



**Town of Clayton
Regular Town Council Meeting Minutes
Monday, September 21, 2020 @ 6:00 PM
Council Chambers**

COUNCIL PRESENT:

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

STAFF PRESENT:

JD Solomon, Interim Town Manager
Nancy Medlin, Deputy Town Manager
Rich Cappola, Deputy Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
Joshua Baird, Town Engineer
Stacy Beard, Communications Director
Scott Barnard, Parks & Recreation Director
Samantha Wullenwaber, Planning Director
Lee Barbee, Fire Chief
Robert McKie, Finance Director
Blake Mills, Assistant Director of Public Services
Steve Blasko, Public Works Operations Manager

COUNCIL ABSENT:

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order at 6:02 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) Budget Amendment - Assistant Program Manager
- b) DRAFT Minutes
 - September 8, 2020 - Regular Session

ACTION: Adoption of Consent Agenda as Presented

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

4 ADMINISTRATIVE ITEMS

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

6 PUBLIC HEARINGS

- a) 2020-23-ANX - Shoppes at Glen Laurel - Annexation
Presenter: Haley Hogg, Senior Planner

Ms. Wullenwaber was present and stated this request is to annex 10.4652 acres to receive Town services. The property is currently in the Town's ETJ and is zoned Residential-Estate (R-E). This annexation request is running alongside a proposed rezoning to Planned Development Mixed Use (PD-MU). The property is located off Glen Laurel Road.

There were no questions for staff

This was noted as a public hearing. There was no one who wished to speak. The hearing was closed and turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2020-09-05

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

- b) 2020-115-ANX - West End - Annexation
Presenter: Haley Hogg, Senior Planner

Ms. Wullenwaber stated this request is for a strip mall including two separate buildings, annexing 1.701 acres of land to use town services. The parcel is currently in the Town's EJ and is zoned Highway-Business (B-3). This will be a contiguous annexation.

There were no questions for staff.

This was noted as a public hearing. No one wished to speak and this item was turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2020-09-06

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

c) **Erosion Control Ordinance**
Presenter: Joshua Baird, Town Engineer

Mr. Baird was present and provided information regarding erosion and sedimentation. He shared photos of issues with erosion and sedimentation and stated the creation of this ordinance would help with these issues. He shared information about both State and Federal requirements. He shared information regarding a delegated local erosion and sedimentation program. Also provided was information regarding compliance audits associated with the local program. The History of the Town the Clayton and Johnston County was provided with regard to the erosion control program. He stated the Town has been administering programs since 2014. He addressed the benefits of bringing this program in house to include internal control of compliance, increased level of service, streamlined permit process for developers, healthy streams and clean roads. Details were shared outlining the process. It is hoped that this program will be implemented by January 1, 2021. He stated the proposed ordinance is based on state model and is substantially similar to Johnston County and other delegated jurisdictions. It meets all requirements of State and Federal levels. He outlined the next steps would be to adopt the ordinance, request formal delegation from SCC on November 5, 2020, Town council would adopt the fee schedule and additional policies with implementation effective date of January 1, 2021. He also shared information regarding fees and neighboring program fees.

Council Member Bunn confirmed that the fee scheduled would come back before council in the future and that the current fee schedule would be similar to Johnston County. Mr. Baird stated that was correct and explained the fees.

Council Member Grannis asked about the point of discharge and ditch/swale and whether they would be included in natural water course. Mr. Baird asked him what he was referring to. Council Member Grannis stated this information was #13 of the presented document. There was further discussion on this subject. Council Member Grannis asked about requirements on a development for a hydrology report. Mr. Baird shared details about intent of this item. Mr. Solomon stated this is related to the construction phase step. Council Member Grannis asked about the item on Page 12, timeline of decisions, he asked if Mr. Baird was comfortable with the timeline. Mr. Baird stated he understood concern, however, it is standard. Ms. Ross stated that was brought up to the state and the response brought back was that it would not be changed. Mr. Solomon stated Johnston County is currently doing this and so with us now handling this in-house, we would have control of the 30 days. Mr. Baird stated there would be a series of inspections completed.

This was noted as a public hearing, no one wished to speak and the hearing was closed and turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2020-09-07

Motion: Mayor Pro Tem Thompson
Second: Council Member Grannis

Vote: Unanimous

7 OLD BUSINESS

- a) Fire Department Ladder Truck
Presenter: Lee Barbee, Fire Chief

Chief Barbee was present and shared details about this need for a ladder truck. This ladder truck has been a need since 1997. He stated previous conversations included purchase of a used ladder truck and that has been deferred. The fire department has tried to compensate for the lack of the ladder truck. Clayton Fire Department was instrumental in having sprinkler systems provided in apartments before it was required. He shared details about the numerous fires over the years when a ladder truck was instrumental. He stated we have had to borrow ladder trucks from neighboring departments. He spoke about safety and response improvements along with insurance improvements. He stated that changes have been made regarding insurance credit and mutual agreements, and we will no longer receive credit on insurance without having our own ladder truck. Chief Barbee spoke about the many buildings in Clayton that require a ladder truck. He stated we are at a crossroads for future development and growth makes it a necessity to have a ladder truck in the department. Prices were included in the agenda packet and he stated pricing is \$1,792,242 which would be good until September 30, 2020. Included were two options, financing with a pre-pay discount of \$49,000 and payments would begin 12 months after that or the other option would be not to pre-pay, pay full amount and payments would only begin after delivery. The timeline to build the truck is approximately 12-18 months.

Mayor McLeod asked what the savings would be if it were to be completed by September 30, 2020. He stated if we did not go with the discount, we are looking at roughly \$62,000 savings. If we took the financing option through Financial Freedom, with the pre-pay, we would be saving roughly \$100,000. Mr. Solomon stated that Chief Barbee has his full support for the purchase. He stated that the decision tonight would be to approve the purchase but we would have a few weeks for a final decision regarding financing options.

Mr. McKie provided information regarding the Ordinance Amendment for 1.725 million. He stated the amendment issued is for full purchase price, second item is a reimbursement resolution through financing to replenish fund balance. There is not an approval requested regarding financing options this evening.

There were no further questions or comments.

ACTION: Adoption of Ordinance #2020-09-08

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

ACTION: Adoption of Resolution #2020-33

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

- b) **Water Reclamation Update**
Presenter: JD Solomon, Interim Town Manager

Mr. Solomon provided an update, stated advertising has been completed. He stated the easement acquisition is about to get underway in the next couple of weeks. The final EA, Environmental Assessment, has been submitted and is underway for review. A financial discussion meeting was held today about options and this is the largest project in the Town's history ever to be financed, about \$1.20 million dollars that will have to be financed. Mr. Solomon stated the 30% design is basically complete tomorrow would do the final page turn tomorrow. Within the month we will be ready to advertise the design-build constructor for the plant itself. A public hearing for this item will be held next month.

There were no questions or comments.

- c) **Resolution in Support of Water Tank Funding**
Presenter: Rich Cappola, Deputy Town Manager

Mr. Cappola provided details to apply for funding for an additional water tank storage. The funding round is due by the end of this month. Mr. Cappola stated the current is formally adopted as included in the Resolution confirming this project is a need. He stated a resolution is required by the state with the application.

ACTION: Adoption of Resolution #2020-34

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

- d) **Parks & Recreation Bond Update**
Presenter: Scott Barnard, Parks & Recreation Director

Mr. Barnard provided an update on the bond. He spoke about the design process. He stated he and Joshua Baird have been working with HH Architecture and McAdams on this project. Davenport has put together a model that shows the essential borrowing capacity, this will help Parks & Rec choose projects that will fit into the budget. Parks & Recreation Advisory Board will be serving as the steering committee for this project and will assist in prioritizing projects. Mr. Barnard stated he would be providing at least a quarterly update for council.

Council Member Grannis asked if the meeting on Monday would be virtual or in person. He stated it would be in person at 6:00 p.m.

Mayor Pro Tem Thompson offered his thanks for the good work that has been done. Mayor McLeod also offered his thanks for all that work that continued even though parks have been closed.

ACTION: None - Informational Only

8 NEW BUSINESS

- a) **Budget Amendment Ordinance - Police Asset Forfeiture Funds**
Presenter: Robert McKie, Finance Director

Mr. McKie provided details about this item and stated the Town had receive \$25,000 from federal government and the request is for \$19,500 for vehicle up fit and special enforcement team equipment. Mayor Pro Tem Thompson stated Chief Myhand's team has worked hard to receive this money, this money can only be used for law enforcement purposes and he has no problem approving this.

ACTION: Adoption of Ordinance #2020-09-09

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

9 STAFF REPORTS

- a) **Town Manager**

Mr. Solomon recognized Parks & Recreation for all the hard work in getting parks inspected, corrected and opened before Labor Day and as well as Stacy Beard for getting the information to the public. He spoke about Clayton Center and the live streaming and as well as grant monies. He stated Scotty Henley has used a great deal of creativity and prestige to get this going. He gave kudos to Scotty for getting such outstanding talent. He also recognized Joshua Baird & Byron Poelman for their great work in resolving recent water issues.

He discussed the financial end of the first fiscal quarter. The budget will be updated half way through. He discussed some of the challenges in projects such as the AMI project, General Fund Water System and the Parks & Recreation Bond Project. He stated additional information would be provided regarding the bulky waste situation. He spoke about the grass cutting on Highway 70. He stated we have switched vendors and we are moving to correct that. The sales tax revenues are up again and are the highest they have been in the history of the Town. He discussed public access to buildings and staff has been taking actions to prepare for when that occurs. He stated it may be 60-90 days but we will start slow and gradually build up but we would do it safely.

In regards to planning, the Planning Director Samantha Wullenwaber and her staff are working diligently on the 160D, the Comprehensive Plan, as well as the revisions to the UDO and normal ordinances. He is working closely with Rich Cappola and Samantha Wullenwaber on planning challenges.

He met with Robert McKie and Nancy Medlin in regards to finance. He stated we are growing and there are lots of changes with contracting process, procurement, etc. He stated he would start looking at internal opinions but we may look at bringing in third party for input.

He spoke about the Police Department and stated they are a fine department. There are growing pains and he would like to look at training and organization as well as overall operating. He stated we want a top end Police Department. He thinks it is important to bring in an outside party for feedback.

He stated he has looked at current health and safety policies as well as social media policies. These would all be looked at and moved forward.

He stated staff is very busy and has been great and many issues are being addressed.

b) Town Attorney

c) Town Clerk

d) Other Staff

- Bulky Waste Update

Presenters: Blake Mills, Asst. Public Services Director & Steve Blasko, Manager of Public Works Operation

- CAMPO LAPP Update

Presenter: Joshua Baird, Town Engineer

Mr. Mills provided history of bulky waste program. He stated we have seen a huge increase in bulky waste pick up and costs. He spoke about at the current rate and that we will surpass total budget amount by December of this year. He provided details of the increases over the past few months and it does not appear to be slowing down. He believes the increase is due to so many folks working from home and taking the opportunity to clean out their homes. A comparison was provided regarding surrounding towns and their bulky waste programs. Garner is very similar with the exception of how their contract is written. Mr. Solomon stated this information was received a couple of weeks ago and stated this is being addressed administratively. He wanted to ensure council was aware of what was taking place.

Council Member Grannis asked if Garner rates were higher and Mr. Mills stated they were slightly higher but bulky waste fees were included.

Mr. Baird provided an update regarding CAMPO LAPP update. He provided brief background on the Locally Administered Projects Program. He shared samples of LAPP projects. He shared details regarding the LAPP submittal process. Provided were details regarding staff working to date to include

potential projects that are LAPP eligible. He discussed the 3 staff recommendations which are Northern Connector (which he shared details about this project). The second is the Mountains to Sea Trail which needs Bridge Replacements. There are 3 existing wooden bridges that are near the end of life span and there is increased maintenance seen due to age. The plan is to construct 3 new steel span bridges. The cos would be \$1.4 million with a local match of \$280,000. This is not currently in CIP. The final project would be 42 East Greenway/Multi-use Path which spans from Front Street to Glen Laurel Road, this is an extension of the Mountain to Sea Trail located on the northwest side of Highway 42. The cost is approximately \$2 Million with a local match of \$400,000. He discussed the next steps which include pre-submittal meetings on September 24 with CAMPO. He would bring feedback to council and provide recommendation to town council and seek support for application submittal.

Council Member Grannis stated he felt these were 3 great projects and offered his thanks for the great job.

10 OTHER BUSINESS

a) Informal Discussion & Public Comment

Mayor McLeod asked Ms. Garretson to come to podium and asked for an update at Library. Ms. Garretson stated curb side customer service began in June and numbers increased by August. The library began accepting in person appointments in the beginning of September. She shared details about process. She stated it has been super positive and everyone is very excited to come in. She spoke about the amount of on line programs.

Resident Mr. Weiss was present and asked Council Member Grannis questions about his statement at the previous meeting regarding the town manager's contract. He stated he would like the entire contract made public to the town not just bits and pieces. Council Member Holder stated that he was not aware that the entire contract was not totally public. He further stated that the council is not trying to withhold information and the council wishes to move forward and do what is best for the Town of Clayton. Council Member Holder stated he was happy that we did have that clause in Mr. Lindsay's contract. Mr. Weiss spoke about repairing the bridges along the trail and had concerns about safety issues. He stated there is an odor coming out of the manholes along the trail and he wondered if it was normal for that type of odor. Mayor McLeod stated all manholes are sealed. Mr. Weiss stated that perhaps the traps just need to be cleaned. Mayor McLeod stated that staff has made a note and would look into that.

Resident from Rollingwood Subdivision was present and asked what items she was able to address. Mayor McLeod explained anything could be addressed. This citizen shared her personal experience and that several folks obtained information about her personal information including her social security number and they were able to steal \$60,000 from her. She stated to this date,

the Clayton Police Department have not assisted her and she feels it may be profiling. She requested additional police personnel and that additional training be provided to police. She further stated she did support the police, with the growth she felt additional training be done. She also stated she would like to see a Domestic Violence Unit be added to the Clayton Police Department.

Also addressed were concerns regarding the Rollingwood Subdivision. She shared that the road has been blocked by construction vehicles, and the vehicles have defaced the community by destroying trees and the ecosystem by increasing population with crammed residents who are now parking on street. She stated there are a number of people living in townhomes now walking their dogs in neighborhood. She has had to drive on neighbor's easements to get around large construction vehicle. She spoke about construction vehicles and their speed. She asked for speed bumps and signage that children are at play be installed.

Mayor McLeod thanked the citizen and stated her message has been well received.

b) Council Comments

Council Member Holder wanted to ensure with town employees that nothing is being done to put any of their jobs at risk and further the council appreciates all that employees do.

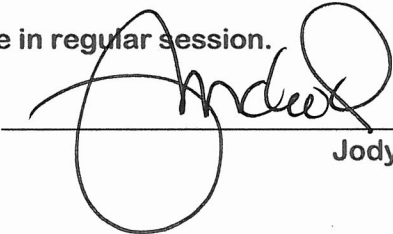
11 ADJOURNMENT

a) Adjourn the Meeting

ACTION: Motion to Adjourn at 7:47 p.m.

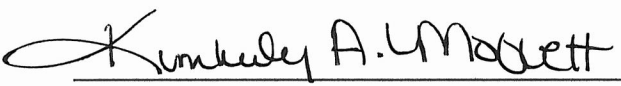
Motion: Council Member Bunn
Second: Council Member Holder
Vote: Unanimous

Duly adopted this the 5th day of October, 2020 while in regular session.



Jody L. McLeod
Mayor

ATTEST:



Kimberly A. Moffett, CMC, NCCMC
Town Clerk

