Town of Clayton
Regular Town Council Meeting Minutes
Monday, April 2, 2018 @ 6:00 PM
Council Chambers

COUNCIL PRESENT:
Mayor McLeod
Mayor Pro Tem Grannis
Council Member Lawter
Council Member Holder
Council Member Bunn

STAFF PRESENT:
Nancy Medlin, Deputy Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
Samantha Wullenwaber, Planning Director
Jay McLeod, Senior Planner
David DeYoung, Economic Development Director
Tim Simpson, Public Works Director
Ann Game, Customer Service Director
Dale Medlin, Electric Systems Director
Joy Garretson, Library Director
Stacy Beard, Public Information Officer
John Hamlin, Asst. Public Information Officer

COUNCIL ABSENT:
Council Member Thompson

1 CALL TO ORDER

Pledge of Allegiance and Invocation

a) Mayor McLeod called the meeting to order at 6:01 p.m. There was a moment of silence in remembrance of former Mayor Rudolph Allen. Mayor McLeod 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) Draft Minutes
- March 19, 2018

b) Appointment to Library Advisory Board
- Paul Taperek

c) Warranty Acceptances
- Highgate - Phase 1 (Includes off-site water line)
- Lionsgate - Phase 2A-2D
- RWAC Alpine Valley - Phase 6A-4 (Pre-Warranty Asphalt)
- RWAC Alpine Valley - Phase 6A-4 (Pre-Warranty Utilities)

ACTION: Adoption of Consent Agenda as Presented

Motion: Council Member Lawter

Second: Council Member Holder
Vote: Unanimous

4 ADMINISTRATIVE ITEMS

a) 2017-193-SUP - Carillon Assisted Living - Special Use Permit
Presenter: Samantha Wullenwaber, Planning Director

Ms. Wullenwaber stated the applicant is requesting a Special Use Permit to operate an Assisted Living Facility. The facility will be located off Guy Road at the corner of Amelia Church and Guy Road. There will be a total of 48 units. Ms. Wullenwaber asked that a Public Hearing be set for April 16, 2018.

ACTION: Set Public Hearing for April 16, 2018

b) Warranty Acceptance
- RWAC Ravens Ridge 8E

ACTION: Placed on April 16, 2018 Consent Agenda

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) Introduction of New Employees
Presenters: Ann Game, Customer Service Director; Dale Medlin Electric Systems Director and Joy Garretson, Library Director
- Ann Warren - Customer Service Representative
- Kenneth Davis - Electric Line Technician
- Melissa Konneker - Library Assistant (Part Time)

Ms. Game introduced Ann Warren, who is serving as a Customer Service Representative. Ms. Warren came to the town with many years of experience in the electric customer service field. Ms. Game stated she was very excited to have her on board and further stated Ms. Warren is a great addition to the team. Ms. Warrant stated she was very happy to be here. Council welcomed her to Clayton.

Mr. Medlin introduced Kenneth Davis, who is serving as an Electric Line Technician. Mr. Medlin stated that Mr. Davis brings with him more than 15 years of experience in the field. Mr. Davis stated he was happy to be in Clayton and the council welcomed him.

Ms. Garretson introduced Melissa Konneker, who is serving a part-time Library Assistant. Ms. Konneker has many years of experience in the field of education. Ms. Garretson stated that Ms. Konneker will be working in the children's room and will be assisting with some new plans/changes for Story Time. Ms. Konneker stated she was very excited to be here and stated working in the library has long been a dream of hers. She shared additional information about her previous educational background. The council welcomed her and stated they were excited to her on board.

b) "Week of the Young Child" - Proclamation Request
Presenter: Dana Wooten, Chamber of Commerce President

Ms. Amanda Blake who serves on the Education Committee of the Clayton Chamber of Commerce was present. She provided information and the request and stated the Proclamation would help to provide support to early education. She asked that the council consider issuing the Proclamation. The council offered their appreciation for the Education Committee and their support of our educators.

ACTION: Placed on April 16, 2018 Consent Agenda

6 PUBLIC HEARINGS

a) 2018-06-ANX - Glen Haven Phase 4 Annexation
Presenter: David DeYoung, Economic Development Director

Mr. DeYoung presented this item. Request is for a voluntary annexation of the last phase of Glen Haven. Total area be annexed is 8.85 acres and is owned by Glenwood Homes, LLC.

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

ACTION: Adoption of Ordinance #2018-04-01

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

b) 2018-19-ANX - Powhatan Warehouse Annexation
Presenter: David DeYoung, Economic Development Director

Mr. DeYoung presented this items. Request is for voluntary annexation of .35 acres located off of Powhatan Road. Property owners are Franklin Clayton Associates, LLC.

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

ACTION: Adoption of Ordinance #2018-04-02

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

c) 2017-149-PDD - Parkview Modification Planned Development Rezoning
Presenter: Samantha Wullenwaber, Planning Director

Ms. Wullenwaber presented and stated the applicant has requested rezoning of 2.06 acres from Residential 10 (R-10) to Planned Development-Residential (PD-R) to allow for the addition of 17 single-family lots. A preliminary plat application is running concurrently with this request to include this property as part of the Parkview Master Plan.

Ms. Wullenwaber stated the plan is consistent with the Surrounding Land Use Plan as well as the Comprehensive Plan. She stated the applicant has addressed all approval criteria. Both the Planning Board and staff recommend approval.

Mayor McLeod noted this as a public hearing. With no one coming forward to speak the hearing was closed at 6:12 p.m. and turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2018-04-03

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

d) 2017-150-SD - Parkview Modification Preliminary Plat (Acting as Master Plan) (QUASI JUDICIAL HEARING)
Presenter: Samantha Wullenwaber, Planning Director

Attorney Ross provided information regarding the process of a Quasi-Judicial hearing to include the types of testimony that could be considered. She further stated all testimony must be given under oath. The Town Clerk administered the oath via affirmation to those wishing to offer testimony.

Ms. Wullenwaber presented and stated request is to modify the previously approved Parkview preliminary plat and add 17 additional single-family lots. Total to be added would be 2.07 acres along Liberty Lane with entrance on to same. All the additional lots would be subject to the approved dimensional standards with original Master Plan. There are no other changes to the Master Plan.

The plan is compatible with the Surrounding Land Uses and is consistent with the Comprehensive Plan. The applicant has addressed the Findings of Fact. The Planning Board recommended approval with conditions as listed in staff report.

There were no questions of staff.

Applicant, Reid Smith, asked staff to re-state information regarding Liberty Lane.

Ms. Wullenwaber stated there would be an entrance off of Liberty Lane and showed it on the map. She further stated there would not be connectivity onto Liberty Lane at this time. Mr. DeYoung stated that should development continue along other portions along Liberty Lane, connectivity would be able to take place at that time. Mr. DeYoung stated the applicant is dedicating right-of-way on the north side of the street, but at this time are not connecting to Liberty Lane.

Mr. Smith thanked staff for clarification. He provided history of Parkview and further stated that everything remains consistent with the previous Master Plan.

Mayor Pro Tem Grannis asked a question regarding the Neighborhood Meeting. He stated there were questions raised at that meeting regarding construction trucks entrance and the timeline. Mr. Smith stated this is not relevant to approval, however, they intend to pave top strip and extend stone out to Stallings so construction debris could be re-routed within the next 30-45 days.

Council Member Lawter asked the applicant to state for the record who would be testifying to the Findings of Fact. Mr. Reid stated it would be the engineer on the job who is Mr. Donnie Adams.

Mr. Adams stepped forward and provided his credentials.

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

ACTION: Approval of 2017-150-SD

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

e) 2017-188-RZ - Sunbelt Rental
Presenter: Samantha Wullenwaber, Planning Director

Ms. Wullenwaber presented and stated the applicant is requesting rezoning from Neighborhood Business (B-2) to Highway Business (B-3) and the removal of the property from the Scenic Highway Overlay.

Ms. Wullenwaber provided examples of types of business that are allowed in Highway Business zoning. She stated the rezoning is consistent with both the Comprehensive Plan as well as the Surrounding Land Use. The applicant has addressed all approval criteria.

With reference to the second request for removal from the Scenic Highway Overlay; Ms. Wullenwaber provided brief history of the overlay. She stated the overlay was implemented in 2011 and since that time has had no substantial positive impact on the areas it effects. Future consideration will be given to removing the overlay in its entirety. Ms. Wullenwaber stated some mapping irregularities were discovered and will be addressed.

The Planning Board and staff recommend approval of both the rezoning as well as removing the property from the Scenic Highway Overlay.

Mayor McLeod noted this as a public hearing.

The applicant, Mr. Gary McCabe who is the engineer on the project and provided information regarding the project. He provided a Power Point presentation that showed other types of businesses located in the area. He further stated that all equipment will be located behind a fenced area. He also shared information about the measurement discrepancy discovered in the mapping and the Scenic Highway Overlay.

Also present was Mr. Moffat of Moffat properties. He provided information about himself and his company as well as several projects they have recently worked on.

Mayor Pro Tem Grannis stated he appreciated the willingness of the applicant to work with staff to figure out the discrepancy with the map. He offered his thanks and appreciation.

With there being nothing further, the hearing was closed and turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2018-04-04

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

7 ITEMS SCHEDULED FOR THE UPCOMING TOWN COUNCIL MEETING

8 OLD BUSINESS

9 NEW BUSINESS

a) 2018-56-SNA - Vinson's Pub & Eatery - Alternative Sign Plan
Presenter: Jay McLeod, Senior Planner

Mr. McLeod stated the request is for an alternative sign plan for Vinson's Pub & Eatery, which will be located at 800 East Main Street. Currently signage is not allowed to be painted on building. A rendition of the proposed signage was provided. Mr. McLeod stated it was a very well-considered rendition. He stated the applicant has addressed all the approval criteria and that request is consistent with the Unified Development Code.

Staff recommends approval with condition as listed in staff report.

ACTION: Approval with Condition as listed in Staff Report

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

b) Funding Assistance Request - Walnut Creek Lift Station Abandonment/Outfall Improvements
Presenter: Tim Simpson, Public Works Director

Mr. Simpson provided background information regarding the request for funding to the Department of Environmental Quality for Walnut Creek Lift Station. He stated request for funding is a competitive process and applications received are scored. Application submission does not guarantee awarding of funding. Resolution in support of the funding request will be included with submission of application.

ACTION: Adoption of Resolution #2018-09

Motion: Council Member Holder
Second: Council Member Lawter

Vote: Unanimous

10 STAFF REPORTS

a) Town Manager

b) Town Attorney

c) Town Clerk

d) Other Staff

11 OTHER BUSINESS

a) Informal Discussion & Public Comment

b) Council Comments

12 ADJOURNMENT

a) With there being nothing further, the meeting was adjourned at 6:50 p.m.

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

Duly adopted this the 16th day of April, 2018 while in regular session.

Michael Grannis
Mayor Pro Tem

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk