at a vote of 5-0. Along with the recommendation, the Planning Board recommended multiple conditions as well. Those are: To accept the updated owners conditions presented during the meeting, Require an 8 foot tall, at time of planting, evergreen tree buffer to supplement the Type C buffer required on the South Eastern portion of the property. Plantings shall be spaced to 90% opacity to decrease visibility into the development, In the same South Eastern portion, a berm is to be installed to divert water away from the neighboring property, work with Gas Company and NCDOT to relocate driveway further east to provide more space between Strout driveway, Open space grilling area along the Strout property line to be changed to undisturbed open space, include berm on Ivey Road Street planting, acceptance of alternative turnaround approved by Fire Marshall, SCM to meet pre/post calculations required by ordinance, and require streets to be public.

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 to 6 Dwelling Units Per Acre

Graham Zoning



City of Graham

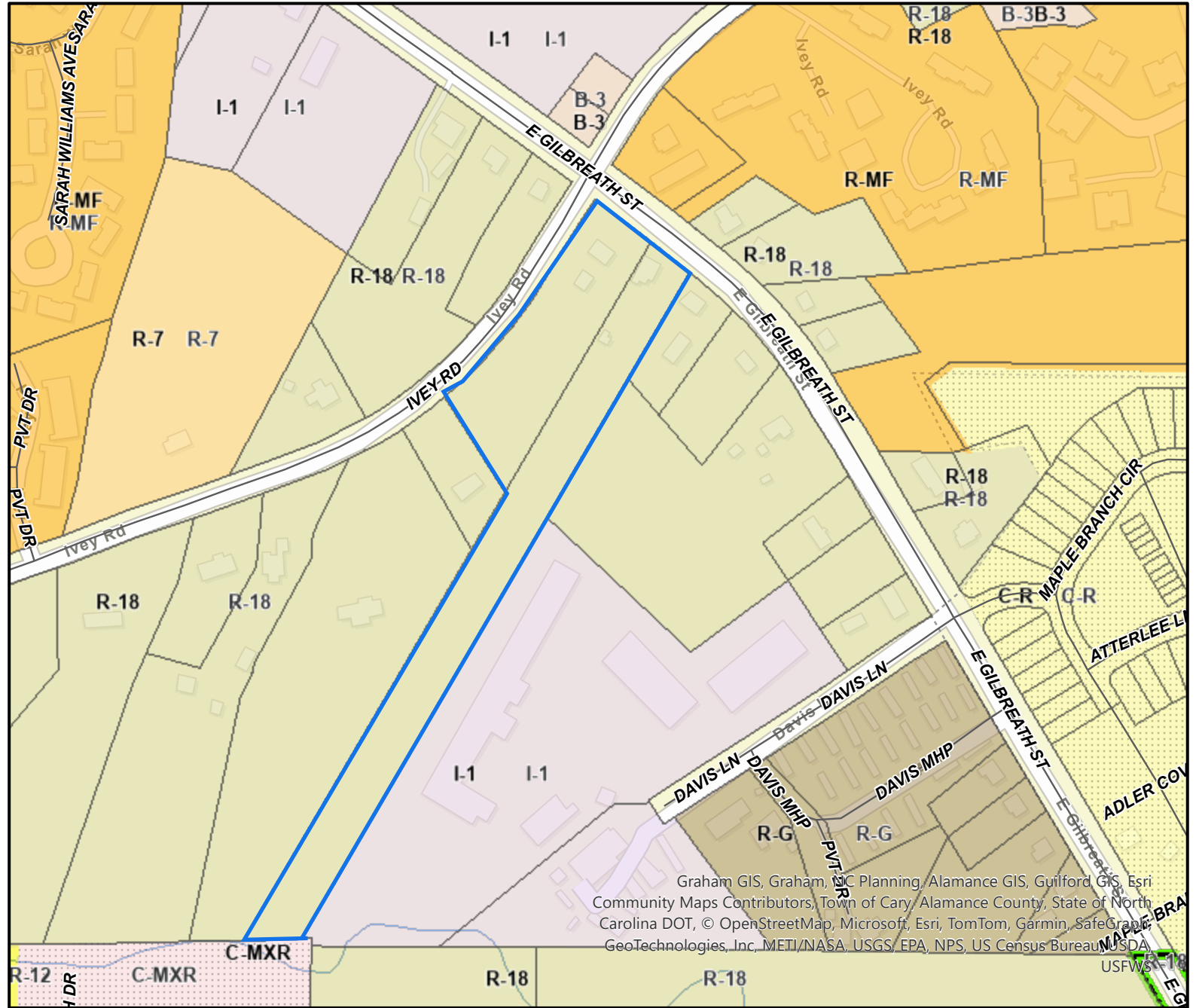
Legend

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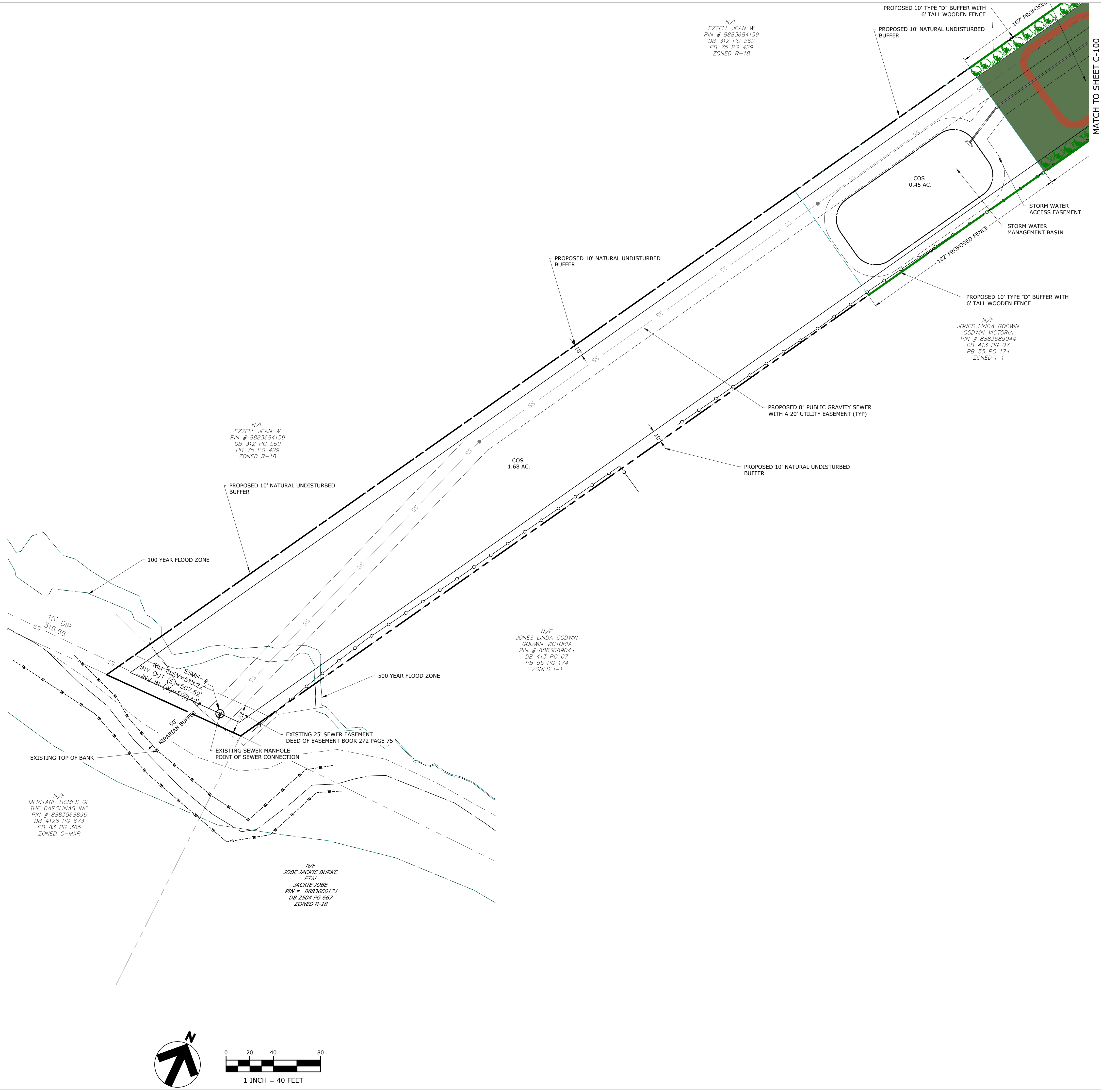
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PRELIMINARY SKETCH PLAN - SOUTHERN PORTION
IVEY HEIGHTS
CHAD MEREDITH
 GRAHAM, ALAMANCE COUNTY, NORTH CAROLINA

December 1, 2024

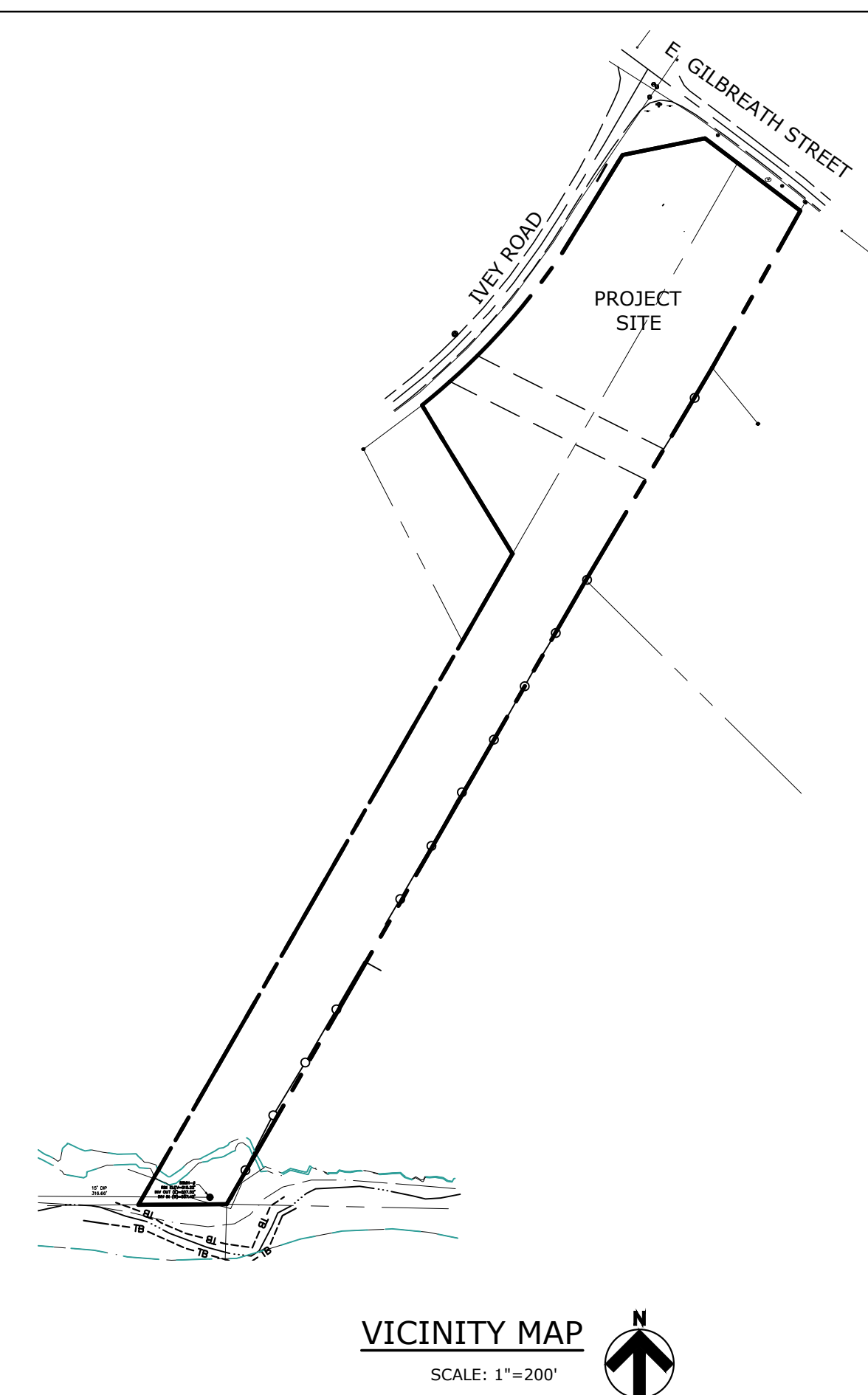
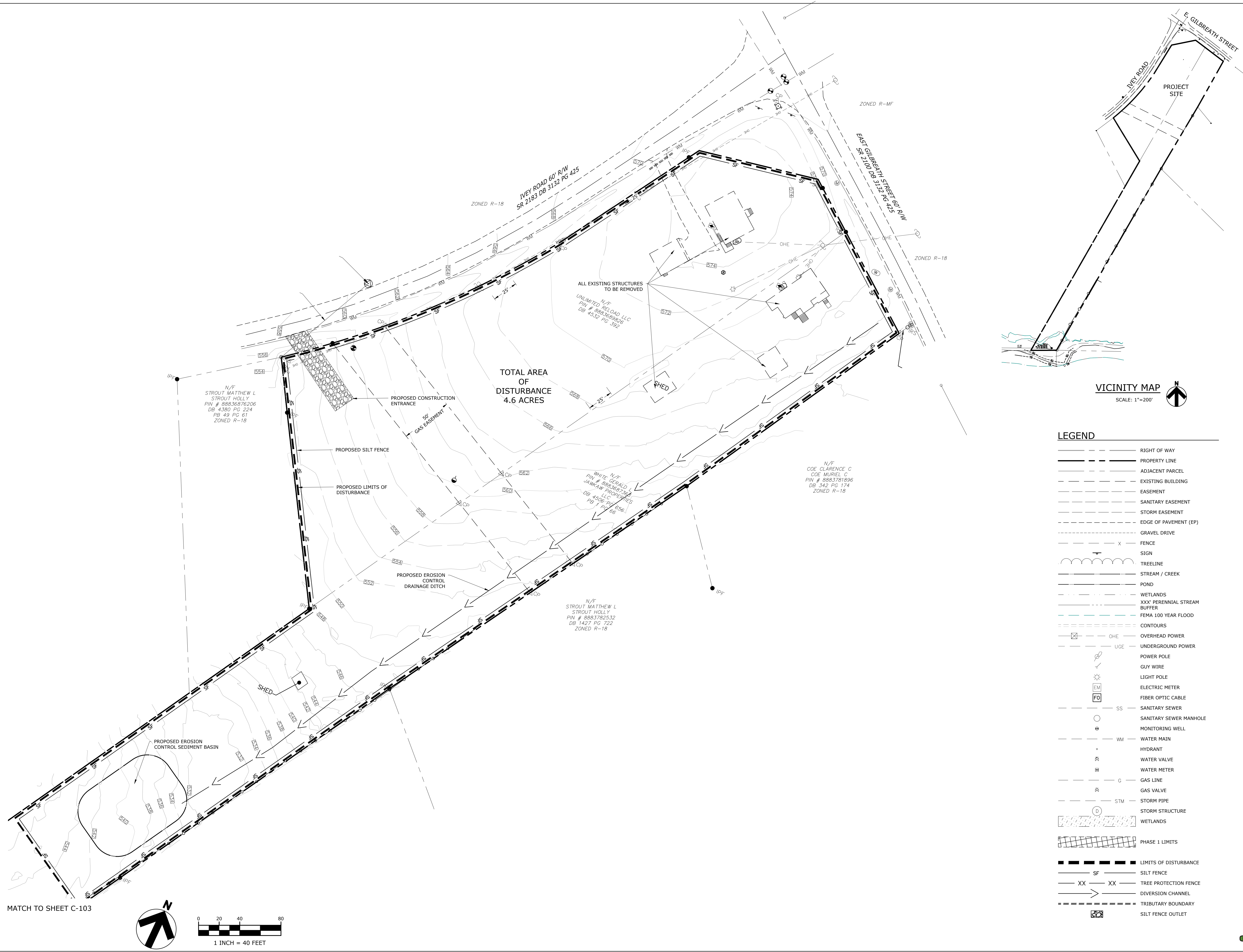
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NORTH CAROLINA COL P-1888

SEAL 039811
 NORTH CAROLINA PROFESSIONAL ENGINEER
 FRANK L. CANTRELL

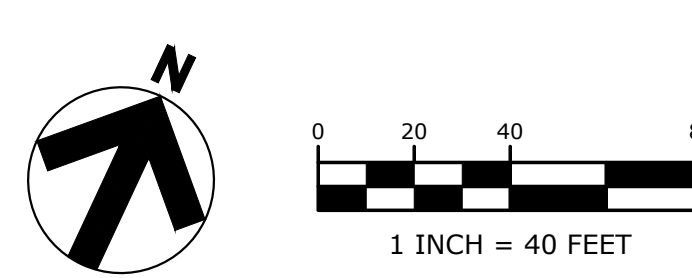


Plot Stamp: 12/1/2024 11:08:04 AM - F.Cantrell
 File: Z:\Shared\Projects\Chad Meredith\Ivey Heights\Civil\DWG\01_Base\Sketch Plan\2024-09-30 Sketch 3 Existing.dwg, Tab: C-102 SITE PLAN SHEETS




LEGEND

---	RIGHT OF WAY
- - - -	PROPERTY LINE
- . - . -	ADJACENT PARCEL
- - - -	EXISTING BUILDING
- - - -	EASEMENT
- - - -	SANITARY EASEMENT
- - - -	STORM EASEMENT
- - - -	EDGE OF PAVEMENT (EP)
- - - -	GRAVEL DRIVE
X	FENCE
—	SIGN
—	TREELINE
—	STREAM / CREEK
—	POND
—	WETLANDS
—	XXX' PERENNIAL STREAM BUFFER
—	FEMA 100 YEAR FLOOD
—	CONTOURS
X	OHE OVERHEAD POWER
—	UGE UNDERGROUND POWER
—	POWER POLE
—	GUY WIRE
—	LIGHT POLE
EM	ELECTRIC METER
FO	FIBER OPTIC CABLE
SS	SANITARY SEWER
—	SANITARY SEWER MANHOLE
—	MONITORING WELL
—	WM WATER MAIN
—	HYDRANT
—	WATER VALVE
—	WATER METER
—	GAS LINE
—	GAS VALVE
—	STM STORM PIPE
—	STORM STRUCTURE
—	WETLANDS
—	PHASE I LIMITS
—	LIMITS OF DISTURBANCE
SF	SILT FENCE
XX	TREE PROTECTION FENCE
—	DIVERSION CHANNEL
—	TRIBUTARY BOUNDARY
—	SILT FENCE OUTLET




MATCH TO SHEET C-103

NOT FOR CONSTRUCTION
 PLANNING AND ZONING REVIEW PLANS



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 Frank.Cantrell@pobengineering.com

NORTH CAROLINA COL P-1888



December 1, 2024

PRELIMINARY SKETCH PLAN - EXISTING CONDITIONS
NORTHERN PORTION
IVEY HEIGHTS
CHAD MEREDITH
 GRAHAM, ALAMANCE COUNTY, NORTH CAROLINA

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CHECKED | DC

PROJECT # | 1111111

C-102

Graham Zoning



City of Graham

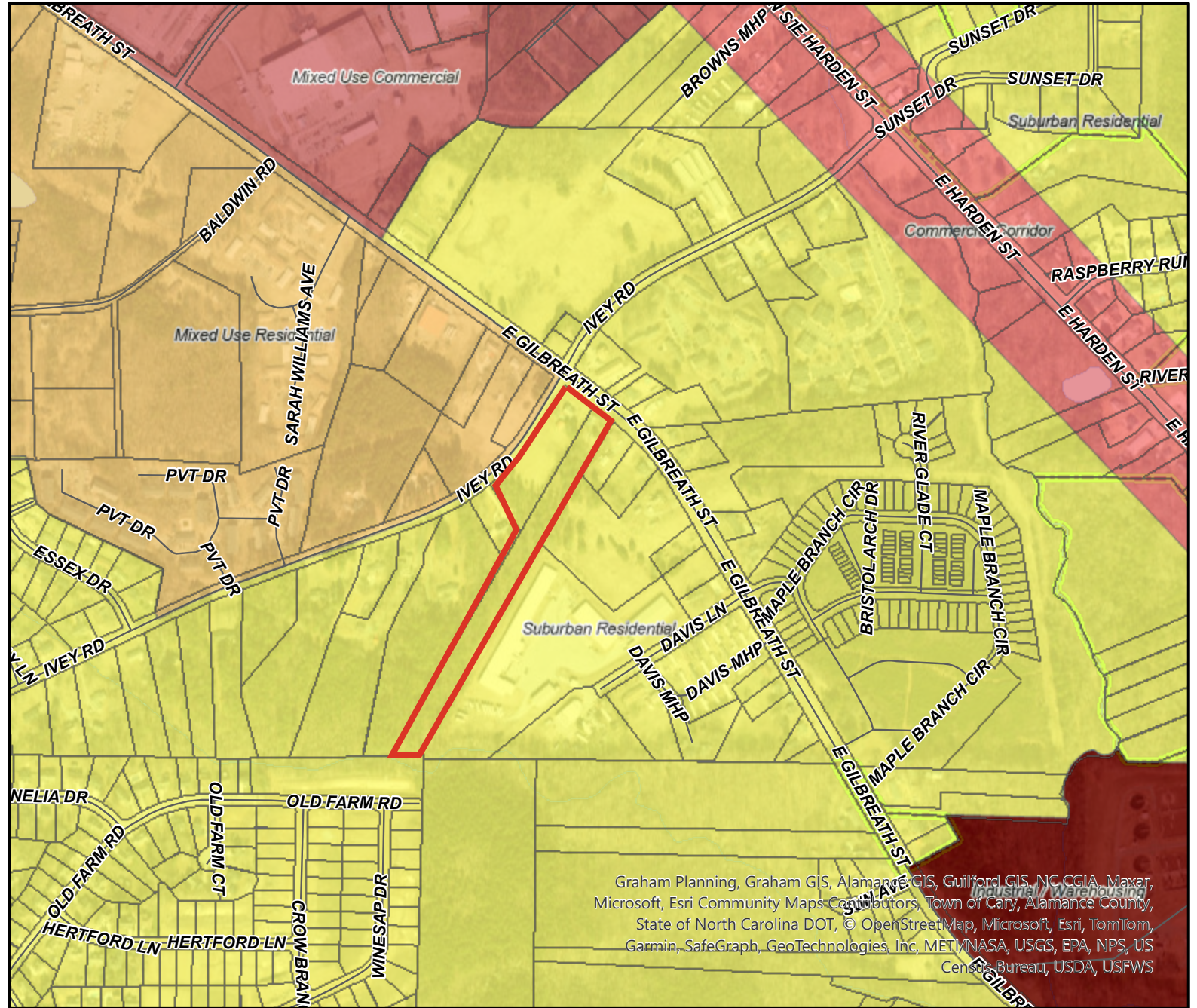
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- Airport



1:9,028

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STAFF REPORT

SUBJECT:	ORDINANCE TO AMEND KEEPING OF HOGS AND PIGS IN CITY LIMITS
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Amend Code of Ordinances to increase number of pot-belly pigs within the city limits.

BACKGROUND/SUMMARY:

Crystal Ramsey (720 W. Harden St) submitted a request to City Council to consider amending the Code of Ordinances which regulates the number of pot-belly pigs allowed per lot. As it currently reads, domesticated pot-belly pigs within the city limits are limited to one per lot. The request submitted is to change the allowable number from one per lot to two per lot for lots that are a minimum of 2 acres.



FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move to approve the Ordinance amendment to CHAPTER 4- ANIMALS AND FOWLS, ARTICLE I- IN GENERAL, Section 4-5 Hogs; keeping hogs and pigs in the corporate limits prohibited, exception, to increase the number of pot-belly pigs allowed from one to two if the property is a minimum of 2 acres.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAHAM, AMENDING CHAPTER 4,
ARTICLE I, SEC. 4-5 TO THE CODE OF ORDINANCES OF THE CITY OF GRAHAM, NORTH
CAROLINA**

The City Council of the City of Graham, North Carolina, does ORDAIN:

Sec. 1. That the Code of Ordinances, City of Graham, North Carolina, is hereby amended by amending section(s) 4-5, which said sections read as follows:

Chapter 4 – ANIMALS AND FOWL

ARTICLE I. – IN GENERAL

Sec. 4-5. - Hogs; keeping hogs and pigs in the corporate limits prohibited, exception.

- (a) It shall be unlawful to keep hogs and pigs within the corporate limits of the city, except as provided in subsection (b) of this section.
- (b) Domesticated pot-belly pigs shall be allowed within the corporate limits of the city and shall be limited to ~~one per lot~~, one per lot for lots less than two acres, **and two per lot for lots two acres or larger**. Domesticated pot-belly pigs shall not be kept in the front or side yard nor within 15 feet of an adjoining property line. It shall be unlawful for anyone to let domesticated pot-belly pigs run at large at any time.
- (c) All pens for domesticated pot belly pigs shall be kept in a clean and sanitary condition at all times.

Sec. 2. That this Ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law and all ordinances in conflict herewith are hereby repealed.

This the ____ day of _____ 2025.

Jennifer Talley, Mayor

ATTEST:

Renee M. Ward, City Clerk



STAFF REPORT

SUBJECT:	ROAD CLOSURES FOR GRPD PROGRAMS IN DOWNTOWN GRAHAM PROGRAM & RAIN DATES FOR: SLICE OF SUMMER – PUMPKIN BASH – THURSDAYS AT SEVEN CONCERT SERIES – 9/11 COMMEMORATIVE 5K
PREPARED BY:	BRIAN FAUCETTE, DIRECTOR OF RECREATION AND PARKS

REQUESTED ACTION:

The Recreation and Parks Department requests the following street closures for downtown programs in 2024:

Slice of Summer: closure of the 100 blocks of East and West Elm Streets and North and South Main Streets on June 8, 2024 from 1pm-9pm. We also request approval of the same road closures from 1pm-9pm on June 15, 2024 as an alternative date.

Pumpkin Bash: closure of the 100 blocks of East and West Elm Streets on October 25, 2024 from 2pm-10:30pm and North and South Main Streets from 4pm-10:30pm.

Thursdays at Seven Concert Series: closure of the 100 block of West Elm Street on May 23, June 27, July 25, August 22, September 12, & September 26 for the 2024 Thursdays at Seven Concert Series. All closures will begin at 5:00pm and re-open by 11:30pm. In the event a concert must be postponed, we also request the same closure as above on the following dates: May 30, June 6, 13, 20; July 11, 18; August 1, 8, 15, 29; September 5, 19; October 3, 10, 17.

9/11 Commemorative 5K Event: Closure of the northbound lane of Maple Street from Pine Street to McAden Street, McAden Street from South Main to Maple Street, the southbound lane of South Main Street from Pine Street to McAden Street, Pine Street from South Main to Maple Street from 6:00 a.m. – 11:00 a.m. on Saturday, September 14, 2024. In the instance that the event date needs to be rescheduled, we also request the same closure as above for Saturday, September 7, 2024

BACKGROUND/SUMMARY:

City Council has approved similar requested closures in past years.

GRPD staff and Graham Police Officers will continue to execute the closures and provide appropriate monitoring and security.

As in past years, alternative dates will give staff and vendors/bands the option to reschedule on days with possible inclement weather or when other issues arise.

FISCAL IMPACT:

No fiscal impact to the City of Graham aside from the regularly budgeted program expenses.

STAFF RECOMMENDATION:

Staff recommends the following:

1. Approve the closure of the 100 blocks of East and West Elm Streets and the 100 blocks of North and South Main Streets on June 8, 2024 (Alt. Date: June 15th) from 1pm-9pm for the Slice of Summer Festival;
2. Approve the closure of the 100 blocks of East and West Elm Streets from 2pm-10:30pm and North and South Main Streets from 4pm-10:30pm on October 25, 2024 for the Pumpkin Bash;
3. Approve the closure of the 100 block of West Elm Street on May 23, June 27, July 25, August 22, September 12, & September 26 for the 2024 Thursdays at Seven Concert Series. All closures will begin at 5:00pm and re-open by 11:30pm. Staff also requests approval for a 5:00pm-11:30pm closure for alternative dates of: May 30, June 6, 13, 20; July 11, 18; August 1, 8, 15, 29; September 5, 19; October 3, 10, 17.
4. Approve the closure of the northbound lane of Maple Street from Pine Street to McAden Street, McAden Street from South Main to Maple Street, the southbound lane of South Main Street from Pine Street to McAden Street, Pine Street from South Main to Maple Street from 6:00 a.m. – 11:00 a.m. on Saturday, September 14, 2024 for the 9/11 Commemorative 5K. Staff also recommends approval for the same closure for an alternate date of Saturday, September 7, 2024.

SUGGESTED MOTION(S):

I MAKE A MOTION TO APPROVE THE STAFF RECOMMENDED STREET CLOSURES FOR THE SLICE OF SUMMER, PUMPKIN BASH, THE THURSDAYS AT SEVEN CONCERT SERIES, AND THE 9/11 COMMEMORATIVE 5K.



STAFF REPORT

SUBJECT:	VOTING DELEGATE – NCLM BIENNIUM LEGISLATIVE GOALS
PREPARED BY:	MEGAN GARNER, CITY MANAGER

REQUESTED ACTION:

To assign a delegate to vote on the proposed 2025-2026 Biennium Legislative Goals

BACKGROUND/SUMMARY:

Each member municipality is eligible to cast a single vote in this goal-setting process. Each member municipality shall designate one voting delegate who will be responsible for casting the municipality's vote. The voting delegate may vote for 10 of the 16 legislative goals.

Voting delegates must be designated by Thursday, January 16, 2025. The designated voting delegate will receive their credentials and voting instructions and shall vote on the proposed Legislative Goals package electronically. Following the voting period, the Legislative Goals will be shared with the membership electronically.

FISCAL IMPACT:

NO IMPACT

SUGGESTED MOTION(S):

I move to nominate _____ as the voting delegate for the City of Graham.

LEGISLATIVE GOAL STATEMENTS

RECOMMENDED BY THE NCLM BOARD OF DIRECTORS

The following goal statements are NOT listed in any priority order.

- **Expand funding opportunities for disaster resiliency and recovery efforts.**
 - North Carolina has faced a number of damaging natural disasters in recent years, including the unprecedented storm that devastated western North Carolina in the fall of 2024.
 - To fully recover from these natural disasters requires a broad approach that focuses on infrastructure, housing and economic losses.
 - Federal assistance and private insurance will not be enough to address these ongoing, critical needs or mitigate damage when future disasters hit.

- **Establish long-term funding streams that adequately address water, sewer, stormwater, transportation and other infrastructure needs.**
 - Infrastructure – including roads, water, sewer, stormwater, parks and beaches – are critical to economic development and job creation.
 - Many cities in the state are growing, creating a constant need for investment to keep pace with population growth; many cities and towns also have aging infrastructure that must be replaced.
 - Creating long-term and more permanent funding streams for infrastructure will ensure adequate investments so that North Carolina thrives now and into the future.

- **Expand state transportation funding streams for construction and maintenance of municipal and state-owned secondary roads.**
 - Current Powell Bill and other state funding is not adequate to address transportation needs, particularly as they affect municipal and state-owned secondary roads.
 - In many cities and towns, major commuting corridors are not receiving the level of investment needed to keep pace with traffic.
 - More investment is needed for these roads if existing residents are to embrace business and residential growth

- **Increase funds to remediate contamination in local water supplies.**
 - Local municipal water systems and their ratepayers increasingly are footing the costs of cleaning up PFAS and other “forever” chemicals from drinking water supplies.
 - As more regulations are set at the state and federal level to limit these chemicals in water supplies, costs will escalate.
 - Cities primary recourse to try to recoup the cost for utility ratepayers is through the courts.

- **Expand incentives and funding for local economic development.**
 - Funding is simply inadequate in many cities and towns to encourage job growth.
 - State grants and incentives are often targeted in ways that fail to assist the areas in greatest need of job creation.
 - Maintaining or expanding funding for film tax credits, major industrial site development, downtown development and renewable energy tax credits helps cities and towns across the state.

- **Create incentives to encourage the development of diverse housing options.**
 - Housing affordability continues to be a significant problem across many areas of North Carolina, affecting people of different income levels.
 - The lack of affordable housing acts as a major impediment to business and workforce recruitment.
 - State incentives to encourage the construction of housing for people of various income levels are extremely limited.

- **Provide resources to rehabilitate or purchase blighted properties.**
 - In many cities and towns, blighted properties act as an impediment to economic and business growth.
 - Cities and towns have limited means to address these properties, particularly in more rural, smaller communities.
 - Rehabilitating blighted properties can help address North Carolina’s housing needs.

- **Create incentives that encourage and adequately fund regionalized water and sewer solutions.**
 - A number of municipal water and sewer systems continue to financially struggle with deferred maintenance needs.
 - These challenges came about largely due to population and job losses in rural areas, leading to an erosion of taxpayer and ratepayer bases.
 - While legislators and municipalities have begun to address these issues with the creation of the Viable Utility Reserve and the use of ARPA funding, state estimates show needs still exceed expenditures by several billion dollars.

- **Reduce regulatory conflicts between state agencies that discourage voluntary consolidation, merger and interconnection of municipal utility systems.**
 - Municipalities have contractually obtained older, smaller utility systems of other municipalities and private enterprises in order to provide better and more efficient services to residents and businesses.
 - Older laws and regulations impose penalties on mid-size and large municipalities due to state agencies requiring them to pay for relocation of utilities when those penalties would have been reduced or eliminated for the smaller entities they were purchased from.
 - The State should work to reduce and eliminate these conflicts which have the effect of discouraging voluntary consolidation, merger and interconnection of municipal utility systems.

- **Create an orphan road program whereby the state improves those roads to N.C. Department of Transportation standards before municipalities assume maintenance responsibilities.**
 - So-called orphan roads are typically created when a street in a subdivision is not built to state or municipal standards, and the developer walks away without an agreement for maintenance.
 - The abandoned road can leave homeowners on the hook for the cost of maintenance.
 - For cities and towns, these abandoned roads can serve as a deterrent to voluntary annexation agreements even as the residents seek municipal services.

- **Provide local revenue options beyond the property tax.**
 - Roughly 40 percent of municipal general fund revenue is generated by local property taxes.
 - Cities have little to no authority to raise significant revenue in other ways.
 - A lack of diverse, local tax options can affect economic growth, as well as cause large swings in revenue based on economic changes.

- **Support technical assistance programs to assist municipalities with securing or maintaining grants or other necessary municipal resources.**
 - Many municipalities do not have the resources to seek or administer grants, even as that source of funding could help meet the needs of residents.
 - State, federal and other grant funding offers a significant opportunity for cities and towns to improve infrastructure or enhance services.
 - Providing technical assistance to these municipalities can provide them with access to grant funding, providing resources not otherwise available to them.

- **Address the needs of a changing municipal workforce through state assistance that supports employee retention, including training and recruitment.**
 - Municipalities across the state are facing staffing issues as current workers age and retire.
 - Training and retention resources are limited and competing with wages offered in the private sector can be difficult.
 - The use of training and recruitment tools across state and local government boundaries can improve public sector workforce availability.

- **Update the annexation petition thresholds to make voluntary annexations easier to initiate.**
 - Voluntary annexation by petition currently requires 100 percent consent from all property owners, a threshold that can be impossible to meet even if a majority of property owners can benefit by utilizing their property for business or residential purposes.
 - Lowering the threshold from 100 percent represents a middle ground that would still reflect the will of property owners but not handicap communities' ability to economically thrive.
 - The ability of a city or town to grow and reflect its urban footprint is vital to its financial health; city services are relied on by residents whether they live in or near municipal boundaries.

- **Preserve authority for extraterritorial jurisdiction to ensure that growth is well-planned and investments by homeowners and business owners are protected.**
 - A community's land-use planning tools, including ETJ, are vital as infrastructure investments are made that pave the way for economic growth.
 - Protecting homes and businesses from incompatible uses continues to be an important feature of ETJs. As of 2022, at least 14 counties in North Carolina had no zoning restrictions, with several others being only partially zoned.
 - Protecting neighborhoods from incompatible uses ultimately protects the value of residents' homes and property.

- **Protect the ability of municipal elected officials, acting on behalf of local voters, to determine election formats, districts and other election matters currently under their purview.**
 - Locally-elected municipal officials are best positioned to understand the wishes of local voters and how those should be applied to local election matters.
 - In many areas, residents prefer to avoid political polarization when it comes to the practical tasks of municipal government.
 - Locally-elected municipal officials are in their communities every day and accessible to voters.

STAFF REPORT

SUBJECT:	2024 PEDESTRIAN PLAN UPDATE
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Approve City of Graham Pedestrian Plan Update.

BACKGROUND/SUMMARY:

With the approval to proceed by City Council in 2023, the City of Graham and the NCDOT Integrated Mobility Division (IMD) proceeded with an update to the existing Graham Pedestrian Plan. The current plan was adopted in 2006 with several areas needing to be revised due to the growth of the city in areas not currently highlighted in the existing plan. With consideration to the steering committee and public engagement input, recommendations were carefully integrated into the plan. Recommendations include prioritized implementation and funding strategies supporting near-term (within five years) to long-range projects, facility standards, and a cohesive vision to improve safety, comfort, and promote economic development.



In addition to supporting multimodal, Complete Streets, and community goals, the plan also looks to comply with IMD Bicycle and Pedestrian Planning Grant Initiative. The plan focuses on potential improvements, with special focus on safe crossings and connecting the City's new growth with pedestrian and multi-use path facilities.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval. Having an updated plan will better position the City to pursue funding opportunities for projects.

SUGGESTED MOTION(S):

I move we approve the City of Graham 2024 Pedestrian Plan Update.

Specific Edits are:

- E Elm Street sidewalk in project priority table and priority table on page 50
- Pricing Disclaimer on priority table page and page 42
- Changed 64 to 54 on page 16
- Roundabout sentence removed on Master Plan page 25
- Changed all instances of I-40 to I-85/40
- Redacted the Westover and Swepsonville road diet mentions on page 53
- Redacted Chicanes on page 53
- Added road diet information on MUP-24 for McAden Street Improvements
- Changed the picture on page 72
- Added blurb about New Leaf Society on page 90



Executive Summary

This executive summary provides a brief overview of the City of Graham Pedestrian Plan and key recommendations.

About This Plan

The City of Graham Pedestrian Plan (“the Plan”) provides guidance for the City, North Carolina Department of Transportation (NCDOT), Alamance County, Burlington–Graham Metropolitan Planning Organization (BGMPO), and other stakeholders in developing improvements to the City of Graham pedestrian infrastructure, programs, and policies.

The Plan was developed through extensive public outreach, review of existing conditions, coordination with a dedicated Steering Committee, and consideration of the City’s vision and goals. Graham seeks to become a more pedestrian friendly City that encourages the choice to walk, advance the community’s mobility and quality of life, and improve pedestrian connectivity to key destinations for residents and visitors of all ages and abilities. During the planning process, Graham residents and stakeholders voiced their concerns and hopes for walking throughout the City and to other destinations in Alamance County.

The Plan is primarily focused on infrastructure improvements in support of walking, improving crossings at roadways, and building out and connecting to a regional greenway network. The benefits of walking and recommended policies and programs to support active transportation are reviewed as part of the Plan appendices.

Priority Recommendations (Top Eight Combined Projects)

The Plan identified a total of eight priority project bundles (made up of 30 individual projects – including 13 linear pedestrian projects and 17 intersection-related projects) to improve walking in Graham. These projects were selected through a process that began with identifying the City’s vision and goals, mapping priority and secondary corridors, and creating projects to match the City’s mobility and safety needs. Finally, all recommended projects were ranked according to criteria developed with the City and Steering Committee that prioritized connections to key destinations, extending the existing pedestrian network, safety, equitable pedestrian access, recreation, and cost effectiveness. The top 8 projects are as described in Table I-1 and illustrated in the map in Figure I-1.