Town of Clayton
Regular Town Council Meeting Minutes
Tuesday, September 4, 2018 @ 6:00 PM
Council Chambers

COUNCIL PRESENT:
Mayor McLeod
Council Member Lawter
Council Member Holder
Council Member Thompson
Council Member Bunn

STAFF PRESENT:
Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Merrick Parrott, Town Attorney
Kimberly Moffett, Town Clerk
Samantha Wullenwaber, Planning Director
Joy Garretson, Library Director
Blair Myhand, Police Chief
Ann Game, Customer Service Director
Robert McKie, Finance Director
David DeYoung, Economic & Community Development Director
Rich Cappola, Engineering & Inspections Director

COUNCIL ABSENT:
Mayor Pro Tem Grannis

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.

2 **ADJUSTMENT OF THE AGENDA**

a) Mr. Lindsay requested Items 6a, 6d and 6e be removed from the agenda. These items were heard at the August 27, 2018 Planning Board and continued to the next Planning Board meeting to be held on September 24, 2018. These items will be brought back to council once they are ready.

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
- Boling Townhomes

b) DRAFT Minutes
August 20, 2018 - Regular Session

ACTION: Adoption of Consent Agenda as Presented

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

4 ADMINISTRATIVE ITEMS

a) Warranty Acceptances:

- Lionsgate - Phase 7B-7D
- East Village Walk - Phase 1 & Sanitary Sewer Outfall

ACTION: Placed on September 17, 2018 Consent Agenda

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) New Employees

Presenter: Joy Garretson, Library Director

- Laura McGuire - Youth Services Librarian

Presenter: Blair Myhand, Police Chief

- Komivi Ekoule - Police Officer
- Raven - Police K9
- Eli - Police K9

Ms. Garretson introduced Laura McGuire who is serving as the Youth Services Librarian. She has been with the town since August 17th. Ms. McGuire stated she was very happy to be here working with great staff and excited about all the opportunities.

Chief Myhand introduced the newest Police Officer, Komivi Ekoule. He was previously with Greenville PD. He is also a US Army Veteran. Officer Ekoule offered his thanks and appreciation for the opportunity to be with Clayton.

Chief Myhand also introduced two new K9's, Raven and Eli. A video was shared showing the training received by the dogs. Both dogs have great personalities. Chief Myhand thanked the council for the opportunity to have these dogs. Officer McNeil and Officer Ruffin are the handlers, respectively.

Mayor McLeod and Council welcomed everyone and offered words of appreciation.

6 PUBLIC HEARINGS

a) 2018-67-OA - Dumpster Amortization Ordinance Amendment
Presenter: Planning Department

This item was removed from this agenda.

b) 2018-133-RZ - Tew Court Rezoning
Presenter: Planning Department

Ms. Wullenwaber presented this project and stated the request is to rezone from Highway Business Special Use District to Highway Business. The property is located on Highway Business 70 just west of Gateway Drive.

Ms. Wullenwaber stated removing the SUD allows additional usage of the property. Applicant has addressed all criteria and both staff and Planning Board recommend approval.

This was noted as a public hearing and the floor was opened to anyone who wishes to speak.

The applicant, Alsey Gilbert, was present and stated he was available to answer any questions.

With there being nothing further, the hearing was closed at 6:17 p.m. and turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2018-09-01

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

c) 2018-156-RZ - Avalon Rezoning
Presenter: Planning Department

Ms. Wullenwaber presented this item and stated request is to rezone from Business 3 to Light Industrial. This property is located on 70W Business and is the building formerly known as the Ashley Furniture Building.

Ms. Wullenwaber stated the request is consistent with the Comprehensive Plan 2040 and the Surrounding Land Use. The applicant had addressed all approval criteria. Both staff and Planning Board recommend approval of the request.

This was noted as a public hearing and the floor was open to those wishing to speak.

The applicant was present and shared information regarding why they would like to see this rezoning approved. He stated they hoped to bring in new tenants and further stated that light assembly manufacturing would be a great fit. He further stated that there would be no outdoor storage allowed.

Harry Pittman, a resident in the neighborhood, shared his concerns regarding parking as well as those who might exit the property on Hardee Street. He stated he was opposed to the approval of this rezoning.

With there being nothing further, the hearing was closed at 6:23 p.m. and turned over to council for their deliberation.

Council Member Thompson asked about Hardee Street. It was stated that Hardee Street is a private non-state maintained road.

Council Member Lawter asked attorney for confirmation regarding Hardee Street and the fact that it could not be considered when making the decision about the rezoning. Attorney Parrott stated that was correct.

ACTION: Adoption of Ordinance #2018-09-02

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

d) 2018-59-SD - Camel Street Townhomes - Major Subdivision - (Quasi-Judicial)
Presenter: Planning Department

This item was removed from this agenda.

e) 2018-61-SUP - Camel Street Townhomes - Special Use Permit - (Quasi-Judicial)
Presenter: Planning Department

This item was removed from this agenda.

f) Comprehensive List of Fees & Charges Amendment - Sewer High Strength Surcharge
Presenter: Nancy Medlin, Deputy Town Manager

Ms. Medlin provided information regarding these fees and stated they are strictly pass-through fees that would be effective October 1, 2018.

This was noted as a public hearing and the floor opened to anyone wishing to speak. No one came forward to speak.

With there being nothing further, the hearing was closed at 6:26 p.m. and turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2018-09-03

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

7 ITEMS SCHEDULED FOR THE UPCOMING TOWN COUNCIL MEETING

8 OLD BUSINESS

9 NEW BUSINESS

a) Code of Ordinance Amendments - Chapter 36
Presenter: Robert McKie, Finance Director

Mr. McKie presented this item regarding amendments to the Code of Ordinance. He stated two of the amendments were required to comply with the 2018 procurement standards and the third was a simple clean up of code

language to be aligned with the surplus property process, as approved by council in July of this year.

ACTION: Adoption of Ordinance #2018-09-04

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

b) 2018-125-SD - Warrick Park - Major Modification (Quasi-Judicial)
Presenter: Planning Department

Ms. Wullenwaber asked the item be set for a Public Hearing on September 17, 2018.

ACTION: Set Public Hearing for September 17, 2018

c) Horne Street & Town Hall Parking Expansion
Presenter: Rich Cappola, Inspections & Engineer Director

Mr. Cappola presented this item. He provided details about the two projects and stated purchasing policies for construction projects over $300,000 require the formal bid process. The above two projects, Horne Street Utilities and Roadway Improvements and Town Hall Parking Expansion, had been combined together to increase the interest of bidders as well as providing the best value for the town. The contract provided for a floating start date with a 15-day notice to the town from the contractor, with the understanding that all work would be completed no later than April 30, 2019. The formal bid process was complete and the low bidder was JM Thompson Company. Discussion of this project in open session ensures that all requirements of § NCGS 160A-499.4(b)(4) with regard to notice of construction project are met.

Mr. Cappola stated the lowest bid did come in higher than original expectations and stated an additional $100,000 would need to be budgeted for this project. This budget amount is included in the budget amendment Item #9d.

Mayor McLeod asked for additional information regarding any potential impacts. Mr. Cappola stated most of the work would take place between 9:00 a.m. and 4:00 p.m., so school traffic should not be impacted. He further stated that information would be distributed to everyone in the area, especially the school and preschool. He further stated it was hoped that mostly there would be lane closures rather than full street closure. The intent is to keep it open as much as possible. Council Member Bunn asked about timeline and had some concern with upcoming winter/colder weather. Mr. Cappola stated that had been taken into consideration when the contract was created.

Mayor McLeod asked about price tag of $1.2M for 20 parking spaces. Mr. Cappola stated the cost was not just for the 20 spaces, but also a good amount of utility work that needed to be completed. Mr. Cappola also stated the price increase is a sign of the times and that contractors are quite busy and this is the reality of getting these projects done. He stated that he believed it was a

competitive price even though it was over the original estimate. Also included in that price is the resurfacing of current spaces. Mayor McLeod also added that this project would increase the safety for everyone, as it opens up the sight for many.

ACTION: Award Contract to Low Bidder - JM Thompson Company

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

d) Budget Amendments
Presenter: Robert McKie, Finance Director

Mr. McKie presented this item and provided additional details, including the above project as well as building security costs.

ACTION: Adoption of Ordinance #2018-09-05 (Parking/Security)

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

ACTION: Adoption of Ordinance #2018-09-06 (Electric)

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

10 STAFF REPORTS

a) Town Manager

Mr. Lindsay shared the retirement of Larry Bailey. He stated the process for a replacement for a Parks & Recreation Director is underway. He stated we have received over 100 applications. The next phase of the process will be telephone screening and then we will bring in the strongest candidates for an in-house assessment center. Plan is the new Parks & Recreations Director will be in place within the next 2-3 months. In the interim, Nancy Medlin will serve as the Interim Director in an administrative role.

Ms. Moffett stated there would be a Special Meeting of the Town Council on Monday, September 17, 2018. The meeting would begin at 11:00 a.m. in Room GS 223. Additionally the regular meeting to be held on September 17, 2018 at 6:00 p.m. in the Council Chambers.

b) Town Clerk

c) Town Attorney

d) Other Staff

11 OTHER BUSINESS

a) Informal Discussion & Public Comment

b) Council Comments

Council Members Thompson and Lawter offered their thanks and appreciation to Mr. Robert Ahlert for his informative report and attendance at the 2018 Electricities Conference.

Mayor McLeod advised there would be a meeting tomorrow September 5, 2018, regarding the event coordinator of the 150th Birthday Celebration.

Council Member Lawter reminded everyone about the Harvest Festival, September 12 - 16, 2018.

12 ADJOURNMENT

a) With there being nothing further, the meeting was adjourned at 6:46 p.m.

ACTION: Motion to Adjourn

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

Duly adopted this the 17th day of September, 2018 while in regular session.

Michael Grannis
Mayor Pro Tem

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk