



Town of Clayton
Regular Town Council Meeting Minutes
Monday, June 21, 2021 @ 6:00 PM
Council Chambers

COUNCIL PRESENT:

Mayor McLeod
Council Member Grannis
Council Member Holder
Council Member Bunn
Council Member Everett

STAFF PRESENT:

Rich Cappola, Interim Town Manager
Dolores Gill, Deputy Town Manager
Lee Barbee, Fire Chief/Interim Deputy Town Mgr.
Jim Cauley, Town Attorney
Kimberly Moffett, Town Clerk
Jeff Caines, Senior Planner
Joy Garretson, Library Director
Greg Tart, Police Chief
Robert McKie, Finance Director
Amy Shearin, Emergency Services Coordinator

COUNCIL ABSENT:

Mayor Pro Tem Thompson

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order at 6:00 p.m. He led everyone in the Pledge of Allegiance and offered the Invocation.

2 ADJUSTMENT OF THE AGENDA

- a) It was requested that item 5c regarding the Mural Project be removed from the agenda. This item will be rescheduled for a later date. It was also requested that items 3b and 3c be removed from the Consent Agenda and added to Administrative Items for a brief explanation of the items. It was also requested that two items be added under Old Business, item 7b - Grading Contract Award and item 7c - Design Build Contract Award for Neuse River WRF. Additionally under item 4a New Employee Introduction, Hillary McFarland was unable to attend this evening.

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) Resolutions to Collect Taxes on Behalf of the Town of Clayton
- Johnston County
 - Wake County
- b) Resolution Awarding Service Firearm & Badge to Retired Police Personnel

- c) **Final Acceptance of Asphalt Pavement**
Riverwood Athletic Club, Athletic Club Boulevard Phases 2B, 9 Lots (Chamberlain Drive), 2B-2, 15 Lots (Hardaway Point, Houston Lane-Excluding, **Phase 2B-3**), 2C, 54 Lots (Houston Lane, Haywood Lane, McCarthy Drive) 2D, 16 Lots (McCarthy Drive), 2E, 27 Lots (Duncan Court, McCarthy Drive), 2F, 22 Lots (McCarthy Drive), 2G, 41 Lots (Haywood Lane, Hardaway Point), 3A-I, 22 Lots (Collinsworth Drive), 3A-2, 46 Lots (Collinsworth Drive, Namath Court), 6D-I, 18 Lots (Bradshaw Way, Tarkenton Court), 6D-2, 16 Lots (Tarkenton Court, Tomlinson Drive), & 8A, 30 Lots (W. Webber Lane, Sloan Drive)
- d) **Warranty Acceptance**
- **Village at Little Creek Phase 1**

ACTION: Adoption of Consent Agenda as Presented

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

4 ADMINISTRATIVE ITEMS

- a) **Advisory Board Recommendations for Appointment**
Presenter: Kimberly Moffett, Town Clerk
- Downtown Development Advisory Board
 - Public Art Advisory Board
 - Library Advisory Board

ACTION: Appointments to Advisory Boards

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

- b) **Town of Clayton & Johnston County Schools Facility Use Agreement**
Presenter: Scott Barnard, Parks & Recreation Director

Mr. Barnard was present and shared background regarding this agreement. This item was discussed at a previous meeting. It was requested that Interim Town Manager be authorized to execute the final agreement upon final legal review. Mayor McLeod stated he felt this was an amazing opportunity for everyone involved. Council Member Grannis voice his agreement regarding this partnership.

ACTION: Authorize Town Manager to Execute Agreement Upon Finalization from Town Attorney

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

- c) **Memorandum of Agreement - North Carolina Opioid Settlement**

Mr. Cauley provided background and details regarding this item. This was a class action suit and while we do not know exactly what the amount may be, there is a possibility of the town being awarded funding.

ACTION: Authorize Execution of Memorandum of Agreement

Motion: Council Member Grannis

Second: Council Member Everett

Vote: Unanimous

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) New Employee Introduction

Presenters: Robert McKie - Finance Director, Dolores Gill - D/Town Manager, Joshua Baird, Town Engineer and Michael Tutwiler- GIS Coordinator

- Shaun Mizzell - Procurement Contract Manager
- ~~Hillary McFarland - HR Analyst~~
- David Moore - Property Maintenance Superintendent
- Tonda Johnson - Custodian
- Elizabeth Beyer - Engineering Intern
- Lenetta Lucas - Utility Locations Coordinator
- Corshaad Scott - Utility Locations Coordinator

Mr. McKie introduced Shaun Mizzell and provided his background information. He has a very impressive employment history and comes to the town with expansive experience. He stated he was happy to be with the town. Ms. Gill introduced David Moore who is serving as the Property Maintenance Superintendent. He comes to the town with 30 years of experience. Mr. Moore stated he was honored to be part of the town. Ms. Gill also introduced Tonda Johnson who was recently appointed as our newest Custodian. She has a lengthy employment and a very high work ethic. Tonda stated she was excited to be part of the team and thanked everyone for the opportunity. Mr. Baird introduced Elizabeth Beyer who is serving as the summer intern in the Engineering Department. She is a rising senior at NC State and a Park Scholar. She stated she was excited to be here and stated she felt how special the town is. Mr. Tutweiler introduced two new Utility Location Coordinators; Lenetta Lucas and Corshaad Scott. Ms. Lucas stated she was happy to be part of the team. Mr. Scott has been with the town since March 2020 but due to COVID this was the first opportunity to introduce him personally. Mr. Scott stated he is happy to be here. Council welcomed everyone to the team.

b) Awarding of Service Firearm and Badge

Presenter: Greg Tart, Police Chief

- Richie Herring, Police Captain

Chief Tart was present to acknowledge and honor Captain Herring on his retirement from the Clayton Police Department. Captain Herring has 30 years of law enforcement experience. He started with the Town of Clayton in February of 2001. He rose through the ranks to Police Captain. His family was acknowledged for their continuous support throughout his career. He received a standing ovation. Captain Herring offered his thanks to the

members of the police department, citizens of Clayton and his family and friends. Mayor McLeod offered his thanks and appreciation for his many years of service and stated he had modeled the way of what it meant to be a professional police officer. He offered his thanks to his family and wished him all the best. Council Member Grannis stated he was very happy for him and stated he had set the bar for the organization and was the epitome of a consummate professional. He offered his thanks to Captain Herring's family as well. He stated he was very proud. Council Member Bunn offered his thanks and appreciation. Council Member Holder offered his thanks and appreciation and advised him to enjoy his retirement.

- c) ~~Mural Project - Barbour Building~~
~~Presenters: Sara Perricone & Clark Hipolito - Public Art Advisory Board~~
- d) NEA Big Read Clayton
Presenter: Joy Garretson, Library Director

Ms. Garretson was present and shared details about the NEA Big Read: Clayton. She stated the grant was applied for previously and we recently found out it was awarded to Clayton. It should be noted that Clayton was the ONLY public library in the nation to receive this grant. The book that will be read is The House on Mango Street. Ms. Garretson shared details regarding numerous upcoming Events as well as information about Partnerships. This program will celebrate Clayton's diversity and National Hispanic Month which runs from September 15 to October 15, 2021. Council Member Grannis stated he was not an avid read but further stated he had read this book. He stated he was very excited about this grant and the amazing job the library staff does with thinking outside the box. Ms. Garretson shared another potential project for a grant which allow the library to receive and lend out mobile hotspots and tablets. If this grant were received information would be shared with patrons during the NEA Big Read. Mayor McLeod offered his words of appreciation for the amazing vision and integration of all the arts.

6 PUBLIC HEARINGS

- a) 2020-50-ANX - Payton Road Extension - ANNEXATION
Presenter: Jeff Caines, Planning Department

Mr. Caines presented and stated this voluntary annexation was being requested for the Payton Drive Extension Right of Way. This is a town owned property which would bring it into the Town limits. The size of the property is 1.501 acres. The existing use is access into Riverwood Athletic Club from Covered Bridge Road. There were no questions for staff. At this time the Public Hearing was opened. With no one wishing to speak, the hearing was closed at 6:43 p.m. and turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2021-06-06

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

OLD BUSINESS

- a) **FY '21-22 Annual Budget**
Public Hearing Was Held on June 7, 2021
Presenter: Rich Cappola, Interim Town Manager

Mr. Cappola presented this item. He stated the Public Hearing was held on June 7, 2021. He provided a brief update. He stated the only changes from previous presentation were the reallocation of fund to the correct department. He stated there were no changes in dollar amounts. He stated there was no tax increase included in the budget.

Mayor McLeod stated he was so appreciative to the council and their leadership for wanting to show appreciation to employees financially. This budget includes a 3% increase across the board. Also stated at mid-point in the fiscal year this issue would be re-addressed to evaluate revenues, cost savings and it is the hope of council that they will be able to offer up additional financial support to the employees. He offered his thanks and appreciation to the staff who created the budget. He stated the budget consistently show how committed everyone is.

ACTION: Adoption of Ordinance # 2021-06-07 (Budget)

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

ACTION: Adoption of Ordinance #2021-06-08 (Fees & Charges)

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

- b) **Neuse WRF Grading Contract Award for to Providence Construction**
Presenter: Joshua Baird, Town Engineer

Mr. Baird shared details about this item. He stated on April 19, 2021 a Resolution of Tentative Award was adopted for this project. He stated the formal and final contract award was subject to approval by the NC Department of Environmental Quality and this final approval was issued on May 19, 2021. It is requested that this resolution be adopted that would allow the town manager or designee to execute change orders to complete the project in accordance with the previously approved project budget.

ACTION: Adoption of Resolution 2021- 28

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

- c) **Design Build Award - New Neuse Water Reclamation Facility**
Presenter: Joshua Baird, Town Engineer

Mr. Baird shared details about this item. He stated on April 19, 2021 a Resolution of Tentative Award was adopted for this project. He further stated the authority to award was issued by the NC Department of Environmental Quality on May 19, 2021. This resolution will award this project to Gannett Fleming and further authorize the town manager or designee to authorize the completion of detailed design services and authorize additional funding.

ACTION: Adoption of Resolution #2021-29

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

8 NEW BUSINESS

- a) **Year End Closeout Budget Amendments**
Presenter: Robert McKie, Finance Director

Mr. McKie provided details regarding Year End Close Out Budget Amendments for the Water Sewer Fund and Electric System.

ACTION: Adoption of Ordinance #'s 2021-06-09, 2021-06-10 & 2021-06-11

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

- b) **Water & Sewer Progression Compensation Incentive Policy**
Presenter: Byron Poelman, Water Resources Director

Mr. Poelman was present and shared information regarding a proposed policy that would offer a progression compensation incentive policy. He stated this policy was originally drafted in 2019. This policy would offer an incentive for those receiving certifications as they continue to do so for different levels. Included in the policy was increases for reaching different certification levels. Mr. Poelman stated how proud he was of the current crew and further stated they some of the best in the State. The proposed effective date for this policy would be July 1, 2021. There were no questions or comments. Council offered their appreciation to Mr. Poelman and his entire staff for their outstanding work.

ACTION: Adoption of Policy W&S 2021-01

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

STAFF REPORTS**a) Town Manager**

Mr. Cappola provided updates and stated he was very happy to have the Contract Procurement Manager position on board. He stated recruitment for the HR Director position is open and he is very encouraged by the applicants. He further stated we are currently recruiting for Planning Director. There was discussion regarding the Council Special Session regarding parking and staff moving forward to determine a date that works for most stakeholders. It was stated that July 14, 2021 was the tentative date. Council Member Bunn stated he has had some discussion with folks about downtown parking. He asked if we could send out survey to stakeholders and get feedback and once feedback is received back look at results. Council Member Grannis stated he did not disagree but felt we also needed to look at parking requirements ordinances to see if they need updating. He is concerned that current ordinances could turn away very viable businesses. Mr. Cappola asked for clarification regarding next steps. Mayor felt we needed to proceed with work session to learn more about parking ordinances, etc. He further stated he agreed it is imperative to get feedback as well. Council Member Grannis questioned the possibility of having the survey sent out and returned by the July 14, 2021 special meeting date. Mr. Cappola stated he felt we could gather this information and still stay on track for July 14 meeting. Mayor just wanted to confirm council has enough time to read all information in preparation for meeting. Mr. Cappola stated that would definitely happen.

b) Town Attorney

Offered acknowledgement of NC State world series.

c) Town Clerk**d) Other Staff**

- Square to Square Festival Update
Presenters: Amy Shearin & Patrick Pierce

Ms. Shearin and Mr. Pierce provided an update about concerts being back on for this summer. It was stated that the concern to be held on August 19, 2021 will be 19 Aaron Hamm and Jonathan Parks and The Embers will be on the schedule for September.

Additional details were provided about the July 3 festival; Square to Square. It was stated there would be many events taking place to include, free snow cones, watermelon, hot dog eating contest, bicycle parade and many other great family events and activities.

Mayor offered his thanks.

10 OTHER BUSINESS

- a) **Informal Discussion & Public Comment**
- b) **Council Comments**

Council Member Holder raised concern about golf carts. He stated in Glen Laurel, there is a good amount of golf carts driving on the roads with many of them not being street legal. Chief Tart confirmed it is required that golf carts have signals, registration, seat belts, lights and more to be considered street legal. Council Member Holder stated he was very concerned and hoped it would be addressed in Glen Laurel. Mayor McLeod asked if the HOA was involved up to this point. It was consensus that Chief Tart will take the lead and the HOA will be contacted to advise that enforcement concerning this issue will be taken.

Mayor asked for update on employee with COVID and asked for continued thoughts and prayers.

It was stated that Donna Bailey Taylor of the JC Visitors Bureau advised of a possible grant for Town of Clayton regarding establishing a permanent location for the Farmers Market with regard to a permanent structure. Everyone was asking to consider possible locations. Chief Barbee spoke about possible location for growth. Ms. Shearin will reach out to Ms. Taylor with suggestions and ideas. It was stated this grant would be for up to \$500,000.

The Mayor offered his sincere thanks for the outpouring of love and support in loss of his Mom.

The Mayor spoke about a recently received email about concerns about art and he stated that art is supposed to evoke conversation. He shared his thanks citizen sharing their thoughts and opinions.

Council Member Holder spoke about the NC State \$6 million surplus and stated he felt half of that amount should go for road improvement and the other half for municipalities and infrastructure. Mayor agreed and stated staff had been in contact with representatives and had shared our input.

11 ADJOURNMENT

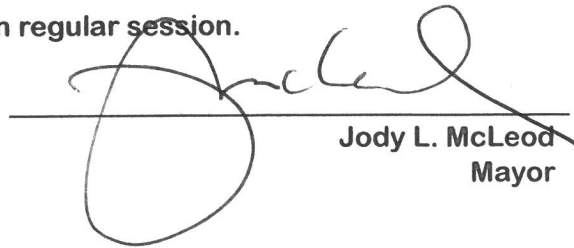
- a) Adjourn the Meeting

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

ACTION: Motion to Adjourn

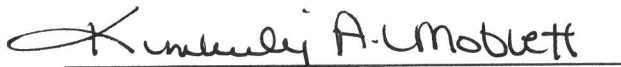
Motion: Council Member Bunn
Second: Council Member Holder
Vote: Unanimous

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



June 6, 2021

Homeowners of Ashcroft

Atwood Drive
Clayton, NC 27520

Providence Construction

114 W Main St Ste 111
Clayton, NC 27520

Ashcroft Homeowners Association

HRW Association Management
4700 Homewood Court, Suite 380
Raleigh, NC 27609

RE: Formal Letter of Grievance: Water Drainage Issue

Dear Providence & HRW Association Management,

We are presenting this concern from the residents named on page two of this grievance letter. As you may be aware, we are potentially facing insurmountable problems with the poor drainage system in our backyards from rainwater overflow. Hurricane season is swiftly approaching, and we stand the likelihood of severe flooding of our backyard properties and homes.

The Homeowners on Atwood Drive are petitioning to have a **French Drain** installed into the waterflow areas behind our homes and leading to the drop off near the mailboxes in the cul-de-sac. This drain will greatly assist in redirecting the surface water and groundwater away from the areas of concern.

In the interest of preserving the investment that the affected individuals in this community have made and the builder's reputation, we request that you provide a resolution to the issue stated above. We appreciate your immediate attention to this matter.

Sincerely,

Homeowners of Ashcroft

June 6, 2021

Homeowners of Ashcroft

Atwood Drive
Clayton, NC 27520

Providence Construction

114 W Main St Ste 111
Clayton, NC 27520

Ashcroft Homeowners Association

HRW Association Management
4700 Homewood Court, Suite 380
Raleigh, NC 27609

RE: Formal Letter of Grievance: Water Drainage Issue

Petition Signatures

<u>Kevin Flatley</u>	<u>K. Flatley</u>	<u>6/6/21</u>
Name	Signature	Date
<u>Leroy + Diana Davis</u>	<u>Leroy + Diana</u>	<u>6-6-21</u>
Name	Signature	Date
<u>Diana Rodriguez</u>	<u>Diana Rodriguez</u>	<u>6/6/21</u>
Name	Signature	Date
<u>Chris Salvador</u>	<u>Chris Salvador</u>	<u>6/6/21</u>
Name	Signature	Date
<u>Therese Johnson</u>	<u>Therese Johnson</u>	<u>6/6/21</u>
Name	Signature	Date
<u>Jeremiah Eason</u>	<u>Jeremiah Eason</u>	<u>6/6/21</u>
Name	Signature	Date
<u>RICHARD WEISSMANN</u>	<u>Richard Weissmann</u>	<u>6-6-21</u>
Name	Signature	Date
<u>Quintz</u>	<u>Quintz</u>	<u>6-6-21</u>
Name	Signature	Date
<u>Johnny Winchester</u>	<u>Johnny Winchester</u>	<u>6/7/21</u>
<u>Darrel Winchester</u>	<u>Darrel Winchester</u>	<u>6/7/21</u>