



The Town Of Clayton
Regular Town Council Meeting Minutes
Monday, December 5, 2016 @ 6:30 PM
Council Chambers

COUNCIL PRESENT:

Mayor McLeod
Mayor Pro Tem Grannis
Council Member Satterfield
Council Member Lawter
Council Member Holder
Council Member Thompson

STAFF PRESENT:

Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
R.W. Bridges, Police Chief
David DeYoung, Planning Director
Jay McLeod, Senior Planner
Stacy Beard, Public Information Officer
John Hamlin, Assistant Public Information Officer

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order at 6:33 p.m. He led everyone in the Pledge of Allegiance as well as offering the Invocation.

2 ADJUSTMENT OF THE AGENDA

- a) Request made to remove the item regarding Volunteer Board Appointments from the Consent Agenda. Item was placed under Old Business for further discussion. Also added was request from One Compassion for temporary road closure under Special Presentations and added under New Business item for appointment to the Western Johnston Regional Water & Sewer Authority was added.

3 CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Council may request to have an item removed from the consent agenda for further discussion.)

- a) Draft Minutes
November 21, 2016 - Regular Meeting
- b) Warranty Acceptances
- Public water, sewer & all pertinent easements - Lionsgate 7A & Ravens Ridge 8A
 - Final Lift Asphalt - Lionsgate 4A
 - Final Acceptance - Financial Drive
- c) Code of Ordinance Update - Chapter 99 - Parks & Greenways
- d) Downtown Development Association By-Laws Amendments

ACTION: Approval of Consent Agenda as Presented

Motion: Council Member Holder
Second: Council Member Thompson
Vote: Unanimous

4 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) Introduction of Clayton Chamber of Commerce Executive Director
Presenters: Ruth Anderson, Board of Directors - Clayton Chamber of Commerce & Dana Wooten, Executive Director - Clayton Chamber of Commerce

Ms. Anderson was present and introduced Dana Wooten, who is the new Executive Director of the Clayton Chamber of Commerce. Ms. Wooten stated she was excited about being part of the Chamber. She spoke about the upcoming work on the strategic plan and looked forward to a great year. She invited everyone to attend a reception to be held at the Morning Glory Inn on December 13 and share ideas for future vision for the Chamber. Council welcomed Ms. Wooten.

- b) Recognition of Eagle Scout Improvement Project at Legend Park
Presenter: Stacy Beard, Public Information Officer

Ms. Beard introduced Dylan Swain who is an Eagle Scout with Troop 124. As his Eagle Scout project he led the renovation of the dugout at Legend Park. A total of 149 volunteer hours were spent on this project which included 14 volunteers including Dylan's younger brother, scout leaders and others. The work was completed over two weekend. Dylan stated he was honored to be able to complete this project and give back to his community. Mayor McLeod presented Dylan with a certificate of appreciation and the council all offered their sincere thanks for his dedication and commitment to the community.

- c) One Compassion - One Table Community Meal
Presenter: Reid Smith

Mr. Smith was present and requested a temporary road closure of First Street, from Fayetteville to O'Neil Streets, on December 21, 2016 from 12:00 noon until 9:00 p.m. He stated they would like to hold a community event offering meals to those in need. He stated it would be similar to the Thanksgiving event that was recently held and stated that over 700 meals were served at that time. He also stated he would like to see this type of event held on a more consistent basis.

Mr. DeYoung also requested that future temporary road closures at this location be approved at the Planning Department level through the temporary use permit and special event process.

ACTION: Approval of closure of First Street as requested above as well as allowing staff approval of this type of temporary closure

Motion: Mayor Pro Tem Grannis
Second: Council Member Holder
Vote: Unanimous

5 PUBLIC HEARINGS

- a) **Annexation - #2016-255-ANX - Umstead Property**
Presenter: David DeYoung, Planning Director

Mr. DeYoung stated request is for a voluntary contiguous annexation of 18.59 acres known as the Umstead Property which is located between Coxwoods and Wynston Subdivision. This annexation was required as a part of the approval as they are accepting town services.

With there being no further comments, this item was turned over to council for deliberation.

ACTION: Adoption of Ordinance #2016-12-02

Motion: Mayor Pro Tem Grannis
Second: Council Member Holder
Vote: Unanimous

- b) **Special Use Permit #2016-188-SUP - Johnston Charter Academy**
Presenter: Jay McLeod, Senior Planner

Attorney Ross provided details regarding the difference of a quasi-judicial proceeding to include the type of testimony that can be considered during a quasi-judicial hearing. Following, the Town Clerk affirmed those wishing to offer testimony.

Mr. McLeod provided information regarding the request for a Special Use Permit with regard to a K-8 Charter School. This school will be on 7.5 acres of land and is adjacent to Walmart at Financial Drive. Total parcel acreage is 67.56. This property is currently vacant and zoned Residential-10 and any school wishing to locate within such a zoning district requires a Special Use Permit. It is anticipated that the school will open in August of 2017 and when fully operational will serve approximately 772 students. Upon initial opening, only grades K-6 will be filled. There will be a total of 153 parking spaces as well as one mile for queing, which is necessary as charter schools do not offer buses, and the que area is necessary for car pool/student drop off. A traffic impact analysis was completed and it will be required to extend Financial Drive from Towne Centre Blvd to the proposed school driveway. In order to mitigate traffic impacts, caused by the school traffic, a northbound left turn lane along the new road extension will be required. Also the westbound left turn lane along US 70 at Financial Drive will need to be extended 500' in length. Also necessary will be the re-striping of Financial Drive southbound to Town Centre Blvd as well as requiring a through lane and a right turn lane. A stop sign must also be installed on the eastbound Town Centre Blvd approach to Financial Drive.

This request is consistent with Comprehensive Plan and the applicant has addressed all Findings of Fact. The Planning Board and Staff recommend approval with conditions as listed in staff report.

Mayor Pro Tem Grannis questioned if there were any other comments from NCDOT and the applicant stated the above mentioned recommendations came from NCDOT.

Mr. Bob Dunston, who is with National Heritage Academies was present and provided a brief background of National Heritage Academies. He stated currently they have 83 schools across the country to include a total of 10 schools in North Carolina. There was discussion regarding the original scheme of the back elevation of school without brick as well as an additional perspective scheme that included brick. Council offered their thanks and appreciation for the elevation that included additional brick which enhanced the overall look and balanced the exterior appearance of the building. Applicant requested a waiver with regard to sidewalks along both sides of all proposed public roads. There was discussion regarding student safety. Staff was in favor of request and suggest that sidewalks be provided along the west side of the new section of Financial Drive and the south side of the new section of Scholar Drive. Council was in agreement and all other sidewalks along the public right of way would be waived. There was a question regarding Dogwood Forest and traffic issues/concerns. Applicant stated there would be an impact, however, that specific subdivision was not studied.

With no one further coming forward to speak, this item was turned over to council at 7:33 p.m. for their deliberation.

ACTION: Approval of #2016-188-SUP with modification to condition #9 regarding sidewalks

Motion: Council Member Thompson
Second: Council Member Holder
Vote: Unanimous

- c) #2016-217-OA Article 700 Admin Process Code Revision
Presenter: David DeYoung, Planning Director

Mr. DeYoung provided an overview of proposed amendments to the text of the Unified Development Code, Title XV §155 relating to administrative processes having to do with Technical Review Committee, Planning Board and Board of Adjustment. Sections proposed for amendments include Section 700 - Review Bodies, Section 701 - Summary of Review Authority and Section 702 - Common Review Procedures.

There was brief discussion to include definition of tree clearing certificate. Mr. DeYoung stated this item related to those without a forestry management plan. With there being nothing further, the item was turned over to council for deliberation.

ACTION: Adoption of Ordinance #2016-12-03

Motion: Council Member Lawter
Second: Council Member Holder
Vote: Unanimous

6 OLD BUSINESS

- a) Golf Cart Usage Information Update
Presenter: R.W. Bridges, Police Chief

Chief Bridges provided an update regarding golf cart usage in other municipalities around the State. Chief Bridges also provided information regarding the North Carolina law which defines a golf cart as a vehicle not capable of exceeding 20 mph and is designed and manufactured for operation on a golf course or for recreational purposes. There are "street legal" golf carts which are required to be inspected, registered and fully insured. State law allows municipalities to adopt their own ordinance regulation the operation of golf carts on public streets where the speed limit is 35 mph or less. Chief Bridges stated due to safety reasons the Police Department would not be in support of allowing golf cart usage in Clayton. Council members agreed they would be not be in support of allowing the use of golf carts in Clayton due to safety issues. Further discussion included education of residents in Glen Laurel with regard to legal issues and golf cart usage.

- b) Volunteer Board Appointments
Presenter: Kimberly Moffett, Town Clerk

This item was originally scheduled for the Consent Agenda, however, with the approval of the amendments to the Downtown Development Association By-Laws, some minor changes were necessary to the appointments to that board. When this item was presented at the November 21, 2016 work session, term limits were listed as December 31, 2016. With the amended by-laws, terms that were due to expire at this time will be extended to June 30, 2017. Additionally, the amended by-laws now removes the maximum term limit and thereby allows that Donna Steele be appointed for an additional term on this board. The other change noted was the addition of recommendation for appointment to the Parks & Recreation Advisory Board of Travis Crowder, who was recently interviewed by Mr. Bailey.

ACTION: Approval of Recommended Appointments

Motion: Council Member Thompson
Second: Mayor Pro Tem Grannis
Vote: Unanimous

7 NEW BUSINESS

- a) Appointment to Western Johnston Regional Water Sewer Authority
Presenter: Katherine Ross, Town Attorney

The Western Johnston Regional Water and Sewer Authority recently adopted their by-laws which includes a joint appointment be made by both Town of Clayton members and Johnston County members. Mr. Bobby Parker is the suggested appointee for this position. The Johnston County Board of Commissioners will also include this item on their upcoming agenda.

ACTION: Approval of Appointment of Mr. Bobby Parker

Motion: Mayor Pro Tem Grannis
Second: Council Member Thompson
Vote: Unanimous

8 STAFF REPORTS

- a) Town Manager
- b) Town Attorney
- c) Town Clerk

Advisory Board Appreciation Event - December 6, 2016

- d) Other Staff

9 OTHER BUSINESS

- a) Informal Discussion & Public Comment

Mr. Lipscomb thanked staff for the updated information regarding golf cart usage. He stated he believed that The Walk would purchase a street legal golf cart for use in their community. There was concern raised regarding pan handling at the location of the new charter school. Mayor McLeod shared information regarding protections provided by the state as long as pan handlers remain on the right of the way.

Mayor McLeod advised deadline for nominations for Citizen of the Year has been extended.

- b) Council Comments

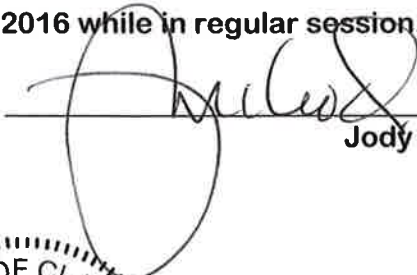
Mayor McLeod thanked Kaitlin Russo for the great job with the Tree Lighting event. All agreed it was a wonderful event for the community.

10 ADJOURNMENT

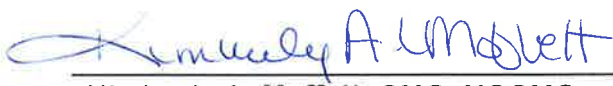
- a) With there being nothing further the meeting was adjourned at 8:04 p.m.

Motion: Council Member Holder
Second: Council Member Thompson
Vote: Unanimous

Duly adopted this the 19th day of December, 2016 while in regular session.


Jody L. McLeod
Mayor

ATTEST:


Kimberly A. Moffett, CMC, NCCMC
Town Clerk

