



Town of Clayton
Regular Town Council Meeting Minutes
Monday, February 4, 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
Rich Cappola, Town Engineer & Interim
Public Works Director
Dale Medlin, Electric System Director
Joy Garretson, Library 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) Kimberly Moffett requested an addition under Introductions and Special Presentations, for introduction of a new employee. This item will be 5a and Introduction of Library Space and Services Needs Assessor would be Item 5b.

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) January 22, 2018 DRAFT Minutes
b) 2019-12-ANX - Certify Sufficiency - East Clayton Elementary School

ACTION: Adoption of Consent Agenda as Presented

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

4 ADMINISTRATIVE ITEMS

- a) Warranty Acceptances

- Warrick Park Subdivision (FINAL)
- Ashcroft Subdivision, Phase 2

ACTION: Placed on February 18, 2019 Consent Agenda

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) Introduction of New Employee

Presenter: Samantha Wullenwaber, Planning Director

- Laurie Bryant - Community Development Services Coordinator

Ms. Wullenwaber introduced Ms. Bryant. Ms. Wullenwaber stated she is a fantastic edition to the team and is very happy to have her as part of the Planning Department. Ms. Bryant stated she was thrilled to be here in Clayton. Council welcomed her.

b) Introduction of Library Space and Services Needs Assessor

Presenters: Margaret Sullivan, Principal of Margaret Sullivan Studio and Neely Leslie, Architectural Designer

Ms. Garretson introduced Ms. Sullivan who recently completed an assessment of future needs for library space and services. Ms. Sullivan provided details about the process and stated the library staff, patrons and community members were extremely helpful and informative during the entire process. She shared ideas of what a 21st Century Library could look like and may include a variety of spaces for a creative learning environment. Ms. Sullivan provided ideas regarding what next steps might look like. She also shared benchmark figures regarding square footage. She provided four different building scenarios;

- Construction of a new 11,000 sf building at a cost of \$5,958,226,
- Construction of a new 20,000 sq. ft. building with cost of \$7,823,910,
- Renovation and addition of current building being increased to a 25,000 sf building with cost of \$10,148,410
- Construction of a new 25,000 sq. ft. building at total cost of \$11,883,376.

Ms. Sullivan stated her opinion was the better option would be new a construction. Mayor Pro Tem Grannis asked if temporary relocation was considered in this process. Ms. Garretson stated it was not, that the grant was strictly to look how the current building functions. Council Member Bunn offered his thanks to Ms. Garretson for the great job she is doing. Mayor McLeod offered his thanks for all the great information.

6 PUBLIC HEARINGS

a) 2019-2020 Budget - Receive Public Input

Presenter: Adam Lindsay

Mayor McLeod noted this as a public hearing. Anyone wishing to speak was asked to step forward.

Mike Connell, who resides at 707 E. Horne Street, stated he would like to see more "Don't Walk" signs installed in the downtown core.

With no one further wishing to speak, the public hearing was closed.

b) 2018-230-SUP - Bobbit Road Family Cemetery (Quasi-Judicial)

Presenter: Planning Department

Attorney Ross provided detail regarding the process for a quasi-judicial proceeding including the types of testimony that could be considered. Anyone wishing to offer testimony must do so under oath. The oath was administered via affirmation by the town clerk.

Ms. Wullenwaber presented this item and stated information would be shared this evening, but stated the meeting would need to be continued to February 18, 2019 for decision, as the applicant needed to ensure proper noticing.

Ms. Wullenwaber presented this item and stated applicant is requesting a Special Use Permit to use property located on Bobbit Road as a private family cemetery 32 gravesites are proposed along with 3 parking spots.

Request is consistent with Comprehensive Plan 2040, consistent with Surrounding Land Use, and the applicant has addressed all Findings of Fact.

It was stated that all neighbors were not properly noticed and the applicant must hold a new neighborhood meeting.

Mayor Pro Tem Grannis confirmed no other requirements were needed with reference to cemeteries. Ms. Wullenwaber confirmed that was correct. Council Member Holder stated a total of 28 gravesites were shown on slide. Ms. Wullenwaber stated staff would confirm number is 32.

Mr. Kurt Lane, who is representing the applicant, was present. He stated the confusion with the numbering of the plots was due to a family member already buried. This person's favorite number was 27 and this is the reason for plot numbers being out of order.

With there being nothing further, the public hearing was closed.

ACTION: Continue Public Hearing for February 18, 2019

Motion: Council Member Satterfield

Second: Mayor Pro Tem Grannis

Vote: Unanimous

c) 2018-235-SD - Geiger Preliminary Plat (Quasi-Judicial)

Presenter: Planning Department

Attorney Ross provided detail regarding the process for a quasi-judicial proceeding including the types of testimony that could be considered. Anyone wishing to offer testimony must do so under oath. The oath was administered via affirmation by the town clerk.

Ms. Wullenwaber presented. She stated request is to develop 8 single-family lots on approximately 32 acres Project is located in the ETJ. She stated all lots have frontage on Ranch Road and have an average lot size of 3 acres, These lots will have county water and septic.

Project is consistent with Comprehensive Plan, consistent with Surrounding Land Uses, and the applicant has addressed Findings of Fact.

Staff recommends conditions of approval as listed in staff report.

Ms. Wullenwaber also stated that along Ranch Road the right-of-way varies in width. This is because when 70 Bypass was developed, there was an additional right-of-way. It was requested that 20' be preserved for future expansion of Ranch Road.

Council Member Bunn noted that the minutes from the neighborhood meeting, indicate questions regarding the fact no berm or landscaping were being installed, however staff was making that recommendation. Ms. Wullenwaber stated that was correct and that staff was recommending condition this be added along the front edge and was added on the plat.

Ms. Ross verified that the applicant was in agreement with recommendation.

Kurt Lane, who was representing the applicant was present and verified the applicant had accepted conditions as recommended by staff. Mr. Lane addressed the question at the neighborhood meeting about the berm along the southern property line and provided details about water flow. Mr. Lane stated certified professionals regarding or traffic and/or property evaluation for this project were present and available to answer any questions.

Mayor Pro Tem Grannis asked for clarification regarding the buffer, he stated he understood it would be along Ranch Road, he asked if would be along the abutting properties, Mr. Lane stated it would not be along the back of property.

Mark Jones, who is a State Certified General Real Estate appraiser, with almost 22 years of experience, addressed Finding of Fact #3. He stated he did not believe this project would be detrimental to any adjoining properties and future development. There were no questions for Mr. Jones.

Jeff, Hochandel, who is a registered professional traffic operations engineer from Timmons Group, stated his professional opinion that due to the small amount of projected traffic, this project would not be detrimental to the area. There were no questions.

With no one further wishing to speak, Mayor McLeod closed the public hearing at 6:59 p.m. The item was turned over to council for their deliberation.

ACTION: Approval of 2018-235-SD with Conditions as Listed in Staff Report

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

7 NEW BUSINESS

- a) 2019-04-RZ - Johnston Health Rezoning
Presenter: Planning Department

Ms. Wullenwaber requested a Public Hearing be set for February 18, 2019.

ACTION: Set Public Hearing for February 18, 2019

- b) 2019-07-OA - Downtown Overlay Ordinance
Presenter: Planning Department

Ms. Wullenwaber requested a Public Hearing be set for February 18, 2019. Mayor Pro Tem Grannis stated he had several questions and asked if it would be appropriate to meet with staff prior to the Public Hearing. Ms. Wullenwaber stated she would be happy to discuss.

ACTION: Set Public Hearing for February 18, 2019

- c) Resolution to Begin Advertising Requirement to Abandon Portion of Horne Street
Presenter: Planning Department

Ms. Wullenwaber stated this is the first step in the process to begin the abandonment of a portion of Horne Street. The public hearing is scheduled to be held on March 18, 2019. Additionally, there will be a community meeting and Planning Staff has reached out to a traffic consultant. The public will be notified when the community meeting is scheduled. Council Member Thompson stated he had concerns about setting a Public Hearing before any traffic study had been completed. Council Member Satterfield stated this process could be stopped at any point.

ACTION: Adoption of Resolution #2019-004

Motion: Council Member Satterfield
Second: Council Member Holder
Vote: 4-1 (Opposed - Council Member Thompson)

ACTION: Set Public Hearing for March 18, 2019

- d) NCEMPA 30 Day Notice - Wholesale Rates
Presenter: Dale Medlin, Electric Distribution System Director

Mr. Medlin stated we had received a 30-day notice from NCEMPA. NCEMPA Board of Directors adopted a rate change, which included a 1.2% increase as well as continuance of retaining the 2017 FRPPA true-up credit. Mr. Medlin stated any questions regarding this could be referred to Mr. Ahlert. Mr. Ahlert stated the increased was less than originally planned. Mr. Lindsay stated the important point to note is this increase would not be passed along to our customers. He reminded a rate study was complete last year and enacted through the budget process. There will be a \$2 increase on electric rates in May, which was not a cost anticipated, but based on the study and analysis the town feels we can absorb this cost in our current rates, which is good news for our customers.

STAFF REPORTS

8

- a) Town Manager
 - Update on Town Council Retreat (February 26-27, 2019)

Mr. Lindsay provided an update to the community of the Town Council Retreat. An agenda will be available at the February 18, 2019 council meeting. Important topics including council priorities and projects would be addressed.

- b) Town Attorney
- c) Town Clerk
- d) Other Staff

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OTHER BUSINESS

- a) Informal Discussion & Public Comment

A representative from Johnston County Partnership for Children was present and shared information about a new initiative "Think Babies Bus Tour" Grant to increase public awareness regarding child development. The public is invited to attend the tour on either February 21 or March 14, 2019.

- b) Council Comments

Council Member Bunn shared his concerns regarding panhandling in town. He stated it seemed some of the panhandling taking place was an organized group. Chief Myhand stated he would investigate this issue.

Council Member Bunn addressed concerns regarding dumpsters and shared a photo. He further stated he would like to discuss this at upcoming council retreat. Mayor McLeod asked for an update. Ms. Wullenwaber stated there are issues including right-of-ways. She stated many people do illegal dumping in the right-of-way, so it makes enforcement difficult. She stated there is one particular dumpster and it is being determined if it is going to be a nuisance issue or if a violation letter will be sent. Fee would be assessed to whomever owns the property where the dumping is placed. If it is determined to be illegal dumping the town will clean it up. Mayor Pro Tem Grannis stated it is dumping. Mr. Lipscomb of HTR stated the dumpster has been there a couple of years, believes this is illegal dumping, and not

trash from the nearby businesses. There are several dumpsters nearby to include; Primos, HTR, Revival and Lucky Chicken and they all have their own dumpsters back there. Mayor McLeod asked why dumpsters are located on the railroad right-of-way. Council stated it was their belief that folks cannot just put their dumpster on someone else's property. Mayor McLeod stated it needed to be cleaned up now and then we would figure out what else needed to be done. He stated he was not at all comfortable with taking advantage of the railroad property without approval. Mr. Lipscomb stated that he believed the town had an agreement with the Railroad and suggested we go back and look at the lease agreement. Mayor McLeod stated he feels confident such an agreement does not include having dumpsters placed on their property.

Mayor Pro Tem Grannis reported that members of the Parks & Recreation Advisory Board recently took a bus tour to visit town parks and to discuss the possibilities of a possible upcoming 2019 bond. Mr. Barnard shared potential thoughts for recreating, renovating or completely changing the park during this tour.

10 ADJOURNMENT

With there being nothing further, the meeting was adjourned at 7:28 p.m.

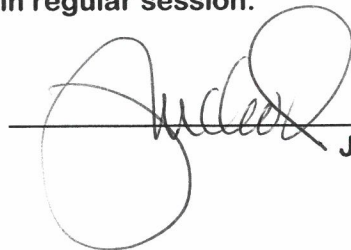
ACTION: Adjourn the meeting

Motion: Council Member Holder

Second: Mayor Pro Tem Grannis

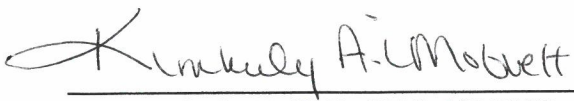
Vote: Unanimous

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



Jody L. McLeod
Mayor

ATTEST:



Kimberly A. Moffett, CMC, NCCMC
Town Clerk

