



Town of Clayton
Regular Town Council Meeting Minutes
Tuesday, September 5, 2023 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Council Present:

Mayor Jody McLeod
Mayor Pro Tem Jason Thompson
Council Member Porter Casey
Council Member Avery Everett
Council Member Andria Archer
Council Member Michael Sims

Staff Present:

Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Heidi Holland, Town Clerk
Lee Barbee, Deputy Town Manager
Robert McKie, Finance Director
Jonathan Jacobs, Assistant Engineering Director
Joshua Baird, Engineering Director
Nathanael Shelton, Communications Officer
Sam Johnson-Phillips, Deputy Town Clerk

Council Absent:

None

1. CALL TO ORDER

a. Call to Order

Mayor McLeod called the meeting to order at 6:00 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
MOVER:	Michael Sims
SECONDER:	Avery Everett
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

3. CONSENT AGENDA

- a. Minutes
 - August 21, 2023 - Regular Session
 - August 21, 2023 - Closed Session

Presenter: Heidi Holland, Town Clerk
- b. Water Shortage Response Plan

Presenter: Brandon Carroll, Utility Compliance Supervisor, Water Resources
- c. Resolution 2023-56: To Accept Streets into the Town Of Clayton Street System for Maintenance – Cameron Crossing, Phases 2 & 3

Presenter: Jonathan K. Jacobs, PE, CFM - Assistant Engineering Director

Approve Consent Agenda as Presented

RESULT:	CARRIED
MOVER:	Jason Thompson
SECONDER:	Michael Sims
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

6. PUBLIC HEARINGS

- a. 2023-116-OA Yard Encroachments and Screening UDC Text Amendment

Presenter: Bruce Venable, Planner I

Mr. Venable updated Council on Proposing text amendments changes to two different sets of Unified Development Codes 155.201 (G)(4) – Yard Encroachments and 155.402.(G) – Screenings.

Aims of proposed text amendments are to allow fire escapes to encroach into a required yard/setback up to 8 feet regardless of the Zoning District. Current language exempts B-1 Zoning District from fire escape provision – not allowing Fire Escapes in B-1 District to encroach into a required yard. Proposed language: fire escapes may project up to 8 feet into any required yard but must maintain at least seven-and-one-half feet above a sidewalk, greenway, or street. Mr. Venable continued to mention removing separation requirement for dumpsters and loading zones from residentially zoned properties and add certain requirements for dumpster screening. Amendment initiated at request of the Economic Development Office. 155.402.(G) Screening; Remove separation requirement for service areas (trash collection, recycling, etc.) and loading areas from residentially zoned properties. Add additional standards for service area screening. Current language requires service areas and loading areas to be located at least 50 feet away from residentially zoned properties. Proposed language removes the separation requirement and adds some standards for service area screening. Proposed language largely matches proposed draft UDO standards. There was further discussion regarding the four approval criteria and considerations and

recommendations: Mr. Venable requested Town Council to render a decision for Text Amendments for Sections 155.201(G)(4) and 155.402(G)

Mayor McLeod noted this was a public hearing and asked if anyone wished to speak. With no one wishing to speak, this was turned over to Council for deliberation.

Adoption of Ordinance #2023-09-01 and Consistency and Reasonableness Statement

RESULT:	CARRIED
MOVER:	Jason Thompson
SECONDER:	Avery Everett
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

7. OLD BUSINESS

8. NEW BUSINESS

9. STAFF REPORTS

- a. Town Manager
Presenter: Rich Cappola, Town Manager

Mr. Cappola Town Manager stated staff is still negotiating with one bidder that was received for the Community Park project; would probably have a decision by the end of the week if not able to get closer in cost the bid will be rejected. He stated they would look at the scope overall to see where pricing is and potentially re-bid.

- b. Town Attorney
c. Town Clerk
d. Other Staff

10. OTHER BUSINESS

- a. Informal Discussion & Public Comment
- Individuals have three (3) minutes to address the Town Council.
 - Group will designate a spokesperson. Spokesperson will have five (5) minutes to address the Town Council.

Mr. Ben Chapman appeared before Council and requested Council consider an inclusive non-discrimination ordinance, Crown Act Protections, and explicit protections for the LGBTQ+ people.

Ms. Judy, a Clayton citizen, expressed concerns regarding an ordinance that is all inclusive, comprehensive and non-discrimination. That includes people specifically including regardless of sexual orientation or gender identity.

Mr. Kevin Rarens, a Clayton citizen, expressed concerns regarding a residential light ordinance in Clayton and the necessity of one.

b. Council Comments

In response to Mr. Chapman, Council Member Everett stated, it is time to collaborate, go forward and look into the current ordinance. We need to make sure that we are protecting and keeping everyone safe.

Council Member Casey appreciated Mr. Raven coming out and speaking about light pollution. He stated as part of the UDO, he would like to ask the consultant to look at some characteristics of dark skies communities. Council Member Porter Casey expressed thanks for the other speakers.

Council Member Sims stated that good points were brought up and that they are in the middle of the UDO and would take it under advisement regarding Mr. Raven's comment.

Mayor McLeod asked Mr. Raven to provide his address to the Town Clerk so that we can send staff out.

11. CLOSED SESSION

- a. To Discuss Legal Matter in Accordance with NC GS 143-318.11(a)(3) & To Discuss Economic Development in accordance with NC GS 143-318.11(a)(4)

Council Member Archer made a motion to include in the closed session a personnel matter, NC GS 143-318.11 (6)

Motion To Go Into Closed Session

RESULT:	CARRIED
MOVER:	Jason Thompson
SECONDER:	Andria Archer
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

Motion To Return To Open Session

RESULT:	CARRIED
MOVER:	Jason Thompson
SECONDER:	Andria Archer
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

12. ADJOURNMENT

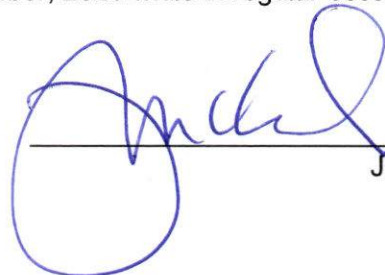
- a. Adjourn
Presenter: Mayor McLeod

With nothing further, the meeting was adjourned at 8:24 p.m.

Motion To Adjourn

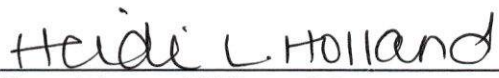
RESULT:	CARRIED 5-0
MOVER:	Jason Thompson
SECONDER	Andria Archer
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

Duly adopted by the Town Council this 18th day of September, 2023 while in regular session.



Jody L. McLeod
Mayor

ATTEST:


~~Sam Johnson-Phillips~~ HEIDI L. HOLLAND
~~Deputy Town Clerk~~ Town Clerk

