Town of Clayton
Regular Town Council Meeting Minutes
Monday, May 21, 2018 @ 6:00 PM
Council Chambers

COUNCIL PRESENT:
Mayor McLeod
Mayor Pro Tem Grannis
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
Rich Cappola, Engineer & Inspections Director
David DeYoung, Economic & Community Development Director
Tim Simpson, Public Works Director
Robert McKie, Finance Director
Dale Medlin, Electric Systems Director
Stacy Beard, Public Information Officer
John Hamlin, A/Public Information Officer

COUNCIL ABSENT:

1 CALL TO ORDER

Pledge of Allegiance and Invocation

a) Mayor McLeod called the meeting to order at 6:03 p.m. He led everyone in the Pledge of Allegiance as well as offering the Invocation.

2 ADJUSTMENT OF THE AGENDA

a) It was requested that an item be added under Section 8 - New Business. The item will be a Resolution in support of the immediate funding and construction of I-540.

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
- May 7, 2018

ACTION: Adoption of Consent Agenda as Presented

Motion: Council Member Thompson
Second: Council Member Holder

Vote: Unanimous

4 ADMINISTRATIVE ITEMS

a) Resolutions Authorizing Tax Collections

ACTION: Placed on June 4, 2018 Consent Agenda

b) Code of Ordinance Amendment - Chapter 71 - Designated Commercial Vehicle Truck Routing
Presenter: David DeYoung, Economic & Community Development Director

Mr. DeYoung requested that a Public Hearing be set for June 4, 2018 for an amendment to the Code of Ordinance with reference to designation of commercial vehicle truck routing. Mr. DeYoung also advised there would be an addition of a four-way stop sign that would be located at Fayetteville and Second Streets.

There was brief discussion regarding notification to various organization of the proposed change. Mr. DeYoung stated that maps would be provided to commercial trucks. There was a question regarding enforcement. Mr. DeYoung stated that Police Chief Myhand was part of the discussion regarding the modification of the ordinance. It was stated that most folks would most likely receive a warning at the first offense.

ACTION: Set Public Hearing for June 4, 2018

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) 2018-2019 Sculpture Trail Selections
Presenter: Sara Perricone, Public Art Advisory Board Chair

Ms. Perricone shared the submissions selected to be part of the 2018-2019 Sculpture Trail. These submissions were chosen by the selection committee; which consists of members of the Public Art Advisory Board, council members, local artists, a member from the Downtown Development Association Advisory Board, Chamber of Commerce representative and a downtown business owner.

Ms. Perricone stated the People's Choice Award Winner was Creepy Crawly by artist Adam Walls. She further stated that the voting this year had the largest turnout with 543 votes cast from the general public and 308 student votes cast.

Sculptures chosen include Oak Leaf Arch, Warrior Mask, Sea Glade II. Core Revisited. The Dancer, Interactive Bird, Virginia Horse, Three Muses, Ark, Earth Water & Fire and Gypsy.

Ms. Perricone advised a couple of downtown business owners were interested in including sculptures at their business locations. They would be responsible for the fee as well as the insurance of the sculpture. Additional back up sculptures selected include; Brave New World and Wave Beyond Convergence.

Mayor Pro Tem Grannis offered his thanks and appreciation to the Public Art Advisory Board. Mayor McLeod stated the growth and popularity of the sculpture trail is amazing.

6 PUBLIC HEARINGS

a) 2018-2019 Fiscal Year Budget Hearing
Presenter: Adam Lindsay, Town Manager

Mr. Lindsay presented the proposed 2018-2019 operating budget. He shared information regarding the 5-6 month process used to arrive at this point. It shared a timeline of some of the major points of the process to include; a public hearing being held in February, council retreat held in February, department heads preparing and submitting their budgets and meeting to discuss needs, all department heads coming together to assist with decisions to be able to present a balanced budget.

Mr. Lindsay stated Clayton is moving from a small town to a medium sized town. He shared information regarding budget direction that he received from council to include numerous capital projects. He shared information about funding as a proposed tax increase as well as a bond referendum regarding quality of life capital project for next year.

Mr. Lindsay provided the following highlights from the proposed budget:

$0.03 Ad Valorem Tax Rate increase
- Town Hall Parking Lot Expansion
- Sam's Branch Trail Head & Paving
- First Street Parking from Church to O'Neil (with private developer contribution)

$25 vehicle tax increase (per vehicle)
- Payton Drive Extension
- Increased street maintenance

10% increases to both Water & Sewer due to rising costs (5% County pass along)
$0.50 Increase for solid waste due to CPI adjustment and tipping fee increase from County
Technology advances will add $2 per water and electric meter in May or June 2019
Pay & Classification study included
Positions added in Police, Fire, Parks & Recreation, Inspections and Water & Sewer
7% cost increase in health insurance
Services maintained with added focus on performance outcomes and strategic priorities

Mr. Lindsay provided additional details regarding all the above items. He also provided was a chart of proposed average increase would be for taxpayer. Average increase would be approximately $24.74 to include property tax, water, sewer, trash, electric, water AMI, electric AMI & vehicle tax.

Mr. Lindsay offered his thanks to all for their assistance and input.

Mayor Pro Tem Grannis thanked for presentation. He stated he had some concerns regarding the anticipated gas cost increase. There was brief discussion and Mr. Lindsay stated input was sought from the purchasing officer regarding this issue and budgeted amount allowed for some fluctuation. He stated many things would take place, including reduction in line items before we would ever have to come to council for fund balance. There was also brief discussion electric rates were increased at the proper rate as to not have to come back next year with an additional request for increased rates.

Mayor McLeod noted this as public hearing at 7:00 and stated anyone wishing to speak to step forward to the podium.

With no one coming forward, the public hearing was closed and turned over to council for their deliberation.

<u>ACTION:</u> Adoption of Ordinances #2018-05-01 & 2018-05-02

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

Following adoption of the budget, Mayor Pro Tem Grannis stated this was a difficult budget. He stated no one likes to see increases but understands the town is growing and increases are required. He further stated that staff and council have done a very credible job in preparing the budget. He further stated it was difficult to pass a budget of this magnitude with respect to the increases but believed it was for betterment of the community.

Council Member Lawter agreed it was a tough decision to make but believed it was the best for the town of Clayton. He believed we have set the stable for things to come as far as retail and commercial growth.

Council Member Holder stated it is never preferred to vote for tax increases, however, it became evident during the process, it was needed to maintain status quo. He further stated he is extremely proud of the town and wanted to keep the town moving and growing.

Mayor McLeod stated it was important to be fiscally responsible. He spoke about being able to see and experience where the money is being spent. He spoke about vehicle tax increase and knowing that every penny will go to street improvements. He further stated that he was very proud of the council and the fact they were willing to pass the budget.

b) Proposed Electric Rate Increase
Presenter: Dale Medlin, Electric Systems Director

Mr. Medlin shared information regarding the proposed electric rate increase as proposed by Black & Veatch. It is believed this increase will carry us through 2023.

The Mayor noted this as a public hearing and asked those who wished to speak to come forward. With no one coming forward, the hearing was closed and the item turned over to council for deliberation.

ACTION: Adoption of Ordinance #2018-05-03

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

c) 2017-195-RZ - Recovery Logistics Rezoning
Presenter: Samantha Wullenwaber, Planning Director

Ms. Wullenwaber presented this item. Request is to rezone 2.3 acres of property located on the Southside of Atkinson Street, adjacent to 350 Atkinson Street from Residential-10 (R-10) to Light Industrial (I-1). The applicant is Dalton Engineering.

The property is vacant and winds along with small creek that runs between residential and industrial uses. The parcel is unique in that it has frontage on three different town owned roads, is split by Bartex Mill Street and goes behind 10 different properties, of which seven are zoned residential. This creek has been marked as a buffered stream for an outdoor storage area that currently exists on the property.

The property is identified in the adopted Future Land Use Map partially as Downtown Residential (generally the part of the property east of the creek and adjacent to residential properties) and partially as Employment Center (generally the part of the property west of the creek and adjacent to the existing industrial properties). Areas identified as Employment Center are designated as consistent with the Light Industrial rezoning request. Areas identified as Downtown Residential are not designated as consistent with the Light Industrial rezoning request.

The applicant has addressed criteria.

Staff and Planning Board recommend approval of the rezoning of the property within the Employment Center Future Land Use category and denial of the rezoning of property within the Downtown Future Land use.

Mayor McLeod noted this as a public hearing.

The applicant, Mr. Jerry Dalton, was present and stated the client understand the partial approval and is in favor of it.

Mr. Chris Moore of 1947 Shotwell Road stated he owns property located at 326 E. Moore Street and had some concerns regarding the rezoning and possible noise issues.

With there being nothing further, the item was turned over to council for deliberation

ACTION: Adoption of Ordinance #2018-05-04 as proposed by staff

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

d) 2017-209-SUP - Sunbelt Rental Special Use Permit
(QUASI-JUDICIAL HEARING)
Presenter: Samantha Wullenwaber, Planning Director

Attorney Parrott provided information regarding Quasi-Judicial proceedings and the types of testimony that can be considered. All those wishing to offer testimony were administered the oath via affirmation.

Ms. Wullenwaber stated the applicant, Moffatt Properties has applied or a special use permit to allow vehicle sales and rental.

Request is consistent with Comprehensive Plan and Overlay Districts. It is compatible with Surrounding Land Use. The applicant has addressed all Findings of Fact.

Staff and Planning Board recommend approval with conditions as listed in staff report.

There were no questions for staff.

Applicant, Gary McCabe of Redline Engineering, Aversboro Road, Garner, NC was present. He stated staff has done a wonderful job. It is the hope to move forward and receive approval.

Council Member Lawter asked that the applicant state his qualifications. Mr. McCabe stated is a registered Engineer with the State of North Carolina. He further stated that it was his professional opinion that all Findings of Fact have been met.

With one wishing to speak in opposition, the hearing was closed and the item turned over to council for deliberation.

ACTION: Approval of 2017-209-SUP

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

e) 2018-75-OA - Scenic Highway Overlay District Amendment
Presenter: David DeYoung, Economic & Community Development Director

Mr. DeYoung provided background information regarding the original creation of the Scenic Highway Overlay. He stated this overlay was created in 2011 and since then has only been used one time. He further stated he believed this overlay had probably done more harm than good with regarding to attracting commercial development.

He stated staff requested the removal of Scenic Highway Overlay from the Code of Ordinance.

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

ACTION: Adoption of Ordinance #2018-05-05

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

7 OLD BUSINESS

8 NEW BUSINESS

a) Request for Proclamation Recognizing Building Safety Month - May 2018
Presenter: Rich Cappola, Engineering & Inspections Director

Mr. Cappola requested proclamation for Building Safety Month. Mr. Cappola provided details regarding the number of inspections performed by staff in 2017.

Mayor McLeod presented the Proclamation and offered his thanks to the staff of the Inspections Department. He shared his appreciation for all they do. Mayor Pro Tem Grannis offered his appreciation and stated he understood they probably get more criticism than accolades.

ACTION: Approval & Presentation of Proclamation

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

b) Budget Amendment - Security Systems and Building Renovations
Presenter: Nancy Medlin, Deputy Town Manager

Ms. Medlin shared information regarding safety concerns and challenges at the Clayton Center. She stated that four different security companies had been contacted and Brady Integrated Security was selected.

The proposed security enhances include video, access control, motion sensors, panic bars and replacement lobby doors. Everything can integrate with existing security system located at the Police Department as well as the FOB system.

The cost would be $63,000 as well as ongoing maintenance costs.

Ms. Medlin also provided information about building design changes to meet the needs of the public. These proposed changes would cost $45,000 and include installation of sunshades in the lobby to help with the blinding sunlight as well as heat damage to artwork, redesign of the planning and engineering office area, and cosmetic work to GS 223.

Discussion included should project receive approval, it could be completed early in July 2108. It was also stated the community center would have security and there would be 24 hour monitoring.

ACTION: Adoption of Ordinance #2018-05-06

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

c) Bid Award Recommendation of Central Pump Station Decommission Gravity Sewer Project
Presenter: Tim Simpson, Public Works Director

Mr. Simpson presented this item. He stated there was a need to re-advertise this item, as sufficient bids were not originally received. It is recommended that the bid be awarded to Moffat Pipe for $549,206.00.

ACTION: Adoption of Resolution #2018-13

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

d) Request to Approve 2018 Audit Contract
Presenter: Robert McKie, Finance Director

Mr. McKie asked for approval of 2018 audit contract to Anderson, Smith & Wilke. He stated there was no change in the fee structure.

ACTION: Placed on June 4, 2018 Consent Agenda

e) Local Water Supply Plan
Presenter: Tim Simpson, Public Works Director

Mr. Simpson provided information regarding the five- year local water supply plan. This plan is required every five years by the NC Division of Water Resources, NCDEQ.

ACTION: Placed on June 4, 2018 Consent Agenda

f) Resolution in Support of Immediate Funding/Construction of I-540

Request to issue a resolution in support of the immediate funding and construction of I-540.

ACTION: Adoption of Resolution #2018-14

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

9 STAFF REPORTS

a) Town Manager

b) Town Attorney

c) Town Clerk

Clerk reminded council that Clayton would host Johnston County Town Hall Day Dinner on May 23, 2018.

d) Other Staff

10 OTHER BUSINESS

a) Informal Discussion & Public Comment

None

b) Council Comments

11 CLOSED SESSION

a) Closed Session Pursuant to NCGS 143-318.11(a)(6)
- Council will meet to conduct town manager annual review.

ACTION: Enter Closed Session

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

12 ADJOURNMENT

a) Council returned from Closed Session at 8:55 p.m.

With there being nothing further, the meeting was adjourned.

ACTION: Motion to Adjourn

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

Duly adopted this the 18th day of June, 2018 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

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CLAYTON, N.C.