



Town of Clayton
Town Council Regular Meeting Minutes
Monday, August 19, 2024 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Council Present:

Mayor Jody McLeod
Mayor Pro Tem Michael Sims
Council Member Andria Archer
Council Member Gretchen Williams
Council Member Ruth Anderson*

**Joined Remotely*

Council Absent:

Council Member Porter Casey

Staff Present:

Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Nathanael Shelton, Communication Director
David Ranes, Fire Chief
Conrad Olmedo, Planning Director
Sam Johnson-Phillips, Deputy Town Clerk
Bruce Venable, Planner II

1. CALL TO ORDER

- a. Call to Order

Mayor McLeod called the meeting to order at 6:04 p.m.

- b. Pledge of Allegiance

Mayor McLeod led the Pledge of Allegiance.

- c. Invocation

Mayor McLeod provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

- a. Mr. Cappola provided the adjustment of the agenda to add a closed session to discuss Economic Development in accordance with NC GS 143-318.11 (a)(4).

3. CONSENT AGENDA

- a. Minutes
- August 5, 2024 - Work Session
 - August 5, 2024 - Regular Session
 - August 5, 2024 - Closed Session

Presenter: Heidi Holland, Town Clerk

- b. Authorizing Satisfaction of Lien for Code Compliance
Presenter: Heidi Holland, Town Clerk
- c. Certification of Sufficiency for Item: 2023-202-ANX NCRR Industrial Development
Presenter: Heidi Holland, Town Clerk
- d. Resolution Directing the Clerk to Set a Date for a Public Hearing for Item: 2023-202-ANX NCRR Industrial Development
- e. MOU and Contract for School Resource Officer Program
Presenter: Greg Tart, Police Chief
- f. NCDOT Utility Relocation Agreement for Winston and Guy Road Realignment Project
Presenter: Shannon Poole, Engineering
- g. TOC Project 2020-128-SDM: Final Acceptance of the Public Water and Sewer Utilities for Buckhorn Branch Park, Phases 1 & Pump Station

Approve Consent Agenda as Presented

RESULT:	CARRIED 4-0
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson*
NO:	None
ABSENT:	Porter Casey

4. ADMINISTRATIVE ITEMS

- a. Clayton4U
Presenter: Nathanael Shelton, Communication Director

Mr. Shelton introduced Ms. Lydia Davis to Council as the new Communication and Marketing Specialist. It was communicated to Council that this episode focused on Downtown parking and available options.

Discussed were the five town-owned public parking lots that provide free parking 24/7. These spaces are located at the following locations: Town Hall lot on East Second Street, Town Square's lot on West Main Street, Horne Square's lot on East Main Street and Horne Street lot at the corner of Horne and Barbour Streets. In addition, it was reported there are spots located in the front half of the Clayton Police Department lot. It was stated that there have been three parking lots created through a public private partnership.

It was stated through the Mayor's Downtown Parking Taskforce, there has been an increase in the number of public parking spaces of more than 70%.

The parking spaces display a blue and white parking symbol and have a 12-hour maximum. It was stated the unmarked spots in those lots are not available for public parking. During the episode it was reported that a parking map has been created and added to the Town's website. Provided on the page is information about specific lot addresses and the hours.

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Building and Code Staff Appreciation Day Proclamation
Presenter: Mayor Pro Tem Sims To Present to Staff

Mayor Pro Tem read and presented the proclamation to the staff.

6. PUBLIC HEARINGS

7. QUASI-JUDICIAL HEARING

- a. 2023-124-SUP Creekside Townes Modification
(Continued from the June 3, 2024 meeting)
Presenter: Bruce Venable, Planner II

Mr. Venable stated this has been continued from the June 3, 2024, and that it is a Quasi-Judicial Hearing. It was reported the applicant couldn't attend previously which resulted in the continuation. Mr. Venable directed the Deputy Town Clerk to swear in those providing testimonies.

Mr. Venable communicated to Council that Creekside Townes was formerly known as Barber Mill Townhomes, which was a project that was approved in 2022 by Council. The applicant has requested a modification to their SUP and the approved site plan. The request is to relocate a minor thoroughfare buffer along Barber Mill Road to reduce the number of Townhomes that were permitted from 25 to 20 and for the acceptance of fee-in-lieu for a 5 ft wide bike lane, curb, gutter and sidewalk.

An ariel image was shown highlighting the location of Grovewood and Barber Mill which isn't far from a BP and The Town's Operation Center.

It was reiterated that this project was previously approved, Mr. Venable provided the project numbers. The project was approved for 25 units with a density of 6.21 units.

Mr. Venable stated this is coming before Council because the UDC it was approved under it requires under section 155.711 (J) any substantial deviations must be proposed and amended before the governing body that approved it. The items before Council were the following:

- Substantial change in the location of principal or accessory structures.
- Substantial change in pedestrian or vehicular access or circulation.

- Substantial change in the amount or location of landscape screens.

Mr. Venable stated the reason for this modification is due to Project R-3410 which is NCDOT's road widening project for NC 42 from NC 50 to US 70 Business. Shown was the proposed public meeting map that was provided by NCDOT at the time of their public meeting. Discussed were the road changes. It was reported that the scheduled production for this project is 2029 and it is on the current step project that goes out to 2033. Mr. Venable highlighted the realignment changes on the site. It was stated to do the realignment there would be a need to reduce the number of units and to accommodate the realignment of Barber Mill Road.

It was communicated as part of the screening there would be a required 15 ft wide type thoroughfare buffer that would be present along the front edge of Barber Mill Road. The applicant proposed, as part of the modification, to relocate it to where the future frontage would be. Mr. Venable showed on the map where the new proposed thoroughfare buffer would be located. It was stated that it would be the same width, same quantity of plantings and everything, just a different location.

Mr. Venable presented some considerations for Council. It was communicated to Council they would be making a vote to approve this modification to a special use permit. The original findings of fact were reviewed from the original application.

Highlights were provided on some updates to the conditions of approval. Some of the updates included:

- Updated the associated Site Plan (2024-88-SD) that has been attached to a newly modified site plan.
- In accordance with the associated Site Plan, a northbound left-turn lane shall be constructed on Barber Mill Road.
- In accordance with the associated Site Plan, frontage improvements along Barber Mill Road, consisting of a 5 ft wide bike lane, curb-and-gutter, and sidewalk shall be paid for with a fee-in-lieu per the sign and sealed Engineer's estimate prior to Final Plat approval.
- In accordance with the associated Site Plan, the maximum gross density for the site shall be 4.96 dwelling units per acre.

It was stated the remaining conditions are the same as those that were approved in 2022. Mayor McLeod requested that Mr. Venable review what was being presented for fee-in-lieu. Mr. Venable replied that it would consist of the 5 ft wide bike lane, curb-and-gutter and sidewalk. Mayor McLeod responded to confirm that there would not be a curb-and-gutter, sidewalk or amenity. Mr. Venable responded in the affirmative. It was also communicated that the applicant would pay the fee-in-lieu for that to potentially be added in the future by the town or NCDOT.

Mayor Pro Tem Sims requested that Mr. Venable return to the slide that showed the NCDOT road construction plan. Mayor Pro Tem Sims asked when the project would begin; Mr. Venable replied that construction is projected to begin in 2029.

The applicant, Mr. Rob Bailey from RNR Development updated Council on the modification of the special use permit that was approved in 2022. It was communicated to Council after the approval was received, the construction drawings were submitted. During the discussion about the road widening with NCDOT, there was a request for an early acquisition for the right of way. Mr. Bailey stated it made a large enough change to the original plan which required him to come back before Council. It was communicated to Council that there were several discussions and meetings held with NCDOT and the Town's staff to discuss the fee-in-lieu. Mr. Bailey stated what was concluded by the Town's staff and NCDOT was to include those improvements, and the taxpayer would have to pay to remove them, for the 42 widening construction projects by NCDOT. Discussion continued to state the fee-in-lieu would be the best use of the funds, instead of building it and then it having to be torn out in a few years.

Mayor McLeod inquired if there were any questions or comments; none were provided.

Town Attorney Cauley communicated to Mayor McLeod as a suggestion to incorporate the minutes and findings from the 2022 hearing into this record. Mayor McLeod agreed with Town Attorney Cauley.

Council Member Archer asked Town Attorney Cauley in terms of incorporating the minutes and findings from the 2022 hearing would stating that be sufficient or should it be part of the motion. Town Attorney Cauley responded if Council would indicate that's accepted as part of the record, that would be sufficient. Council Member Archer stated they would accept those minutes and the findings from the 2022 hearing about this application into the record.

Council Member Archer stated the modifications, and the application presented this evening did meet the findings of fact as described in the staff report. Council Member Archer made a motion to approve 2023-124-SUP with the conditions of approval.

Town Attorney Cauley requested that the Clerk indicate for the record that Council Member Anderson did not participate in the discussion or the vote, per the Council's Remote Participation Policy. The Clerk responded in the affirmative.

Approval of 2023-124-SUP

RESULT:	CARRIED 3-0
MOVER:	Andria Archer
SECONDER:	Michael Sims
YES:	Andria Archer, Michael Sims, and Gretchen Williams
NO:	None
ABSENT:	Porter Casey and Ruth Anderson

8. OLD BUSINESS

9. NEW BUSINESS

- a. Fire Department 2024-2029 Strategic Plan
Presenter: David Ranes, Fire Chief

Chief Ranes provided a comprehensive and detailed report on the Fire Department's 2024-2029 Strategic Plan. It was stated the plan would guide the Fire Department's efforts and priorities over the next 5 years. Chief Ranes stated in 2023 before his arrival, North Carolina Fire Chief Consulting was brought in to assist with several key initiatives. The stated objectives to be met was to conduct a comprehensive SWAT analysis within the department. The insights gained from the assessment have been instrumental in shaping the strategic plan, which outlines six goals and 26 objectives. It was stated those goals focused on critical areas such as:

- Capital Planning
- Professional Development
- Community Outreach
- Service Efficiency
- Internal Engagement
- Overall Wellness Of The Employees

Through the internal assessments, staff had the opportunity to contribute their insights and three specific objectives: what the department should continue to do, what the department should stop doing and what should the department start doing. Chief Ranes stated these discussions were crucial in aligning their efforts with their vision of being a dedicated model organization, while serving an ever-changing community through continuous improvement.

Chief Ranes communicated to Council that the Strategic Plan embodies the fire department's core values the five C's:

- Collaboration
- Commitment
- Compassion
- Confidence
- Courage

It was stated this represented the essential first step towards achieving accreditation through the center for Public Safety Excellence. Chief Raney stated as the fire department continues to grow and evolve to meet the needs of the community, they are committed to becoming the fire department of choice in the region.

Chief Raney stated the fire department staff would evaluate their progress quarterly against those objectives through planning meetings to ensure that the living document actively guides their decisions and remains relevant to their evolving needs.

Adoption of Resolution #2024-87

RESULT:	CARRIED 4-0
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson*
NO:	None
ABSENT:	Porter Casey

10. STAFF REPORTS

a. Town Manager

Mr. Cappola provided an advance hard copy of the FY24 report to Council. He expressed appreciation and gratitude to the staff that provided the content in the book. It was stated this would be provided to the public.

It was announced on August 31, 2024, the library would be closed for their Annual Strategic Planning. On Monday, September 2, 2024, in observance of Memorial Day, all facilities would be closed. The next Town Council Meeting would be held Tuesday, September 3, 2024. A work session would be held at 3:00 p.m. earlier that day followed by the regular meeting held at 6:00 p.m.

b. Town Attorney

c. Town Clerk

d. Other Staff

11. OTHER BUSINESS

a. Informal Discussion & Public Comment

b. Council Comments

12. CLOSED SESSION

- a. To Discuss Purchasing of Real Property in Accordance with NC GS 143-318.11 (a)(5) & To Discuss a Legal Matter in Accordance with NC GS 143-318.11(a)(3)

Motion To Go Into Closed Session

RESULT:	CARRIED
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson*
NO:	None
ABSENT:	Porter Casey

Motion To Return To Open Session

RESULT:	CARRIED 4-0
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson*
NO:	None
ABSENT:	Porter Casey

13. ADJOURNMENT

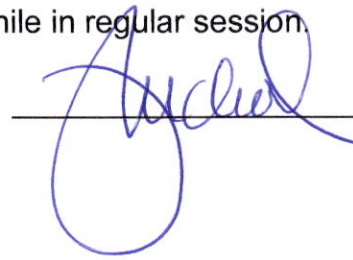
- a. Adjourn

With nothing further, the meeting was adjourned at 7:35 p.m.

Motion To Adjourn

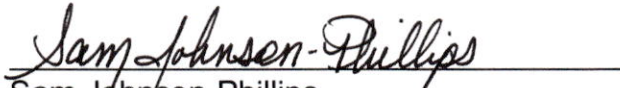
RESULT:	CARRIED
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson
NO:	None
ABSENT:	Porter Casey

Duly adopted this 16th day of September 2024, while in regular session.



Jody L. McLeod
Mayor

ATTEST:


Sam Johnson-Phillips
Deputy Town Clerk