



**The Town Of Clayton
Regular Town Council Meeting Minutes
Tuesday, September 6, 2016 @ 6:30 PM
Council Chambers**

Mayor McLeod
Mayor Pro Tem Grannis
Council Member Satterfield
Council Member Lawter
Council Member Holder
Council Member Thompson

STAFF PRESENT:

Nancy Medlin, Interim Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
David DeYoung, Planning Director
Jay McLeod, Senior Planner
Stacy Beard, Public Information Officer
John Hamlin, A/Public Information Officer

COUNCIL ABSENT:

1 CALL TO ORDER

- a) Pledge of Allegiance and Invocation

The meeting was called to order at 6:30 p.m. Mayor McLeod lead everyone in the Pledge as well as offering the Invocation.

2 ADJUSTMENT OF THE AGENDA

- a)

Ms. Medlin requested the addition of closed sessions, pursuant to NCGS 143-318.11(a)(3) 143-318.11(a)(4) and 143.318.11(a)(6), to consult with the Town attorney in the litigation matter of Town of Clayton v. Mims, to discuss a matter of economic development, and to discuss a personnel matter, specifically the position of Town Manager.

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
- July 18, 2016 - Regular Session
 - August 15, 2016 - Regular Session
 - August 15, 2016 - Closed Session
- b) 2016 Constitution Week Proclamation Request
- c) Warranty and Easement Acceptances:
- Warranty Acceptance - Public Water
- Edward Jones Site & Glen Haven

Warranty Acceptance - Public Utilities

- Sheetz Highway 70 & Rose Street

Warranty Acceptance - Public Water, Sewer & Associated Storm Drainage Utilities & All Pertinent Easements

- RWAC, Ravens Ridge 8C1 & 8C2

Warranty Acceptance - Asphalt

- RWAC, Ravens Ridge 8C1 & 8C2

- d) Recommendation of Appointment of Marty Kornegay to the Parks & Recreation Advisory Board
- e) CDDA Christmas Village & Tree Lighting
- f) Weatherization Loan Program

ACTION: Approval of Consent Agenda as Presented

Motion: Council Member Holder

Second: Council Member Thompson

Vote: Unanimous

4 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) Recognition of Bob Ahlert, Recipient of NC Public Power LIFETIME Achievement Award
Presenter: Stacy Beard, Public Information Officer

Ms. Beard gave background of award presented to Bob Ahlert at the 2016 Electricities Conference. Ms. Beard shared statements and thoughts from several town employees, council members and citizens including; Council Member Lawter, Steve Biggs (former town manager), James Lipscomb, Robert McKie, Dale Medlin, Chief Bridges, and Nancy Medlin. Everyone offered their appreciation for the dedication and knowledge Bob has always offered. Bob thanked the Council for the honor and spoke about history regarding his involvement with Electricities. He shared his thoughts about a bright future with regard to stable electric rates for the next four to five years. He stated it has been his honor to serve the citizens of Clayton and will continue to do so. The Mayor and Council offered their appreciation for all Bob has done for the Town in the many roles he has served. A group photograph was taken of Bob and the Town Council.

- b) Charcot Marie Tooth Proclamation Request
Presenter: Stacy Beard

Ms. Margaret Lee who has requested this proclamation was unable to join us this evening and Ms. Beard presented a brief video sharing information about this disease which is an inherited neurological disease. This disease affects 1 in 2,500 residents in the United States and several residents in Clayton are affected by this slow progressive disease.

ACTION: Placed on September 19, 2016 Consent Agenda

5 PUBLIC HEARINGS

- a) Rezoning 2016-121-RZ - Performance Glass
Presenter: Jay McLeod, Senior Planner

Mr. McLeod presented this item which is a request for a rezoning at Performance Glass located at 2840 NC Highway 42 West. Applicant has requested rezoning from B-3 and R-E to B-3. This property was brought into the ETJ and after that, the property owner swapped a western portion of the parcel for a portion of the land to the north. Because of this, the parcel lines changed and hence the zoning for this property is now split-zoned. Applicant is requesting the parcel be rezoned to Highway Business (B-3) so entire parcel is zoned the same.

Rezoning is compatible with Surrounding Land Uses and is consistent with the 2040 Comprehensive Plan. Applicant has addressed the approval criteria. The Planning Board and staff recommended approval of the rezoning.

This item was noted as a Public Hearing. Applicant was present for any questions.

With there being no questions, this item was turned over to Council for their deliberation.

ACTION: Adoption Ordinance #2016-09-01

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

6 OLD BUSINESS

7 NEW BUSINESS

- a) Sewer Easements Requests - NC 42 E Planned Development
Presenter: Planning Department

Staff is requesting approval for two sewer easements that would serve the NC 42 E Planned Development.. One of these easements will service the apartments and the second line will serve the commercial portion of the property. Mr. DeYoung has stated discussion has been held with Mr. Bailey regarding the future disc golf course at this location and there will be no disruption to this project.

ACTION: Authority to Allow Easements

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

8 STAFF REPORTS

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

Mr. DeYoung provided an update regarding 231 East Second Street. He stated a developer's agreement is underway with Community Smith and we are moving forward.

Stacy Beard stated there will be an event on September 11th at the East Clayton Community Park. Woodsmen Life have donated a flag pole and there will be a dedication celebration. Additionally both Fire and Police personnel will be involved. Service will take place at 3:00 p.m.

9 OTHER BUSINESS

- a) Informal Discussion & Public Comment

Mr. Edward Banks was present to provide an update regarding soil issue at Mitchiner Hills. He stated several people had been out to look at the issue but there had been no movement. He also stated it was difficult to cross over at the intersection of Main and Fayetteville Streets. He also reported a possible water issue by Cooper Elementary School. He stated water is constantly running at this location and it is starting to turn green.

- b) Council Comments

10 CLOSED SESSION

- a) Enter into Closed Session under NCGS 143-318.1(a)(3), 143-318.11(a)(4) and 143-318.1(a)(6) at 7:02 p.m.

11 RETURN FROM CLOSED SESSION

- a) Council returned from Closed Session at 8:41 p.m.

ACTION: Return from Closed Session and return to Open Session at 8:41 p.m.

Motion: Council Member Satterfield

Second: Council Member Lawter

Vote: Unanimous

- b) Town of Clayton vs. Mims Litigation

ACTION: Approve Settlement Town of Clayton vs. Mims for total compensation of \$75,000, authorize deposit of \$69,700 to Clerk of Court and authorize Town Manager to enter a Consent Order to resolve the court case.

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

c) Appointment of Town Manager

ACTION: Appointment of Adam Lindsay as Town Manager, effective September 28, 2016 with annual salary of \$147,000 and authorize Town Attorney to finalize employment contract.

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

12 ADJOURNMENT

a)

With there being nothing further, meeting was adjourned at 8:45 p.m.

ACTION: Motion to Adjourn

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

Bob Satterfield
Council Member

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk