



Town of Clayton
Regular Town Council Meeting Minutes
Monday, February 5, 2018 @ 6:30 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
Katherine Ross, Town Attorney
David DeYoung, Economic & Community
Development Director
Lee Barbee, Fire Chief
Stacy Beard, Public Information Officer
John Hamlin, Asst. Public Information Officer

COUNCIL ABSENT:

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order and led everyone in the Pledge of the Allegiance.

2 ADJUSTMENT OF THE AGENDA

- a) Item 4c was added to recognize Fire Chief Lee Barbee as the NC Fire Chief of the Year.

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) Fees Amendment - Small Cell Tower/Facility
- b) Welcome/Town Limit Signs
- c) Warranty Acceptance
- d) Woman's Club of Clayton - 100 Years of Service Proclamation

ACTION: Adoption of Consent Agenda as Presented

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

4 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) **Woman's Club of Clayton - 100 Years of Service Proclamation Presentation**
Presenter: Stacy Beard, Public Information Officer

Mayor McLeod read and presented a Proclamation to members of the Woman's Club of Clayton honoring their 100 years of service. Ms. Beard shared information about this group and all the community service provided to Clayton. The Mayor and council thanked everyone for their dedication and commitment to the town.

- b) **Cross Connection Control/Backflow Prevention Program & Fats, Oils & Grease Program Updates**

Presenters: Byron Poelman, Utility Service Superintendent & Brandon Carroll, Utility Compliance Technician

Mr. Poelman provided history of the program as well the hiring of Mr. Carroll. He stated that Mr. Carroll has done an outstanding job with this program. Mr. Carroll provided details about the program and stated that 78% of devices are in compliance, which is an excellent rate. He stated businesses are being provided additional education about the programs and this has led to an increase in compliance. The goal is 100% compliance and stated that our current ordinance will be enforced and stated they are working very hard to contact everyone and advise of same. Council offered their thanks and appreciation for the hard work and the update.

- c) **Fire Chief Barbee Recognized as NC Fire Chief of the Year**
Presenter: Stacy Beard, Public Information Officer

Ms. Beard stated that Chief Lee Barbee was recognized as the 2018 NC Fire Chief of the Year by the North Carolina Association of Fire Chiefs. This award was presented at their annual conference. This is the highest and most prestigious award that can be bestowed upon fire personnel. Fire Chief Barbee is the longest serving Chief in Clayton and has been with fire department for more than four decades. She stated the Clayton Fire Department is one of the finest in the State due in major part to Chief Barbee and his leadership. Chief Barbee received a huge round of applause. He stated he is honored to be part of this team and thanked everyone. Ms. Beard shared some "vintage" photos of Chief Barbee and other members of the fire department. Mayor McLeod stated how extremely proud he was of Chief Barbee and offered his heartfelt thanks and appreciation to Chief Barbee for his many years of dedication and leadership. Mayor Pro Grannis offered his thanks and appreciation and stated he was very impressed with Chief Barbee and the team he has put together. Council Member Lawter offered his thanks. Council Member Holder offered his appreciation. Council Member Thompson offered his thanks and stated that Chief Barbee was always a great mentor. Council Member Bunn offered his heartfelt thanks and appreciation. A group photo was taken.

5 PUBLIC HEARINGS

- a) **Goodson Tract Townhomes - 2017-172-SUP**

Presenter - David DeYoung, Director of Economic and Community Development

Attorney Ross provided information regarding the types of testimony that can be considered during a Quasi-Judicial proceeding. Anyone wishing to offer testimony must do so under oath. Mayor McLeod issued the oath to those wishing to offer testimony via affirmation.

Mr. DeYoung stated applicant is requesting to build 64 townhomes on 7 acres. Request is consistent with Future Land Use Map, Surrounding Land Uses and Unified Development Code. Applicant has addressed Findings of Fact.

Planning Board recommended approval with conditions as listed in Staff Report.

The applicant, Donnie Adams, provided his qualifications. He provided a PowerPoint showing proposed layout of the project. Stated there would be shared entrance with Legend Park. He stated the proposed townhomes would be consistent with Parkview which is located across the road from this project. He stated there would be two dumpsters on site. He stated he believed this was a good project.

Mayor Pro Tem Grannis asked for examples of local data that was presented. Mr. Adams stated it related to the traffic study completed with reference to Parkview. There was a question about resident who requested a phone call from Mr. Lipscomb and Mayor Pro Tem Grannis asked if that had taken place and Mr. Adams stated it had taken place.

Attorney Ross stated it was possible to combine this item and Item 5b together since both items were being presented on the same date.

The Mayor then opened the Public Hearing for Goodson Tract Townhomes #2017-171-SD.

Mr. DeYoung stated staff and applicant were requesting a change to Condition #3 as listed in Staff Report to state "prior to the issuance of a Certificate of Occupancy for the phase associated with the stub-out connection."

With there being no further questions, the items were turned over to council for deliberation.

ACTION: Approval of 2017-127-SUP

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

- b) Goodson Tract Townhomes Subdivision -2017-171-SD
Presenter - David DeYoung, Director of Economic and Community Development

See above.

ACTION: Approval of 2017-171-SD with change to Condition #3 as noted above

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

ACTION: Adoption of Wastewater Allocation Resolution #2018-02

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

c) 2017-177-SD Coopers Meadow Subdivision

Presenter: David DeYoung, Director of Economic and Community Development

Attorney Ross provided information regarding the types of testimony that can be considered during a Quasi-Judicial hearing. She stated that anyone wishing to offer testimony must do so under oath. Mayor McLeod issued the oath via affirmation.

Mr. DeYoung stated the applicant is requesting preliminary plat approval for a 17-lot single family residential subdivision. County water and private septic systems would be used. The property is located at the northwest intersection of Cooper Branch Road and Wildberry Court, which is in the ETJ. The total acreage is 11.91 acres.

Request is consistent with the Comprehensive Plan, Unified Development Code and compatible with the Surrounding Land Use. He stated waivers were requested from curb and gutter as well as sidewalks. Mr. DeYoung also stated the cemetery must meet the dimensional standards of a stand-alone lot, or be part of another lot. The applicant has addressed all Findings of Fact.

Staff recommends approval with no conditions.

There were no questions for staff.

Jonathan Barnes, applicant, was present and stated he was available for any questions. He stated he believed it was a good straight forward application. He stated they are working with NCDOT regarding entrance. He stated they plan to do some clean up regarding the cemetery but other than that the plan is to leave it alone.

Mayor Pro Tem Grannis asked if the concerns raised at the neighborhood meeting were addressed. Mr. Barnes stated they were addressed.

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

ACTION: Approval of 2017-177-SD

Motion: Council Member Thompson

Second: Council Member Holder

Vote: Unanimous

- d) **Regional Wastewater Pre-Treatment Facility Rezoning - 2017-207-RZ**
Presenter - David DeYoung, Director of Economic & Community Development

Mr. DeYoung stated request is to re-zone a portion of the property located at 3798 Powhatan Road from Industrial-Light (I-1) and Residential-Estate (R-E) to Industrial-Light (I-1). This is being requested to create consistency with the remainder of the property and surrounding zoning districts.

Ms. Loftin stated she is representing WE Blackmon Office of 724 South Third Street, Smithfield and stated they are adjacent property owners to this property. She provided background information regarding this property. She stated that Mr. Blackmon opposes the placement of the Wastewater Pre-Treatment Facility at this location as he feels there would be an odor and would de-value the property.

Mayor Pro Tem Grannis asked Ms. Loftin some questions regarding the property and the history of the sale. He provided information regarding public hearings and notifications. Ms. Loftin stated she does not live in Clayton and stated she was very unfamiliar with the procedures. Mayor Pro Tem Grannis thanked her for sharing her thoughts.

Council Member Lawter asked Mr. DeYoung if he knew how long the Blackmon property was zoned and Mr. DeYoung stated it was zoned R-E. He further stated the Blackmon property was south of the proposed zoned area.

Attorney Ross reminded this hearing was regarding a rezoning of a piece of property not the approval of a Wastewater Pre-Treatment Facility.

With there being no questions, the item was turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2018-02-02

Motion: Council Member Lawter

Second: Council Member Thompson

Vote: Unanimous

- e) **2018-2019 Budget Public Input**
Presenter: Adam Lindsay, Town Manager

Mr. Lindsay stated this public hearing was being held to provide an opportunity to allow citizens to offer their input regarding the FY 2018-2019 budget.

A citizen stepped forward and stated she had concerns regarding kids crossing Highway 70 at McDonalds. Mr. DeYoung stated that we have been working closely with NCDOT Division 4 about putting in a project that would put a crossing at that location. Mr. Lindsay provided additional information regarding state owned roads, which are maintained by NCDOT. He further stated that we are working very closely with NCDOT.

6 OLD BUSINESS

7 NEW BUSINESS

- a) 2018-02-03 - Highgate Subdivision - Wastewater Allocation
Presenter: Tim Simpson, Director of Public Works

Request was made to allocate a total of 24,095 gallons per day to the Highgate Subdivision. He stated this property has changed hands since original agreement was crafted, this has been accomplished and this is the balance required to complete the project.

ACTION: Adoption of Resolution #2018-03

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

- b) Town Council Meeting Procedure Update
Presenter: Adam Lindsay, Town Manager

Mr. Lindsay stated this update would allow for both council meetings to be "regular" meeting which would allow for formal action to be taken at both meetings. Additionally, this would allow for the change of meeting start times from 6:30 p.m. to 6:00 p.m.

ACTION: Placed on February 19, 2018 Consent Agenda

8 STAFF REPORTS

- a) Town Manager
b) Town Attorney
c) Town Clerk

Ms. Medlin offered her thanks to the numerous employees who assisted with the preparation of the agenda during the absence of the Town Clerk.

d) Other Staff

Mr. Medlin stated the Northside Station is now energized. He stated he was very proud of the project and there would be an opening shortly. Council offered their thanks and appreciation.

Chief Myhand provided a look at the new uniform that will be worn by the Clayton Police Department.

9 OTHER BUSINESS

a) Informal Discussion & Public Comment

Building owner of 308 W. Main Street shared his concerns regarding creek that runs under his building. He stated he continually has to put a filter to catch the leaves when there is rain. He has concerns about recent flooding and clogging. He asked if someone from the town could take a look to improve the situation. Mr. Lindsay stated he would have someone from Public Works take a look.

He has also concerns about holly trees at his location as well.

b) Council Comments

Mayor Pro Tem Grannis stated he attended a public hearing at Johnston County regarding Novo Nordisk grant. He stated the grant was approved. He further stated that he wanted to acknowledge the team work that consistently takes place. He stated he was very proud of the team.

Mayor McLeod stated the Clayton Center staff did an amazing job over the weekend at the Expo.

10 ADJOURNMENT

a) With there being nothing further the meeting was adjourned at 8:18 p.m.

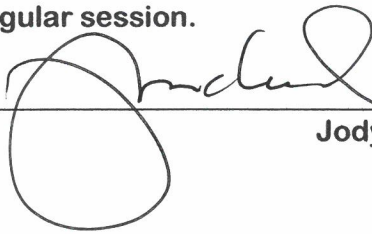
ACTION: Adjourn the meeting

Motion: Council Member Lawter

Second: Council Member Bunn

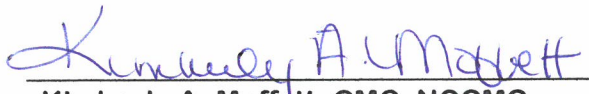
Vote: Unanimous

Duly adopted this the 7th day of May, 2018 while in regular session.



Jody L. McLeod
Mayor

ATTEST:



Kimberly A. Moffett, CMC, NCCMC
Town Clerk

