



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

Council Present:

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

Staff Present:

Rich Cappola, Town Manager
Heidi Holland, Town Clerk
Jim Cauley, Town Attorney
Dolores Gill, Deputy Town Manager
Lee Barbee, Interim Deputy Town Manager/Fire Chief
Robert McKie, Finance Director
Jonathan Jacobs, Assistant Engineering Director
Joshua Baird, Engineering Director
Nathanael Shelton, Communications Officer
Ben Howell, Planning Director
Patrick Pierce, Economic Development Director

Council Absent:

None

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 remove 5a. remove introduction of Sam Johnson-Phillips.

Approve or Adjust the Agenda

RESULT: CARRIED 5-0

MOVER: Porter Casey

SECONDER: Andria Archer

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
 - February 20, 2023 - Regular Session
 - February 20, 2023 - Closed Session
- b. Policy ADM-2022-01B Appointments to Advisory Boards Procedures
- c. RESOLUTION 2023-09 TO 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

Approve Consent Agenda as Presented

RESULT: CARRIED 5-0

MOVER: Jason Thompson

SECONDER: Michael Sims

YES: Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims

NO: None

4. ADMINISTRATIVE ITEMS

- a. Sam's Branch WRF Program Update
Presenter: Louis Duffie, Town of Clayton - Project Manager
Adam Sharpe, HDR - Project Principal

Mr. Duffie and Adam Sharpe of HDR were present tonight to provide an update. Mr. Sharpe stated there are two major transmission projects to be able to carry wastewater flow from Little Creek to the new Sam's Branch Water Reclamation Facility. The other project, which has been broken out separately, is the Clayton-Raleigh Pump Station Expansion. This project is to allow to leverage the complete contractual allocation of capacity the Town has with the City of Raleigh.

There are two more projects upcoming, ECIA and Clayton-Raleigh that would still go out for bid for construction in upcoming months.

Mr. Duffie stated the property near the Neuse River has been cleared. Shared was a rendering of the Sam's Branch WRF design. Thalle Construction was provided a notice to proceed on January 9, 2023, a substantial completion date is scheduled for July 8, 2025. Excavations have begun and more materials have been received. The first change order of the contract has been received which was to add generators into the scope of work.

There was discussion on the Little Creek Pump Conveyance. The force main is 100% complete and went according to planned. There is approximately 300' of pipe left to lay towards Front Street. There was discussion on Little Creek Pump Station. The

hydraulic structure is complete. Backfill has begun and are about 80% complete with that. The influent pipeline will be laid in the upcoming months.

For the ECIA Conveyance project, the Pump Station is at 90% Design and the Force Main is at 60% Design. On the Clayton-Raleigh Pump Station Expansion project, the goal is to get this out to bid by the end of the month.

Shared were the current program financials. Right now the range is \$275 million for all of this work. 85% of the total cost has been contracted. Biggest ally is ECIA project, that is still under design and has not been contracted.

Shared was Flow Management Planning. Current planning questions being addressed are:

- Timing for SBWRF Phase 2
- Sizing for SBWRF Phase 2
- Impact of attributable flow percentages by user types

Even though these are under construction, Phase 2 is being thought about as well as thinking through the flow percentages by user types.

RESULT: CARRIED

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 (removed from agenda)
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

All new employees were introduced. Mayor McLeod and Council welcomed everyone.

b. Clayton Women's Day

- Bernice Lopes, Clayton Women in Networking President
Mayor McLeod to Present to Bernice Lopes

Presenter: Mayor McLeod

Ms. Lopes, President of Women in Networking, stated she is here tonight requesting to proclaim March 8, 2023 as Clayton Women's Day. Mayor McLeod read the proclamation and presented this to Ms. Lopes.

- c. Traumatic Brain Injury (TBI) Awareness Month Proclamation
Mayor McLeod to Present to Raheed Saunders, Abound Health
Presenter: Mayor McLeod

Ms. Gual thanked Clayton for the Recognition of these two Proclamations, Traumatic Brain Injury (TBI) Awareness Month and Development Disability Awareness Month. Mayor McLeod read information on these two subjects and presented Beth Gual with both Proclamations.

- d. Development Disability Awareness Month Proclamation
Mayor McLeod to Present to Raheed Saunders, Abound Health
Presenter: Mayor McLeod

6. PUBLIC HEARINGS

- a. Project Life Dust Development Agreement
(Continued from February 6, 2023 Regular Meeting)
Presenter: Patrick Pierce, Economic Development Director

Mr. Pierce requested to continue this to the March 20, 2023 meeting.

- b. 2023-06-SPA Vinson's Pub Alternative Sign Plan Amendment
Presenter: Ben Howell, Planning Director

Mr. Howell stated this is an amendment to an existing approved alternative Sign Plan for Vinson's Pub. This was originally approved in 2018. This amendment is to add signage, revise approved signage and remove one sign.

Current approved signage was shared as well as the Proposed signages, which would add a painted sign on the front of the building, refresh signage on the side, add parking signage on the side and add window signage along the front. Also proposed is to remove the rear painted sign and one window sign.

Shared was the Review Criteria:

- Components of the Alternative Sign Plan shall be consistent with the Town of Clayton General Design Guidelines.
 - The proposed signage is consistent with the Clayton Design Guidelines: "Keep signs simple. Too many combinations of colors, typefaces, and symbols can result in visual chaos."
- The proposed sign design, size, color, illumination, and placement are compatible in style and character with any buildings 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.
 - An Alternative Sign Plan was approved for this location in 2018. The proposed additional signage is compatible with the existing signage and the structure. The site is located in the Central Business (B-1) Zoning

District – the existing and proposed signage is compatible with this district.

- Innovative use of materials and design techniques in response to unique characteristics of the specific site, if applicable.
 - The proposed addition of painted signage and small directional signage for the parking area is unique to the site.
- Sign design, scale and placement.
 - The design, scale and placement of the proposed signage is compatible with the existing signage on the site.
- Integrates architectural features in a manner compatible with the surroundings and district in which the development is located.
 - The proposed signage is compatible with the surrounding area and Zoning Districts.
- Consistent with approved neighborhood plans, studies or area plans.
 - The proposed signage is consistent with the adopted Downtown Master Plan.
- The Alternative Sign Plan improves the safety and welfare of the general public by minimizing distractions, hazards, and obstructions from sign design or placement.
 - The proposed signage will minimize distractions and provide information for parking for the site.

Staff Recommends approval of this Alternative Sign Plan Amendment.

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

Applicant Emily Beddingfield was present. The biggest change is the new painted sign which should help with wayfinding. Shared were photos of the proposed changes.

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

Adoption of Resolution #2023-10

RESULT: CARRIED 5-0

MOVER: Jason Thompson

SECONDER: Michael Sims

YES: Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims

NO: None

7. OLD BUSINESS

8. NEW BUSINESS

9. STAFF REPORTS

a. Town Manager

Mr. Cappola thanked staff that showed up for Employee Appreciation Movie on Friday. Upcoming dates: Friday, March 10, 2023 will be the 1st Employee Litter Sweep, two times are being offer. March 11th, Dailey and Vincent will be at The Clayton Center, March 12th would be Fairytales on Ice at The Clayton Center. March 14th will be the Town of Clayton Vendor Expo. This would be an opportunity for businesses in the area that are interested in doing business with the Town. March 18th and 19th, Parks & Rec. will be holding a Pickle Ball Tournament.

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

LAPP Status Update

Mr. Howell provided a quick update on the LAPP status. The Town has been offered and has accepted LAPP funding in the amount of a little over \$1.2 million dollars for the Shotwell Road project. Staff has been with working with DOT and CAMPO. DOT is applying for a Carbon Reduction Program for funding to cover the remaining amount. He stated we are moving forward as of now. DOT should find out if they have received their funding by April/May.

Clayton Urbanized Area Update

Mr. Howell stated with the 2020 census, the Clayton area has been designated as an urbanized area. The area has crossed over the 50,000 thresholds in population when you include Clayton and part of Archer's Lodge, as well as a couple other surrounding areas. When you hit an urbanized area, you hit a new Metropolitan Planning Area (MPO). The Town is currently under the CAMPO MPO so we do not expect to form a new MPO on our end, we expect to stay with CAMPO. Staff will be having a meeting with CAMPO and DOT next week to discuss this.

Becoming an urbanized area would provide the Town access to dedicate transit funding from the Federal Transit Administration through their formula 5310 program. Staff is still learning about this program. This is a funding source that the Town would be able to access. It is completed through a grant agreement, but it is formula funds that would be dedicated to the Town. Generally, this is an 80/20 local match required for Capital Projects but could be used for operating projects at a 50/50 match. The Town would be able to access these funds as early as Federal FY24 which starts October 1, 2023. The Town will not know how much would be received until January/February of next year. Based on similar size MPOs, we can expect anywhere

from \$800,000 to \$1 million. Staff would continue to train up on this program, then would come to Council to discuss how to utilize the funding.

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.

Tim Murray, of Barbour Street, expressed his concerns of the sewer smells covering downtown. His request is for Council to investigate this. Mr. Cappola stated right now this time of year with the fluctuation of temperature and high levels of rain, the way we have been able to handle our solids at the facility, unfortunately those get land applied to farms, or other receiving properties. Due to the wetness of the ground, it can only handle so much solid. When this happens the process changes and the smell occurs. He asked if the public experiences this smell, to call 919-553-1530 to report this. Mayor McLeod thanked Mr. Murray and his wife for coming out with their concern.

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)**

Motion to Go Into Closed Session at 6:57 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

Motion to Return to Open Session at 7:48 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, there was a motion to adjourn at 7:49 p.m.

Motion to Adjourn

RESULT: CARRIED 5-0

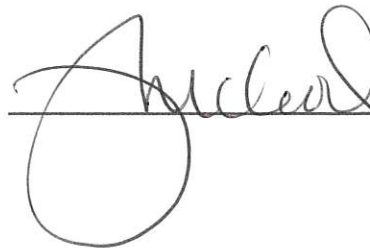
MOVER: Porter Casey

SECONDER: Avery Everett

YES: Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims

NO: None

Duly adopted by the Town Council this 20th day of March 2023, while in regular session.



Jody L. McLeod
Mayor

ATTEST:



Heidi L. Holland, CMC, NCCMC
Town Clerk

