



Town of Clayton
Regular Town Council Meeting Minutes
Monday, June 7, 2021 @ 6:00 PM
Council Chambers

COUNCIL PRESENT:

Mayor Pro Tem Thompson
Council Member Holder
Council Member Grannis
Council Member Bunn
Council Member Everett

STAFF PRESENT:

Rich Cappola, Interim Town Manager
Dolores Gill, D/Town Manager
Jim Cauley, Town Attorney
Kimberly Moffett, Town Clerk
Lee Barbee, Fire Chief
Blake Mills, Asst. Director Public Services
Scott Barnard, Planning Director
Dick Hails, Interim Planning Director
Jeff Caines, Senior Planner
Brandon Carroll, Utility Compliance Tech.
Joy Garretson, Library Director

COUNCIL ABSENT:

Jody McLeod, Mayor

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor Pro Tem Thompson called the meeting to order at 6:01 p.m. He led everyone in the Pledge of Allegiance and offered the Invocation.

2 ADJUSTMENT OF THE AGENDA

- a) It was requested that an item be added as Item 8e under New Business to consider approval of contract for Interim Town Manager

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) Resolution Setting Public Hearing for Payton Road Extension Annexation
b) Easement - Duke Energy
c) NC Railroad Agreement
d) DRAFT Minutes
 - May 17, 2021 - Regular Session
 - May 18, 2021 - Budget Work Session

ACTION: Adoption of Consent Agenda as Presented

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

4 ADMINISTRATIVE ITEMS

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) Library Summer Read Program
Presenter: Joy Garretson, Library Director

Ms. Garretson was present and provided information regarding the upcoming summer reading program. She shared history about teen reading club that started during COVID and further that the group is about to meet for the first in person meeting. She stated they are all very excited about that. Grace, who is the children's Librarian was present and shared details about the upcoming educational children's program that will bring lots of various creatures to the library. Mayor Pro Tem Thompson offered his thanks and appreciation for all the exciting programs.

6 PUBLIC HEARINGS

- a) Presentation of FY '21-22 Budget
Presenter: Rich Cappola, Interim Town Manager

Link to FY 21-22 Proposed Budget:

<https://www.townofclaytonnc.org/mayor-and-council/annual-reports-budgets.aspx>

Mr. Cappola shared a presentation regarding the proposed FY '21-'22 budget. He stated this was the presentation heard by council at the May Budget Work Session. He stated this public hearing was an opportunity to hear from the public as well. He shared an overview the budget process on a month by month basis. He presented a PowerPoint presentation that included slides showing a summary of FY '22 expenditure budget. He shared highlights to include; major revenue assumption, no property tax rate increase, ad valorem growth, property tax collection rate at 98.5%, sales tax revenues anticipated to increase by 1.8 million as compared to FY '21 budget which is 3% higher than the 6.0 million estimate for FY '21 and further that development revenue will remain consistent.

With reference to employee benefit impacts he stated there was a 3% pool for salary adjustments. He stated there would be a mid-year review to look at possible option of COLA. He stated the NC State Health Plan employer contribution rate increased by 7% and the NC Retirement Fund employer contribution increased by 1.2%.

Mr. Cappola shared information regarding Utility Rate Impacts to include; a proposed 7.42% rate increase for combined water and sewer, effective July 1, 2021. There is no proposed increase to electrical rate. Further rate models predict four more years of similar rate increases to fund operating costs and the CIP while maintaining a solvent utility system.

ACTION: Continue Public Hearing to June 21, 2021 Council Meeting

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

- b) 2021-36-ANX - Ashcroft Phases 7 & 8 - Annexation
Presenter: Jeff Caines, Senior Planner

Mr. Caines was present and stated the property referenced in this annexation is just over 35 acres and is currently under construction.

There were no questions from council.

At this time the public hearing was opened.

Mr. Kevin Flatley who is a resident of Atwood Drive and an abutting property for this proposed annexation stated residents objected to annexation. He stated there are tremendous problems with drainage and felt the developer is in violation of numerous laws. An executed letter of concern from residents was provided and entered into the record.

With there being no one further wishing to speak the item was turned over to council for their deliberation.

Council Member Bunn asked if Mr. Caines was aware of these concerns. Mr. Caines stated he was not. Mr. Baird, Town Engineer, stated he was not aware of any complaints. He stated this was prior to the town taking over storm water approval.

Council Member Bunn asked that Mr. Baird reach out to Mr. Flatley and provide any assistance possible.

ACTION: Adoption of Ordinance #2021-06-03

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

- c) 2020-103-PDD - Lumen Rezoning
Presenter: Jeff Caines, Senior Planner

ACTION: Continued to July 19, 2021

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

- d) 2020-104-SD - Lumen SD (Quasi-Judicial)

Presenter: Jeff Caines, Senior Planner

ACTION: Continue to July 19, 2021

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

- e) Lumen Development Agreement
Presenter: Jeff Caines, Senior Planner

ACTION: Continue to July 19, 2021

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

7 OLD BUSINESS

- a) Memorandum of Understanding - Triangle Land Conservancy and Town
Presenter: Scott Barnard, Parks and Recreation Director

Mr. Barnard shared details about this memorandum of understanding. He spoke about the benefit of the partnership which could assist in obtaining grants to develop trails. Upon completion there would be a total 16-17 miles of trails, which would be a record length.

A representative from the Triangle Land Conservancy was present and shared background information about the Triangle Land Conservancy. She shared about the high number of visitors to trails and their work to ensure trails are preserved. She shared additional information about grants and stated they were excited about partnership opportunities. Tours were offered to council.

Council Member Grannis asked about costs. Mr. Barnard stated there is not a budget item associated with this and further stated that at any time there was required funding it would come from a grant.

ACTION: Approval of Agreement

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

- b) Land Acquisition - Easements
Presenter: Joshua Baird, Town Engineer

Mr. Baird was present and provided information regarding Neuse Wastewater Treatment Facility and easements. He stated to date a total of 31 easement had been obtained and 6 needed easements remain. He further stated of those 6, we do not anticipate being able to come to an agreement. He stated multiple attempts, including involving a land acquisition specialist, had been

made to come to an agreement and as of this year we have not been able to come to a settlement. He stated per general statute, the town can condemn in order to obtain these two easements. We stated we will continue to try to work prior to filing of condemnation.

He also added additional information regarding ECIA transmission line would be brought back to council at a later date.

ACTION: Adoption of Resolution #2021-24

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

8 NEW BUSINESS

- a) Audit Contract
Presenter: Robert McKie, Finance Director

Mr. McKie was present. He stated the contract before council had no change to previous fee structure change, and the range of the fee was \$28,000 - \$30,000.

ACTION: Authorize Execution of Contract

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

- b) Code of Ordinance - Chapter 32 Update - Board of Adjustment & Planning Board
Presenter: Dick Hails, Interim Planning Director

Mr. Hails was present and shared details regarding proposed changes to Chapter 32 regarding language for the BOA and voting rights.

ACTION: Adoption of Ordinance #2021-06-04

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

- c) Code of Ordinance Chapter 54 Update - Water Conservation
Presenter: Brandon Carroll, Utility Compliance Technician

Mr. Carroll was present and provided details regarding proposed changes to Chapter 54 of the Clayton Town Code of Ordinances with regard to water shortage conservation measures. These modifications include;

- Addition of Mandatory watering schedule
- Addition to language of section 54.09 application, violation, enforcement & penalties

- Removal of section 54.10 installation of meters

Additionally, Mr. Carroll shared mandatory water schedule. He further stated there would be an updated to the 2019 Water Conservation Plan once approved by NC State.

ACTION: Adoption of Ordinance #2021-06-05

Motion: Council Member Grannis

Second: Council Member Holder

Vote: Unanimous

- d) **Street Intersection Pavement Markings and Stop Signs**
Presenter: Blake Mills, Assistant Director of Public Services

Mr. Mills shared information regarding intersection improvements. He stated there was a total of 9 that would improve safety.

The following work is proposed:

1. Birkdale Drive and Neuse Ridge Drive intersection is an existing 3 Way Stop that could use a Hi Visibility Crosswalk and stop bars to improve safety.
2. Torrey Pines Drive and Parkridge Drive is an existing 1 Way Stop that could be changed to a 3 Way Stop, add a Hi Visibility Crosswalk and Stop Bars to improve pedestrian safety for children walking to school and for the school bus that uses this intersection which is on a curve.
3. Garrison Avenue mid-block crossing required missing handicap ramps to be installed to meet ADA Transition Plan and a High Visibility Crosswalk at this location would improve safety for children walking to the local community pocket park.
4. Moore Street and Main Street intersection is an existing 1 Way stopping stop that could use a Hi Visibility Crosswalk to improve pedestrian safety.
5. Fayetteville Street and Hinton Street Intersection is an existing 2 Way Stop that could be changed to a 4 Way Stop with Stop Bars to improve safety by forcing vehicles to stop before the existing Mid-Block High Visibility Crosswalk located in front of the Clayton Baptist Church. Public Works has witnessed excessive speeding in the neighborhood.
6. Horne Street and Church Street intersection is an existing 1 Way Stop that could be changed to a 3 Way Stop and add two High Visibility Crosswalks to improve pedestrian safety and vehicle safety during child care drop off and pickup times. In addition, a 3 Way Stop will stop vehicles before they access the new parking lot and help them recognize that Horne Street is no longer a through street.
7. Horne Street and Page Street intersection is an existing 1 Way Stop that could use a Hi Visibility Crosswalk to improve pedestrian safety.
8. Second Street and Church Street intersection is an existing 2 Way Stop that could be changed to a 4 Way Stop with 4 High Visibility Crosswalks to improve safety at the intersection. The intersection has very high pedestrian and vehicle traffic due to the Library, Church and Town Hall. During church child care drop off and pickup time's larger vehicles such

as trucks and SUV's que through the intersection and block sight vision for vehicles and pedestrians travelling north bound through the intersection making it very unsafe.

9. Hawkesburg Drive and Brandywine Way intersection is an existing 1 Way Stop that could be changed to a 3 Way Stop intersection. We have received resident concerns about speeding in the neighborhood.

There was discussion about Church Street and Second Street and improvements that would take place to include a 4-way stop. Also discussed was Horne & Second Street. It was stated we not encourage people to use the parking lot as a pass through option.

It was stated that we had received numerous concerns expressed by citizens. A traffic safety committee has been formed with input from many departments. This committee will meet every few months to discuss concerns. The first project to be discussed will be traffic calming policy.

Council Member Bunn asked that when committee does meet they focus on school zones. Mr. Mills stated that was absolutely on top of the list.

Council Member Grannis stated he was happy to see this being done and there has been a need for quite a while. He offered his thanks to the team.

- e) Contract for Interim Town Manager

The contract for the Interim Town Manager was discussed.

ACTION: Approval of Contract

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

9 STAFF REPORTS

- a) Town Manager

Mr. Cappola spoke about his need to wear many hats as we transition. He stated he was happy to announce that Chief Lee Barbee would be serving as an Interim Deputy Town Manager.

Mr. Cappola spoke about COVID and a recent staff outbreak. He shared details about staff and mask and further that should an employee wish to become voluntarily verified as having received the vaccination they could and they would no longer be required to wear a mask. He stated we had scheduled an internal vaccination clinic which was scheduled to be held this week. He stated it was possible we may also host an event for the public.

- b) Town Attorney
- c) Town Clerk

d) Other Staff

Mr. Pierce provided an update on the Square to Square Independence Festival. He stated the event would be held on Saturday - July 3, 2021 and would be held along Main Street. He stated some of the planned events include a bicycle parade, games, and activities, lots of family fun, watermelon slices and snow cones. He stated everybody is excited to be able to celebrate safely as a town and community.

10 OTHER BUSINESS

a) Informal Discussion & Public Comment

A citizen and member of the Community Garden was present and asked for exception to Chapter 91.05 of the Code of Ordinances regarding chickens at Community Garden. She shared details about baby hens that were acquired back in December. She spoke about recent visit from school and the educational opportunity for children and a hands on experience. Any eggs produced would be donated to Clayton. Council thanked her and stated they would take her request under advisement.

Mr. Allen Tew, stated he is encouraged to hear about safety committee. He asked this committee make sure all sidewalks on Lombard are marked to indicate when it narrows. He asked about update on both South & North Connector. Mr. Cappola provided details regarding the South Connector configuration having been changed. With regard to North Connector we submitted an application but did not score high enough to get funding. Mr. Pierce stated provided additional details regarding CAMPO and North Connector. Mr. Tew shared his concerns about possible adverse impact and offered his assistance. He also addressed concerns regarding parking for downtown business. He wanted to know what the town could do. He shared that whenever there is an event there is always some type of clean up that is needed and he is happy to do so however he does not want this to be an everyday issue. Spoke about parking being proposed for new business. He stated the current lot has 44 spaces and there are scheduled to be 3 restaurants at this location with two of those operating 7 days a week from 11 a.m. - 11 p.m. He stated he felt this would cut into the limited parking available to existing downtown businesses. He stated he had concern about spillover to his and other parking lots and wondered what the town role was and if there were plans to alleviate the issue of spillover parking. Mayor Pro Tem Thompson stated there had been much discussion about parking and a working group was being formed to study and examine this issue.

Mr. Tew addressed leadership within the town. He shared his concern about conversations he had regarding reasons for letting previous manager go. He stated he hoped we could move forward with good leadership.

b) Council Comments

Council Member Grannis stated he would like to schedule a work session to discuss downtown parking. Mr. Cappola will start working with staff

11 CLOSED SESSION

- a) Closed Session Pursuant to NCGS 143-318.11.(a)(4) & (5) regarding Economic Development and Property Acquisition

ACTION: Motion to Go Into Closed Session at 7:38 p.m.

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

12 ADJOURNMENT

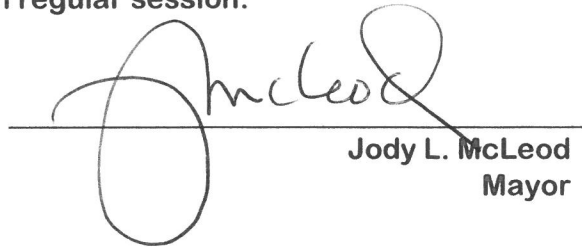
- a) Adjourn the Meeting

With there being nothing further, the meeting was adjourned at 8:09 p.m.

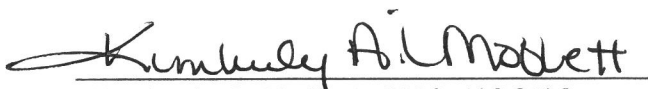
ACTION: Motion to Adjourn

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

Duly adopted this the 19th day of July, 2021 while in regular session.


Jody L. McLeod
Mayor

ATTEST:


Kimberly A. Moffett, CMC, NCCMC
Town Clerk

