



Town of Clayton
Regular Town Council Meeting Agenda
Monday, March 6, 2023 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

THE PUBLIC MAY VIEW THE LIVE COUNCIL MEETING ON THE TOWN'S YOUTUBE CHANNEL:
<https://www.youtube.com/TownofClaytonNC>

1. CALL TO ORDER

- a. Call to Order
- b. Pledge of Allegiance
- c. Invocation

2. ADJUSTMENT OF THE AGENDA

- a. Approval of Agenda

POTENTIAL ACTION: Approve or Adjust the Agenda

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. Minutes

- February 6, 2023 - Work Session
- February 6, 2023 - Regular Session
- February 6, 2023 - Closed Session
- February 20, 2023 - Regular Session
- February 20, 2023 - Closed Session

[February 6, 2023 - Regular Session Minutes](#)

[February 6, 2023 - Work Session Minutes](#)

[February 20, 2023 - Regular Session Minutes](#)

b. Policy ADM-2022-01B Appointments to Advisory Boards Procedures

[Policy ADM-2022-01B Appointments to Advisory Boards Procedures REDLINE](#)

[Policy ADM-2022-01B Appointments to Advisory Boards Procedures CLEAN](#)

[Resolution #2023-06](#)

c. Accept Public Utilities Into the Town of Clayton Public Utility System For Maintenance – Academy Point, Phases 8 & 9

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

[Resolution #2023-09](#)

POTENTIAL ACTION: Approve Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

- a. Sam's Branch WRF Program Update
Presenter: Louis Duffie, Town of Clayton, Project Manager & Adam Sharpe, HDR - Project Principal
[Sam's Branch WRF Program Update - Engineering - Pdf](#)

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Employee Introductions
- Michael Bleau, Utility Maintenance Mechanic I
Presenter: James Blalock, Utilities Maintenance Superintendent
 - Sam Johnson-Phillips, Deputy Town Clerk
Presenter: Heidi Holland, Town Clerk
 - Kasey Cunningham, Communication Specialist (Part-Time)
Presenter: Nathanael Shelton, Communication Director
 - Alicia Ballard, Part-Time Custodian
Presenter: Greg Nelson, Property Maintenance Superintendent
 - Alan Johnson, Firefighter
 - Charlie Evans, Firefighter
 - Marshall Smith, Promoted to FEO
Presenter: Matt Sutphin, Deputy Fire Chief
- b. Clayton Women's Day
- Bernice Lopes, Clayton Women in Networking President
Mayor McLeod to Present to Bernice Lopes
Presenter: Mayor McLeod
[Proclamation - Clayton Women's Day](#)
- c. Traumatic Brain Injury (TBI) Awareness Month Proclamation
Mayor McLeod to Present to Raheed Saunders, Abound Health
Presenter: Mayor McLeod
[Proclamation - TBI](#)
- d. Development Disability Awareness Month Proclamation
Mayor McLeod to Present to Raheed Saunders, Abound Health
Presenter: Mayor McLeod
[Proclamation- Developmental Disability Awareness Month](#)

6. PUBLIC HEARINGS

- a. Project Life Dust Development Agreement
(Continued from February 6, 2023 Regular Meeting)
Presenter: Patrick Pierce, Economic Development Director
POTENTIAL ACTION: Continue to March 20, 2023 Regular Meeting
- b. 2023-06-SPA Vinson's Pub Alternative Sign Plan Amendment
Presenter: Ben Howell, Planning Director
[2023-06-SPA Vinson's Pub Alternative Sign Plan Amendment - Planning - Pdf](#)
POTENTIAL ACTION: Adoption of Resolution #2023-10

7. OLD BUSINESS

8. NEW BUSINESS

9. STAFF REPORTS

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

LAPP Status Update

Presenter: Ben Howell, Planning Director

Clayton Urbanized Area Update

Presenter: Ben Howell, Planning Director

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

11. CLOSED SESSION

- a. Closed Session to Discuss Economic Development in Accordance with NC GS 143-318.11(a)(4) and to Consult with the Town Attorney in Accordance with NC GS 143-318.11(a)(3)

POTENTIAL ACTION:

Motion to Go Into Closed Session

POTENTIAL ACTION:

Motion to Return to Open Session

12. ADJOURNMENT

- a. Adjourn

POTENTIAL ACTION:

Motion to Adjourn



**Town of Clayton
Regular Town Council Meeting Minutes
Monday, February 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

Council Absent:

None

Staff Present:

Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Lee Barbee, Interim Deputy Town Manager/Fire Chief
Heidi Holland, Town Clerk
Robert McKie, Finance Director
Greg Tart, Police Chief
Jonathan Jacobs, Assistant Engineering Director
Joshua Baird, Engineering Director
Scott Barnard, Parks & Rec Director
Joy Garretson, Library Director
Patrick Pierce, Economic Development Director
Catherine White, Comm. & Marketing Specialist

1. CALL TO ORDER

a. Call to Order

Mayor McLeod called the meeting to order at 6:01 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. Approval of Agenda

Mr. Cappola requested to adjust the agenda to follows:

REMOVE:

3c. Resolution To Accept Streets Into the Town Of Clayton Street System For Maintenance – Riverwood Athletic Club, Phases 2B-3, Payton Drive, Perimeter Tract C (Manning & Collinsworth), Phase 5A, 5B1, & 5B2

ADD:

3e. Recreation Advisory Board Vacancy

ADD

11a. Closed Session to Consult with Attorney Pursuant to NCGS 143-318.11(a)(6)

Approve or Adjust the Agenda

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

3. CONSENT AGENDA

a. Minutes

- January 17, 2023 - Work Session
- January 17, 2023 - Regular Session
- January 17, 2023 - Closed Session

Presenter: Heidi Holland, Town Clerk

b. Sole Source (Town Vehicles)

Presenter: Shaun Mizell, Procurement Manager

c. Resolution To Accept Streets Into the Town Of Clayton Street System For Maintenance – Riverwood Athletic Club, Phases 2B-3, Payton Drive, Perimeter Tract C (Manning & Collinsworth), Phase 5A, 5B1, & 5B2

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

This item was removed from the consent agenda.

d. Rules and Regulations For Conduct in the Library

Presenter: Joy Garretson

Approve Consent Agenda as Presented

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

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. Awarding of Service Firearm and Badge

- Neal Johnson, Police Officer

Presenter: Greg Tart, Police Chief

Chief Tart stated on February 1, 2023, Neal Johnson retired after 30 years of law enforcement services. He stated Officer Johnson began his career in Dunn in 1992, later worked with Johnston County Sheriff's Office before coming to the Clayton Police Department in August 2010, where he has served the past twelve and a half years. He stated he played many roles in the department and always did what he was asked to do. He stated he hoped to be able to keep Officer Johnson around in a part-time role. He stated Officer Johnson has been a dedicated employee who has given 30 years of his life to helping others and is honorably represented.

Chief Tart presented Officer Johnson with his gun and badge, a recognition for his dedication and commitment to the Town of Clayton and Clayton Police Department.

Officer Johnson thanked the Town for the opportunity to work for the past twelve and a half years. He stated the past twelve and a half years has been the best of the past thirty and the past two have been the best working under Chief Tart and the current police staff.

Mayor McLeod and Council shared their thoughts with Officer Johnson.

Approval of Resolution #2023-05

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

b. Year and Month of the Trail

Mayor McLeod To Read

Presenter: Emily Beddingfield, Parks and Recreation Advisory Board Chair

Christy Thompson, DDA Advisory Board Chair

Julie Curran, Library Advisory Board Chair

Joy Garretson, Library Director

Scott Barnard, Parks and Recreation Director

Patrick Pierce, Economic Development Director

Ben Howell, Planning Director

Scott Barnard, Joy Garretson and Patrick Pierce were present and here to represent their boards. Mr. Barnard stated in 2022 the State Legislature designated 2023 as the Year of the Trail. Mr. Barnard stated they wanted to take this a step further and make this a Month of the Trail in the Town of Clayton. He stated they want to do something that targeted the recognition of

the trail and trail opportunities. During the month of May, a number of activities would be planned that would shine a light on the trail. Those activities would be announced at a later date. The ask is for Council to designate May as the Month of the Trail. Mayor McLeod read the Proclamation.

6. PUBLIC HEARINGS

- a. Project Life Dust Development Agreement
(Continued from January 17, 2023 Regular Meeting)
Presenter: Patrick Pierce, Economic Development Director

Mr. Pierce stated the developer has requested to continue this item until the March 6, 2023 regular meeting.

Motion to Continue to March 6, 2023 Regular Meeting

It was consensus of Council to move forward with continuing this item to the March 6, 2023 Regular Meeting.

- b. FY '23-24 Budget - Public Input
Presenter: Rich Cappola, Town Manager

Mr. Cappola stated this is an initial public hearing to allow the public to provide input for items they would like to be considered for the FY24 budget. He stated he would be meeting with staff in the next couple weeks to get an initial idea of where everyone stands with their budget needs.

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

7. OLD BUSINESS

8. NEW BUSINESS

9. STAFF REPORTS

- a. Town Manager

Mr. Cappola stated staff would be sending out the annual survey for the budget and would also set up an online portal that would allow citizens to share their input.

He stated tomorrow there would be a couple community wide drop-in events. The Greater Triangle Community Commuter Rail Feasibility Study Public Input Session would be held on February 7, 2023 from 5:00 - 7:00 p.m. in the Council Chambers and also tomorrow would be the Gateway 42 Public Meeting which would be held at the Clayton Community Center from 6:00 - 8:00 p.m. A Downtown Master Plan update would be held February 28, 2023.

- 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.

Betty Scarborough, Clayton Parkview Citizen, stated last week one of the resident's organized a trash pick-up on Sunday. She stated she was a part of it and it was discouraging. She stated her community is on City "Dump" Road and Stallings in the back where the railroad tracks are. She stated those are two bad areas for trash. She asked Council if there could be a type of signage that states there would be a penalty for littering. She also asked if the Town could have a Town of Clayton Pick Up Litter Day. Mayor McLeod thanked Ms. Scarborough and her neighbors for their community service to the Town. He stated he would take this into consideration. Council Member Casey stated this could be an opportunity for the Communications Office to begin a campaign to our citizens to be aware of their trash.

- b. Council Comments

Mayor Pro Tem Thompson commended Ms. Scarborough and her neighbors for picking up trash in the area. He stated he thinks it's time to do a Town wide litter campaign, this could start with collaboration between Communications Department, Law Enforcement, and Code Enforcement. He stated we could put together for our citizens in the form of educational videos regarding enforcement and penalties. He stated we have grounds to have signage up. He would like to see this as a Town wide campaign.

11. CLOSED SESSION

- a. Closed Session to Consult with Attorney Pursuant to NCGS 143-318.11(a)(6)

Motion to Go Into Closed Session at 6:35 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 7:34 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, the meeting was adjourned at 7:34 p.m.

Motion to Adjourn

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

Duly adopted this the 6th day of March 2023, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Heidi L. Holland, CMC, NCCMC
Town Clerk



**Town of Clayton
Town Council Work Session Minutes
Monday, February 6, 2023 at 3:00 PM
Rotary Room, Town Hall
111 E. Second Street**

Council Present:

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

Staff Present:

Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Lee Barbee, Interim Deputy Town Manager/Fire Chief
Heidi Holland, Town Clerk
Robert McKie, Finance Director
Michelle Snyder, Executive Asst. to Town Manager
Ann Game, Revenue & Utility Cust. Service Director
Shaun Mizell, Procurement Manager
Joshua Baird, Engineering Director
Ben Howell, Planning Director
Dede Bumgarner, Development Services Manager
Byron Poelman, Water Resources Director
Patrick Pierce, Economic Development Director
Nathanael Shelton, Communications Officer

Council Absent:

None

1 CALL TO ORDER

- a) Mayor McLeod called the meeting to order at 3:05 p.m.

2 ADJUSTMENT OF THE AGENDA

- a) Rich Cappola adjusted the agenda as follows:

ADD: 3e. Traffic Impact Analysis Review by Third-Party Consultants Policy
Billboard Discussion
Juneteenth Celebration Discussion

Approve or Adjust the Agenda

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

3 ITEMS FOR DISCUSSION

a) Development Services Software (30 Minutes)

Presenter: Jonathan Jacobs, Assistant Engineering Director

Rich Cappola stated staff and the development community have been asking for this software. Mr. Jacobs stated this software is a collaborative effort between several departments that have talked through the process.

Why:

- Increased Efficiency
- Automation
- Simplicity
- Project History
- Communication
- Transparency
- Metric Reporting
- Fee Tracking

He stated there are a lot of risk in errors with the current process and with staff changes, a lot of history has been lost. This software helps to reduce the risk of missing a step. This software would allow the information to be housed in one place and would be able to provide instructions to the public and inform them on what documents are required. The information would be submitted and routed to the appropriate department and staff.

This software would not require staff to manually route or track an application or permit. He stated we would have the ability but would now be required to.

Mr. Jacobs stated anyone would be able to use this software, it takes you to point A to Point B. Everything would be housed in one location. Applicants would be able to track history, there will be limited history during the review, but they would still be able to track their process. From the public side, they would be able to log into the development dashboard. This provides the public another opportunity to be involved in this process.

He stated most of fees are tracked in New World but a lot are separated in project files. This program would allow citizens to track fees that are due.

He stated as a user, you would create a name and password. Then submit an application through that process. Owners and developers would give rights to citizens that need the access to that project.

Shared was a screenshot of the portal on the website. The page can be customized and would be tailored to the Town. Shared was the permit technician's dashboard which shared various charts and stats that are available for this software, such as application lists, active permits, and outstanding fees.

Timeline

- September - November 2022: Software Evaluation - Core Evaluation took place. Operations, Development, Inspections, Engineering, Procurement and Admin were all part of this process.
- January 2023: Contract and Cost Negotiations
- February 2023: Project Kick Off/Schedule
- Summer/Fall 2023: Software testing/limited Public Involvement
- Fall 2023: Back Office Implementation
- January 1, 2024: Go Live

Mr. Jacobs stated Council would give final approval. Inspections Department has the funds for this. The intent is for those funds to be appropriated. The software chosen is Clariti and Johnston County has just decided to use this software as well. The implementation cost is \$385,000 for this with an annual cost of \$98,000 a year. The cost allows 45 users, which is sufficient for what the Town needs.

The software does come with mobile app option. This software would map out the day and provide the most efficient route. He stated originally the go live date was scheduled for July 2024, but it has been pushed forward to align with UDO. The end of this year is the goal to provide key developers access to test this and go through the process to see how it functions from an outside process.

Council Member Casey asked if this part of the budget? Mr. Cappola stated it was the intent to use the inspection funds.

b) Utilities and Billing Overview (30 Minutes)

Presenter: Ann Game, Revenue & Utility Customer Service Director

Ms. Game stated discussed their department and what is up and coming. She discussed each of her staff members and shared the length they have been with the Town. She stated she is proud of the longevity of her staff. She stated she manages the Town Hall front desk as well. She stated with the new phone system that has been installed, she has been able to track calls received, the average of calls is 3,000 per month. She discussed the front desk staff being assigned the safety aspect. They monitor the cameras at the front desk that view certain locations outside the building as well as inside. The front desk staff also greets all walk-in traffic and receives deliveries.

The cashiers work with all walk-in customers, verify documents for establishing service, process payments (Utility, Fire, Police, Parks & Rec, Library), and answers phone calls (averaging over 1,300 per month). She stated these staff members are the first line of defense and greeters.

Shared were stats on payments received between 2018-2022. These stats included cash, credit card, lockbox, and checks. She stated after COVID, the credit card users doubled. She stated the Town does not make any money on credit card payments.

She discussed the Collections Specialists, their duties include:

- Process credit card & all bank files
- Responsible for all daily deposits
- Set up & process bank drafts
- Process bad debt
- Lead on all disconnects for nonpayment

There was discussion on what happens on a cut off day. Ms. Game stated this list is tripled check before turning off anyone's service. She stated if the payment is received, service is restored the same day. She discussed the techs being able to see the disconnected services on the computer in their truck, which allows them to restore service immediately. Cold weather is taken into consideration on service disconnections.

Council Member Casey asked how are citizens notified their service would be disconnected? Ms. Game stated the citizen receive an email, that notifies them that they have 7 days before they are disconnected. Council Member Sims asked what do you do when they don't have email? Ms. Game said in that instance, their bill serves as their notice. Council Member Casey asked if the mass communication system would be able to help with this. Nathanael Shelton stated in the new system, this would show the record of how many times the citizen had been contacted.

Shared was Bad Debt Accounts Graph. Ms. Game stated renters are the large majority of citizens that owe the Town debt. Council Member Casey stated he would like to know how many renters we have.

Customer Service Representatives

- Process requests for new customers& move outs
- Collect utility deposits
- Educate customers on consumption
- Provide information about all Town services

Stats were shared on how customers apply for service. She stated walk in traffic has picked up back since COVID.

Billing Specialists

- Rate experts for customers
- Prepare all bills –monthly & move out
- Bill adjustments
- High consumption outbound calls
- Meter installs –ERP system & AMI
- Focus on AMI reporting (to avoid billing estimates)

Ms. Game stated 1300 bills are prepared every month.

Meter Techs

- Use AMI system to pull reading for work orders

- Meet with customers to understand high usage
- Conduct meter pressure tests
- Investigate AMI missing reads (to avoid billing estimates)
- Educate Customers on Their Bills

Successes

Ms. Game discussed that AMI was a great success and she thanked Council for their support. She stated it is one of the best things to happen to the Town. She stated the Town's AMI was featured in ElectriCites annual report.

- Customer Facing Portal (The portal would allow this and lets customers see how what they do affect their bill.)
- Ability to monitor usage on inactive accounts
- Electric meter alerts for power failure or tampers
- Rolled out the ATCOM phone system
- Celebrated Public Power Week
- Participated in Breakfast for Top Water Customers (will hold a breakfast for the Top Electric customers in the Spring)

What's on the Horizon?

- DataVoice Implementation
- Communication plan for potential rate increases
- Strategic approach to volume of phone calls
- New payment options for utility customers
- Series of videos for new customers (How to Read Your Bill and Money Saving Tips)
- Updating customer service policies
- Professional development

Mr. Cappola stated Ms. Game and her staff do a great job. He has received a lot of great feedback on her department from citizens.

c) Financial Security Discussion (15 Minutes)

Presenter: Robert McKie, Finance Director & Shaun Mizell, Procurement Manager

Vendor Security Enhancements

- SOP for Vendor Payment Information Changes –Finalized and Approved
- Vendor Package Enhancements:
 - Remove Package from Town Website –Done
 - Sole Distribution by Procurement Team After Department Request –New Process Implemented
 - Update ACH Payment Form to Require Existing Banking Information and Tax ID –Done
 - Verify New Vendor Banking Information and/or Remittance Address
 - Digital Signature Approval (Adobe) -Implemented
 - Change ACH Form Periodically –Annually (Incorporate Version

Date as Header or Footer) –FY 2024 Implementation

- **Checklist to Confirm Performance of each Step in the Process – Implemented**
- **Procurement Analyst, Procurement Manager, Assistant Finance Director, Finance Director Approval Required for Vendor Banking Changes –Implemented**
- **Cybersecurity Training for Executive Team & Finance Staff (NEOGOV) – Assigned**
 - **Prevent Phishing –Complete by March 4, 2023**
 - **Cybersecurity: Data Privacy and Safe Computing –Complete by March 4, 2023**

Mr. McKie stated with the incident that happened in November 2022, it led the department to look at a more sophisticated process. He stated they have made sure staff is trained and prepared for any fraudulent situations. He stated Tracy Stubblefield and Shaun Mizell have been working behind the scenes on this updated process. This process is currently being used.

He went into further discussion on the new changes and policies. Staff has been issued mandatory cybersecurity training.

Items under review:

- **Shift Risk Via ePayables–Tyler AP Automation Proposal Under Review**
- **Utilize GIACT to Verify Vendor/Customer Information & NACHA Compliance –Schedule Demo**

Council Member Archer stated it was discussed previously to potentially get a higher insurance policy, are any of these tied into this or is that separate? Mr. McKie stated the Town must have a more robust policy, to get a higher level of coverage we must be able to have certain boxes check. While we are on VC3, we won't be able to move toward this process until we are on our own server. She asked if he knew of a timeline. Mr. Mizell stated there are a couple of parties involved in the agreement and they have been waiting to hear back. As soon as questions are answered there would be an update on moving forward.

Mr. Cappola stated Ms. Game has been with dealing with sensitive information, she has been reevaluating her SOP's as well. He shared other examples of processes that have changed. the intent is to have staff keeping their SOP's current. Mr. McKie stated most of these items are considered best practices and as they go through this vendor security SOP, changes can be made as necessary.

Mr. Mizell stated when this started, he reached out to other municipalities. He stated we are now doing more than other municipalities. He went into further detail on the ACH form process. Procurement analyst Karen Malcolm has been looking at this very closely, if she sees anything, it is sent to IT and further researched. Vendors are receptive and excited about this new process. This

is being done on remittance addresses as well.

He stated staff is still going through various training.

- d) **Review of Quarter 2 Accomplishments (15 Minutes)**
Presenter: Rich Cappola, Town Manager

Mr. Cappola stated for the interest of time, this would be reviewed at later date. This information was printed out and distributed to council.

- e) **Council Discussion (30 Minutes)**

Traffic Improvement Analysis Review by Third-Party Consultants Policy
This discussion was to have a consultant review all TIA reports. Jonathan Jacobs stated staff met with stakeholders last week. He stated staff feels they have the ability to hire a third-party engineer. There was discussion on passing on the cost to the developer. He stated from staff perspective, they do not have any concerns, it would be an additional set of eyes over NCDOT. Council Member Casey asked if this was common in other municipalities, Mr. Jacobs stated it depends on the municipality. Ben Howell stated in a previous municipality, they followed a similar process, the third party would review and rerun simulations and often found tweaks that needed to be made.

April 1 would be the effective date, anything submitted after that date would be subject to a third-party TIA. The cost would depend on how in depth the report would be.

Mayor Pro Tem Thompson stated he would rather us be able to have the information to provide to the developer rather than they provide us with the information. Mr. Cappola stated we would have 2-3 consultants on a rotating basis.

Council Member Casey asked if we are maxing out other developer fees? Mr. Howell stated staff looked at surrounding jurisdictions and we are for the most part lower than other Johnston County jurisdictions.

Billboard Discussion

Patrick Pierce stated there are 17 billboards along 70 Business corridor. He stated some are long-term leases. There was discussion on what is required under our current code and either creating a simple text amendment to allow for billboards to move and be able to stick with their lease or to get these under contract so they could be moved. Mayor McLeod stated we should not let the billboard lease stand in the way of tax base or economic development.

Juneteenth Celebration Discussion

Mr. Cappola stated Juneteenth is recognized as a holiday and government offices are closed. Last year there was a digital celebration. There was discussion on hosting a larger event this year. Nathanael Shelton stated it has been discussed to have a local diverse community choir and story-teller Donna Washington, with a reception to follow at the Clayton Center. It was suggested to have this event on Saturday, June 17th from 3:00 – 5:30 p.m. with an hour reception. It was estimated the programming for the event would cost approximately \$2500.00 and an additional cost for the reception. There was discussion to reach out to our local churches to see if they would like to be involved. It was stated to have cake, peanuts, punch for this year's event and next year we could work with a larger budget.

4 CLOSED SESSION

- a) Closed Session to Discuss Personnel Matter in accordance with NC GS 143-318.11(a)(6)

A Closed Session was not held.

5 ADJOURNMENT

- a) Adjourn

With nothing further, the meeting was adjourned at 5:28 p.m.

Motion to Adjourn

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

Duly adopted this the 6th day of March 2023, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Heidi L. Holland, CMC, NCCMC
Town Clerk

February 6, 2023
Minutes



Town of Clayton
Regular Town Council Meeting Minutes
Monday, February 20, 2023 at 6:00 PM
Council Chambers, Town Hall
111 E Second Street

Council Present:

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
Lee Barbee, Interim Deputy Town Manager/Fire Chief
Heidi Holland, Town Clerk
Robert McKie, Finance Director
Greg Tart, Police Chief
Jonathan Jacobs, Assistant Engineering Director
Joshua Baird, Engineering Director
Nathanael Shelton, Communications Officer
Ben Howell, Planning Director
Shaun Mizell, Procurement Manager
Patrick Pierce, Economic Development Director
Bruce Venable, Planner I

Council Absent:

Mayor Jody McLeod

1. CALL TO ORDER

a. Call to Order

Mayor Pro Tem Thompson called the meeting to order at 6:00 p.m.

b. Pledge of Allegiance

Mayor Pro Tem Thompson led the Pledge of Allegiance.

c. Invocation

Mayor Pro Tem Thompson provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

a. Approval of Agenda

Mr. Cappola requested to make the following adjustments to the agenda:

REMOVE:

3a. Minutes

4a. Employee Introduction

- Alicia Ballard, Part-Time Custodian

ADD :

9d. Hotel Occupancy Tax

Presenter: Patrick Pierce, Economic Development Director

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

- February 6, 2023 - Work Session
- February 6, 2023 - Regular Session
- February 6, 2023 - Closed Session

Presenter: Heidi Holland, Town Clerk

Removed from the agenda.

b. Accept Streets Into the Town of Clayton Street System For Maintenance – Riverwood Athletic Club, Phases 2B-3, Payton Drive, Phase 5A, 5B1, & 5B2

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

c. FY 2023 Mid-Year Review Budget Amendments

Presenter: Robert McKie - Finance Director

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

4. ADMINISTRATIVE ITEMS

a. Employee Introduction

- Alicia Ballard, Part-Time Custodian

Presenter: Greg Nelson, Property Maintenance Superintendent

This item was removed from the agenda.

- b. **Recreation Advisory Board Appointment**
Presenter: Heidi Holland, Town Clerk

Ms. Holland stated there has been a vacancy for an in-town position on this board to fill an unexpired term of 12/31/2023. One in-town application has been on file. Council and staff felt this applicant had met the criteria to fill this vacancy. It has been recommended to appoint Carol Houston to fill this vacancy.

Approval of Appointment

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

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. **Recognition of Procurement Month**
Presenter: Mayor Pro Tem Thompson

Mayor Pro Tem Thompson read the proclamation into the record and presented to Shaun Mizell, Procurement Manager. Mr. Mizell stated the Town would hold its first Town of Clayton Vender Expo on March 14, 2023 in the Town Hall lobby. The City of Raleigh contacted Mr. Mizell to attend their Minority Women Business Enterprise Expo on March 16, 2023. Mr. Mizell and his staff will be attending that. Council Member Everett would be attending as well. He stated they would be hosting Procurement Open House at Town Hall, more details to follow.

- b. **Employee Appreciation Day Proclamation**
Presenter: Mayor Pro Tem Thompson

Mayor Pro Tem Thompson read the proclamation into the record. Town Facilities would be closed on March 3, 2023 from 1-3 p.m while for an employee appreciation opportunity.

- c. **National Engineer's Week Proclamation**
Presenter: Mayor Pro Tem Thompson

Mayor Pro Tem Thompson read the proclamation into the record and presented to the Engineering Department. Joshua Baird stated he appreciates the recognition.

6. PUBLIC HEARINGS

- a. **2022-206-OA Special Use Permit Text Amendments**
Presenter: Ben Howell, Planning Director

Mr. Howell stated the amendment covers several different sections of the UDC:

- 155.202 – Land Use Regulations
- 155.203(L) – Conditional Zoning District Standards
- 155.402(E)(2)(d) – Project Boundary Buffers
- 155.705 – Conditional Zoning District (Administration/Procedures)

The purpose of this amendment is to allow certain residential uses to be approved through the Legislative Condition Zoning District process instead of the quasi-judicial special use permit process. This amendment was initiated at the request of Town Council and Town Administration.

Described were details of this amendment:

155.202 – Land Use Regulations

- Replace requirement for townhomes, duplexes, and apartments to get SUP with a requirement for a conditional zoning district.

155.203(L) – Conditional Zoning District Standards

- Add language specifying conditional zoning districts require either a site plan or master plan and narrative.
- Add language specifying that specific use standards in Article 3 apply to conditional zoning districts, unless modified standards are approved by Town Council.

155.402(E)(2)(d) – Project Boundary Buffers

- Replace “Planned Development” with “Conditional Zoning District.”

155.705 – Conditional Zoning District (Administration/Procedures)

- Remove 5 acre or one full city block size minimum for conditional zoning districts.
- Specify that certain conditional zoning districts require a Site Plan while others require a Master Plan and Narrative
- Add minimum requirements for Master Plan Narrative.

For the approval criteria, essentially staff has determined the text amendment is consistent with the remainder of the code and all approved plans. The amendment is a result of changing circumstances. The text amendment does correct an error in section 155.402 (E)(2)(d) replacing the words plan development with conditional zoning districts.

Planning Board unanimously recommended the amendment for Public Hearing and Consideration by Town Council and approved the Consistency Statement.

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

Council Member Casey asked Mr. Howell to reiterate that a Special Use Permit process is a quasi-judicial and only certain testimony could be heard; with a Conditional Zoning, most people could speak. Mr. Howell went into detail on this and confirmed that is correct. Council Member Casey stated with this new process the Planning Board would also hear these cases, Mr. Howell stated under the current SUP process, these would come directly to Council, with the

Conditional Zoning Process, these cases would go to the Planning Board first for recommendation and then to Council. Council Member Casey asked if with this new Conditional Zoning process versus the SUP, are the UDC codes still being followed like the way the SUP process was? Mr. Howell stated like the SUP process, all cases go through significant review with the TRC committee before going through any board process. With Conditional Zoning Districts there is opportunity to deviate from certain sections of code, that must be clearly explained in the Conditional Zoning District materials, but where they are not allowed to deviate from code, the TRC reviews and ensures the project is meeting code before it comes to the Planning Board and Council.

Adoption of Ordinance #2023-02-01 and Approval of Consistency 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

- b. 2022-214-RZ Town of Clayton Rezoning
Presenter: Bruce Venable, Planner I Trainee

Mr. Venable presented this item. This is the R. Steven Biggs Wastewater Pre-Treatment Facility that the Town recently sold to Novo Nordisk. This is to rezone from Public Facilities to Industrial Light. This is approximately 22. Acres located on 3798 Powhatan Road. The Future Land Use Map shows this as employment center.

Staff recommends approval as well as the Planning Board.

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

Adoption of Ordinance #2023-02-02 and Approval of Consistency Statement

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

- c. 2022-197-RZ Lot 8 Gateway Drive Rezoning
Presenter: Bruce Venable, Planner I

Mr. Venable presented this item. He stated this is located at Lot 8 off Gateway Drive and approximately 1.24 acres, currently the property is vacant. The request is to rezone from Business Highway Special Use District to Office-Industrial. The applicant is requesting this rezoning because previous parcel

was zoned as Business Highway Special Use District, which is no longer a zoning district. They have requested the property to be rezoned to Office-Industrial.

The Future Land Use Map shows this as an employment center. Staff recommends approval as well as the Planning Board.

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

Adoption of Ordinance #2023-02-03 and Approve Consistency 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

7. OLD BUSINESS

- a. Rolling Stock Reimbursement Resolution
Presenter: Robert McKie, Finance Director

Mr. McKie stated he is asking for approval of a reimbursement resolution for Rolling Stock. In the 2023 budget there was a line item for a financing assumption for Rolling Stock. This resolution positions the Town to allow itself to reimburse with the proceeds of a subsequent financing for Rolling Stock. The amount of the resolution is not to exceed \$2.5 million dollars.

Adoption of Resolution #2023-07

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

8. NEW BUSINESS

9. STAFF REPORTS

- a. Town Manager

Mr. Cappola stated last week the Executive Team spent four days meeting with departments to discuss the 2024 budget calendar. Initial requests from all departments were received. The Executive Team is working through all compiled information to determine what could be supported. At the Council Retreat this information would be discussed.

On March 3, 2023, Town Facilities would be closed from 1-3 p.m. to have an employee appreciation opportunity.

b. Town Attorney

Attorney Cauley stated he would like to commend Council for the action taken tonight to amend the SUP process. This is a much simpler process. He stated he thinks Council would like this change and could avoid any litigation.

c. Town Clerk

d. Other Staff

Hotel Occupancy Tax

Presenter: Patrick Pierce, Economic Development Director

Mr. Pierce discussed the Hotel Occupancy Tax. This is a common tool used throughout the State. This is a tax the General Assembly passed in the late 80's that allows counties and towns to assess a tax on visitors coming in for hotels, AirBNB, short-term rentals and bed and breakfasts. This is a tool that has been considered and has been on legislative priorities for Town Council in the past. There is an opportunity this year to look at this. Currently Johnston County assesses this 3% tax.

Enabling Process

- General Assembly considers local legislation
- Town enacts Hotel Occupancy Tax ordinance
- Town creates a Tourism Advisory Committee (recommended)
- Legislation typically only considered during long sessions (odd years)

Remittance Process

- Hotels collect tax and remits to Town
- Town retains 3% administration fee
- Town sends remaining collections to Johnston County Tax Administration
- County deposits into Johnston County Tourism Authority account for use on Projects in Clayton

Use of Funds

- Options
 - Contracts with Johnston County Visitors Bureau for Professional Services and projects (15% fee)
 - Reimbursement from JCVB for qualifying expense
- Two-thirds for promotion; one-third for tourism-related projects, including capital projects (wayfinding is also included in this)

This is just a toolbox, once this bill has been passed, when and if Council does decide to pass an ordinance, that time would be up to Council.

Mayor Pro Tem Thompson stated this is something Council has wanted to do for a long time, we need to seize the opportunity. Attorney Cauley asked if the local delegation is ready to submit a bill on behalf of the Town, Mr. Pierce stated because there is a local jurisdiction that is already looking to do this, he believes there is already language to be drafted. Attorney Cauley stated the local bill deadline for Senate is this week and the House is next week, so this needs to move quickly. Mr. Cappola stated if we have consensus from Council, a letter from himself would be sufficient to move forward.

A motion was made for staff to move forward with the Hotel Occupancy Tax

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

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 Casey stated he would like Council and staff to take note of a letter received from Downtown Development Advisory Board regarding obstacles with Downtown lighting ordinance. He asked Staff to review those considerations and come to Council with a revised ordinance.

Council Member Sims stated he would like to thank all employees and staff that participated in the Healthy Heart Breakfast.

11. CLOSED SESSION

- a. Closed Session to Discuss Economic Development in Accordance with NC GS 143-318.11(a)(4) and to Consult with the Town Attorney in Accordance with NC GS 143-318.11(a)(3)

Motion To Go Into Closed Session at 6:40 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 7:35 p.m.

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

12. ADJOURNMENT

a. Adjourn

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

Motion to Adjourn

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

Duly adopted this the 6th day of March 2023, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Heidi L. Holland, CMC, NCCMC
Town Clerk

Town of Clayton Policy & Procedure Statement



Policy Number	ADM-2022-01BA
Department	Admin
Subject	Process for Appointments to Town of Clayton Advisory Boards REV.
Approved By	Town Council – Resolution #2022-95
Effective Date	January 17, 2023
Revision Date(s)	January 17, 2023 – Resolution #2023-02; March 6, 2023 – Resolution #2023-06

Purpose:

The purpose of this policy statement is to develop a preferred process for Council to follow for Advisory Board appointments to ensure that all Council Members operate under the same process. Additionally, this written process will clearly outline for citizens the process the Council uses for board appointments. The Town Council may, by majority vote, decide to waive, vary, or otherwise modify the process outlined in this policy.

This policy covers boards: Board of Adjustment., Downtown Development Association Advisory Board, Fire Advisory Board, Library Advisory Board, Planning Board, Public Art Advisory Board, and Recreation Advisory Board.

The Downtown Development Association Advisory Board term limits run from July 1st – June 30th. All other Town boards run from January 1st – December 30th.

Policy:

This is a modified version of the original document created on August 1, 2022. This policy shall remain in effect until such time as amended by the Town Council.

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01B

*Updated 2/6/2023

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01A

*Updated 1/6/2023

TOWN OF CLAYTON POLICY AND PROCEDURES FOR APPOINTMENTS TO ADVISORY BOARDS

PURPOSE

The Town of Clayton is best served when there is broad representation of citizens and interests on our Advisory Boards. The Town Council believes it is important that the recruitment process is open, fair and equitable to all citizens who have a desire to serve on an Advisory Board. The purpose of this policy is to develop a preferred process for council to follow for all Advisory Board appointments to ensure all council members operate under the same procedures while displaying transparency for our citizens.

It is the approach of the Town Council to appoint persons who have demonstrated:

- A commitment to fulfill the obligations of the board membership.
- The personal, educational and life experience qualifications to actively participate in the board deliberations.
- A history of good citizenship.
- No potential conflict of interest in any activities of the appointive Advisory Board.

ELIGIBILITY FOR APPOINTMENT

**Exceptions to eligibility are noted separately in the by-laws for each individual board where this applies.*

- Must be over the age of 18 to be appointed.
- Must be a Town of Clayton Resident.*
- Must have knowledge/experience in the board applied for.

INTERVIEW PANEL

The interview panel shall include:

- Board's Council Liaison
- Board's Staff Liaison
- Board's Chair or Designated Board Member

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01B

*Updated 2/6/2023

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01A

*Updated 1/6/2023

The interview shall last approximately 15-20 minutes and may include the following, or similar, questions:

- Why are you interested in serving on this board?
- What experience do you have related to this board?
- How much time will you be able to contribute?
- What qualities make a great board member?

RECRUITMENT AND APPLICATION PROCESS

To apply for a position on one of the Town's Advisory Boards, a citizen must submit an application with the Clerk's Office. This application can be found on the Town of Clayton's website at <https://townofclaytonnc.civicweb.net/Portal/BoardApplication/>. The Clerk's Office will verify the eligibility of the application and will respond to the applicant with an appropriate response.

CRITERIA

Eligible applications will be evaluated using the following criteria:

- Expertise
- Board Experience
- Contributive Potential
- Leadership Potential
- Diversity

FILLING VACANCIES FOR ADVISORY BOARDS

1. Each year, at the beginning of the month of May, the Clerk's Office will evaluate all Advisory Boards, except Downtown Development Association Advisory Board, for vacancies and begin the process to fill those. The Downtown Development Association Advisory Board process to fill vacancies will begin in April.

The list of vacancies will be submitted to Council to let them know this process has begun. The Clerk's Office will share this information with the Communications Office; that department will be responsible for pushing out a social media post describing which boards have vacancies and stating applications are being accepted. The length of time for accepting applications shall not exceed one month.

- ~~1. Each year, at the beginning of the month of May, the Clerk's Office will evaluate each Advisory Board for vacancies and begin the process to fill those. The list of vacancies will be submitted to Council to let them know this process has begun. The Clerk's Office will share this information with the~~

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01B

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Policy for Appointments to Town of Clayton Advisory Boards

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*Updated 1/6/2023

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- ~~2. Once the application deadline has been met, the Clerk's Office will verify all applications to certify the applicants have met the By-Law residency requirements. The Clerk's Office will be responsible for emailing each applicant to let them know their application has been received and will notify them if they do not meet the residency requirements.~~
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3. The Clerk's Office will share all eligible applications with the Board's Council Liaison and Board's Staff Liaison. In reviewing the applications, the Council Liaison should take into consideration the makeup of each board and strive to achieve a balance of diversified applications covering a range of qualification and perspectives. It is the Council Liaison's preference to determine if an applicant has the experience and/or qualifications to be selected for an interview.
4. Council Liaison will submit the names of the applicants they would like to interview for the vacancy to the Clerk's Office. Council Liaisons are encouraged to include comments with this list of suggested applicants.
5. The Clerk's Office will compile a spreadsheet of recommended interviewees and forward the list to the Staff Liaison and the Board Chair (or designee) to review all applications that have been selected for an interview. Please note: If only 2 vacancies are available and only 2 applications are received, interviews are not required as long as Council Liaison feels this applicant meets all criteria to serve on the board they are applying for.
6. The Clerk's Office will be responsible for contacting all selected applicants with a date and time for their interview as well as coordinate these times with the Council Liaison, Staff Liaison and the Board Chair (or designee). After interviews have occurred, the Clerk's Office will compile a list of suggested

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01B

*Updated 2/6/2023

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01A

*Updated 1/6/2023

recommendations provided by the Interview Panel and distribute this list to the entire Council.

7. At the next scheduled Work Session, Council will have the opportunity to discuss the list of recommendations for appointment. These recommendations will be voted on at the next regular Council Meeting.

PROCEDURES FOR EXPIRING TERMS

Beginning in October, for Board Members with upcoming expiring terms, the Clerk's Office will mail letters to these members to determine if they would like to reapply for another term. This applies to all boards except the Downtown Development Advisory Board. The procedure for filling expiring terms for the Downtown Development Association Advisory Board will begin in April.

If a Board Member is interested in serving another term, an interview is not required, however, an application will still need to be submitted.

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ALTERNATES

Each board will have two alternates on their board. The alternates will go through the standard process of submitting an application, the Clerk's Office will check their eligibility and Council Liaison will determine if they meet the criteria for an interview. Selected alternates will be required to attend each meeting. In the case of an absence, the alternate will fill in for the absent board member and will be allowed to vote on items. If all members attend the meeting, the alternative will not be allowed to vote.

If a member resigns before their term has expired, the first alternate will fill that term. If another member resigns before their term, the second alternative will fill that term.

AGENDA PROCESS

The recommendations for appointment will be included on the next available agenda and will include the names of the applicants recommended as well as their term limits. The recommendation's applications should be included in the agenda packet as well.

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01B

*Updated 2/6/2023

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01A

*Updated 1/6/2023

NOTIFICATIONS

After Council's decision at the council meeting, the Clerk's Office will prepare a letter of notification to applicants to advise them of Council's decision.

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ORIENTATION

At the new board member's first meeting, they shall be issued an Advisory Board Member Information/Orientation book. These are kept on file in the Clerk's Office.

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01B

*Updated 2/6/2023

Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01A

*Updated 1/6/2023

Town of Clayton Policy & Procedure Statement



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Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01B

*Updated 2/22/2023

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Policy for Appointments to Town of Clayton Advisory Boards

ADM-2022-01B

**Updated 2/22/2023*

5. The Clerk's Office will compile a spreadsheet of recommended interviewees and forward the list to the Staff Liaison and the Board Chair (or designee) to review all applications that have been selected for an interview. Please note: If only 2 vacancies are available and only 2 applications are received, interviews are not required as long as Council Liaison feels this applicant meets all criteria to serve on the board they are applying for.
6. The Clerk's Office will be responsible for contacting all selected applicants with a date and time for their interview as well as coordinate these times with the Council Liaison, Staff Liaison and the Board Chair (or designee). After interviews have occurred, the Clerk's Office will compile a list of suggested recommendations provided by the Interview Panel and distribute this list to the entire Council.
7. At the next scheduled Work Session, Council will have the opportunity to discuss the list of recommendations for appointment. These recommendations will be voted on at the next regular Council Meeting.

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AGENDA PROCESS

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ORIENTATION

At the new board member's first meeting, they shall be issued an Advisory Board Member Information/Orientation book. These are kept on file in the Clerk's Office.

**TOWN OF CLAYTON
RESOLUTION ADOPTING AN AMENDED POLICY AND PROCEDURES FOR
APPOINTMENTS TO ADVISORY BOARDS**

WHEREAS, the Town of Clayton is best served when there is broad representation of citizens and interests on our Advisory Boards. The Town Council believes it is important that the recruitment process is open, fair and equitable to all citizens who have a desire to serve on an Advisory Board; and

WHEREAS, the purpose of this policy is to develop a preferred process for council to follow for all Advisory Board appointments to ensure all council members operate under the same procedures while displaying transparency for our citizens; and

WHEREAS, the proposed Policy and Procedures for Appointments To Advisory Boards was provided and discussed with the Town Council at its Monday, July 18, 2022, work session meeting. Since that initial proposal, amendments have been made to this policy.

NOW, THEREFORE, BE IT RESOLVED that:

The Mayor and Clayton Town Council of the Town of Clayton hereby adopt the Amended Policy and Procedures for Appointments To Advisory Boards.

Duly adopted this 6th day of March, 2023 while in regular session.

(ATTEST)

Mayor L. McLeod
Mayor

Heidi L. Holland, CMC, NCCMC
Town Clerk

This Resolution refers to Policy ADM-2022-01A



Regular Town Council Meeting Agenda Cover Sheet

Meeting Date

March 6, 2023

Agenda Location

CONSENT AGENDA

Item Title

RESOLUTION 2023-09 TO ACCEPT PUBLIC UTILITIES INTO THE TOWN OF CLAYTON PUBLIC UTILITY SYSTEM FOR MAINTENANCE – ACADEMY POINT, PHASES 8 & 9

Presenter(s)

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

Suggested Action

Adoption of Resolution

Strategic Priorities Alignment



☐
Think Clayton
(Administrative)



☐
Think Arts &
Culture



☐
Think
Downtown



☐
Think
Economic
Development



☐
Think Land
Use &
Housing



☐
Think
Mobility



☐
Think Parks,
Recreation
& Natural
Resources



☒
Think Public
Services &
Infrastructure

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media

- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey

☐ Special Mailing

☐ None Required

Other/Special Instructions: N/A

Summary

Public Utilities (water and sewer), their easements, and applicable apparatuses are required to be designed and built according to the Town of Clayton Manual of Standards, Specifications, and Design. The subject public utilities have been verified through testing and inspections to be installed per the Town's Manual of Standards, Specifications, and Design and have been certified and approved by the appropriate regulatory agencies. A one-year warranty period for the subject public utilities has expired and additional repairs were made prior to a final acceptance inspection by Engineering staff. Engineering staff recommends final acceptance of the subject public utility infrastructure into the Town of Clayton Public Utility System for maintenance.

Funding Source

N/A

Corresponding Documentation

[Utility Resolution Final 2-20-23](#)

Submitted By: Chris Rowland, Engineering

Reviewed By:

Jonathan Jacobs, Assistant
Engineering Director

Approved - Feb 20 2023

Joshua Baird, Engineering Director

Approved - Feb 21 2023

Rich Cappola, Town Manager

Approved - Feb 27 2023

Heidi Holland, Town Clerk

Approved - Feb 27 2023

**RESOLUTION 2023-09 TO ACCEPT PUBLIC UTILITIES INTO THE TOWN OF
CLAYTON PUBLIC UTILITY SYSTEM FOR MAINTENANCE – ACADEMY POINT,
PHASES 8 & 9**

WHEREAS, public utilities (water and sewer), their easements, and applicable apparatuses are required to be designed and built according to the Town of Clayton Manual of Standards, Specifications and Design; and

WHEREAS, the public utility segments listed below have been certified and approved by the appropriate regulatory agencies; and

WHEREAS, the public utility segments listed below were placed under a warranty period for one-year to monitor for construction deficiencies, which has subsequently expired and

WHEREAS, Town of Clayton Engineering staff has inspected the public utility segments listed below and recommends final acceptance by Town Council for operation and maintenance by the Town and;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Clayton, North Carolina accept this list of public utilities and their apparatuses into the Town of Clayton Public Utility System.

SUBDIVISION	LOCATION DESCRIPTION	UTILITY TYPE AND SIZE	LENGTH
Academy Point, Phases 8 & 9	Entrance to Phase	6" Waterline	24.00
Academy Point, Phases 8 & 9	Alley 1 (Parking Lot)	8" Sanitary Sewer	191.00
Total Length			215.00LF

Duly adopted this the 6th day of March 2023.

Jody McLeod
Mayor

ATTEST:

Heidi L. Holland, NCCMC
Town Clerk



Regular Town Council Meeting Agenda Cover Sheet

Meeting Date

March 6, 2023

Agenda Location

ADMINISTRATIVE ITEMS

Item Title

Sam's Branch WRF Program Update

Presenter(s)

Louis Duffie, Town of Clayton - Project Manager Adam Sharpe, HDR - Project Principal

Suggested Action

Information Only

Strategic Priorities Alignment



☐
Think Clayton
(Administrative)



☐
Think Arts &
Culture



☐
Think
Downtown



☐
Think
Economic
Development



☐
Think Land
Use &
Housing



☐
Think
Mobility



☐
Think Parks,
Recreation
& Natural
Resources



☒
Think Public
Services &
Infrastructure

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☐ Special Mailing

- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey
- ☒ None Required

Summary

Project staff will provide a status update of the Sam's Branch WRF and associated projects.

Funding Source

N/A

Submitted By: Louis Duffie, Engineering

Reviewed By:

Joshua Baird, Engineering Director

Approved - Mar 01 2023

Rich Cappola, Town Manager

Approved - Mar 01 2023

Heidi Holland, Town Clerk

Approved - Mar 01 2023

**TOWN OF CLAYTON
PROCLAIMING MARCH 8, 2023
AS CLAYTON WOMEN'S DAY**

WHEREAS, over the years we have seen the active participation of great female leaders in our community, and it is a fact that many of the “first woman” have come straight from our little Town of Clayton, and;

WHEREAS, we are leaders, businesswomen, elected officials, community advocates, doctors, attorneys, students, educators, realtors, and business owners, to name a few, and;

WHEREAS, over the years we have proven to be an essential part of the growth of our Town, and our contributions have directly impacted the social and economic development, as well as the vitality of Clayton, and;

WHEREAS, many amazing women from our Town have been locally and internationally recognized, and we have represented you and our Town proudly, and;

NOW, THEREFORE, on behalf of the Clayton Town Council, I, Mayor McLeod, hereby proclaims March 8, 2023 as Clayton Women's Day.

Proclaimed this the 6th day of March, 2023.

Jody L. McLeod
Mayor

PROCLAMATION- TRAUMATIC BRAIN INJURY (TBI) AWARENESS MONTH- 2023

WHEREAS, a Traumatic Brain Injury (TBI) is an injury to the brain occurring after birth as a result of an external force to the head; and

WHEREAS, the condition is often a result of a fall, an assault, a motor vehicle accident, being struck by/against, and/or other causes or unknown causes; and

WHEREAS, over 200,000 North Carolinians currently live with a TBI-related disability; and

WHEREAS, the condition affects the lives of not only the individual/survivor, but also their Parents, Spouses, Siblings, Extended Family, Friends, Healthcare Providers, Insurance Companies, Attorneys, Educators, Government Agencies, and Employers; and

WHEREAS, ongoing supports are often needed to support the individual in their daily life skills; and

WHEREAS, TBI can sometimes be an “invisible” condition, creating many challenges around stigmas, awareness, understanding, and acceptance of individuals with TBI; and

WHEREAS, the most effective way to increase awareness is through everyone’s openness to learn and acknowledge that there are systemic barriers that reduce the likelihood of those with TBI enjoying equitable experiences and living independent, productive lives within their communities; and

WHEREAS, policies must be developed, attitudes shaped, and equitable experiences be offered to all individuals, including those with TBI; and

WHEREAS, citizens should do all in their power to:

- Recognize the value of the disability experience in our lives and the valued role it has in our rich diversity.
- Recognize the barriers presented to those with Traumatic Brain Injury across all aspects of their lives.
- Create ways to include everyone; especially those with Traumatic Brain Injury, to be fully included in all aspects of life.
- Understand the losses (financial, spiritual, human rights, contributions to community, and otherwise) when our communities segregate and create barriers for those with Traumatic Brain Injury.
- Demand policymakers no longer invest in segregation and create inclusive, equitable policies and systems for all.

NOW, THEREFORE, the Honorable Mayor and Town Council of the Town of Clayton, do hereby proclaim March 2023 as

TRAUMATIC BRAIN INJURY AWARENESS MONTH

and galvanize efforts that will lead our communities and policy makers to create real system changes so people with traumatic brain injuries will enjoy equitable, inclusive lives.

IN WITNESS WHEREOF, I the Honorable Mayor and Town Council of the Town of Clayton have hereunto set our hand and caused our seal this 6th day of March, in the year of our Lord, two thousand and twenty- three.

Jody L. McLeod
Mayor

PROCLAMATION DEVELOPMENTAL DISABILITY AWARENESS MONTH- 2023

WHEREAS, a Developmental Disability is diverse group of chronic conditions that are due to mental or physical impairments that arise before adulthood.

WHEREAS, the condition is likely to continue indefinitely and limits the individual in 3 or more of the following areas: Self-care, Receptive and expressive language, Learning, Mobility, Self-direction, Capacity for independent living, and Economic self-sufficiency.

WHEREAS, the condition creates the individual's need for a combination of special, interdisciplinary services, individualized/person-centered supports, and other forms of long-term assistance that are individually planned and coordinated.

WHEREAS, the disability experience is a natural part of life and is valued as a part of our rich diversity.

WHEREAS, disability is a social construct. The 'problem' is not the medical condition that resides within the individual, but the 'problem' is that society does not create welcoming, supporting, and inclusive environments, policies, and/or systems for all, to promote equality and acceptance in all areas of life, including schools, places of employment, and in our communities.

WHEREAS, the most effective way to increase awareness is through everyone's openness to learn and acknowledge that there are systemic barriers that reduce the likelihood of those with disabilities enjoying equitable experiences and living independent, productive lives within their communities.

WHEREAS, policies must be developed, attitudes shaped, and equitable experiences be offered to all individuals, including those with developmental disabilities.

WHEREAS, Citizens should do all in their power to:

- Recognize the value of the disability experience in our lives and the valued role it has in our rich diversity.
- Recognize the barriers presented to those with disabilities across all aspects of their lives.
- Create ways to include everyone; especially those with developmental disabilities, to be fully included in all aspects of life.
- Understand the losses (financial, spiritual, human rights, contributions to community, and otherwise) when our communities segregate and create barriers for those with disabilities.
- Demand policymakers no longer invest in segregation and create inclusive, equitable policies and systems for all.

NOW, THEREFORE, the Honorable Mayor and Town Council of the Town of Clayton, do hereby proclaim March 2023 as

DEVELOPMENTAL DISABILITIES AWARENESS MONTH

and galvanize efforts that will lead our communities and policy makers to create real system changes so people with developmental disabilities will enjoy equitable, inclusive lives.

IN WITNESS WHEREOF, I the Honorable Mayor and Town Council of the Town of Clayton have hereunto set our hand and caused our seal this 6th day of March, in the year of our Lord, two thousand and twenty- three.

Jody L. McLeod
Mayor



Regular Town Council Meeting Agenda Cover Sheet

Meeting Date

March 6, 2023

Agenda Location

PUBLIC HEARINGS

Item Title

2023-06-SPA Vinson's Pub Alternative Sign Plan Amendment

Presenter(s)

Ben Howell, Planning Director

Suggested Action

Adoption of Resolution

Strategic Priorities Alignment



☐
Think Clayton
(Administrative)



☐
Think Arts &
Culture



☒
Think
Downtown



☐
Think
Economic
Development



☒
Think Land
Use &
Housing



☐
Think
Mobility



☐
Think Parks,
Recreation
& Natural
Resources



☐
Think Public
Services &
Infrastructure

Public Hearing: Yes - Legislative

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☒ Special Mailing

- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey
- ☐ None Required

Other/Special Instructions: Public Meeting Sign Posted

Summary

The Unified Development Code allows for an Alternative Sign Plan, approved by Town Council, for any signage that will not meet requirements in Section 155.403 of the UDC. Vinson's Pub had an Alternative Sign Plan approved in 2018, which allowed painted signage on the building. An amendment to the 2018 Alternative Sign Plan has been submitted, to allow for changes to the painted signage and allow additional signage that would exceed the current allowance in the Unified Development Code. The amendment also removes one window sign and one painted sign on the rear of the building that were approved in the 2018 Alternative Sign Plan.

Recommendation

Staff recommends approval of 2023-06-SPA Vinson's Pub Alternative Sign Plan Amendment.

Funding Source

N/A

Cost

N/A

Corresponding Documentation

[2023-06-SPA Vinsons Pub Alt. Sign Plan Amendment Staff Report](#)

[2023-06-SPA Vinson's Pub Alternative Sign Plan Application](#)

[2023-06-SPA Vinson's Pub Alternative Sign Plan Amendment](#)

[Original Vinsons Alt Sign Plan 2018-56-SNA](#)

[2023-06-SPA Vinsons Pub Alternative Sign Plan Approval Resolution](#)

Meeting Timeline

Town Council Public Hearing - March 6, 2023

Submitted By: Ben Howell, Planning

Reviewed By:

Ben Howell, Planning Director

Rich Cappola, Town Manager

Heidi Holland, Town Clerk

Approved - Feb 28 2023

Approved - Mar 01 2023

Approved - Mar 01 2023



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002

Town Council March 6, 2023

STAFF REPORT

Application Number: 2023-06-SPA

Project Name: Vinson's Pub Alternative Sign Plan Amendment

Tag #: 05008071
Location: 800 E Main Street
Applicant: Lipscomb Development, LLC
Owner: Lipscomb LLC

Public Noticing:

- Letters Sent: February 16, 2023
- Sign Posted: February 23, 2023

REQUEST: Amend the approved Alternative Sign Plan for Vinson's Pub (2018-56-SNA) to add signage, revise approved signage, and remove one sign.

SITE DATA:

Acreage: 0.190 Acre
Present Zoning: B-1
Existing Use: Restaurant



STAFF ANALYSIS AND COMMENTARY:

The applicant has requested an amendment to the approved Alternative Sign Plan for Vinson's Pub (2018-56-SNA) in order to add one additional painted sign, modifying the existing painted signs, add and replace signage for entrance, exist and parking, and add vinyl signage to doors on the Main Street frontage to indicate where the main entrance is located. The existing projecting sign on the Main Street frontage will also be moved to hang over the main entrance to the restaurant.

Existing signage measuring 105 square feet will remain, with two signs being removed: a 1.25 square-foot window sign and a 67.5 square-foot painted sign on the rear wooden fence. A new painted sign on the Main Street frontage will be added, as well as 2 door signs on the Main Street frontage and a new painted sign on the south wall directing customers to the parking area. The new signage totals 133.63 square feet. The Unified Development Code allows for a total of 243.75 square feet of signage based on the lot frontage length; the total proposed sign face area with the existing signage that will remain and the proposed new signage totals 238.63 square feet.

The Unified Development Code (UDC) allows for Alternative Sign Plans, "to allow for creativity of sign design," and allow for signage size that exceeds the limits in the UDC. The applicant has provided a Justification Statement for the amendment that includes images of the new signage. The Unified Development Code includes the following review criteria that should be evaluated by Town Council in the review of Alternative Sign Plans:

- (a) Components of the Alternative Sign Plan shall be consistent with the Town of Clayton General Design Guidelines.
- (b) The proposed sign design, size, color, illumination, and placement are compatible in style and character with any building to which the sign is to be attached, any surrounding structures, any adjoining signage on the site, and/or the district character or architectural character of the area in which it is located.
- (c) Innovative use of materials and design techniques in response to unique characteristics of the specific site, if applicable.
- (d) Sign design, scale and placement.
- (e) Integrates architectural features in a manner compatible with the surroundings and district in which the development is located.
- (f) Consistent with approved neighborhood plans, studies or area plans.
- (g) The Alternative Sign Plan improves the safety and welfare of the general public by minimizing distractions, hazards, and obstructions from sign design or placement.

Staff has reviewed the proposed Alternative Sign Plan Amendment and believes that the proposed amendment meets the review criteria. In accordance with Section 155.403(l)(4) of the UDC, Town Council may impose Conditions of Approval on the Alternative Sign Plan Amendment. Conditions may include, but are not limited to, specification of color(s), reductions in the allowable number of signs, total sign face area, location of signs, and types of signs allowed. Staff is not recommending any conditions of approval for this Alternative Sign Plan Amendment. If the Alternative Sign Plan Amendment is approved, any new signage must match the details provided by the applicant in the Justification Statement.

CONSIDERATIONS

- The applicant has provided a justification statement for their requested Alternative Sign Plan.

ATTACHMENTS:

- 1) Application
- 2) Justification Statement and Signage Details
- 3) 2018 Alternative Sign Plan – 2018-56-SNA Vinson's Pub Alternative Sign Plan



TOWN OF CLAYTON
Planning Department
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

ALTERNATIVE SIGN PLAN APPLICATION

Pursuant to Article 7, Section 155.713 of the Unified Development Code (UDC), no sign, unless specifically exempted under Section 155.403(D) of the UDC may be erected, located or altered in any manner until a sign permit (and building permit if necessary) has been secured from the Planning Department. An owner of land within the jurisdiction of the Town (or a duly authorized agent) may make application with the Planning Department for an Alternative Sign Plan.

See Section 155.403 of the UDC for information on sign regulations. Note that signs in overlay districts (i.e. Downtown Overlay) may be subject to additional requirements.

APPLICATION REQUIREMENTS

- ☒ One copy of this application, signed
- ☒ Owner's Consent Form (if applicant is other than the property owner)
- ☒ All applicable drawings and documents
- ☒ Application Fee (\$300.00)

SITE INFORMATION

Business or Site Name: Vinson's Pub & Eatery

Parcel ID Number: 166806-29-8767 Parcel TAG Number: 05008071

Business Address: 800 E Main Street, Clayton NC 27520

Property Owner: Lipscomb LLC

Property Owner Email &/or Phone: James@myhtr.com ; 919-422-4704

Is the site a multi-tenant building or shopping center? ☒ No ☐ Yes:

Applicable Alternative Sign Plan number (if replacing): 2018-56-SNA

Overlay District (if applicable): ☒ Downtown ☐ Thoroughfare ☐ Scenic Highway

Property Owner: Lipscomb LLC

APPLICANT INFORMATION

Applicant Name: Lipscomb Development, LLC

Contact Person: Emily Beddingfield

Mailing Address: 328 E Main St, Clayton NC 27520

Phone Number: 321-795-7413 Fax: _____

Email Address: Emily@LipscombDevelopment.com

OFFICE USE ONLY

Date Received: _____ Amount Paid: _____ Permit Number: _____

July 2022

REQUIRED INFORMATION

Please provide a typed document including the following items:

Provided?			Item
Yes	N/A	Staff	
☒			1. Justification statement which details project information, modifications being requested, specific code references and proposed alternatives. Statement <u>must</u> include a response to each of the approval criteria outlined in Section 155.403(K)(3) of the UDC.
☒			2. Location (address and development name)
☒			3. All information required for the applicable sign application that the Alternative Sign Plan is replacing, as listed in the tables in this application

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Department of the Town of Clayton to approve the subject Sign Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Emily Beddingfield

Print Name

Emily
Beddingfield

Signature of Applicant

Digitally signed by Emily
Beddingfield
Date: 2023.01.12 11:29:22 -05'00'

01-12-23

Date

Note: A Permanent Sign Permit Application is required following an Alternative Sign Plan approval in order to install a permanent sign.

Alternative Sign Plan Request for Vinson's Pub & Eatery

Justification Statement

This justification statement is provided in compliance with UDC Section 155.403(J).

Summary:

An Alternative Sign Permit was granted to Vinson's Pub & Eatery in 2018 (2018-56-SNA), allowing the painted signage that is present on the building today. The current request updates that Alternative Sign Plan to allow additional painted signage to enhance visibility and balance the visual appearance of the building from street.

155.403(A) "Signs – Purpose and Intent" notes that the code is written "in the interest of promoting traffic safety, safeguarding the public health, facilitating police and fire protection, preventing adverse community appearance, overcrowding of the land, and protecting the character of the area in which they are located." Further, Alternative Sign Plans are intended to "allow for creativity of sign design." (155.403(J)).

The requested signs enhance traffic safety by creating greater visibility of parking areas as well as for the traffic pattern of circulation around the building. The appearance of the building is overall enhanced by the proposed signage which creates better visual balance and visibility for customers. Painted signs are a historically common feature of buildings and towns from the late 19th and early 20th centuries (as Clayton and this particular building are), and buildings like this one were designed so the fascia (also called a signboard) had a designated area for a sign, which was often painted.¹ As such the request serves to enhance the historic character of the building, as well as set the tone for the historic character of Main Street.

Approval of this Alternative Sign Plan allows for enhanced safety and visibility for customers as well as creative design that fits the historic context of the building and enhances the "Main Street" feel.

Request

Please see the attached "2023 Signage Update" which includes a detailed summary of all requested signage.

Specific Code References:

155.403(E)(17): "Signs or murals of a commercial nature painted directly onto a wall or other building surface or structure, unless as part of an Alternative Sign Plan."

- This Alternative Sign Plan is requested to allow additional painted signs, as required by 155.403(E)(17)

155.403(G)(2)(a) "Wall/Fascia Signs – Allowable Sign Face Area": 1. Twenty-five percent of the surface area of each wall, facade, storefront, or fascia area (as applicable) exclusive of windows/doors. 2. Max. 75 square feet.

¹ Source: Auer, Michael. (1991, October) *The Preservation of Historic Signs*. National Park Service. <https://www.nps.gov/orgs/1739/upload/preservation-brief-25-signs.pdf>

- This Alternative Sign Permit requests that the signs exceed these limits with the dimensional standards noted in the “2023 Signage Update” document. The Alternative Sign Plan option was created to allow flexibility and creativity of design, including allowing signage that exceeds standard maximum limits. The proposed signage is consistent with the character of the building and the size of the existing signage on the building.

Vinson's 2023 Alternative Sign Plan – Sign Face Calculations

Calculations for existing and proposed signage, as well as total allowable sign face area for the site, are provided below.

Existing Signage permitted through 2018-56-SNA* that will remain:

North Wall "Vinson's" painted sign	30 sf
South Wall "Vinson's" painted sign	67.5 sf
Projecting Sign	3.75 sf per sign face, 7.5 sf total (The proposed Alternative Sign Plan request moves this sign from Main Street façade to North building façade, above primary entrance door)
Total	105 sf

**Two signs permitted by Alternative Sign Permit 2018-56-SNA were never used and are removed from the request: 1) 1.25 sf window sign, 2) 67.5 sf painted sign on the rear façade wooden fence*

Proposed Additional Signage*:

Main Street wall painted Fascia sign	108.3 sf
Main Street door signage to direct customers to primary entrance (2)	6 sf each, 12 sf total
South wall parking painted sign, directing customers to parking area	13.33 sf
Total:	133.63 sf

**Existing "Entrance" and "Exit" signs will also be replaced; however, these signs are a maximum of 4 sf, do not contain a business name or logo, and so are exempted per 155.403(D)(4)(g).*

Total Sign Face Area:

Total Allowable Sign Face Area per 155.403(F)(3)(a): Linear Lot Frontage * 1.25

- 195 feet lot frontage * 1.25 = 243.75 sf

Total Proposed Sign Face Area (Existing plus Proposed) = **238.63 sf**



2023 Signage Update

Signage Overview



Summary of Changes:

- Overhanging sign that is currently on front of building will move to awning over covered patio, where main entrance is.
- Empty Black bar on front of building will have Vinsons Pub + Eatery Painted in existing space. - Approximate size of 20 inches tall by 65 foot long
- Adding black boarder around existing painted logos so they stand out at a distance
- Adding and replacing signage for entrance, exit, and parking to improve visibility
- Adding vinyl signage to doors on main street side to indicate where main entrance is
- Only True White and True Black colors are used in the new signage.

Signage Mock-ups



Main Street Signage: Lighting: No new illumination, but painted sign will be illuminated by existing wall lights.

- Empty Black bar on front of building will have Vinsons Pub + Eatery Painted in existing space. - Approximate size of 20" tall by 65' long Paint Color: True White
- Adding vinyl signage to doors on main street side to indicate where main entrance is - Approx. 36"x24" Color: True White
- New exit only sign black vinyl on white metal - Maximum 4 sf, approx 48"x12" Color: True Black on True White

Signage Mock-ups

CURRENT



PROPOSED



EAST Wall Signage: Illumination: None

- Adding Black paint to outline of existing logo signage.
Paint Color: True Black
- Adding painted parking sign to existing black bar - Approx. 20"x8'
Paint Color: True White
- New entrance sign black vinyl on white metal - Maximum 4 sf,
approx 48"x12" Color: True Black on True White

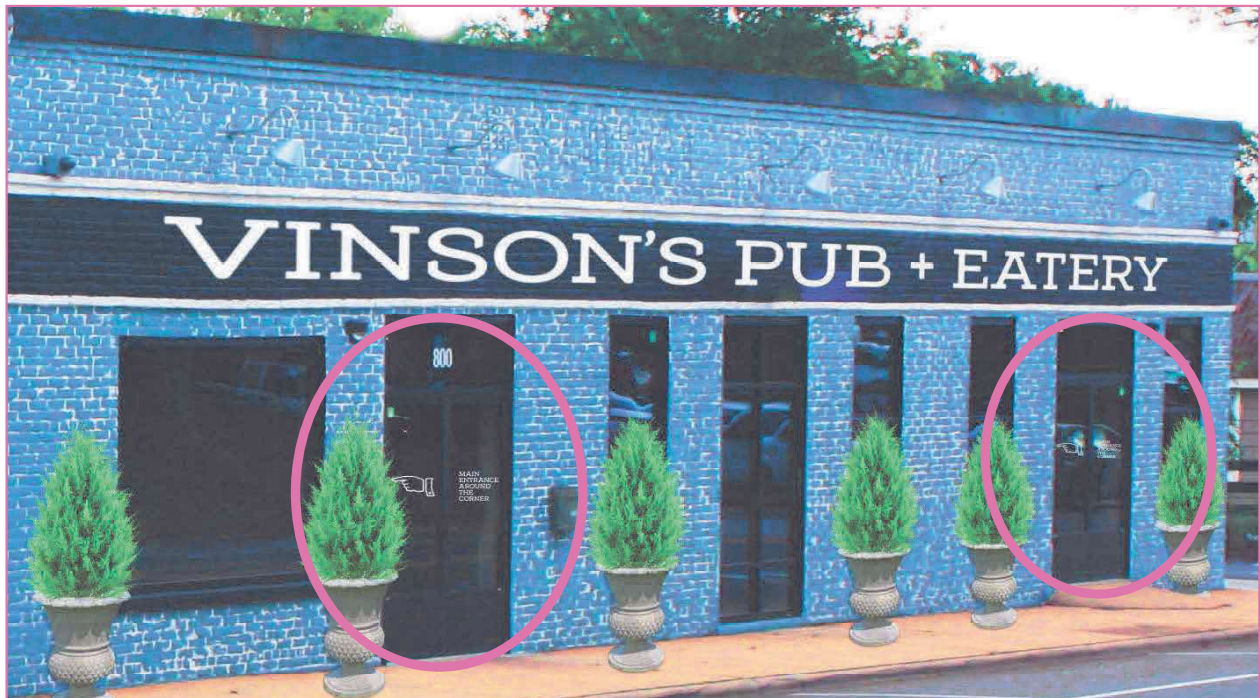
Signage Mock-ups



- New directional signage to east-most and west-most doors - Approximate size of 36"x24" using white vinyl

Color: True White
% of Window/Door: 20%

Illumination: None



EXISTING SIGNAGE

**VINSON'S PUB + EATERY
MAIN STREET PROJECTING SIGN**

Excerpted from and previously approved via Alternative Sign Plan permit 2018-56-SNA.

As noted earlier in this document, this sign will be relocated above the primary entrance door on the north side of the building. Clearance will be a minimum of 7 feet as required for projecting signs per 155.403(G)(5)(c)(1).



DIMENSIONS: 3 X 1.25'

**MATERIAL: PRINTED ALL-WEATHER VINYL
WITH METAL ATTACHMENT RODS**



**VINSON'S PUB + EATERY
EAST FACING SIGNAGE**

Excerpted from and previously approved
via 2018-56-SNA.

No change is proposed; sign will remain
as noted earlier in this document.



DIMENSIONS: 10 X 3'

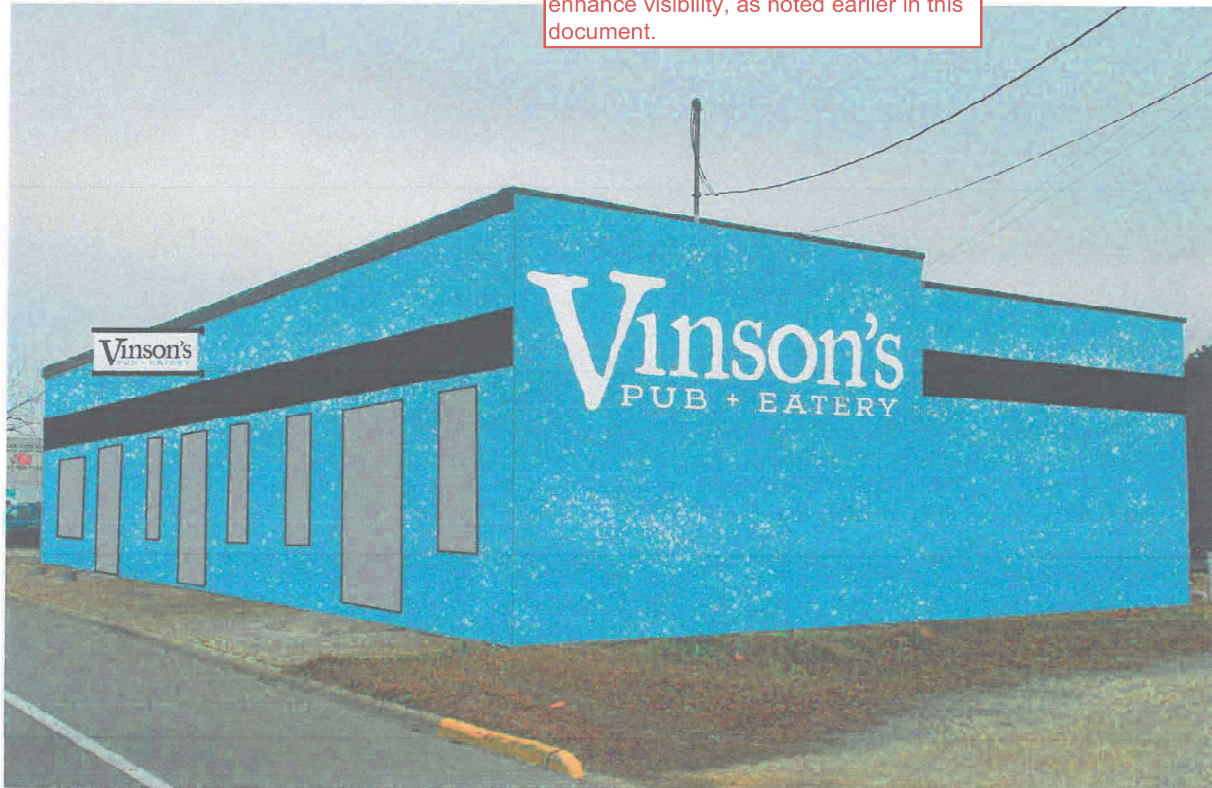
MATERIAL: PAINT ON BRICK



VINSON'S PUB + EATERY
WEST FACING SIGNAGE

Excerpted from and previously approved
via 2018-56-SNA.

No change is proposed except that black
paint will be added around letters to
enhance visibility, as noted earlier in this
document.



DIMENSIONS: 15 X 4.5'

MATERIAL: PAINT ON BRICK



**VINSON'S PUB + EATERY
NORTH FACING SIGNAGE**

Excerpted from 2018-56-SNA.

Vinson's logo sign on rear elevation was never installed and is hereby removed from the Alternative Sign Plan.

The Comets logo was painted but is much smaller than depicted here. As it does not contain any commercial messaging it is not included in this Alternative Sign Plan's calculations.



DIMENSIONS: 15 X 4.5'

MATERIAL: PAINT ON WOOD





TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1770

ALTERNATIVE SIGN PLAN APPLICATION

Pursuant to Article 7, Section 155.713 of the Unified Development Code (UDC), no sign, unless specifically exempted under Section 155.403(D) of the UDC may be erected, located or altered in any manner until a sign permit (and building permit if necessary) has been secured from the Planning Department. An owner of land within the jurisdiction of the Town (or a duly authorized agent) may make application with the Planning Department for an Alternative Sign Plan.

See Section 155.403 of the UDC for information on sign regulations. Note that signs in overlay districts (i.e. Downtown Overlay) may be subject to additional requirements.

APPLICATION REQUIREMENTS

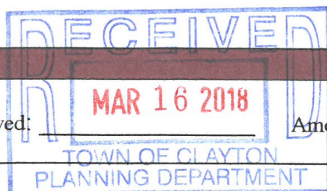
- ☐ One copy of this application, signed
- ☐ Owner's Consent Form (if applicant is other than the property owner)
- ☐ All applicable drawings and documents
- ☐ Application Fee (\$100.00)

SITE INFORMATION

Business or Site Name: Vinson's Pub & Eatery
Parcel ID Number: 05008071 Parcel TAG Number: 05008071
Business Address: 800 E. main St.
Property Owner: Lipscomb, LLC
Property Owner Email &/or Phone: James@myHTR.com (919)422-4704
Is the site a multi-tenant building or shopping center? ☒ No ☐ Yes:
Applicable Alternative Sign Plan number (if replacing): _____
Overlay District (if applicable): ☐ Downtown ☐ Thoroughfare ☐ Scenic Highway
Property Owner: Lipscomb, LLC

APPLICANT INFORMATION

Applicant Name: Lipscomb, LLC
Contact Person: James Lipscomb
Mailing Address: 328 E. main St, Clayton
Phone Number: (919)422-4704 Fax: _____
Email Address: James@myHTR.com



OFFICE USE ONLY

Date Received: _____

Amount Paid: \$100

Permit Number: 2018-56-SNA

January 2017

Page 1 of 2

REQUIRED INFORMATION

Please provide a typed document including the following items:

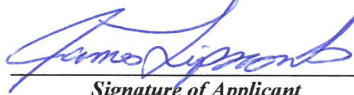
Provided?			Item
Yes	N/A	Staff	
☒			1. Justification statement which details project information, modifications being requested, specific code references and proposed alternatives. Statement <u>must</u> include a response to each of the approval criteria outlined in Section 155.403(K)(3) of the UDC.
☒			2. Location (address and development name)
☒			3. All information required for the applicable sign application that the Alternative Sign Plan is replacing, as listed in the tables in this application

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Department of the Town of Clayton to approve the subject Sign Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

JAMES LIPSCOMB

Print Name



Signature of Applicant

3-15-18

Date

Note: A Permanent Sign Permit Application is required following an Alternative Sign Plan approval in order to install a permanent sign.

Vinson's Pub & Eatery
800 East Main Street
Clayton NC 27520

Justification Statement for painted signage

The building located at 800 East Main Street is undergoing a complete renovation that is repurposing the building from an Auto Parts Store to a Restaurant. The last remodeling of the building took place in 1980 when the building was painted and had painted signs installed on the front and sides of the building. The structure / make-up of the brick prohibited me from being able to "Sand Blast" the paint off to reveal the original brick and we could not identify a financially feasible alternative to remove the paint. So, we have proceeded with sealing the building and applying new paint. We wish to paint new signage directly on the building which we believe to be the most historically accurate option for the building. We have attached mock up renderings of the proposed signage they are as follows-

- Sign # 1 Hand Painted sign on East side of building facing Highway 70 and Main Street intersection.
- Sign # 2 Projecting sign through bolted to the brick wall.
- Sign #3 Hand Painted sign on the West side of the building installed above new covered patio.
- Sign #4 Proposed signage on "wall" / fence on rear of building along with the proposed "Public Art" presented in two different options as shown in mock ups.

I look forward to presenting these options to the council.

Sincerely,

James H. Lipscomb for Lipscomb LLC and Vinson's Pub

VINSON'S PUB + EATERY
MAIN STREET PROJECTING SIGN



DIMENSIONS: 3 X 1.25'

**MATERIAL: PRINTED ALL-WEATHER VINYL
WITH METAL ATTACHMENT RODS**



VINSON'S PUB + EATERY
EAST FACING SIGNAGE



DIMENSIONS: 10 X 3'

MATERIAL: PAINT ON BRICK



VINSON'S PUB + EATERY
WEST FACING SIGNAGE



DIMENSIONS: 15 X 4.5'

MATERIAL: PAINT ON BRICK



VINSON'S PUB + EATERY
NORTH FACING SIGNAGE

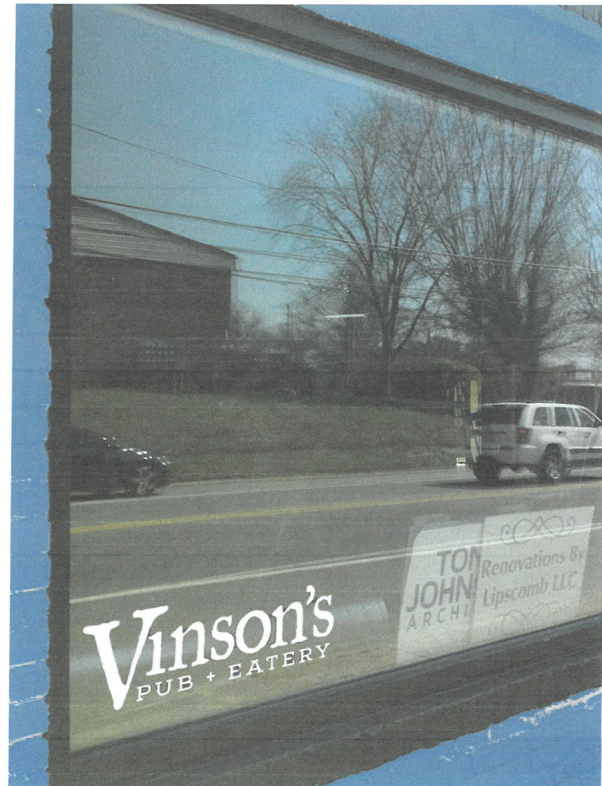
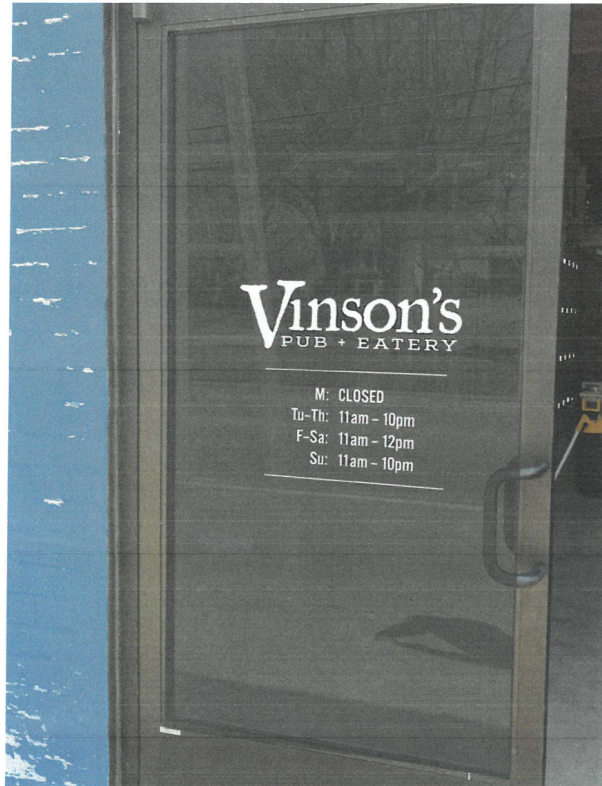


DIMENSIONS: 15 X 4.5'

MATERIAL: PAINT ON WOOD



VINSON'S PUB + EATERY
WINDOW SIGNAGE MOCKUPS



DIMENSIONS:
PICTURE WINDOW - 24" X 7.5"
DOOR - 24" X 22"

MATERIAL: VINYL



**TOWN OF CLAYTON
RESOLUTION APPROVING 2023-06-SPA VINSON'S PUB
ALTERNATIVE SIGN PLAN AMENDMENT**

RESOLUTION 2023-10

WHEREAS, an application has been submitted to amend an approved Alternative Sign Plan for Vinson's Pub (2018-56-SNA); and

WHEREAS, staff has reviewed the requested amendment and found that it meets the review criteria in Section 155.403(I) of the Unified Development Code; and

WHEREAS, a notice of the proposed Alternative Sign Plan amendment action and Town Council Public Hearing was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listings, and to the owners of all parcels of land abutting that (those) parcel(s) of land and within 100 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid; and

WHEREAS, the said public hearing was actually conducted at 6:00 p.m. on March 6, 2023, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Clayton that:

The Vinson's Pub Alternative Sign Plan Amendment, 2023-06-SPA, is hereby approved.

Duly adopted this 6th day of March 2023, while in regular session.

ATTEST:

Jody L. McLeod
Mayor

Heidi L. Holland, CMC and NCCMC
Town Clerk