Town of Clayton
Regular Town Council Meeting Minutes
Monday, November 1, 2021 @ 6:00 PM
Council Chambers

COUNCIL PRESENT:
Mayor McLeod
Mayor Pro Tem Thompson
Council Member Holder
Council Member Grannis
Council Member Bunn
Council Member Everett

STAFF PRESENT:
Rich Cappola, Interim Town Manager
Delores Gill, D/Town Manager
Lee Barbee, D/Town Manager & Fire Chief
Jim Cauley, Town Attorney
Kimberly Moffett, Town Clerk
Ben Howell, Planning Director
Patrick Pierce, Economic Development Director
Robert McKie, Finance Director
Shaun Mizell, Contract Manager
Scott Barnard, Parks & Recreation Director
Greg Tart, Police Chief
Matt Sutphin, D/Fire Chief

1 CALL TO ORDER

Pledge of Allegiance and Invocation

a) Mayor McLeod called the meeting to order at 6:01 p.m. He led everyone in the Pledge of Allegiance as well as offering the Invocation.

2 ADJUSTMENT OF 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) Certificate of Sufficiency
- 2021-108-ANX - Sam's Xpress Car Wash
- 2021-125-ANX - Lumen

b) Resolution to Set Public Hearing
- 2021-108-ANX - Sam's Xpress Car Wash
- 2021-125-ANX - Lumen

c) DRAFT Minutes
- October 4, 2021
- October 18, 2021

ACTION: Adoption of Consent Agenda as Presented

Motion: Council Member Holder
Second: Mayor Pro Tem Thompson
Vote: Unanimous

4 ADMINISTRATIVE ITEMS

a) Public Art Advisory Board By-Law Update
Presenter: Kimberly Moffett, Town Clerk

Ms. Moffett stated the Public Art Advisory Board would like to amend their by-laws. The most significant change would be the removal of term limits. Currently the majority of advisory boards do not have term limits. The Public Art Advisory Board would like to remove the current criteria of a two-term limit. Other significant change would be to add the position of Vice Chair and removal of Secretary.

ACTION: Adoption of Resolution #2021-53

Motion: Council Member Bunn
Second: Council Member Everett
Vote: Unanimous

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) New Employee Introductions
Presenters: Ben Howell, Planning Director & Nathanael Shelton, Communications Officer

- Aaron Prichard - Planner II
- Catherine White - Communications & Marketing Specialist
- Nader Aboulhosn - Communications Development Specialist

Mr. Howell introduced Aaron Prichard as the new Planner II. He comes to the town with many years of experience. Mr. Prichard stated he was happy to be with the town. He further stated he had worked previously with Mr. Howell and looked forward to a continued working relationship. Council welcomed Aaron to the team.

Mr. Shelton was present and introduced Catherine White who is the new Communications and Marketing Specialist. Catherine started with the town as an intern in June of 2021. She is a graduate of ECU. Catherine stated she was excited to be part of the town and looked forward to expanding the communications efforts. Council welcomed her.

Mr. Shelton introduced Nader Aboulhosn as the Communications Development Specialist. He has been with the town since 2019. He has been responsible for capturing and creating an amazing collection of photographs and video productions. Nader stated he loved his job with the town and was very happy to be part of the team. He offered his appreciation. The Mayor offered his thanks and appreciation for the amazing work produced by Nader. Mayor Pro Tem Thompson offered his appreciation to the entire team as well.

6 PUBLIC HEARINGS

a) 2020-104-SD - Lumen Subdivision (Quasi-Judicial)
Presenter: Ben Howell, Planning Director

This item is continued from October 4, 2021

Mr. Howell was present and stated that applicant requested that this item be continued to November 15, 2021. This will include the subdivision, wastewater allocation, reimbursement agreement and option to purchase agreement.

ACTION: Continue to November 15, 2021

Motion: Council Member Holder
Second: Council Member Grannis
Vote: Unanimous

b) Economic Development Incentive Agreement
Presenter: Patrick Pierce, Economic Development Director

It was requested that this item be continued to November 15, 2021.

ACTION: Continue to November 15, 2021

Motion: Council Member Holder
Second: Council Member Grannis
Vote: Unanimous

7 OLD BUSINESS

a) Purchasing Policy Revision
Presenter: Shaun Mizell, Contract/Procurement Manager

Mr. Mizell was present and shared a brief overview of the Purchasing Policy. He stated in-depth details would be provided at the public hearing which is scheduled to be held on November 15, 2021. He stated he had taken several policies that were already in place and consolidated those into one document/policy. He stated a public hearing was required for the MWBE portion of the policy.

Council Member Grannis stated he was very impressed with the work that was done to date.

ACTION: Set Public Hearing for November 15, 2021

b) Raleigh Water Wastewater Capacity Agreement Amendment
Presenter: Rich Cappola, Interim Town Manager

Mr. Cappola provided details regarding the agreement amendment. He stated we have been working with the City of Raleigh for quite a while regarding wastewater. He stated the amended agreement would add an additional 750,000 gallons per day, which would allow us to manage the current flows. He stated the City of Raleigh billing structure has been changed recently.

ACTION: Authorize Staff to Execute Agreement

Motion: Council Member Holder
Second: Council Member Everett
Vote: Unanimous

c) Growth Plan Discussion
Presenters: Patrick Pierce, Economic Development Director & Ben Howell, Planning Director

Mr. Pierce provided a brief update on the Growth Plan. He shared plan overview to include revisions that have taken place since September 15, 2021. He shared information regarding pending development. Also shared was information regarding public engagement that has taken place to include stakeholder interviews, community surveys, two public meetings and an online comment form. Shared were details regarding the Growth Plan Vision. He also shared details regarding recommendations. There were minor changes to include the neighborhood and community center, employment center expansion, areas for residential growth based on utility analysis changes downtown to reflect character, floodplains. Also shared was information regarding land use recommendations based on received comments. There was also a change to the downtown map based on comments received. Also shared were changes related to Economic Development, suggested changes to Parks & Natural Resources to include security, signage and overall improvements. There were also some minor changes related to services, infrastructure and mobility. He stated the Draft Implementation Plan was shared. Finally, there were a few additional staff recommended edits, which were approved by the Planning Board at their last meeting.

Mr. Pierce shared details regarding next steps and timeline.

Council Member Grannis asked about any comments related to schools. He wondered if any discussion with school officials had taken place. Mr. Pierce stated they were part of the stakeholder process. Council Member Grannis asked if CAMPO had been engaged. Mr. Pierce stated they were engaged as they were working on their 2050 plan and we have worked in conjunction with each other to ensure we are both reflecting the same ideals.

ACTION: Set Public Hearing for November 15, 2021

d) Parks & Recreation GO Bond Issuance
Presenter: Robert McKie, Finance Director

Mr. McKie was present and shared details regarding this item. He stated the first three resolutions (#2021-55, 32021-56 & #2021-57) were related to a refunding opportunity for the Series 2009A GO Bonds which were expected to result in savings of approximately $236,000. Mr. McKie provided another option of a direct payoff in lieu of the refunding that would result in additional savings. He stated we would see a net savings of approximately $343,000. He stated if council were interested doing this, no action would be required with Resolutions #2021-55,56,57. Council Member Grannis questioned where the funding to pay off would come from. Mr. McKie stated it would come from fund balance. He further stated it was imperative to keep debt service level at the current level.

Mr. McKie stated with reference to Resolution #2021-58 He stated the fourth resolution would issue $13.5 million dollars of Series 2021A GO Bonds for Parks & Recreation that were approved by voters in the bond referendum held on November 5, 2019.

ACTION: Authorize Payoff of Existing Bond 2009 Balance

Motion: Council Member Grannis
Second: Council Member Bunn
Vote: Unanimous

e) Parks & Recreation Personnel & Budget Amendment
Presenter: Scott Barnard, Parks & Recreation Director

Mr. Barnard was present and shared information regarding proposed budget ordinance that would cover the operating costs to fulfill the town's contractual obligation per recent agreement with the Johnston County School District.

ACTION: Adoption of Ordinance #2021-11-01

Motion: Council Member Everett
Second: Council Member Bunn
Vote: Unanimous

8 NEW BUSINESS

a) Parks & Recreation Ordinance
- *Creation of Chapter 33*

Presenter: Scott Barnard, Park & Recreation Director

Mr. Barnard was present and stated he was proposing the addition of Chapter 33 to the Code of Ordinance. This chapter would guide the work within the town with relation to our parks and greenways. He stated all the language had been reviewed by the Police Department, Fire Department as well as our attorney.

He also stated a fee would need to be added to the Comprehensive List of Fees & Charges for the cost of issuance of a commercial use permit.

ACTION: Adoption of Ordinance #2021-11-02

Motion: Council Member Bunn
Second: Council Member Everett
Vote: Unanimous

ACTION: Adoption of Ordinance #2021-11-03 *(Fees & Charges)*

Motion: Council Member Bunn
Second: Council Member Everett
Vote: Unanimous

b) Extension Agreement
Presenter: Rich Cappola, Interim Town Manager

Mr. Cappola presented this item. He stated that in 2017 Novo Nordisk and the Town of Clayton entered into an agreement which set forth the terms of their cooperative efforts on a facility that would be constructed by Novo Nordisk and dedicated to Clayton as public infrastructure for use as a regional wastewater pretreatment facility (WWPTF). Novo completed construction of the WWPTF and donated it to the town in 2019. At time of transfer the town and Novo entered into an Operation and Maintenance Services Agreement that allowed for them to operate the facility as their wastewater flows developed based on the commissioning of the DAPI facility. To date the flows from the DAPI facility have not reached the anticipated operating flow levels with regard to quantity and quality of wastewater being sent to the WWPTF, therefore the design validation has not been fully completed. Town staff and Novo agree that the current arrangement should be extended an additional two years to allow for Novo to continue operation and refinement of the process at the WWPTF.

ACTION: Authorize Staff to Execute Agreement Extension

Motion: Council Member Bunn
Second: Mayor Pro Tem Thompson
Vote: Unanimous

9 STAFF REPORTS

a) Town Manager

Mr. Cappola s provided update on COVID policies. He stated there would be another update on Friday regarding numbers. He stated it was expected any changes to current policy would be brought to next council meeting.

He stated that Ms. Jeffra Patton has advised of her retirement. The position of safety office would be posted shortly. Additionally, a data analyst position will be posted shortly.

Mr. Cappola reminded of the Special Council meeting to be held November 10, 2021 to discuss bond and details for both Municipal Park and East Clayton Park.

Mr. Cappola stated a request from Parks & Recreation Foundation had been received to sell sponsorship for a bandshell. Staff is looking for direction from council. Mayor asked if that were for an extended period of time? Mr. Cappola stated he believed it was for 5 years and believed donation was for $75,000 for that time period. Council Member Holder suggested we research to see what other municipalities have done. Consensus of council to bring back additional details at the next meeting.

Mr. Cappola spoke about IT survey that had recently been completed. Mr. Cappola stated there would be a budget amendment at next meeting to authorize hiring of an IT Director and additional support staff to support transition efforts. He stated there would be capital expenditures as well related to IT functions. Proposal will be brought back at next council meeting. Council Member Grannis stated it sounded as though we were moving toward in-house IT. Mr. Cappola stated it would be more cost-effective to bring services in-house. He stated potential savings could be fairly significant once we are up and running. Consensus to moved forward with bringing this back to next meeting.

Mr. Cappola also provided an update regarding the greenway bridge (Riverwood). He stated the bridge is at the end of its useful life. He further stated over the years several repairs had been completed, however, at this time it does need to be replaced. He stated that fund balance would be used to complete this project. He further stated that additional information would be brought to the next council meeting.

Mr. Cappola stated that we would be starting mid-year budget review soon with staff compiling and submitting information in December. The intent is to bring any recommendation(s) for mid-year adjustments to town council in January.

Council Member Grannis asked for update regarding the bridge at Lionsgate. Mr. Cappola stated the bridge is privately owned by HOA. He stated at this time there is no update but will have one at next meeting.

b) Town Attorney

Attorney Cauley stated that re-acquirement of Old Town Hall had been completed. He further stated that closing on property located at 324 Horne Street had also taken place.

c) Town Clerk

d) Other Staff

- Police Department Update
  Presenter: Greg Tart, Police Chief

- Harvest Festival Update
  Presenter: Lee Barbee, Fire Chief / Interim Deputy Town Manager

- Ladder Truck Update
  Presenters: Lee Barbee, Interim Deputy Town Manager/Fire Chief & Matt Sutphin, Deputy Fire Chief

Chief Tart provided an update regarding body cameras. He stated this was one of his priorities when he first took over as Chief and this has now been fully budgeted and funded. Chief Tart stated all cameras have been received, all training has been completed and everything is currently in operation. Chief Tart offered his thanks and appreciation.

Chief Barbee provided an update regarding the Harvest Festival, which was held this past weekend. He stated it was a wonderful event. Feedback was overwhelmingly positive. He stated town staff came together to assist the Chamber of Commerce in putting the event together. A video of the event was shared. Chief Barbee stated staff had picked up all cones and barricades. There is a follow up meeting scheduled for next week with the Chamber of Commerce. Chief Barbee offered his thanks for bringing Amy Shearin into her current position of Emergency Management & Special Events coordinator. She is doing an amazing job.

Chief Barbee provided an update regarding the Ladder Truck. It was stated staff is in Wisconsin today to complete the final inspection. He shared details about current technology regarding turning radius. It is anticipated the truck should be delivered to Clayton sometime around Thanksgiving. The plan to is have in service by the first of the year. The total of cost the truck is $1.62 million. Chief Barbee offered his thanks and appreciation. Mayor McLeod stated this will be a great asset to the Town of Clayton.

10 OTHER BUSINESS

a) Informal Discussion & Public Comment

Mr. Stewart McLeod was present and stated he was here to share his concerns regarding a recent decision of the council. He stated while he did not live in the town limits, he did own property within the town. He stated he was unhappy regarding the action taken with the partnership with the YMCA. He stated he currently served on the board. He shared details about how many children had been served through the YMCA. He stated he also served on the JUSA board. He stated the partnership between YMCA and JUSA was not always smooth, but it did remain intact. He stated the night the action was taken, there was no notice provided. He is concerned about the loss of access to these fields and the many families it will affect. Mr. McLeod shared background of the property in question. He stated the YMCA had requested consideration for the town to better understand their position. He asked that council reconsider this decision and work to build the relationship with the YMCA.

b) Council Comments

Council Member Bunn responded to Mr. McLeod. He shared details and stated the town does not support outside agencies. He further stated this was not a surprise to the YMCA, they were well aware of the situation. Council Member Bunn stated the council was simply protecting the citizens of Clayton. He further stated the YMCA was kept completely informed during the process and further stated the YMCA would not release a deed restriction.

Council Member Grannis offered his thanks to town staff and to the Chamber staff for the excellent to Harvest Festival.

Council Member Bunn asked for a number of the Loop Road project. Mr. Barnard stated he would have that available for the next meeting.

Mayor echoed sentiments regarding Harvest Festival and stated it was a great event and what a wonderful community we have. Mayor reminded all tomorrow is election day.

11 ADJOURNMENT

a)

Adjourn the Meeting

With there being nothing further the meeting was adjourned at 7:31 p.m.

ACTION: Motion to Adjourn

Motion: Council Member Holder
Second: Council Member Everett
Vote: Unanimous

Duly adopted this the 15th day of November, 2021 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
INCORPORATED
APRIL 1869
CLAYTON, N.C.