



**Town of Clayton
Regular Town Council Meeting Minutes
Tuesday, January 22, 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
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
Samantha Wullenwaber, Planning Director
Robert McKie, Finance Director
David DeYoung, Economic Development Director
Stacy Beard, Public Information Officer
Blair Myhand, Police Chief

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 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) Warranty Acceptance
 • Summerlyn, The Orchards
- b) January 7, 2019 DRAFT Minutes - Regular Session
 January 7, 2019 DRAFT Minutes - Closed Session

ACTION: Adoption of Consent Agenda as Presented

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

4 ADMINISTRATIVE ITEMS

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) **New Employee Introductions**
Presenter: Blair Myhand, Police Chief
- Patrick Smith, Police Officer
 - Gregory Morris, Police Officer
 - Victoria Lee, Police Officer
 - Timothy Marquis, Police Officer

Chief Myhand introduced four new Police Officers and provided a brief background on each officer. All officers were introduced and stated they were happy to part of the Clayton Police Department. Council welcomed and thanked officers for their service.

- b) **Audit Presentation & 2018 Financial Benchmark Report**
Presenters: Ken Anderson, Auditor & Robert McKie, Finance Director

Mr. Anderson presented detailed information regarding fund balances and history showing the increase from year to year. Figures were shown for the General Fund Balances, Water & Sewer Fund Balance and the Electric Fund Balance. He provided information regarding tax collection rates; motor vehicle collection rate is 100% and property tax has a 99.97% collection rate. He stated the town received an unmodified opinion on the June 2018 financial statements, which is a good report. He stated current year revenues exceeded expenditures in the General Fund, Water & Sewer Fund and the Electric Fund. There were no budget over-expenditures. Report has been submitted and approved by Local Government Commission. Mr. Anderson stated the town had a very good and sound system in place. Mr. Anderson stated town had a very good financial year.

Mr. Anderson stated much of the revenue increases shown might actually be earmarked for Capital Projects in the upcoming year.

Mr. McKie presented information regarding some Key Growth Rates in the General Fund. He also shared information regarding the fund balance ratio, which is very strong. He shared a statement outlining revenues and expenditures for the year ended June 2018. He addressed the expenditures being lower than expected; much of which were deferred expenditures for capital projects. Revenues were approximately 1.5 million over budget. Also shared was information regarding debt ratios.

Mayor Pro Tem Grannis offered his thanks and appreciation to Mr. McKie. He asked how this report may enhance our score with reference to bond rating and Mr. McKie stated the town was in a very good position.

6 PUBLIC HEARINGS

- a) **2018-238-ANX - Rising Tide**
Presenter: Planning Department

Ms. Wullenwaber presented and stated the applicant, 1218 Properties LLC is requesting annexation of property located 1218 West Main Street. Total area to be annexed is .57 acres. Planning Department recommends approval.

There were no questions for staff or applicant.

This was noted as a public hearing and anyone wishing to speak was invited to step forward. With no one wishing to speak, the item was turned over to council for his or her deliberation.

ACTION: Adoption of Ordinance #2019-01-01

Motion: Council Member Thompson

Second: Council Member Holder

Vote: Unanimous

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

Ms. Wullenwaber presented and stated the applicant requests to rezone 1.09 acres from Central Business to Neighborhood Business. Location of parcels are 347 W. Main Street and 317 W. 2nd Street. It was further stated that the only portions of the properties were being requested to be rezoned and these are the portions that face 2nd Street, the portion facing Main Street would remain as currently zoned.

The request is consistent with the Comprehensive Plan 2040, surrounding land usage and the applicant has addressed all required criteria. Both the Planning Board and Planning Staff recommend approval.

Council questioned if there were any concerns raised at the Neighborhood Meeting. Ms. Wullenwaber stated staff did not attend that meeting, however, she stated no concerns were raised at the Planning Board.

This was noted as a public hearing and anyone wishing to speak was invited to step forward. With no one wishing to speak, the item was turned over to council for deliberation.

ACTION: Adoption of Ordinance #2019-01-02

Motion: Mayor Pro Tem Grannis

Second: Council Member Thompson

Vote: Unanimous

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

Ms. Wullenwaber presented and stated request is to rezone three parcels locate at 111 E. Second Street and 117--121 Horne Street from Residential-6 (R-6) and Office-Institutional (O-I) to Public Facilities (P-F). Currently Town Hall

is located on the parcel located at 111 E. Second Street and the other parcels are vacant or used as a single-family residence. The parcels are bordered generally by single-family residences. Adjacent properties are zoned Office-Institutional (O-I), Central Business (B-1) and Residential-6 (R-6). If rezoned, the Town plans to redevelop the existing parking at Town Hall and incorporated the two new parcels on the south side of Horne Street to further expand the parking lot. A portion of Horne Street would also be abandoned and incorporated into the new parking lot. Ms. Wullenwaber stated request is consistent with the Comprehensive Plan 2040, surrounding land uses and all approval criteria has been addressed. Ms. Wullenwaber stated this public hearing was strictly for the rezoning of the property and stated both the Planning Board and Planning Staff recommend approval.

Additionally, Mr. DeYoung provided update regarding additional applications relating to this project that will be upcoming. These applications include the Major Site Plan, which will go to the Planning Board and the start of process for Abandonment of portion of Horne Street which will go to Town Council on February 4, 2019. Mr. DeYoung provided a layout of the proposed parking expansion project.

Mr. DeYoung also shared information regarding concern from neighbors. He stated that proper noticing was sent. He also stated a meeting was held in his office for two hours and addressed citizen concerns to include; lighting, vibrations, current trees and buffering. Mr. DeYoung stated that these items were being addressed and as soon as everything was finalized, he would share results with neighbors. He stated the Town Engineer was consulted regarding the vibrations to ensure they are kept to a minimum or none at all. He further stated that we will try to maintain as many trees as possible but added that many of the trees are diseased and may need to be removed. He also stated that a Class "C" buffer would be installed between parking lot and neighbors. He further stated the hope was to begin construction following the completion of the Town's 150th Birthday Celebration, which would be mid-April 2019.

Mayor McLeod questioned what completion time line might be. Mr. Cappola stated he believed 120 days for total completion. Council Member Satterfield questioned possible removal of parking on Fayetteville Street with the addition of the above parking, as it is very difficult to see when vehicles are exiting parking lot and vehicles are parked along Fayetteville. Mr. DeYoung stated that is something that could be looked into. He also stated there would be angled parking located on Fayetteville and further would look at removal of parallel parking. Additionally, staff will be requesting no parking on Horne Street between Church Street and parking lot. Council Member Thompson questioned impact of additional traffic on Second Street. Mr. DeYoung stated concern was addressed and felt the majority of people currently using Horne Street would begin to turn onto Second Street and those coming in the opposite direction would most likely turn onto Church Street. He stated he believed that the overall number of cars that use Horne Street are relatively low. Council Member Thompson shared his concerns regarding the number of stops and turns regarding emergency service vehicles. Mr. DeYoung stated he certainly understood that concern and this was one of the pains of growth.

Council Member Bunn stated he had concerns about Blanche and emergency service vehicles being able to get through with vehicles parking along both sides as well as speed. It was a four-way stop was needed at Blanche and Barbour. Mr. DeYoung stated that was definitely something to be looked at. He further stated Engineering and Police Department would be involved in study. Mayor would like to include Fayetteville and Blanche Streets in the study. Mayor confirmed that we already have one side of street parking restrictions in place and Mr. DeYoung stated we did and further they would be included in the updated report. Mayor Pro Tem Grannis he agreed about the study. He asked about neighbor concerns regarding pollution/exhaust. Mr. DeYoung stated that he did not feel this would be an issue. He stated it was his opinion that many of the vehicles in the parking lot would be stationary and no additional exhaust would be created than that of cars that currently go down street. With regard to any potential paint and asbestos issues in the two homes, which would be removed, all proper testing would be completed and abated as required.

Attorney Ross asked that approval process be stated. Mr. DeYoung stated the following:

Rezoning, which is strictly legislative process, held tonight January 22; Major Site Plan (which is contingent upon Abandonment) would be heard by the Planning Board on January 28, Portion of Horne Street Abandonment Process would begin at the February 4 Council Meeting with Public Hearing to be held at March 18 Town Council meeting.

This was noted as public hearing and anyone wishing to speak was invited to step forward.

Sarah Riley shared her concerns about the plan. She stated she lived on Blanche Street. She stated her concerns are whether a traffic study was done and if this the solution for parking issues. Also shared concerns about safety when walking her children to the bus stop. She questioned council moving forward with the approval tonight and asked that extra time be spent to ensure the right decision is being made.

Mayor McLeod stated that tonight was the rezoning hearing, which is the first step. He further stated that other concerns should be addressed as the Site Plan moves forward with the Planning Board.. Mayor McLeod confirmed there were sidewalks. Ms. Riley stated there not sidewalks in all locations. Ms. Riley stated she stated he felt this was moving quickly and there might not be a clear vision of impact to residents.

Mayor Pro Tem Grannis asked staff to address concerns.

Mr. DeYoung stated this conversation had been considered for a long time. He provided details and stated this was a major topic at retreat last year. He further stated he fully understood concerns regarding traffic improvements. Mayor McLeod further stated we could definitely do signage, stop signs, four-way stops and painting crosswalk etc. Mr. DeYoung agreed and stated traffic

is going to redistribute as population grows. Mr. DeYoung also spoke about recent changes regarding heavy load trucks being banned from downtown streets for safety concerns.

Mayor Pro Tem Grannis stated he would like to see additional sidewalks being taken into account. He stated he understood concerns, but stated this was the Rezoning and added the Site Plan would be heard at the Planning Board and believed the Planning Board would consider all these concerns. Mr. DeYoung stated we have two months to work through concerns and issues as Public Hearing regarding abandonment would not take place until March 18.

Mr. Woodrow Mitchell, 70 Ferndale Court, stated he was a previous the Garner Planning Board and perhaps another location could be considered, perhaps closer to Highway 42 and the Highway 70 Bypass.

Mr. Houston stated he was lived in Clayton for 25 years. He stated he was not saying the project should not take place but was frustrated at the process and felt that no one knew about this project until recently. He shared he had concerns that other plans are taking place that no one knows about. He shared that he walks every night and has concerns about there not being any sidewalks headed toward Deep River or headed to Vinson's. He stated he agreed we need parking at Horne Memorial and the Clayton Center but wanted to know what the entire plan is. He stated he has concerns of what is coming down the road in five years. He stated he did not feel we were addressing the whole problem. He stated he would like to see us look at and understand at the whole plan and how traffic would be impacted. He stated he would like to see a billboard about what is going on and what is changing. He further stated his problem is that town has not been very public about this proposal. He stated he agreed many of the trees needed to be cut down, he did not agree with moving the dumpster toward Horne Memorial Church and further wanted to ensure rain and drainage have been addressed. He stated he wanted to understand the amount of spaces needed and stated he had not seen a plan and further would like to see a comprehensive plan about parking at this location. He also shared that he had seen town vehicles parked in the current parking lot on the weekends. He stated he felt the council should vote no on this project and felt there were alternatives. He further stated the town needed to go above state requirements and get feedback from additional residents. Mayor McLeod stated he was going to need to wrap up as he had gone off topic, as this public hearing was about Rezoning. Mr. Houston stated this meeting did not belong to the Mayor, it was the meeting of the people and he felt we needed to understand the whole picture, have input from everyone and understand at a big level and not a micro level.

Mayor McLeod clarified that after 16 years he understands this is not his meeting but he does take ownership as Mayor. The Mayor stated this project had not been done on the sly and it has been a topic at council retreat for several years and has always scored quite high. He further stated this council is completely transparent and would never do anything without hearing input from citizens. He stated he was appreciative of all the comment and concerns from all residents. Mayor McLeod stated this project would address parking

concerns of the Horne Memorial Church, the Library and the Woman's Club. He again thanked everyone for his or her comments.

Mayor Pro Tem Grannis thanked Mr. Houston for comments and felt they were important. He stated he was going to challenge him with regard to numerous parking discussions in the community over the last 4-5 years. He stated many of these meetings have been public meetings. He stated there have been many collaborations with private property owners, discussion with railroad with reference to First Street Parking. He further stated the council values greatly what the community has to say. He further stated he felt a good job was being done and this was only a part of it. He further stated that with respect to sidewalks, they have also been in the budget for improvement. He stated that many neighborhoods do not want sidewalks. He stated there was a strategy and stated that staff and any council member would be happy to share that information with anyone that reached out. He further stated our process is always transparent. He again stated council is always willing to listen and again thanked everyone for his or her comments.

Council Member Thompson stated he did not believe we needed to go piece by piece. He stated he believed not all traffic concerns had been fully addressed. He further stated he we need to ensure we enforce our current ordinances especially related to no parking.

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

ACTION: Adoption of Ordinance #2019-01-03

Motion: Council Member Satterfield

Second: Council Member Holder

Vote: 4-1 (Opposed - Council Member Thompson)

ACTION: Adoption of Statement of Consistency

Motion: Council Member Satterfield

Second: Council Member Holder

Vote: Unanimous

7 NEW BUSINESS

- a) 2019-2020 Budget - Public Input
Presenter: Adam Lindsay, Town Manager

Mr. Lindsay provided information and requested that public hearing be set to gather information from citizens for input regarding the 2019-2010 Budget.

ACTION: Set Public Hearing for February 4, 2019

- b) 2018-230-SUP - Bobbit Road Family Cemetery (Quasi-Judicial)
Presenter: Planning Department

Ms. Wullenwaber requested public hearing be set.

ACTION: Set Public Hearing for February 4, 2019

- c) 2018-235-SD - Geiger Preliminary Plat (Quasi-Judicial)
Presenter: Planning Department

Ms. Wullenwaber requested public hearing be set.

ACTION: Set Public Hearing for February 4, 2019

8 STAFF REPORTS

- a) Town Manager
- b) Town Attorney
- c) Town Clerk
- d) Other Staff
 - School Resource Officers (SRO) Update
Presenter: Blair Myhand, Police Chief

Chief Myhand provided update regarding the School Resource Officers. He stated several incidents had already been handled by the. He offered his thanks to council for their support.

Mayor McLeod stated he would like to see statistics gathered for the areas discussed regarding the parking lot project. He agreed that illegal parking needs to be addressed and we have to strengthen our presence on Fayetteville, Main, Second and Church Streets. Chief agreed and said that would be enforced.

9 OTHER BUSINESS

- a) Informal Discussion & Public Comment

Mr. Lipscomb stated he agreed about the parking issue enforcement and stated some the no parking areas (curbs etc.) needed to be repainted. Mayor also felt that signage be included. Mr. Lipscomb stated he had seen a huge improvement with compliance with addition of white stripes on street versus yellow paint on curb.

- b) Council Comments

Council Member Satterfield requested that the Planning Department determine where sidewalks may be needed. Council Member Holder agreed that many sidewalks just stop and dump you into traffic.

Mayor Pro Tem Grannis asked if possible that a traffic analysis be prepared with regard to the town hall parking lot expansion and ensure that Planning Board recognizes they do not have to rush to a decision.

Mr. Lindsay addressed sidewalk issues and stated we are currently in process of mapping them in GIS, which will help us identify where we may want future sidewalks to be located as well as showing gaps in sidewalk locations and how to fund these projects.

Council Member Thompson asked staff to look at traffic concerns and asked that public safety input be included.

Mr. DeYoung stated that based on all the discussion this evening, the Major Site Plan for the Town Hall Parking Expansion originally scheduled to go to Planning Board next week would be tabled and rescheduled to be heard at the March 2019 Planning Board.

Mr. DeYoung also stated a comprehensive downtown parking stakeholder meeting would be held on January 31, 2019.

10 ADJOURNMENT

- a) With there being nothing further, the meeting was adjourned at 7:57 p.m.

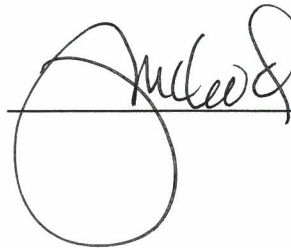
ACTION: Motion to Adjourn

Motion: Council Member Thompson

Second: Mayor Pro Tem Grannis

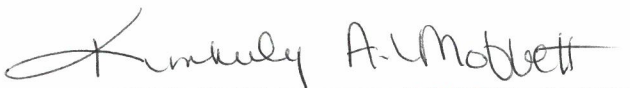
Vote: Unanimous

Duly adopted this the 4th day of February, 2019 while in regular session.



Jody L. McLeod
Mayor

ATTEST:



Kimberly A. Moffett, CMC, NCCMC
Town Clerk

