

**CITY OF GRAHAM
REGULAR AGENDA
TUESDAY, DECEMBER 6, 2016
7:00 P.M.**

Meeting called to order by the Mayor
Invocation and Pledge of Allegiance

1. Honorary Presentation:

- “Give a Child a Smile” – Tammy Harton & Kiya Gordon

2. Consent Agenda:

- a. Approval of Minutes – November 1, 2016 Regular Session
- b. Tax Releases and Refunds
- c. Approve Easement to Duke Energy at Graham Regional Park

3. Requests and Petitions of Citizens:

- a. Petition for Voluntary Contiguous Annexation at Jimmie Kerr Road (AN1603)
 - i. Approve Resolution Requesting City Clerk to Investigate Sufficiency
 - ii. Approve Resolution Fixing Date of Public Hearing on Question of Annexation

4. “Welcome to Graham” Sign Discussion

5. Issues not on Tonight’s Agenda

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, NOVEMBER 1, 2016
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, November 1, 2016, in the Council Chambers of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Jimmy Linens
Council Member Griffin McClure
Council Member Chip Turner
Council Member Lee Kimrey

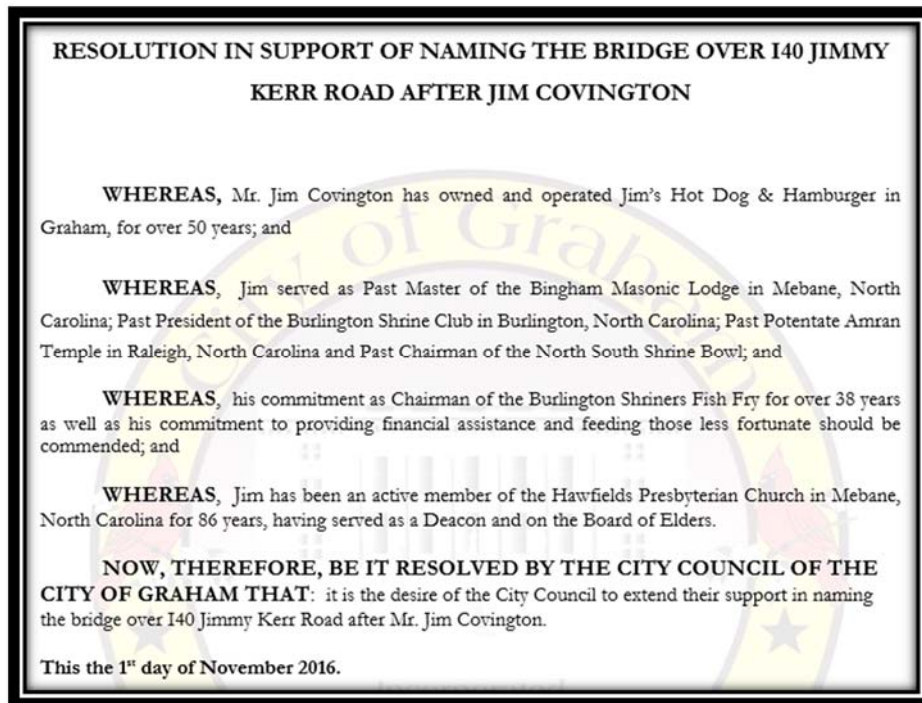
Also Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Nathan Page, Planning Director
Keith Whited, City Attorney
Melody Wiggins, Recreation & Parks Director

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Council Member Chip Turner gave the invocation and everyone stood to recite the Pledge of Allegiance.

Consent Agenda:

- a. Approval of Minutes – October 4, 2016 Regular Session*
- b. Honorary Resolution of Support*



Mayor Peterman asked to pull item “b. Honorary Resolution of Support” from the Consent Agenda. Mayor Pro Tem Jimmy Linens made a motion to approve item “a” on the Consent Agenda, seconded by Council Member Turner. All voted in favor of the motion.

Mayor Peterman read and presented the Resolution of Support to members of Mr. Jim Covington's family. Council Member Chip Turner made a motion to approve item "b" on the Consent Agenda, seconded by Council Member Lee Kimrey. All voted in favor of the motion.

Recommendations from Planning Board:

- a. ***Public Hearing: Peak Resources (CR1401_A1). Request to change the approved Conditional Zoning site plan to permit a fence along North Main Street and remove front steps***

Planning Director Nathan Page advised that the applicant had withdrawn this request after public notice had been given, thus prompting Council to formally accept the withdrawal. Council Member Griffin McClure made a motion to accept the withdrawal, seconded by Council Member Turner. All voted in favor of the motion.

- b. ***Public Hearing: Text Amendments for the City of Graham Development Ordinances:***
i. ***Overlay Districts (AM1620). Remove the 50% exemption for repainting from the Overlay, as well as to align the prohibited uses between the East Harden Street/Highway 54 and South Main Street/Highway 87 Overlay Districts***

Mr. Page explained that this proposed amendment takes the change that Council made last month to the East Harden Street/Highway 54 Overlay District and applies it to South Main Street/Highway 87 Overlay District. In addition, it is being proposed that Section 10.420, Nonconforming Uses and Situations be removed. Mr. Page stated that the thought behind removing this section is so that if any portion of one's building is to be painted, it would have to adhere to the colors approved in the Overlay District.

Council Member McClure asked for clarification on what the colors might be. Mr. Page referred to and read Section 10.441(c) Building Standards of the Development Ordinance. With no further comments forthcoming, Mayor Peterman opened and closed the Public Hearing.

Council Member Kimrey made a motion that the text amendment be approved, that the text amendment is consistent with The Graham 2035 Comprehensive Plan and this action is reasonable and in the public interest for the following reason: The proposed amendment will promote a more uniform appearance along both of our primary gateways. Council Member McClure seconded the motion and all voted in favor of the motion.

- ii. ***Loading Berths (AM1621). Remove the requirement for new construction or renovations to install loading berths***

Mr. Page explained that this was a request by Council Member Kimrey to amend Section 10.240 - Off Street Parking, Section 10.243 - Off-Street Loading in Business and Industrial Districts and Section 10.244 - Additional Parking Requirements for the B-1 District of the Development Ordinance. Staff proposes removing the following language: Where the City Council determines that the off-street parking requirements of this section would impose undue hardship upon development it may reduce or waive off-street parking for that lot. Mr. Page advised he has determined that there are other avenues, such as variances and conditional rezoning's that could address off-street parking and loading berths. Mr. Page stated that this would not preclude someone from installing a loading berth if they wanted one but rather removes the requirement to do so.

Council Members and Staff had a general discussion about the B-1 District and how this might apply to parcels who may have access to a public alley, as well as, how many public and private alleys there are in the B-1 District. Mr. Page advised that it is sometimes difficult to differentiate between what is considered to be public versus private alleys when looking at land records that might very well be from the mid 1850's.

Mayor Peterman opened the Public Hearing and with no comments forthcoming, closed the Public Hearing.

Council Member Kimrey disclosed that he has a financial interest in a project that he initially thought might force him to recuse himself from this vote, however, after doing his due diligence and consulting with Staff and his own attorney, the alley in which he was researching proved to be private and not public. Council Member McClure disclosed that he believed that he may potentially have a financial interest in a project affected by this change and asked to be recused. Mayor Pro Tem Linens made a motion to recuse Council Member McClure, seconded by Council Member Turner. All voted in favor of the motion.

Mayor Peterman re-opened the Public Hearing by request of Tom Boney of the Alamance News. Mr. Boney inquired as to the location of the project Council Member Kimrey referred to. Council Member Kimrey stated it was where Carver's Restaurant used to be located. Mr. Boney stated that the alley behind that parcel is also the same alley behind the parcel he owns and said it's his belief that is a public alley. Council Member Kimrey and Staff advised that it is private. Mayor Peterman closed the Public Hearing once again.

Mayor Peterman made a motion that the text amendment be approved and that the text amendment is consistent with The Graham 2035 Comprehensive Plan. Council Member Turner seconded the motion and all voted in favor of the motion.

Council Member Turner made a motion to have Council Member McClure re-join the proceedings, seconded by Mayor Peterman. All voted in favor of the motion.

Boards & Commissions Appointments:

a. Historic Resources Commission Appointment (1 Vacancy)

Mayor Pro Tem Linens made a motion that Ms. Denise Baker be appointed to fulfill the vacancy on the Historic Resources Commission, seconded by Council Member McClure. All voted in favor of the motion.

Business Beautification Grant:

a. Approve Resolution

Assistant City Manager Aaron Holland advised that at the October 4, 2016 City Council meeting, the Council and Staff discussed the potential of creating and offering a grant opportunity for nonresidential properties within the city. It was the general consensus of the Council to move forward with a resolution and formal application to be considered at tonight's meeting for the establishment of the Business Beautification Grant Program.

He added that the program intends to offer financial assistance in the form of a grant to nonresidential property owners and is to be used to help offset the cost of improving the street-side appearance of existing buildings and site features in accordance with current regulations.

Projects are funded up to a 50% match with the maximum City contribution being \$5,000. Site work eligible for funding includes, but is not limited to: installation of public or handicap accessible sidewalks, signage and landscaping. Funding may also be used toward the removal of non-conforming or illegal site elements such as signage. The Council requested that the grant program be modeled similar to the existing Façade Grant Program with the Graham Appearance Commission administering the program.

Council Members and Staff discussed that upon approval, this program would become effective November 1, 2016. Council requested that the grant program be modeled similar to the existing Façade Grant Program with the Graham Appearance Commission administering the program. Council Members directed Staff to advise the Appearance Commission that they would like to see a deadline given for applications to ensure that all projects are considered at the same time and funds distributed accordingly.

Ms. Jan Searls, 526 E. Pine Street Graham and Co-Chairman of the Appearance Commission, stepped forward and voiced approval for this program.

Ms. Grace Baldwin, 900 East Hanover Road Graham and member of the Appearance Commission, stepped forward to encourage the Council to address the appearance of the Graham Historical Museum.

Council Member McClure made a motion to approve the Resolution establishing the City of Graham Business Beautification Grant Program, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

RESOLUTION ESTABLISHING THE BUSINESS BEAUTIFICATION GRANT PROGRAM

WHEREAS, the Graham City Council strongly supports the beautification and enhancement of the of the City and has determined that it is in the best interest of the residents to establish a Business Beautification Grant Program; and

WHEREAS, the Business Beautification Grant is a matching grant program designed to encourage private investment through the renovation and rehabilitation of existing properties within the corporate limits of Graham.

NOW, THEREFORE, BE IT RESOLVED by the Graham City Council that a Business Beautification Grant Program is hereby authorized and established, and shall include the following criteria at a minimum:

1. Eligible properties must be nonresidential and within the corporate limits;
2. Current or proposed uses of the property must conform to applicable zoning regulations and non-conforming uses are not eligible;
3. Applicant shall not have any outstanding debt to the city and must be in good standing with all city departments;
4. Eligible projects must improve the street-side appearance of existing buildings and site features which include but are not limited to: installation of public or handicap accessible sidewalks, signage, and landscaping. Funding may also be used toward the removal of non-conforming or illegal site elements such as signage;
5. Grants are limited to 50% of the project cost with the maximum City contribution being \$5,000.

BE IT FURTHER RESOLVED that the City of Graham Appearance Commission is charged with administering the Business Beautification Program.

Adopted this 1st day of November 2016.

b. Approve Budget Amendment

City Manager Frankie Maness requested that \$15,000 be allocated towards the Business Beautification Grant Program for this Fiscal Year and in order to effectuate that, he is proposing a Budget Amendment that would appropriate \$15,000 from the General Fund Balance to the Business Beautification Program.

Council Member Turner made a motion to approve the 2016-2017 Budget Ordinance Amendment to provide \$15,000 in funding for the City of Graham Business Beautification Program, seconded by Mayor Pro Tem Linens. All voted in favor of the motion.

BE IT ORDAINED BY THE CITY COUNCIL of the City of Graham that the 2016 - 2017 Budget Ordinance shall be and is hereby amended as follows:

Section 1: General Fund Expenditures			
	APPROVED	AMENDED	DIFFERENCE
10-6600-5750 Business Beautification Grant	0	15,000	15,000
Section 2: General Fund Revenues			
10-3900-0000 Fund Balance	892,000	907,000	15,000

This the 1st day of November, 2016.

The Park on Jim Minor Road:

a. Approve Recommended Name of New Park

Recreation and Parks Director Melody Wiggins advised that the Recreation and Parks Commission was tasked with coming up with a name for the new park on Jim Minor Road. She stated that while several names were considered, by consensus, the Commission is recommending the new park be known as the Graham Regional Park.

Council Members and Staff discussed the ability to change the name of this park in the future, should Council choose to do so. Ms. Wiggins advised that the proposed signage for the park entrance will be of such that will allow for renovations that will not have much of a fiscal impact on the City. She added that in order to open the park and satisfy grant requirements at this time and for future grant applications, the park needs a name now. Ms. Wiggins stated that should Council wish to change the name at some point in the future, there would be no adverse effect on the grant application process. Council Members commended Ms. Wiggins on all of her hard work in bringing this park to fruition.

Council Member Turner made a motion to name the new park on Jim Minor Road, temporarily, the "Graham Regional Park", seconded by Council Member Kimrey. All voted in favor of the motion.

Connect NC Grant:

a. Authorization to Make Application for Grant Funds

Ms. Wiggins explained that she is requesting Council's permission for Staff to apply for a grant through the Connect NC Bond Grant Program. She added that this is a one-time grant that requires at least a 20% match by the City and has a maximum award of \$500,000.00.

Council Members and Staff discussed the timeline for this grant as well as parking and amenities should the City be awarded grant monies.

Council Member McClure made a motion to authorize the Recreation and Parks Department Staff to apply for the Connect NC Bond Grant for an inclusive playground, seconded by Council Member Kimrey. All voted in favor of the motion.

Issues Not on Tonight's Agenda:

Mayor Peterman asked Ms. Wiggins and Recreation and Park Program Supervisor Brian Faucette to convey his gratitude to their Staff for the fantastic job they did with the First Annual Halloween Bash.

Ms. Baldwin passed out literature from the Montford Point Marines and asked Council to consider expanding the Graham Historical Museum to include information and items pertaining to this period of time in our history. She suggested that the City open a gift shop at the Museum. She also gave a brief history of the Freeland Cemetery located at 802 Sycamore Road.

Council Member Kimrey advised that at the last TAC meeting, he presented the Resolution Withdrawing Support for the Proposed Southern Loop that Council approved at last month's meeting. He stated he inquired as to what the next course of action would be and that DOT representatives indicated that because of the importance of having a bypass route, they would determine a location for other possible routes. Council Member Kimrey expressed the Council's desire that the route be outside of the City's jurisdiction.

Mr. Page reiterated Mayor Peterman's comment about the Halloween Bash and said that was the most people he has seen in downtown Graham at one time.

City Attorney Keith Whited updated Council on the progress of the Cooper Estates Assessment Foreclosure proceedings.

Mayor Pro Tem Linens asked Mr. Maness about the status of the Welcome to Graham sign proposed earlier this year. Mr. Maness explained that we appropriated funds in last year's budget for an entrance sign on Highway 54, but when the project was halted, funds were not appropriated this year. Mayor Pro Tem Linens stated that he feels we need some sort of signage and Staff was asked to look into alternative sign options.

Council Member McClure agreed with Mayor Pro Tem Linens that the City needs signs and he thanked Alamance Arts for having the Chihuly exhibit on display for the past four months. He stated that over 27,000 people from 27 countries and all 50 states visit the exhibit.

Council Member Kimrey asked Mr. Maness for an update on the new animal shelter costs. Mr. Maness said he hopes to revisit this before the next budget cycle. Mr. Maness said he has received calls from several of his colleagues, and citizens alike that have concerns about what they are paying now that there is a greater understanding of cost sharing. Council Member Kimrey stated that there is still discussion out in the communities about how unfair the cost of maintaining the facility is to the cities.

At 8:15 p.m. Mayor Pro Tem Linens made a motion to adjourn, seconded by Council Member Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk

**CITY OF GRAHAM
RELEASE ACCOUNTS**

DECEMBER COUNCIL MEETING

<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
578264	2016	ORDONEZ, DORIS A	SOLD MOBILE HOME	4.55

TOTAL RELEASES **4.55**

**CITY OF GRAHAM
REFUNDS**

DECEMBER COUNCIL MEETING

<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR REFUND</u>	<u>AMOUNT REFUNDED</u>
3851	2016	CHILDRESS, CONSTANCE R	QUALIFIED FOR HOMESTEAD EXEMPTION	243.61
238420	2016	STOKES, WILLIAM THOMAS IV	BOAT LISTED IN HORRY COUNTY	45.41
238420	2016	STOKES, WILLIAM THOMAS IV	BOAT MOTOR IN HORRY COUNTY	10.37
238420	2015	STOKES, WILLIAM THOMAS IV	BOAT LISTED IN HORRY COUNTY	53.90
238420	2015	STOKES, WILLIAM THOMAS IV	BOAT MOTOR IN HORRY COUNTY	11.41

TOTAL REFUNDS ***364.70***

Frankie Maness

From: Craver, Tim <Tim.Craver@duke-energy.com>
Sent: Tuesday, November 29, 2016 10:53 AM
To: Frankie Maness
Cc: Wood, Jeff
Subject: Recreation Complex at Jim Minor Road
Attachments: COG easement.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Please find attached the easement document which will authorize Duke Energy Carolinas to install facilities for the above-referenced project.

State Statutes govern certain standards that must be met in order to record legal documents at the Register of Deeds office. Please use the guidelines below when signing and notarizing the easement document. This will expedite the handling process and ensure it meets the standard recording requirements for counties in North Carolina.

- Easement must be signed by an authorized member of the City.
- Easement must be signed and sealed before a notary.
- Names should be signed on the signature lines and listed in the notary section **exactly** as they appear.
- Name(s) should be legible and signed in blue or black ink.
- Notary stamp must be legible and stamped over the “notary seal” area on the easement.
- Signatures, notary stamps, etc. which extend into the top margin or the 1/2” margins on each side of the document will be rejected by the Register of Deeds offices. Please ensure margins are kept clear of all writing or stamps.

Please do not alter the easement document. Any changes, additions, or deletions to the language will render the easement null and void. You may email me a copy of the signed agreement, but I must receive the original in order to record it. **Please return the executed original document to my attention at the address below.**

If you have any questions, feel free to contact the engineer, **Jeff Wood at 336-214-4587**, or me at the numbers listed below. Thank you in advance for your cooperation.

Tim Craver

Research Support Specialist
Distribution Right of Way | Land Services
2500 Fairfax Road | Greensboro, NC 27407
336-854-4735 Office | 336-202-5370 Cell | 336-632-3868 Fax | timothy.craver@duke-energy.com

EASEMENT

NORTH CAROLINA
ALAMANCE COUNTY

Prepared By: T Craver
Return To: Duke Energy Carolinas
2500 Fairfax Rd
Greensboro, NC 27407

THIS EASEMENT ("Easement") is made this _____ day of _____, 20_____
("Effective Date"), from CITY OF GRAHAM, a municipal corporation, ("GRANTOR," whether one or more), to Duke Energy Carolinas, LLC, a North Carolina limited liability company ("DEC"); its successors, licensees, and assigns.

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto DEC, its successors, lessees, licensees, transferees, permittees, apportionees, and assigns, the perpetual right, privilege, and easement to go in and upon the land of GRANTOR situated in Melville Township, described as follows: Parcel 152452, being the property described in a deed from Atlas NC I SPE, LLC to the City of Graham, dated October 26, 2010 and recorded in Deed Book 2957, Page 92, Alamance County Registry, (the "Property"), LESS AND EXCEPT any prior out-conveyances, and to construct, reconstruct, operate, patrol, maintain, inspect, repair, replace, relocate, add to, modify and remove electric and/or communication facilities thereon including but not limited to, supporting structures such as poles, cables, wires, guy wires, anchors, underground conduits, enclosures/transformers, vaults and manholes, and other appurtenant apparatus and equipment (the "Facilities") within an easement area being thirty (30) feet wide for the overhead portion of said facilities and twenty (20) feet wide for the underground portion of said facilities together with an area ten (10) feet wide on all sides of the foundation of any DEC enclosure/transformer, vault or manhole (the "Easement Area"), for the purpose of transmitting and distributing electrical energy and for communication purposes of DEC and Incumbent Local Exchange Carriers. The centerline of the Facilities shall be the center line of the Easement Area.

The right, privilege and easement shall include the following rights granted to DEC: (a) ingress and egress over the Easement Area and over adjoining portions of the Property (using lanes, driveways and paved areas where practical as determined by DEC); (b) to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening or improvement; (c) to trim and keep clear from the Easement Area, now or at any time in the future, trees, limbs, undergrowth, structures or other obstructions, and to trim or clear dead, diseased, weak or leaning trees or limbs outside of the Easement Area which, in the opinion of DEC, might interfere with or fall upon the Facilities; (d) to install guy wires and anchors extending beyond the limits of the Easement Area; and (e) all other rights and privileges reasonably necessary or convenient for DEC's safe, reliable and efficient installation, operation, and maintenance of the Facilities and for the enjoyment and use of the Easement Area for the purposes described herein.

TO HAVE AND TO HOLD said rights, privilege, and easement unto DEC, its successors, licensees, and assigns, forever, and GRANTOR, for itself, its heirs, executors, administrators, successors, and assigns, covenants to and with DEC that GRANTOR is the lawful owner of the Property and the Easement Area in fee and has the right to convey said rights and Easement.

IN WITNESS WHEREOF, this EASEMENT has been executed by GRANTOR and is effective as of the Effective Date herein.

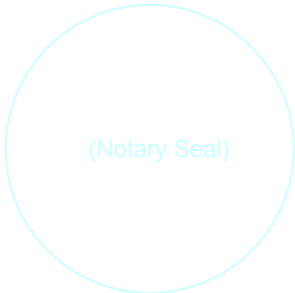
CITY of GRAHAM

By: _____
Frankie Maness, City Manager

NORTH CAROLINA, _____ COUNTY

I, _____, a Notary Public of _____ County, North Carolina, certify that Frankie Maness personally appeared before me this day and acknowledged that he is the City Manger of the City of Graham, and that by authority duly given and as the act of said City, the foregoing EASEMENT was signed.

Witness my hand and notarial seal, this _____ day of _____, 20____.



Notary Public

My commission expires: _____

My commission expires: _____



STAFF REPORT

SUBJECT:	ANNEXATION OF PROPERTY ON JIMMIE KERR ROAD
PREPARED BY:	NATHAN PAGE, PLANNING DIRECTOR

REQUESTED ACTION:

Approve the following (separately):

1. Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31 for property on Jimmie Kerr Rd.
2. Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for property on Jimmie Kerr Road.

BACKGROUND/SUMMARY:

The attached petition seeks the Council’s approval for an extension of the corporate limits to include the subject property. The area being considered for annexation is the remainder of parcel 8894329932, as well as all of 8894314590, located at 1247 Jimmie Kerr Road (29.74 acres).



The annexation process has multiple steps. The preliminary steps following receipt of a petition are to adopt two resolutions that are outlined in the “Requested Action” above. Approval of these resolutions does not finalize the annexation as Council is required to advertise and conduct a public hearing, followed by a vote on an annexation ordinance.

FISCAL IMPACT:

Alamance Community College will cover the expense of extending the water and sewer lines to serve this location. The city will likely receive little revenue pursuant to this annexation, as this property will be owned by a tax exempt entity and will be used for tax exempt purposes. However, the benefit of having continuity of service across the campus is such that the additional demands may be offset by the increase in public safety.

STAFF RECOMMENDATION:

Approval. The adoption of the requested resolutions simply moves forward the annexation process.

SUGGESTED MOTION(S):

1. I move we approve the Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31 for the property on Jimmie Kerr Road.

2. I move we approve the Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for the property on Jimmie Kerr Road.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31
FOR PROPERTY ON JIMMIE KERR ROAD

WHEREAS, a petition requesting annexation of an area described in said petition was received on November 21, 2016, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Graham deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Graham:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

Gerald R. Peterman, Mayor

ATTEST:

Darcy L. Sperry, City Clerk

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31
FOR PROPERTY ON JIMMIE KERR ROAD

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Graham, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the City Hall, 201 S. Main Street, Graham, NC at 7:00pm on January 3, 2017.

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

Lying and being in the County of Alamance and being currently known as a portion PID 152801 and all of PID 152800 and being the same parcels as conveyed to Alamance Community college by Deed Book 549 Page 313, Deed Book 709 Page 712 and Deed Book 849 Page 125 and being more particularly described as follows to wit:

Commencing at NCGS Monument "HESS" bearing NC Grid coordinates of N:844,225.05 and E:1,895,704.03 and running thence S 36°02'03"W 2631.85' to a found ½" iron pipe with said iron pipe being the Point Of Beginning and being located in the southern line of the property of Alamance Community College recorded in Deed Book 512 Page 132 and the current line of the City of Graham as represented on the Alamance County GIS system, and bearing NC Grid Coordinates of N:842,096.86 and E:1,894,155.87, said iron also marking the western edge of a 60' Right of Way of Jimmie Kerr Road; thence leaving said Point of Beginning S68°46'57"E 30.05' to a point in the center of Jimmie Kerr Road (S.R.1928); thence along the center of Jimmie Kerr Road on a curve to the left having a chord bearing and distance of S06°08'32"W 298.00' and a radius of 739.71' to a point, said point also marking the northeast corner of the property of Alamance Community College recorded in Deed Book 709 Page 712 and Map Book 42 Page 188; thence continuing along the center of Jimmie Kerr Road on a curve to the left having a chord bearing and distance of S09°35'48"E 105.19' and a radius of 733.84' to a point; thence S13°42'01"E 97.82' to a point; thence leaving said center of road N76°01'21"W 33.62' to a found ½" pinch iron pipe located in the western edge of the 60' right of way of Jimmie Kerr Road, thence continuing along the western right of way edge of said road S13°47'02"E 76.16' to a point, thence along a curve to the right having a chord bearing and distance of S04°43'03"W 203.22' and a radius of 649.14' to a point, thence along a curve to the right having a chord bearing and distance of S12°11'05"W 193.67' and a radius of 705.41' to a found ½" iron pipe marking the southeast corner of the property of Alamance Community College recorded in Deed Book 849 Page 125 and Map Book 49 Page 15 and bearing NC Grid coordinates of N:841,133.31 and E:1,894,154.06; thence leaving the western edge of said right of way and running along a common line with the property of David K. Naylor 2014 Trust described in Deed Book 3369 Page 927 N78°45'04"W the following 5 distances, 252.47' to a found ½" iron pipe, thence 159.55' to a found ½" pinch iron pipe, thence 285.24' to a found ½" pinch iron pipe, thence 749.69' to a found ½" pinch iron pipe bearing NC Grid coordinates of N:841,415.54 and E:1,892,734.99 and continuing 30.00' to a point located at the top of bank of the

Haw River, the south west corner of the property described in Deed Book 849 Page 125 and Map Book 49 page 15, thence with the top of bank of the Haw River the following 7 calls; N25°32'35"E 123.27' to a point, thence N27°42'05"E 349.16' to a point, thence N24°46'11"E 64.97' to a point, thence N24°55'54"E 186.30' to a point, thence N24°55'49"E 49.96' to a point, thence N25°15'09"E 343.05' to a point, thence N18°18'54"E 42.01 to a point being the north west corner of the property described in Deed Book 549 Page 313, thence leaving the bank of the Haw River and running with the northern line of Deed Book 549 Page 313 and the current line of the Corporate Limits of the City of Graham as currently represented in the Alamance County GIS system S68°46'57"E the following 3 distances; 29.82' to a found ½" iron pipe bearing NC Grid coordinates of N:842,454.31 and E:1,893,235.18, thence 785.46' to a found ¾" pinch top pipe, thence 202.23' to a found ½" iron pipe and being the Point and Place of Beginning and containing 29.74 Acres+/- as shown on a plat prepared by John P. Scoville III, PLS L-3343 of ESP Associates, P.A., dated September 2nd, 2016 and bearing ESP Project Number ET07.800.

Section 3. Notice of the public hearing shall be published once in The Alamance News, a newspaper having general circulation in the City of Graham, at least ten (10) days prior to the date of the public hearing.

Gerald R. Peterman, Mayor

ATTEST:

Darcy L. Sperry, City Clerk



Petition for ANNEXATION

P.O. Drawer 357
 201 South Main Street
 Graham, NC 27253
 (336) 570-6705
 Fax (336) 570-6703
 www.cityofgraham.com

To the City Council of the City of Graham, NC:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed into the City of Graham.

If applicable as "income-based": We believe that this petition meets the requirements of G.S. 160A-31(b1).

If applicable as "distressed": We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is contiguous non-contiguous to the City of Graham and the boundaries of such territory are as follows:

General description of area to be annexed

See attached 29.74 acres

Attach the following:

Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

Metes and Bounds Description – 1 paper and 1 digital copy

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate yes below and attach proof.)

Name	Address	Vested rights?	Signature
Alamance Community College	12411 Jimmie Kerr Rd. Graham, NC 27253		Cindy Day Collier 11/21/16
			VP/CFO Administrative &
			Fiscal Services

attach additional sheets if necessary...



STAFF REPORT

SUBJECT:	"WELCOME TO GRAHAM" SIGN
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Review potential of "Welcome to Graham" sign.

BACKGROUND/SUMMARY:

At the April 5th, 2016 City Council meeting, City staff presented information to the City Council in hopes to receive feedback for a proposed "Welcome to Graham" sign. City staff inherited the task of planning and constructing the sign from the City of Graham Appearance Commission after several years of attempts to construct the sign. Following discussion of the exemption staff intended to use from the Development Ordinance, Council directed staff to postpone moving forward with the construction of the sign until review of the current ordinance had been completed. Staff inquired with consultants about revisiting the sign ordinance and it was recommended to refrain from amending a sign ordinance until legal uncertainties are resolved.



The City Council approved \$20,000 in the FY 2015-16 budget to be utilized for the proposed sign. The proposed sign measured approximately 14 ft. wide by 8 ft. in height, with the text being approximately 2 ft. tall and with easily changeable inserts.

It had been determined by staff that the ideal location would be on the corner of HWY-54 and Cooper Road (across from Riverside Baptist Church) which is city-owned. In order to move the sign to another location, the City would need to purchase property for placement of the proposed sign.

FISCAL IMPACT:

No funds were appropriated for the proposed sign in the current FY 2016-17 budget.

STAFF RECOMMENDATION:

N/A

SUGGESTED MOTION(S):

N/A