



Town of Clayton
Regular Town Council Meeting Minutes
Monday, April 15, 2024 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Council Present:

Mayor Jody McLeod
Council Member Porter Casey
Council Member Andria Archer
Mayor Pro Tem Michael Sims
Council Member Gretchen Williams

Staff Present:

Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Heidi Holland, Town Clerk
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Robert McKie, Finance Director
Greg Tart, Police Chief
Nathanael Shelton, Communications Officer
David Ranes, Fire Chief
Conrad Olmedo, Planning Director
Sam Johnson-Phillips, Deputy Town Clerk
Patrick Pierce, Economic Development Director
Bruce Venable, Planner
Lydia Davis, Economic Development Specialist

Council Absent:

Council Member Ruth Anderson

1. CALL TO ORDER

a. Call to Order

Mayor McLeod called the meeting to order at 6:02 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. Approve or Adjust the Agenda

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

3. CONSENT AGENDA

- a. Minutes
 - April 1, 2024 - Regular Session
 - April 1, 2024 - Closed Session

Presenter: Heidi Holland, Town Clerk
- b. HEML Circulation Policy Amendment
Presenter: Joy Garretson, Library Director
- c. Resolution To Accept Public Utilities into The Town of Clayton Public Utility System for Maintenance – Creekside Commons Phase 6
- d. NCRR Third Supplemental Document to License Agreement
Presenter: Joshua Baird, PE - Engineering Director
- e. Weyerhaeuser Land Acquisition
Presenter: Robert McKie, Jr. - Finance Director

Adoption of Consent Agenda as Presented

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

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Celebrating 50 years of Production at the Grifols site
Presenter: Mayor Jody McLeod
- b. National Lineman Appreciation Day Proclamation
Presenter: Council Member Archer to Present to the Electric Department

Council Member Archer read the proclamation and presented to the Electric Department.
- c. Administrative Professionals' Day Proclamation
Presenter: Council Member Williams to Present to Admin Staff

Council Member Williams read the proclamation and presented to members of the administrative staff.
- d. International Firefighters' Day Proclamation
Presenter: Mayor Pro Tem Sims to Present to the Fire Department

Mayor Pro Tem Sims read the proclamation and presented to members of the Fire Department.
- e. Earth Day Proclamation
Presenter: Council Member Casey to Read the Proclamation

Council Member Casey read the proclamation.

- f. Triangle Adventures Proclamation
Presenter: Council Member Anderson to Read the Proclamation

Mayor McLeod read the proclamation and presented to Triangle Adventures.

- g. Professional Municipal Clerks Week Proclamation
Presenter: Mayor McLeod to Present to the Clerk's Office

Mayor McLeod read the proclamation and presented to the Clerk's Office.

- h. Celebrating 50 Years of Production at the Grifols Site
Presenter: Mayor McLeod to Present to Grifols

Mayor McLeod read the proclamation and presented to staff of Grifols.

6. PUBLIC HEARINGS

- a. Unified Development Ordinance Text Amendment (UDOTA 1-24)
Presenter: Chad Meadows Codewright Planners (Consultant)

Mr. Olmedo stated this item is the first round of text amendments. These amendments were presented at the March 25, 2024, Planning Board. There has been a lot of discussion with staff and Chad Meadows with CodeWright as well as subsequent discussion based on Council's work session comments. Chad Meadows with CodeWright was present. Shared was a presentation and a quick overview. He stated adjustments have been made since planning board's recommended approval where they unanimously recommended approval.

Shared was a quick summary of all adjustments which are organized into 7 groups.

- Administrative/non-substantive
- Procedures
- Districts
- Uses
- Development Standards
- Enforcement
- Definitions

He shared the two additional minor changes that have arisen since the Planning Board's recommendation. The first change deals with high schools. Most local governments in the country follow the Religious Land Use and Institutionalized Persons Act RLUIPA which requires local governments to treat schools the same as it would treat fraternal organizations and churches. To bring all educational religious facility and fraternal provisions into alignment, it was suggested that the requirements be changed for high schools and bring into alignment with elementary and middle schools for the four residential districts, conventional residential, conventional non-residential, special and conditional.

The second revision would be for the rules of parking heavy trucks and vehicles in residential neighborhoods. Further discussion is expected on this. For now, this adjustment is necessary to enable the Town's administrative and enforcement personnel to enforce the provisions. Suggested is a conversion from 10,000 lb. gross

vehicle weight rating to 26,000 lb. gross vehicle weight rating measurement. The gross vehicle weight approach would require the vehicle to be weighed.

Next steps would be for public comment tonight, Council to possibly vote tonight and to post the updated UDO when approved.

Mayor McLeod stated this has been noted as a public hearing and asked if anyone wished to speak.

Chris Riling stated he has had discussion with the Town's zoning department on heavy use for trucks. He stated he lives in the ETJ and has an acre of land and for someone to say he can't park a vehicle that is his livelihood, he does not approve of this amendment. He asked Council to reconsider this amendment.

Lisa Mills asked Council to consider other situations, she does not agree with keeping someone from earning their livelihood. She asked Council to keep that in mind when making this decision.

Andrew Clagess stated he thinks the truck Mr. Riling has on his property is well presented and he keeps his property neat. He understands he uses this to work but another neighbor in the neighborhood uses their property to store dump trucks. He asked Council to consider differentiating between what Mr. Riling is doing versus someone who operates a dump truck business in the neighborhood.

The public hearing was closed and turned over to Council for their deliberation.

Council Member Archer stated conversation was anticipated and amendments would be something that would happen consistently. She stated she appreciates everyone that spoke this evening. She stated Council would be further considering this issue for a resolution.

Adoption of Ordinance

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

- b. Downtown Clayton Social District
Presenter: Lydia Davis, Economic Development Specialist

Patrick Pierce stated Lydia Davis and Amy Shearin have done a lot of work on this. Ms. Davis provided background on the social district. She stated Town Council asked Downtown Development Advisory Board and staff to explore what a Social District would look like in the Town. A task force was formed, shared were the members of this taskforce.

Outreach efforts to date include surveys, monthly taskforce meetings, word of mouth conversations, webinars, and in-person Q&A. On December 11, 2023, DDA made a motion to recommend this social district.

Legislation HB 890 allows this with clarifying legislation in HB 211. A social district must be adopted by a Town ordinance but can easily be dissolved at any time by a motion of the Council. More information on the house bills was shared.

It is the sole decision of a business located within the geographic area of the social district whether to participate in the activities of the social district. 51 communities, and counting, have taken advantage of a social district and not one has reversed their decisions. Statewide there has been positive feedback and there has not been any uptick in disturbances.

Following an adoption of the ordinance, there would need to be a filing with the ABC Commission where they must approve the boundary map, days and hours, signage, copy of the ordinance and they also require a social district logo and a website created that houses all information. More information on the uniform decals and signage were shared.

Recommended times and dates are Monday-Saturday 10:00 a.m. – 10:00 p.m. and Sunday Noon-10:00 p.m. The district would be throughout the downtown core from Ellington to Smith Street on Main Street and designated areas along First and Second Streets.

Shared was the Social District logo, signage, door decals, and stickers for cups.

On May 6, 2024, there would be another ordinance reading and then would be considered for adoption. The taskforce would come back together to have a roll out plan and meet again in late summer/early fall to review the first few months of roll out.

Council Member Casey thanked staff for all the research. He feels this is a great collaboration with businesses downtown.

Mayor McLeod stated this has been noted as a public hearing and asked if anyone wished to speak. With no one wishing to speak this public hearing was closed.

- c. 2023-115-CZN Carolina Overlook North Conditional Rezoning
Presenter: Conrad Olmedo, Planning Director

Applicant Brandy Vega asked for a deferral to May 20, 2024, Council meeting. She stated information has been received that they would like to respond to.

A motion was made to continue this item to the May 20, 2024, Council meeting.

Mayor McLeod stated he would like to let the citizens know the Mayor and Council have received many emails concerning this item. They have been read and notes have been made. He apologized to all for any inconvenience for the continuance of this item tonight.

Adoption of Ordinance

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

7. QUASI-JUDICIAL HEARING

- a. *A quasi-judicial hearing resembles a court trial where testimony is presented. Citizens may give testimony in a quasi-judicial hearing after they have taken an oath. Town Council acts like a court of law and receives only sworn testimony and other credible evidence. In addition, the Town Council must make findings of fact based upon the evidence presented.*

The Town Council refrains from "ex parte communication" about these cases, as the Town Council must make a decision based solely on the evidence presented at the hearing itself.

Staff is available to assist with inquiries from citizens.

- b. 2023-124-SUP Creekside Townes Modification
 Presenter: Bruce Venable

Mr. Venable stated in the agenda packet there was a letter from the applicant requesting continuance of this item to the May 20, 2024 meeting. Mayor McLeod asked if having this item and the CZM on the May 20, 2024, meeting would be overload for staff? Rich Cappola asked Conrad Olmedo how many other items for Planning Department would be coming on that date? Mr. Olmedo stated he would confirm with the applicant that this item could be returned to the June 3, 2024, meeting. He stated this would be Council's preference as to when they would like to have this held. Mr. Olmedo stated it would be his recommendation to push this to the June 3, 2024, meeting. Mayor McLeod asked Mr. Venable to let the applicant know of the new date.

Approval of SUP

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

8. OLD BUSINESS

- a. 2023-143-SUP Pinnacle Indoor Storage Unit Facility. Findings and Conclusions.
 Presenter: Steven Mott, Planner II

Attorney Cauley stated the order for this case was just circulated today. This order documents the denial from the March meeting. He stated if Council has not had time to review the document this item may be deferred.

Council Member Archer stated she is comfortable moving forward.

Adoption of Ordinance

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

9. NEW BUSINESS

10. STAFF REPORTS

a. Town Manager

Mr. Cappola reminded everyone that the next work session on May 6, 2024 would be a half-day session beginning at noon.

b. Town Attorney

Attorney Cauley stated the Social District ordinance could be put on the consent agenda at the May 6, 2024, meeting if Council agrees with that. Mayor McLeod stated there was Council consensus to put on the consent agenda.

c. Town Clerk

d. Other Staff

11. OTHER BUSINESS

a. Informal Discussion & Public Comment

- Individuals have three (3) minutes to address the Town Council.
- Groups will designate a spokesperson. The spokesperson will have five (5) minutes to address the Town Council.

b. Council Comments

Council Member Casey stated the Clayton Earth Day Clean Up would be this Saturday. He encouraged citizens to join in on this event. A celebration would be at Deep River afterwards at 1:00 p.m. Supplies could be picked up at the Farmer's Market from 8:00 -11:00 a.m.

12. CLOSED SESSION

- #### **a. To Discuss Purchasing of Real Property in Accordance with NC GS 143-318.11(a)(5) and To Discuss Economic Development in Accordance with NC GS 143-318.11(a)(4)**

Motion To Go Into Closed Session

RESULT:	CARRIED 4-0
MOVER:	Michael Sims

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

Motion To Return To Open Session

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

13. ADJOURNMENT

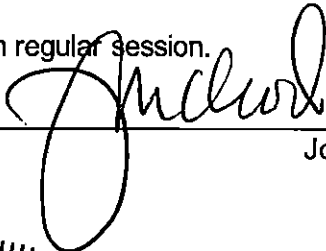
a. Adjourn

With nothing further, the meeting was adjourned at 7:46 p.m.

Motion To Adjourn

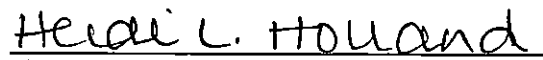
RESULT:	CARRIED 4-0
MOVER:	Porter Casey
SECONDER:	Michael Sims
YES:	Porter Casey, Andria Archer, Michael Sims, and Gretchen Williams
NO:	None
ABSENT:	Ruth Anderson

Duly adopted by the Town Council this 6th of May 2024 while in regular session.



Jody L. McLeod
Mayor

ATTEST:


Heidi L. Holland, CMC, NCCMC
Town Clerk

