



Town of Clayton
Regular Town Council Meeting Minutes
Monday, December 5, 2022 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
Dolores Gill, Deputy Town Manager
Lee Barbee, Interim Deputy Town Manager/Fire Chief
Heidi Holland, Town Clerk
Robert McKie, Finance Director
Greg Tart, Police Chief
James Blalock, Utilities Maintenance Superintendent
Nathanael Shelton, Communications Officer
Amy Shearin, Emergency Management & Special
Events Coordinator
Patrick Pierce, Economic Development Director

Council Absent:

None

1. CALL TO ORDER

a. Call to Order

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

b. Pledge of Allegiance

Mayor McLeod led the Pledge of Allegiance.

c. Invocation

Mayor McLeod provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

a.

Mr. Cappola adjusted the agenda as follows:

ADD: 9d. STAFF REPORTS

Small Business Saturday Update

Presenter: Patrick Pierce, Economic Development Director

ADD: 11a. CLOSED SESSION

Closed Session to Discuss Legal Matter in accordance with NC GS 143.318-11

(a) (3).

Approval or Adjustment of Agenda

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

3. CONSENT AGENDA

a. Minutes

- November 7, 2022 - Work Session
- November 7, 2022 - Regular Session
- November 7, 2022 - Closed Session

Presenter: Heidi Holland, Town Clerk

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. Employee Introduction and Recognition

- James Satterwhite, Pump Technician

Presenter: James Blalock, Maintenance Superintendent

Employee Introduction

- Michelle Snyder, Executive Assistant to Town Manager

Presenter: Rich Cappola, Town Manager

Mr. Blalock was present to introduce and recognize James Satterwhite, Pump Technician. He was hired in March to work at the Operations Center but moved over to the Water Resources Department. He passed his C Distribution Water Certification Exam on October 27, 2022. Mr. Satterwhite stated he appreciates the opportunity, Council welcomed him.

Mr. Cappola recognized Michelle Snyder, new Executive Assistant to Town Manager. He stated they are happy to have her. Ms. Snyder stated she is excited about her new role here with the Town. Council welcomed her.

6. PUBLIC HEARINGS

7. OLD BUSINESS

8. NEW BUSINESS

a. Mass Communications/Data Voice Presentation

- **Town of Clayton Communication System**

***Presenter:* Nathanael Shelton, Director of Communication**

Mr. Shelton shared information on this item. He stated they have been working on this for several months and are very excited about this.

He stated a taskforce has been created made up of staff from Administration, Communications, Customer Service, Fire Department, Police Department, Electric, Technology and Water Resources. He stated this program is a one stop solution for mass communication as far as our needs go.

He stated they are very excited about the Alert Options which includes text message, phone call, email or website. He shared what the portal looks like and shared different steps. He shared details of Emergency Communication, which can alert the community to an emergency or impactful information in a defined area. Example scenarios include Active Shooter, Missing Child, Boil Water Advisory, Broken Water Line, Planned Outages and Road Closures.

He stated they have added a Report an Issue tool which allows the community to report different issues. That issue would be automatically routed to that department. It would also be entered into CityWorks where the citizen is able to track this issue.

Other benefits include:

- Eliminates after hours dependability on 911 dispatchers during emergencies
- Users reporting issues from outside Town Limits are automatically provided with a list of resources to assist them in their area
- Customers call to check balances and payment status

Council Member Archer stated she really likes the safety feature of this program. Council Member Everett stated this brings things up to date and shows the community we are committed to keeping our citizens safe. Mr. Cappola stated if we have consensus, we will bring this back at the December 19th meeting for a budget amendment.

It was consensus of Council to bring back to the December 19th meeting.

9. STAFF REPORTS

a. Town Manager

Mr. Cappola stated tomorrow he and Robert McKie, Finance Director, would meet with the LGC. The item on the agenda is for the approximately \$100 million dollars related to the bond issuance for the Wastewater Treatment Facility. The process would be to turn around and sell the bond the next day and hope to close on this by the end of the year so contracts could be executed. At the next Council meeting there would be a request to make a final approval of the award to Thalle Construction.

He thanked all staff that worked the Tree Lighting last week, he heard a lot of positive feedback. He discussed the Christmas Parade Saturday, December 10th. He stated considering the recent events, safety has been a high priority for Town staff as well as the Clayton Rotary. Town staff including Police Chief, Fire Chief and himself met with the Rotary staff last week to review the current practices. He stated we are fortunate the Rotary has had long standing practices. We would be providing extra checking of both the drivers of the vehicles as well as confirming everyone does has a valid registration to ensure a safe parade.

A few dates mentioned:

- December 14: Downtown Master Plan Update, this will be a public meeting in the Chambers from 6:00 – 8:00 p.m.
- December 15: Gateway 42 Small Area Plan/Stakeholder Public Meeting at the Community Center from 6:00 – 8:00 p.m.
- December 15: Last day to mail letter to Santa at the Library

b. Town Attorney

Attorney Cauley reported an update on a litigation matter. He stated 2021-74-SUP, Amelia Church Tribute Community, was heard by Council on March 7, 2022. An evidentiary hearing was held on the 220-unit apartment complex proposed for Amelia Church Road. He stated those processes are often ripe for litigation and that one proved to be true. This ended up with a complaint being filed in Johnston County Superior Court when Council denied the permit. Council expressed concerns about the density and connectivity with that development.

The lawsuit was filed claiming the permit had been wrongfully denied. The Town answered the complaint denying those allegations. The parties met over the next few months on several occasions and a formal mediation was held. Special thanks to Town Manager Rich Cappola, Planning Director Ben Howell, and Town Engineer Joshua Baird for their efforts in working through to a compromise. Council considered those negotiations in closed session and that is what triggers this report.

A settlement was reached with the parameters Council authorized to negotiate. The key settlement terms are as follows:

- All conditions of approval that were presented in the March 2022 hearing are included and are a part of this settlement.
- The density for this project has been reduced from 220 units to 196 units.
- The connectivity concerns have been addressed by enhancing connectivity to adjoining properties to the north, south and east.
- The wastewater reservation was reduced to 48, 500 gallons per day rather than 53,760 gallons per day.

This judgement has been presented to and signed by a Superior Court Judge and that permit is now effectively issued for that project.

- c. Town Clerk
- d. Other Staff

Other Staff

Fireworks Discussion

Presenters: Amy Shearin, Emergency Management Coordinator and Lieutenant Brian Temple

Ms. Shearin was present to speak on the 2023 Fireworks Display. Over the past several months staff has been evaluating how to bring fireworks back to the July 4th celebration. They prioritized keeping them Downtown but also finding a safe and accessible location. They have been in conversation with Johnston County School System about utilizing Clayton High School. It checks many boxes such as on-site parking, on-site launch location, as well as public viewing. Shared was a preliminary site map. The school system agrees with this arrangement. With Council's permission, they would love to move forward with fireworks for Saturday, July 1, 2023. Mayor McLeod stated he is excited to know we have a controlled safe spot for these fireworks. He stated this is great when government boards work together. Council Member Casey stated this pleases him that we are bringing this back.

Mr. Cappola stated there would be a budget amendment to come to Council at the next Council meeting so the money would be in place.

Small Business Saturday Update

Presenter: Patrick Pierce, Economic Development Director

Mr. Pierce provided a quick update to a successful event on Saturday, November 26, 2022. DDA partnered with Last Friday and the Clayton Farm and Community Market to bring a lot of life to Main Street. He stated stores had lines out the doors. This was a great opportunity overall. He recognized DDA Chair Christi Thompson and Board Member Dan Barbour, as well as Lydia Routhier who did a great job of spearheading this. Mayor Pro Tem Thompson stated he heard more positive comments on this event than he has any event

all year long. Mayor McLeod asked how we can do more events like this throughout the year.

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 Legal Matter in accordance with NC GS 143.318-11 (a) (3).**

Motion to Go Into Closed Session at 6:31 p.m.

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

Motion to Return To Open Session at 7:17 p.m.

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

A Motion was Made to Correct the Closed Session Statute to Read: Closed Session to Discuss Criminal Matter in Accordance with NC GS 143.318-11(a)(7)

RESULT:	CARRIED 5-0
MOVER:	Jason Thompson
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 7:18 p.m.

Motion to Adjourn

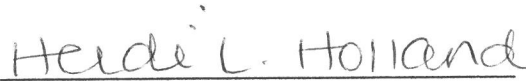
RESULT:	CARRIED 5-0
MOVER:	Andria Archer
SECONDER:	Porter Casey
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

Duly adopted this 19th day of December 2022 while in regular session.



Jody L. McLeod
Mayor

ATTEST:



Heidi L. Holland, CMC, NCCMC
Town Clerk

