Town of Clayton
Regular Town Council Meeting Minutes
Monday, January 7, 2019 @ 6:00 PM
Council Chambers

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

STAFF PRESENT:
Adam Lindsay, Town Manager
Nancy Medlin, D/Town Manager
Town Attorney
Kimberly Moffett, Town Clerk
David DeYoung, Economic Development Director
Rich Cappola, Engineering/Inspections Director & Interim Public Works Director
Stacy Beard, Public Information Officer

COUNCIL ABSENT:

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 and offered the Invocation.

2 **ADJUSTMENT OF THE AGENDA**

a) Mayor Pro Tem Grannis requested the November 5, 2018 minutes be removed from Consent Agenda and added to Administrative Items for amendment.

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) Draft Minutes
~~November 5, 2018 - Regular Session~~
November 5, 2018 - Closed Session
December 17, 2018 - Regular Session

b) Certificate of Sufficiency - 2018-238-ANX - Rising Tide

ACTION: Adoption of Consent Agenda as Presented

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

4 ADMINISTRATIVE ITEMS

a) Council Liaison and Committee Assignments
Presenter: Jody McLeod, Mayor

Listing of council liaison and committee assignments were provided. Assignments for 2019 will be as follows:

- Downtown Development Association Advisory Board - Council Member Bunn
- Fire Advisory Board - Council Member Thompson
- Library Advisory Board - Council Member Holder
- Planning Board - Council Member Satterfield
- Public Art Advisory Board - Mayor McLeod
- Recreation Advisory Board - Mayor Pro Tem Grannis
  Triangle J COG Delegate - Council Member Thompson
- Triangle J COG Alternate - Council Member Satterfield
- NCLM Delegate - Mayor McLeod
- CAMPO Primary - Mayor Pro Tem Grannis
- CAMPO Alternate #1 - Council Member Bunn
- CAMPO Alternate #2 - Council Member Thompson
- ElectriCities Delegate - Robert Ahlert
- ElectriCities Alternate - Mayor Pro Tem Grannis

b) Recommendation on Johnston County Economic Development Board
Presenter: Kimberly A. Moffett

The Johnston County Economic Development Advisory Board consists of 14 members, one for each of the 11 municipalities and three at-large positions. Presently the position representing the Clayton area is up for consideration. Bob Satterfield currently holds this position and has re-applied for another term. No additional applications were received. The Johnston County Board of Commissioners feel it is important that all municipalities offer input with reference to the selection of the representative for their area.

The council discussed the position and unanimously agreed to recommend Bob Satterfield for reappointment to the board. The Town Clerk will ensure this information is passed along to the County Board of Commissioners.

c) Warranty Acceptance

- Summerlyn, The Orchards

__ACTION:__ Placed on January 22, 2018 Consent Agenda

d) November 5, 2018 DRAFT Minutes - Regular Session

Mayor Pro Tem Grannis requested that minutes from November 5, 208 reflect that during Public Hearing for 2018-62-SD, Kyli Knolls, be amended to reflect that he voted opposed to Findings of Fact #1 and Finding of Fact #3.

__ACTION:__ Motion to Approve with Amendments as Above

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

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) Student Art Month Proclamation
Presenter: Jody McLeod, Mayor

Mayor McLeod presented this annual Proclamation to Ms. Susan Johnson, who attended. Ms. Johnson is a member of the Woman's Club of Clayton. She expressed her appreciation for the Proclamation and invited everyone to attend a reception on the evening of Thursday, January 10 at 6:00 p.m. The reception will be held in the lobby of the Clayton Center and the winner of the Annual Woman's Club Arts Festival will be announced. This event is a collaboration of the Woman's Club of Clayton and Clayton Visual Arts.

b) Miss Capital City (Clayton/Cleveland) Pageant Update
Presenter: Keith Branch

Mr. Branch was present and provided history as well as details about the upcoming 2019 Miss Capital City - Clayton/Cleveland Pageant. The Pageant, which will be held in the Clayton Center March 2, 2019. He also provided a handout that outlined the history of the Pageant and winners. He stated that a total of $152,075 in scholarships have been awarded to date. He also shared information that approximately 500 people attend the Pageant annual and further that approximately 100 people spend at least one night at a local hotel and about $85,000 is spent by visitors

Mr. Branch stated he was extremely excited and proud to announce that Nia Iman Franklin, Miss America 2019, would attend at the Miss Capital City - Clayton/Cleveland Pageant. It is estimated that she will be in town for two days and would be visiting local schools. Mr. Branch stated he hoped the town would contribute funding to assist with the cost of bringing Miss American to Clayton.

Mayor McLeod offered his thanks and stated the information provided spoke volumes to the success of the program. He stated he was super proud and felt confident the council would consider contribute to lessen the expenses required bringing Ms. Franklin to Clayton. Mayor Pro Tem Grannis also offered his appreciation.

6 PUBLIC HEARINGS

a) Water and Sewer Rates / Wastewater Capacity Study
**Public Hearing originally advertised for and opened on November 19, 2018*
Presenters: Rich Cappola, Interim Public Works Director; Charles Davis, Wooten Company and Robert Chamber, Black & Veatch

Mr. Cappola presented and provided additional informational and updates from the previous public hearings held on this issue.

Mr. Cappola stated a decision regarding future wastewater would need to be made. He further stated that the factors driving the need for the decision include the following:

- Design/Permitting/Construction Timeline
    - Will take 4 (+) years to deliver a project
    - Raleigh Contract Expiration (2027)
    - Current Commitments
    - Actual Flow vs. Permitted Flow vs. Allocated Flow

He further stated that without a timely decision, limitation would need to be placed on development approval.

Mr. Charles Davis of The Wooten Company provided an update. He stated re-evaluations have been completed of projected flows based on most recent allocations made and requested to the Town (20 year planning period). He stated options have been explored to extend the need to have additional capacity (ongoing) and further that staff had met with Johnston County, City of Raleigh, 3rd Party Operators and Legislators.

He shared details about the variables in the options considered; which include

- Obtaining Additional Capacity in Clayton vs. JoCo
    - 45% in JoCo and 55% in Clayton
    - 20% in JoCo and 80% in Clayton
    - All Flow Treated in Clayton
- Timing
    - Raleigh Contract ends in 2027 vs. 2032
- Maximizing Existing Resources
    - Building one new facility vs. two facilities (maintain Little Creek and building a small new facility)
- Phasing
    - Is phasing a viable option in order to spread out costs for every scenarios considered?

Mr. Robert Chambers of Black & Veatch presented and shared details about options and running the enterprise as a business. A total of 20 options were considered and the following 5 options were supplied for the Rate Model:

- Option 1B - One Plant; 20% of Flow treated in JoCo and 80% treated in Clayton
- Option 2B - Same as Option 1B but running two plants
- Option 1C - One Plant; 45% of flow treated in JoCo and 55% treated in Clayton
- Option 2C - Same as 1C but running two plants

- Option 1DAll - One Plant; Clayton treats all flows (no flow sent to Raleigh or JoCo by 2037)

Mr. Chambers shared additional information regarding run the enterprise as a business. He discussed multi-year financial planning and monitoring, maintenance of expenses and revenues, maintenance of financial metrics, rate comparison and competitiveness and stakeholder engagement.

He shared a slide outlining Capital improvement Plan (CIP) showing figures for water improvement projects for FY 2019-2023. He also shared a slide outlining Capital Improvement Plan (CIP) showing figures for Wastewater Improvement Projects for the same year.

Also shared was a spreadsheet showing comparison of other municipalities' fees. Also provided and discussed were updated proposed rates for Clayton over the next five years. Based on comparison, Clayton rates are at the lower end of comparisons.

Council Member Satterfield had a question about Harnett County rates. Mr. Davis stated that Harnett County expanded their systems several years ago and that is why the rates are higher.

Mayor Pro Tem Grannis asked about what projected percentage of growth was covered. Mr. Chamber stated he did not currently have that information but could work on gathering it. Mayor Pro Tem Grannis stated he would be interested in having that information.

Mayor Pro Tem Grannis asked what available current capacity is. Mr. Cappola stated he did not have the exact figure, but believed we were about 70-75%. Mayor Pro Tem Grannis was pleased and asked for an updated percentage of available capacity that would be consumed every time a new development was presented. Mr. Cappola stated that he was working on allocation policy as well.

Mr. Cappola presented the options considered for rate study. Staff believed that Option 1B was the most viable. He further stated that all other options were also being considered. He stated the next steps would be for council to provide direction at the February 18 council meeting. It was asked the Public Hearing be continued to that date. Mr. Cappola stated some of the additional items that staff would continue to work on include work with attorney and preparation of RFQ, once Engineering Firm selected negotiations could begin, preparing an RFQ and once selected negotiations could begin. He further stated that once contract is in place that would be brought back to Council for their approval, most likely in the Spring. Mr. Cappola asked council would like anything additional that staff bring back to next meeting.

Council Member Satterfield asked about current agreement with Johnston County. Currently we have 1.34 mgd with Johnson County. Council Member

Satterfield asked if agreement would remain similar. Town Attorney confirmed that the guarantee would be 1.9 mgd flow not a 20% flow.

Council Member Bunn stated prior to making a decision he would like to see all the options and breakdowns on what all the rates might look like. Mr. Cappola stated that all options with rates would be provided.

Mayor Pro Tem Grannis stated he believed previous figures were significantly higher and wanted to ensure the figures being seen now are reliable. Mr. Cappola provided additional information about studies. Mayor Pro Tem Grannis asked about confidence level with current figures. Mr. Chambers stated that every stone had been turned and numerous reviews were completed to provide the most accurate information possible. Mayor Pro Tem Grannis stated he appreciated that but challenged that the rates be kept as shown or lower. He stated this was very important for the residents. Mayor Pro Tem Grannis asked for information regarding impact fees and HB 436. Mr. Cappola provided information regarding HB 436 that outlined how municipalities were allowed to calculate fees and when those fees could be charged. He stated that HB 436 went into effect July 1, 2018.

Mayor McLeod noted this was a Public Hearing and asked those wishing to speak to please step forward.

Mr. Mike Stark spoke and stated he was a of Clayton resident for 20 years. He shared his concerns about fees increases and stated that Clayton had the highest fees in the County and further stated that he was tired of citizens supporting developers.

<u>ACTION:</u> Continue Public Hearing to February 18, 2019

7 OLD BUSINESS

8 NEW BUSINESS

a) Resolution for Document Management Program
Presenter: Nancy Medlin, Deputy Town Manager

Ms. Medlin presented and stated the town had recently purchased content management software to manage electronic documents. The ultimate goal was to become nearly "paperless". To achieve this "paperless" goal, authorization from the North Carolina Department of Archives must be received. The first step in this process is for Council to adopt a Resolution stating a desire to begin scanning documents. Following adoption of this Resolution, staff will prepare and submit to the North Carolina Department of Archives a Compliance and Electronic Records Warranty for review and approval. This document will outline the quality assurance tests to be implemented. Once final approval is received from the Department of Archives, the town can begin disposition of paper records.

<u>ACTION:</u> Adoption of Resolution #2019-001

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

b) 2018-238- ANX - Rising Tide
Presenter: Planning Department

Mr. DeYoung presented and asked that a Public Hearing be set for this item. This is a voluntary annexation of .57 acres and the owner/applicant is 1218 Properties LLC.

ACTION: Set Public Hearing for January 22, 2019

c) 2018-206-RZ - New Trinity Missionary Baptist Church
Presenter: Planning Department

Mr. DeYoung presented and asked that a Public Hearing be set. Request is to rezone two parcels located at 347 W. Main and 317 W. 2nd Street from Central Business (B-1) to Neighborhood Business (B-2). Both properties have frontage along Main Street and Second Street. The applicant is requesting rezone of a portion of each property to Neighborhood Business (B-2), and the portions located along Main Street remain Central Business (B-1).

ACTION: Set Public Hearing for January 22, 2019

d) 2018-226-RZ - Town Hall Parking Expansion
Presenter: Planning Department

Mr. DeYoung presented and asked that a Public Hearing be set. Request is to rezone three parcels located at 111 East Second Street and 117-121 Horne Street from Residential -6 (R-6) and Office-Institutional (O-I) to Public Facilities (PF). Currently Town Hall is located on one of the parcels and the other parcels are vacant or used as a single-family residence. If rezoned, the Town plans to redevelop the existing parking at Town Hall and incorporate the two new parcels on the south side of Horne Street to further expand the parking lot. A portion of Horne Street will also be abandoned and incorporated into the new parking lot.

ACTION: Set Public Hearing for January 22, 2019

9 STAFF REPORTS

a) Town Manager

b) Town Attorney

c) Town Clerk

d) Other Staff

10 OTHER BUSINESS

a) Informal Discussion & Public Comment

b) Council Comments

Council Member Satterfield shared his concerns regarding Planning Board members being recused from a vote and then representing a project before the board. He stated he was not in agreement with allowing this to continue and spoke how perception. Mayor Pro Tem Grannis stated he was in full agreement Attorney Ross stated the best way to prevent this is via policy.

Council Member Holder stated he did not believe enough information was provided in order to make a decision regarding the Water and Sewer Rates / Wastewater Capacity Study at the February 18, 2019 meeting. Mayor McLeod reminded though decision was requested does not mean that is required. Council Member Satterfield stated he preferred to wait for decision until after Town Council retreat. Mr. Lindsay stated the longer this decision is delayed could require a limit may need to be placed on future development. Mayor McLeod stated he was comfortable with that and preferred that council have the time required to make informed and fully educated decision.

11 CLOSED SESSION

a) Closed Session pursuant to NCGS 143-318.11.(a)(4) and NCGS 143-318.11.(a)(5)

Council went into Closed Session at 7:17 p.m.

ACTION: Motion to go into Closed Session

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

12 ADJOURNMENT

a) With there being nothing further, the meeting was adjourned at 7:54 p.m.

ACTION: Motion to Adjourn

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

Duly adopted this the 22nd day of January, 2019.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
INCORPORATED
APRIL 1869
CLAYTON N.C.