



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

Council Present:

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

Staff Present:

Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Heidi Holland, Town Clerk
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Robert McKie, Finance Director
Jonathan Jacobs, Assistant Engineering Director
Joshua Baird, Engineering Director
Nathanael Shelton, Communications Officer
Ben Howell, Planning Director
Matt Lorion, Acting Parks & Rec. Director
Joy Garretson, Library Director

Council Absent:

None

1. CALL TO ORDER

- a. Call to Order

Mayor McLeod called the meeting to order at 6:00 p.m.

- b. Pledge of Allegiance

Presenter: Clayton Fire Department provided the Honor Guard and led the Pledge of Allegiance.

- c. Invocation

Mayor McLeod provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

- a. **Approve or Adjust the Agenda**

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

3. CONSENT AGENDA

a. Minutes

- June 5, 2023 - Work Session
- June 5, 2023 - Regular Session

Presenter: Heidi Holland, Town Clerk

b. Resolution 2023-37: To Accept Streets into the Town Of Clayton Street System for Maintenance – RWAC, Perimeter of Tract C (Manning Drive)

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

c. FY24 Capital Improvement Plan (CIP)

Presenter: Joshua Baird - Engineering Director, Rich Cappola - Town Manager

RESULT: CARRIED

MOVER: Jason Thompson

SECONDER: Porter Casey

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

NO: None

4. ADMINISTRATIVE ITEMS

a. Hocutt-Ellington Memorial Library: Fine Free

Presenter: JoyGarretson

Ms. Garretson stated over the past few years numerous libraries have requested to discontinue charging fines for book overdue books. Shared were North Carolina libraries that have gone fine free. She stated with fine free status, libraries receive more books back and have better patron interactions. The fine free status does not cover for lost or damaged books, this would still be enforced. Also, patrons would continue to be charged for lost or overdue technology items.

Shared was a list of fines and limits for overdue materials on patron accounts. Shared was a breakdown of recent fines and fees, which includes \$2,756.43 collected in overdue fines in FY22 and \$3,273.07 in FY23. It is estimated the cost to the library to collect these fines is nearly \$4,700 a year, this is based on the lowest staff member in the library were to spend an hour a day. Often the staff member dealing with these fines is usually a supervisor or director.

Shared was a heat map of patrons that have over \$25 of fines due. Research shows the fines affect our lower income patrons and the map shows this is true. The largest cluster of patrons with overdue fines is located downtown near US 70 Business corridor. Shared was information on patron interactions with staff when they find out they have overdue books.

Tonight Ms. Garretson is asking for Council to allow the library to do away with the overdue fines. If they do agree, the public would be informed beginning tomorrow, June 21st and officially go fine free July 1, 2023. By August 1, 2023, staff would have completed the back-end work to clear all fines from accounts.

Council Member Casey stated he appreciates what the Library Advisory Board and her staff do for communication and asked when does something go from overdue to lost? Ms. Garretson stated this is listed in the circulation policy, the timeline is 30 days. Patrons receive a reminder notice two days before overdue, then at two weeks and then at 30-day it turns from overdue to lost. He asked if we do away with the fines, and after the 30-day mark, the account would go to collections? Or if they damage a book, they would not be able to check out additional books? Ms. Garretson stated it is the same process, if the items are brought back the account is wiped clean.

Mayor McLeod asked historically what has the library done with funds generated, Ms. Garretson stated these go to the general fund, the library does not necessarily have use of these funds. Mayor McLeod asked if we are spending an hour every day on this? Ms. Garretson stated every time someone checks out a book, staff checks for any overdue items. The average is an hour a day spent on checking for these fines.

Mayor McLeod asked where the level of accountability and responsibility from the patrons are the consequences, if the fine is the only consequence, how do we keep patrons accountable? Ms. Garretson stated if the patron has overdue books and can't pay for this, chances are they may never come back, and we have lost them as a patron. Patrons lose their status as patrons if books are not brought back and are considered lost. Mayor McLeod asked if we are tracking lost patrons, Ms. Garretson stated she has a list of accounts and can track this number between 2018-2000, there were about 250 patrons who did not pay these fines.

Adoption of Ordinance #2023-06-01

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

- b. Downtown Development Advisory Board Appointment Recommendations
Presenter: Heidi Holland, Town Clerk

Ms. Holland stated DDA had 7 vacancies. This item was brought to Council at the June 5, 2023 work session for discussion. Applications were received and interviews were held. Names up for recommendations are Christ Thompson,

Lila Rieber, Matthew Kagel, Marty Kornegay, Cameron Coolidge, Andre Walden (with expiring terms of June 2026) and Joel Tew, filling an unexpired term expiring June 2024.

Approval of Recommended Appointments

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

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. National Parks and Recreation Month Proclamation
Presenter: Mayor McLeod to Present to Parks & Rec.

Mayor McLeod read the proclamation into the record and presented it to Parks & Recreation staff.

6. PUBLIC HEARINGS

Quasi-Judicial Hearing

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

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

Staff is available to assist with inquiries from citizens.

- a. 2023-74-SUP Champion East Special Use Permit Modification
Presenter: Ben Howell, Planning Director

Attorney Cauley stated the scope of this item is a little different, this is not an initial hearing but a modification to a previous approved SUP. Town Clerk offered the oath to those wishing to offering testimony.

Mr. Howell stated the applicant has requested to use the proposed elevations rather than the ones previously approved. Proposed is more of a traditional elevation which matches the townhomes in the area. Shared were considerations for Council. Shared were the four findings of fact which are included in the staff report. Staff recommends approval of this modification with

the six conditions, the first five were from the original approval, condition 6 is what has been updated. This condition can be found in the staff report.

The applicant, Andrew Hodge with Adams & Hodges was present. He stated he has been a professional engineer for 20 years. He is here solely to substitute the elevations from the previously approved item. He stated the existing conditions have changed in the area. The developer of Champion East is the same developer as Champion West. These proposed elevations would match what was being used for Champion West. Shared were photos of approved and proposed elevations.

Council Member Sims shared his concern about the precedence set of changing what has been approved, he stated he does not see what is wrong with what was originally approved.

With no one wishing to speak this was turned over to Council for deliberation.

Mayor Pro Tem Thompson stated he felt the applicant met the findings of fact and he doesn't see where there would be any difference in value to adjoining properties, the two elevations look comparable. Council Member Archer agreed.

Mayor McLeod stated over the last few meetings Council has been specific about the exterior of future developments. Council has been working with developers to provide certain elevations and expectations. He stated we are now being asked to modify a façade and not asking for the same type of consideration when it comes to a certain percentage of it being masonry and different elements that we have asked other developers. He stated we need to be careful because we have given the last several developers so much about what the exterior façade and elements need to look like.

Attorney Cauley stated, just an observation, if this came in fresh today it might be a different result. In this case, there is already an existing permit. The question is whether Council thinks this is an improvement over what was approved. Mayor Pro Tem Thompson stated if we had to do it over again, this sitting Council would possibly ask for different materials but there is already an existing permit. He stated what is proposed looks much better. Council Member Sims shared his thoughts on setting precedence on developers changing their elevations like with this item.

Council Member Casey asked Mr. Howell if this meets the current townhomes criteria? Mr. Howell stated we do not currently have residential design standards in our code. In a more recent SUP and CZM, Council has required a higher level of design standards, but it is not required in the code.

Council Member Archer stated there is a reason we have not seen a lot of these and it's because we now have conditional rezoning options which allow us to negotiate more of a win-win in situations if Council would like something more.

Mayor Pro Tem Thompson stated in the past, developers may have gone through staff of past, and had things approved without coming to Council, but tonight the process is working. Staff have brought this to Council instead of making a decision. Mayor McLeod stated he likes this better than what was originally approved, this is much more in keeping with what is in the community.

Approval of SUP with the Six Conditions

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

7. OLD BUSINESS

a. Transportation Plan Update

Presenter: Jonathan Jacobs, Asst. Engineering Director

Mr. Jacobs provided an update on this plan.

What is CTP?

- Identifies the transportation needs for all modes of transportation
- Motor vehicles
- Bicycles
- Pedestrians
- Transit
- Freight
- A vision of the future network of Clayton
- Proposes transportation needs and solutions through 2050
- It is NOT fiscally constrained, not a commitment of funds, nor a land use plan
- Helps guide other long-range plans and upcoming developments
- Protects necessary corridors and ensures right-of-way dedication
- Input prioritization for the Capital Improvement Plan

Key part would be the stakeholder steering committee. Suggested names for the committee was brought up to council at the June 5, 2023 work session to include: Key Town staff, Key members of the Clayton Community identified by staff and Council, Advisory Board designees, Surrounding municipalities, Johnston County, NCDOT and CAMPO.

Discussed was Public Engagement and Communication:

- Complete Public Engagement Plan to develop key goals and objectives for the life of the project
- Unique Project Branding
- Dedicated Project Website

Mr. Jacobs stated this plan would be broke up into 2 major phases.

Phase 1

- Intro to the planning process
- Present findings from initial research
- Collection of feedback to develop community priorities

Phase 2

- Presentation of draft recommendations and receive comments prior to finalization

Public Engagement and Communication during the two phases include:

- Thirteen (13) "Pop-Up" Events
 - Five (5) during Phase 1
 - Seven (7) during Phase 2
 - Targeted locations to ensure outreach to all demographics and locations within Clayton
- One large public meeting during Phase 2
- Engagement Surveys
- Social Media Outreach
- Promotional Educational Videos

Combination of all Transportation Plans

- Comprehensive Bike Plan
- Clayton Pedestrian Plan
- Johnston County Transportation Plan
- ADA Transition Plan
- Parks and Recreation Master Plan (Greenways)

Deliverables

- Community Engagement Plan
- Community Engagement Report
- Hotspot Intersections
- Collector Street Network
- Roadway Recommendations
- Standard Roadway Cross Sections
- Parking Recommendations (On and Off Street)
- Future Transit Recommendations

- Bike and Ped Recommendations
 - Shared-Use Paths and Greenways
- Final Report and Interactive GIS Storymap

Mayor Pro Tem Thompson stated one of the biggest areas of feedback is regarding traffic. He would like our citizens to know we are doing something about traffic. He stated this is a tremendous step, we want our citizens to know we are thinking about future growth.

8. NEW BUSINESS

- a. Budget Amendments - Capital Project Budget Ordinances
Presenter: Robert McKie - Finance Director

Mr. McKie discussed four budget amendments he is asking Council to approve. The first three are the creation of new capital project budget ordinances and the last one is an amendment to an existing capital project fund ordinance.

The first ordinance is on the general fund side for the public safety complex. In the 2023 budget there is currently \$100,000 of CEED money for site selection; those funds would be transferred to the capital project ordinance. This complex will be financed.

The second ordinance is for the Copper District, where it has been decided to create a capital project budget ordinance for that project. This includes infrastructure of water/sewer. We were reissued revenue bonds in December in addition to funding from the State with a \$4 million ARPA grant.

The third ordinance is for water/sewer infrastructure. Currently in the 2023 budget there are funds budgeted, the monies that are currently budgeted would be transferred over to the capital project ordinance.

The fourth is an amendment to an existing ordinance for the Sam's Branch Wastewater Reclamation Facility. The Copper District commitment that was in this project is being removed and we are creating a new ordinance.

Adoption of Ordinances #2023-06-05, 2023-06-06, 2023-06-07 & 2023-06-08

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

- b. Amendment to the Code of Ordinances Chapter 92 - Cemeteries
Presenter: Justin Pulley, Grounds Superintendent

Mr. Pulley discussed the changes to Chapter 92 for cemeteries. Shared were photos of recent landscaping to the entrance of the Maplewood Cemetery. He stated there is signage at the beginning of the entrance which states the Flower/Decoration Policy and has a QR for the policy in Spanish. The cemetery location has been updated and is more user friendly on the website.

Public Works and Property Maintenance met to discuss this chapter and the flower/decoration policy and make the proposed changes. The team reviewed policies from neighboring cemeteries to align our policy with neighboring cemeteries.

Mayor McLeod discussed making changes under the Flower/Decoration policy, under Funeral Flowers, to change the word approximately to after 1 week following interment. He also discussed changing, under Holiday Decorations, the 3-week period to 4-week period. Ms. Gill stated research was done and some cemeteries were less, and also more, than the 3-week period. Mr. Cappola stated right now we are discussing Chapter 92, the next item on the agenda would be the Flower/Decoration policy.

Adoption of Ordinance #2023-06-04

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

- c. Policy Update - Cemetery Flower/Decoration Policy
Presenter: Justin Pulley, Grounds Superintendent

Mr. Pulley provided an update on the changes to this policy.

Mayor McLeod discussed making changes under the Flower/Decoration policy, under Funeral Flowers, to change the word approximately to after 1 week following interment. He also discussed changing, under Holiday Decorations, the 3-week period to 4-week period. Ms. Gill stated research was done and some cemeteries were less, and more, than the 3-week period.

Ms. Gill stated research was completed researching other neighboring cemeteries. The proposal is to provide an additional week on both sides for our policy. Also proposed is to have a bin in the cemetery for found items.

Mayor McLeod stated he is struggling with the 3 weeks after the holiday. Some people may put something out there before thanksgiving and leave up through Christmas and possibly January. We have heard from several citizens, and we

want to make sure we do right by them. He stated he sees this more of a seasonal versus holiday. After January 28, 2023, the Christmas season should be over.

Mayor Pro Tem Thompson stated he would be comfortable with a month before and month after as opposed to the 3-week period. Council Member Archer stated she would be fine with this.

Mayor McLeod asked how easy is it to access this policy? Mr. Pulley stated it is provided to families when they purchase a grave and this is also on the Town's website. There are also signs in Maplewood Cemetery.

Mayor Pro Tem Thompson stated we get a lot of emails about this subject. Once we move past this, between the Communication Department and Mr. Pulley, we need to get the word out on how to access this policy.

Attorney Cauley suggested to word the change to the Funeral Flowers to read "after 1 week following interment" and take out the word approximately.

Adoption of Resolution #2023-36 with Noted Changes

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

9. STAFF REPORTS

a. Town Manager

Mr. Cappola thanked the Fire Department Honor Guard for their attendance at this meeting.

He thanked the community that attended the Town's Juneteenth event, this was well attended. He thanked the staff of Cultural Arts, and everyone involved, for their hard work with this event.

He stated earlier this year there was discussion on a Metropolitan Planning Organization (MPO). The federal highways informed the Town there was a potential for Clayton, Johnston County and Archer Lodge to potentially form our own Metropolitan Planning Organization related to transportation transit issues. A decision must be made by June 30, 2023. As of last night, the County did give consensus to remain with CAMPO. In order for us to formulate that MPO, the County and the Town would both have to say yes. Our recommendation is

to stay with CAMPO as well. We will be sending a letter on behalf of the Town letting them know our decision.

Fireworks will be on July 1st. The Kid Zone will begin at 6:00 p.m. with the fireworks beginning approximately at 9:00 p.m.

There was discussion on the upgrades to the chambers with audio and video. The main board and two side videos have been enlarged and audio upgrades have been completed.

All Town facilities will be closed on July 4th with the next council meeting on July 17th.

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

10. OTHER BUSINESS

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

Council Member Sims thanked the Town and everyone that came out for the Juneteenth celebration. Mayor McLeod stated it was a tremendous celebration. He thanked the Cultural Arts center for an extremely well-done job.

11. CLOSED SESSION

12. ADJOURNMENT

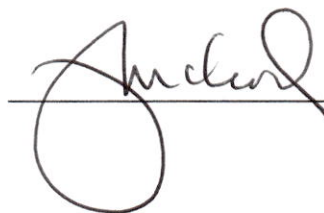
- a. Adjourn

With nothing further, the meeting was adjourned at 7:34 p.m.

Motion To Adjourn

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

Duly adopted this the 17th day of July, 2023 while in regular session.



Jody L. McLeod
Mayor

ATTEST:

Heidi L. Holland
Heidi L. Holland, CMC, NCCMC
Town Clerk

