



Town of Clayton
Regular Town Council Meeting Minutes
Monday, November 6, 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
Heidi Holland, Town Clerk
Jim Cauley, Town Attorney
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Robert McKie, Finance Director
Greg Tart, Police Chief
Joshua Baird, Engineering Director
Nathanael Shelton, Communications Officer
Bruce Venable, Planner
Steven Mott, Planner II
Patrick Pierce, Economic Development Director
James Blalock, Utilities Maintenance Superintendent
Bill Simpson, Water Reclamation Director

Council Absent:

None

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 adjusted the agenda as follows:

Add 11a. Closed Session item to discuss Entering Into a Formal Contract to Purchase Real Property in accordance with NCGS 143-318.11(a)(5) and to add 5e., Thank You

To Council from Bill Simpson. At the developer's request, item 6d. will be continued to the December 4, 2023 meeting.

Approve or Adjust the Agenda

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

3. CONSENT AGENDA

- a. Minutes
 - November 16, 2023

Presenter: Heidi Holland, Town Clerk
- b. NC Arts Council - Organization Support Grant
Presenter: Staun Mizell, Procurement, Contracts and MWBE Manager
- c. Trojan Sole Source
Presenter: Staun Mizell, Procurement, Contracts and MWBE Manager
- d. Resolution 2023-79: To Accept Streets into the Town Of Clayton Street System for Maintenance – Ashcroft Subdivision, Phases 5 & 6
Presenter: Jonathan K. Jacobs, PE, CFM - Assistant Engineering Director
- e. Resolution 2023-80: To Accept Public Utilities into The Town of Clayton Public Utility System for Maintenance – Carolina Overlook Phase 1 F&G
Presenter: Jonathan K. Jacobs, PE, CFM - Assistant Engineering Director

Approve Consent Agenda as Presented

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

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Recognition of Colonel Gerry Berry
Presenter: Mayor McLeod

Mayor McLeod asked Col. Berry to step up the podium for recognition. He stated it was a pleasure for Col. Berry to speak at today's Veterans event. Mayor McLeod presented Col. Berry with a Veterans Appreciation Award.

- b. Operation Green Light for Veterans Proclamation
Presenter: Mayor McLeod to Present

Mayor McLeod read the Green Light for Veterans proclamation into the record. He expressed sincere appreciation to those that have served. He stated there are green lights in the lobby for citizens and asked all to plug those in to honor our Veterans.

- c. National Apprenticeship Week Proclamation
Presenter: Mayor McLeod to Present

Mayor McLeod read the National Apprenticeship Week proclamation into the record and presented this to wastewater apprentice Ilona Williams. James Blalock stated she has been a very good asset to the treatment plant.

- d. GIS Day Proclamation
Presenter: Mayor McLeod to Present to GIS

Mayor McLeod read the GIS Day proclamation into the record and presented this to the Town's GIS staff.

- e. Thank You to Council
Presenter: Bill Simpson, Water Reclamation Superintendent

Bill Simpson was present, he stated he would like to take a minute to say thank you to Council and stated it has been a pleasure to work with them. He thanked them for the opportunity that he was given. Mayor McLeod thanked him for his many contributions to the Town.

6. PUBLIC HEARINGS

- a. 2023-92-ANX2311 HWY 42 Contiguous Annexation
Presenter: Steven Mott, Planner II

Mr. Mott spoke on this item. He stated this is a request for an annexation on 2311 Hwy 42. He stated the applicant, Spring Branch Plaza, LLC, is seeking an annexation of approximately 1.34 acres of a contiguous parcel. The annexation was adequately noticed with signage at the property. Shared was the site location and an aerial view as well as the future land use map. He stated this is designated as high density residential. He stated a representative for the applicant is present.

Mayor Pro Tem Thompson stated he wanted to make sure from a GIS standpoint that the roadways are included in the annexation. Mr. Mott stated staff did explore that option with all parcels from a recent annexation. Planner Bruce Venable stated to the best of his knowledge what was included was what was available and the legal description for the parcel itself is recorded with the Johnstonian Register of Deeds

Mayor McLeod stated this has been noted as a public hearing, he asked if anyone wished to speak. With no one wishing to speak the public hearing was closed and turned over to Council for their deliberation.

Adoption of Ordinance #2023-10-07

RESULT:	CARRIED 5-0
MOVER:	Michael Sims

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

- b. 2023-93-ANX2364 NC Hwy 42 Non-Contiguous Annexation
Presenter: Steven Mott, Planner II

Mr. Mott stated this is a request for an adjacent parcel to 2023-93-ANX off of 2311 Hwy 42. The request is to annex .804 acres that is non-contiguous with the Town. The annexation was adequately noticed with signage at the property. Shared was the site location and an aerial view as well as the future land use map. He stated this is designated as high density residential. The applicant, Spring Branch Plaza, LLC was present.

Mayor McLeod stated this has been noted as a public hearing, he asked if anyone wished to speak. With no one wishing to speak, the public hearing was closed and turned over to Council for their deliberation.

Adoption of Ordinance #2023-10-06

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

- c. 2023-96-ANXETM JR Property LLC Non-Contiguous Annexation
Presenter: Steven Mott, Planner II

Mr. Mott stated this request is for 9.8 acres located at 7531 and 7581 US Hwy 70. The parcel is non-contiguous to the Town. The annexation was adequately noticed with signage at the property. Shared was the site location and an aerial view as well as the future land use map. He stated this is designated as an employment center. He stated the applicant was here to answer any questions.

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

John Scarpa, resident of the Town spoke. He asked what the purpose of the request was. Mayor McLeod stated this is just an ask to be annexed into the Town. Attorney Cauley stated this is the only item before Council tonight. Mr. Scarpa asked what the advantage is to the Town for this property to be annexed. Mayor McLeod stated regardless of whatever is done with the property, it would still be considered tax revenue if located in the city limits. Mr. Scarpa stated if they are willing to pay more taxes, he says to vote for it.

With no one further wishing to speak, the public hearing was closed and turned over to Council for their deliberation.

Adoption of Ordinance #2023-10-05

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

- d. 2022-125-CZM: Summer Glen Conditional Zoning with Master Plan

(Continued from the October 2, 2023 meeting)

DOCUMENTS STILL PENDING

Presenter: Bruce Venable, Planner I

Mayor McLeod stated we were informed at the beginning of the meeting that this item would be continued to the December 4, 2023 meeting. A motion was made to continue this item to the December 4, 2023 meeting. A motion for the wastewater resolution was also made to be continued until the December 4, 2023 meeting.

Adoption of Ordinance #2023-09-02 and Consistency and Reasonableness Statement

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

Adoption of Wastewater Resolution #2023-70

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

7. OLD BUSINESS

8. NEW BUSINESS

- a. Wastewater Regionalization Resolution
Presenter: Rith Cappola, PE, MPA, CFM

Mr. Cappola stated this resolution is in support of continuing discussions that have occurred for several months. He stated a few council members have been representing the overall board at those meetings once a month to discuss the framework of the regionalization partnership or authority that could be formed potentially in the future to be able to take care of the water and wastewater needs throughout the region. He stated the meetings consisted of elected officials from each of the municipalities in Johnston County as well as the County.

This is a goodfaith notice to the rest of the group stating the Town is willing to be an active participant in these discussions. The Town is looking for opportunities not only for cost savings for overall rate payers but also for a better quality of service. This sets up Central Pines Regional Council of Government, formerly Triangle J Council of Governments, as the management body of the discussions. Council Member Sims and Council Member Casey are the representatives of the group.

Mayor McLeod stated he agreed with who has been appointed to represent the Town.

Mr. Cappola stated there was one minor error in the resolution for tonight to be adopted. The last "now therefore be resolved..." should say the Town of Clayton.

A motion was made to approve the resolution with the edit discussed.

Adoption of Resolution #2023-81

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

9. STAFF REPORTS

a. Town Manager

Mr Cappola thanked Mr. Simpson for all his years with the Town. He shared history of Mr. Simpson's career. He stated he wishes him well in his retirement. He recognized the overall community and municipalities that have reached out with condolences to the passing of Byron Poelman. He stated he was a rock for the Town of Clayton and there have been a lot of great folks that have helped us through this transition. He asked that all continue to keep the family in their thoughts and prayers.

He stated Election Day is tomorrow. He reminded Council and staff of the Council Retreat on November 9, 2023 and the Town would be closed Friday, November 10, 2023 in observance of Veterans Day. Next Friday at the Community Center is the Town's Employee Appreciation Lunch from 11:00 – 1:30 p.m.; the Town would be closed during that time for all staff to be able to attend.

- 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.

- Groups will designate a spokesperson. Spokesperson will have five (5) minutes to address the Town Council.

b. Council Comments

Council Member Sims thanked the Chamber and the Town for a great Harvest Festival. He thanked the Fire and Police Chiefs for making sure everything went safely. He also thanked the Town Manager and Nathanael Shelton for the Veterans Day celebration. Mayor McLeod stated this was a great event and he hoped in the future this could be expanded and taken to a whole other level.

Mayor Pro Tem Thompson stated he would like to see if anyone from the Chamber had a number and the benefit that the Harvest Festival brought to the Town as well as estimation on attendance. He stated the Chamber did a great job of coordinating with Town staff. Mayor McLeod stated it was outstanding. Council Member Casey stated also for the Clayton High School football game, he appreciates the Chief of Police and staff being present. He gave a recognition of the boy scout that was in the audience this evening. Mayor McLeod thanked the partners at the Chamber for a great Harvest Festival and all staff, it takes everyone to pull this off.

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); To Discuss Entering Into a Formal Contract to Purchase Real Property in accordance with NCGS 143-318.11(a)(5) and To Discuss Personnel Matter in accordance with NC GS 143-318.11(a)(6)

Motion to Go Into Closed Session at 6:41 p.m.

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

Motion to Return To Open Session at 7:36 p.m.

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

12. ADJOURNMENT

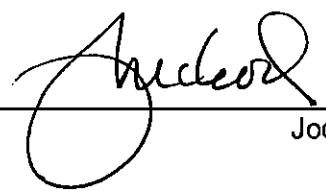
- a. Adjourn

With nothing further, a motion was made to adjourn at 7:37 p.m.

Motion To Adjourn

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

Duly adopted by the Town Council this 4th day of December 2023 while in regular session.



Jody L. McLeod
Mayor

ATTEST:

Heidi L. Holland

Heidi L. Holland, CMC, NCCMC
Town Clerk

