Town of Clayton
Special Meeting - Clayton Town Council Minutes
Council Retreat
Thursday, February 22, 2024 at 3:00 PM
Courtyard Marriott
218 E. Front Street, New Bern, NC

Council Present:
Mayor Jody McLeod
Council Member Andria Archer
Mayor Pro Tem Michael Sims
Council Member Porter Casey
Council Member Gretchen Williams
Council Member Ruth Anderson

Council Absent:
None

Staff Present:
Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Heidi Holland, Town Clerk
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Greg Tart, Police Chief *(joined virtually)*
Robert McKie, Finance Director
Patrick Pierce, Economic Development Director
Michelle Snyder, Executive Assist. to Town Manager

1 BREAKFAST AND PREPARE FOR MORNING SESSION

2 CALL TO ORDER

a) Mayor McLeod called the meeting to order at 8:42 a.m.

3 COUNCIL DISCUSSION

a)

b) Ms. Gill recapped Day 2. She asked Council what went well yesterday; it was stated it was enlightening and the Washington trip opened up a lot of possibilities of what to do and not to do; gained value in growing relationships.

Social District
Mr. Pierce stated 50+ communities have adopted a social district. He stated an open house with businesses and community business was held, as well as online training, then an in person open house was held where about 25-30 people participated online; 50 citizens received a presentation, and one person attended the open house. Shared was the map of the taskforce's map recommendation.

There was Council feedback on how to stick this to the core of downtown clayton. The core recommended going go to Ellington then extend to smith. First street is part of this on the First Street Tavern side. It was stated to keep this on the north side of Second Street so it would not go by police or the church. There would be signs up to make sure citizens know the boundaries. The hours proposed are Monday through Saturday 10 a.m. through 10 p.m. and Sunday 12 p.m. – 10 a.m. It would be budgeted to add 8 trash cans to include cans at exit points. Shared were the proposed stickers that would have sold by and the date and time on them.

Shared was the required signage that would be on the signs and stickers that would go on ABC permit and involved establishments. Chief Tart stated, on the original map when he looked at it, he felt like it was too big of a footprint to start off with. The map has been since condensed. One recommendation, if decide to adopt, is to do it on a temporary basic to see how this goes. There was mention of checking the cost of services to see if there is an increase. There was discussion on issues with Cardinal and First Street, must look at it from that aspect and see if this would cause more problems at those establishments. There was discussion to do this on a six month trial to see how this goes.

Council Member Archer asked what time the issue happened at Cardinal, Chief Tart stated it was at 1:30 a.m. Mr. Pierce stated Council has the option to reverse the ordinance that would adopt this when they would like. Council Member Anderson stated the taskforce members did not have any issues with social district piece of that. Discussed were concerns of the proposed time; this could lead to problems if there was someone that could over indulge. It was stated Council could always increase the hours if see its working well but it would be harder to reduce the hours. Council Member Anderson likes the idea of a smaller map and could always increase the area. Council Member Archer stated her drive has been the economic piece of this.

Regarding the hours and the shop Saturday Mimosas walk she did think there were any issues with this event. She stated to let's consider events like the mimosa walk that starts at 10:00 a.m. Discussion of doing holiday hours. Council Member Casey thinks 10 p.m. is a good cut off point, may encourage businesses to stay open later.

Council Member Sims asked what is the timing of rolling this out? Once Council approves, ABC needs 60-90 days to look at it, proposed would be a late spring early summer to roll out. It was stated the businesses have to right to refuse to serve, the responsibility falls back to the business owner. Signage talks about the boundaries, and the do's and don'ts.

There was discussion on certain types of issues to pull the plug; one would be if citizens go outside of the boundary and public drunkenness. It was asked for the Police Department to provide a quarterly report on how many incidents occur. It was stated there are provisions for special events and the Town would still have the ability to do an event like this, these would need to be approved. Council Member Archer stated having attended other municipalities with social districts in other municipalities, and in her experience, this has been a structured event. It was consensus of Council to move forward with the smaller map; with hours Monday through Saturday 10 a.m. through 10 p.m. and Sunday 12 p.m. – 10 a.m. and with a quarterly report provided.

Chief Tart stated he believes the majority of people would do what they are supposed to do. Council Member Williams asked if there was any way we could have a monthly report in the beginning instead of quarterly? Council Member Sims stated he thinks quarterly is the way to go. Chief Tart stated it would be difficult to run number monthly; it would be easier to do this every quarter. Council Member Williams stated if there is anything Council needs to know, she would like to know. She stated she is good with the quarterly report.

Next steps would be to get a timeline; get it on regular agenda and a possible soft roll out. Mr. Pierce stated he would try to get his on a March agenda and roll this out beginning of summer. Attorney Cauley stated we need to factor in the time it takes for ABC to review.

Parking In Downtown

There was detailed discussion on parking in downtown. Council Member Archer asked if we have a long-term parking plan. She asked if Council needed to start talking about this. There was discussion on possible costs and asked if there were any options to solve this. Ms. Gill stated as we start thinking about this, we have a master plan coming to a future work session.

Council Member Archer stated to build a toolbox but does Council think now is the right time or wait until some projects have knocked off the CIP. Ms. Gill stated the exploration side is good to be armed and ready and helps determine where Council wants to do with other elements that come through the strategic planning. She stated she is hearing to stay on top of this so when get to this, we would not have to waste time on where to go next. Council Member Archer stated she would like to create a Toolbox as long as this doesn't take a lot of work on something that would not begin for another 5 years. Mr. Cappola stated they would put together talking points for Council on this.

Code Enforcement

A presentation from a code enforcement staff member was shared. Code Enforcement Office Jon Weckesser, Inspector Barry Alston and Planning Director Conrad Olmedo, spent some time riding around doing assessments and looking at trends and patterns. They came to an Executive Team meeting to provide a high level summary report. The current ordinance was created in 1983 with minor updates in 1989. The language in the ordinance is not current. Staff would look into a total ordinance restructure. It was stated the owner-occupied houses are a rate of 66.5 which means we infer that 34 of dwellings are rentals.

Minimum housing typical issues were shared, some issues include peeling paint and rotting wood on homes.

3 alternatives were shared. It is staff recommendations to update the minimum housing code, provide a dedicated point of contact (hiring another position), develop protocol of case management, respond to complaints and issues as well as take proactive preventive care of min. housing, and be proactive on issues that are outstanding and posing as a threat to quality of life for citizens.

There was discussion on hiring a new position to help with this, it was stated that is proposed for 2025. Chief Barbee stated this would include training, certification, and equipment. Mr. Cappola stated right now the ordinance could be updated but this would have to apply to everyone and be consistent. Council Member Archer stated the Town could do a public awareness campaign, with a slow rollout option; this is overdue. Council Member Casey stated this could give us the opportunity to get on the commercial side of this too. Council Member Anderson stated she agrees with Mr. Barbee's timeline for the goal.

Ms. Gill stated she is hearing to take the current code and keep status updates on how code enforcement is doing. It was consensus of Council that this is moving in the right direction but need to stay in the forefront of this.

The Shotwell and Covered bridge intersection was briefly discussed. There would be more discussion on this. Mr. Pierce stated there is a contract for this with NCDOT that would begin in May.

Council Legal Updates
Jim Cauley provided broad topics on government. Discussed were policy makers & types of governments. Attorney Cauley spoke on elected officials receiving calls from citizens. He stated Council receives those in a staff capacity and not as an elected official; he stated to let staff do their job.

Discussed were types of municipal governments, authority of elected officials and forms of government. He stated Council is responsible for exercising and executing all powers, functions, rights, privilege, and immunities and provide by the charter. He stated municipalities may only do things that NC legislative permits.

Discussed were Open Meetings, Type of Records, and Public records. Voting and Quorum requirements were also discussed as well as social media, excusing members from voting and conflict of interests.

Future of Clayton
Briefly discussion were some topics that are scheduled to come to a future work session. Briefly discussed was water supply in Clayton.

It was consensus of Council for Staff move for with an RFQ for phase 2; to parallel a path for negotiations and wrap up in about six months.

Funding
Mr. Cappola discussed the leverage funding types for projects in the Town. Each has pros and cons based on the nature of the project. The first one is GO bonds. Description: town's taxing power pledge, voter approval required. Projects: infrastructure improvements, community facilities, public safety enhancements. Additional considerations: This requires voter approval. Offers lower interest rates due to the security of the Town's taxing power. May have limitations on borrowing capacity.

Next is revenue bonds. Description: specific revenue pledged; taking power not pledged so no vote required. Projects: revenue generating infrastructure, public private partnerships, economic development projects. Example: construction of new water treatment plants, development of public-private partnership for mixed use commercial project. Additional consideration: provide flexibility as voter approved is not required. Finance is tied to revenue streams, required careful analysis. Mr. McKie stated bonds have rate covenants and we are legally forced to do a rate study and adopt recommendations on the rate study which means you could have to raise rates.

Next discussed were COPS or LOBS. Voter approval not required Description: specify property pledged. Projects: capital projects w specific revenue streams, lease financing arrangements. Additional consideration: no voter approval needed; requires careful assessment of property value; and lease financing arrangements may result in the long-term financial obligations.

Next discussed was Installment purchase. Description: property that is financed used as collateral. Projects: equipment purchases, infrastructure improvement w specific assets used as collateral. Examples: financing new vehicle and purchasing of equipment for the Wastewater Treatment Plant upgrade. Additional considerations: provide flexibility for financing and this requires thorough evaluation of the value and useful financial assets.

Discussed was State revolving loans. Mr. McKie stated these have favorable terms. The maximum we could get is 30 million and there are very narrow projects which it could be used for (water and sewer only).

There was brief discussion on grants; a lot we do not qualify for.

It was stated there are a lot of different funding options out there with pros and cons. McKie discussed terms of public safety projects coming up. He stated if Council wants to pursue the GO bond, need to start working on it this spring. It was asked if we started today and want to do a LOB bond, how long until we have money in hand. Mr. McKie stated no longer than 90 days.

Mayor McLeod stated timing is everything on this. He stated we have a good relationship with the LGC and that is a plus. There was discussion on whether to go with GO bond or LOB route. Mayor McLeod stated he would like to see an example of how it would look on the GO bond. Mr. Cappola stated yes, he would provide an example.

Advisory Board Code of Conduct
Mr. Holland discussed research of other municipalities of who requires there advisory boards to sign a code of conduct. It was consensus of Council that right now if they will not sign the code of conduct they would be removed from the board. Attorney Cauley will develop a resolution indicating they would be removed from the board and this would be followed up by a policy adopted by Council. Ms. Holland stated she would put in the board application that prior to a citizen applying, they would have to do sign a Code of Conduct. It was Consensus of Council to move forward with the resolution, policy and modifying the application.

Legislation Agenda
Mr. Cappola stated there was a general request to discuss the legislation agenda. There was detailed discussion on the relationship between town and Johnston County.

It was consensus of Council to have Mr. Cappola research information such as: ask Johnston County what is the total revenue generated from the TOC; what is % that Johnston County makes annually from what is generated from the TOC; what is Johnston County annual contribution to their fund balance; and what is the current total in Johnston County's fund balance. Would like these numbers for the last 5 years.

4 LUNCH

a) Lunch was held from 12:00 - 12:30 p.m.

5 TOWN MANAGER UPDATE SESSION

a) Mr. Cappola shared the Spring retreat presentation. Shared were 23/24 priorities:

- Recruiting
- Staff capacity
- Recruitment and retention strategy
- Operational plan for Sam's Branch WRF
- Key decision on general, electric and water/sewer CIP

Shared were the positions that have recently been staffed and positions that need to be filled. He stated they would be looking at reorganizing water resources as a whole.

Recruitment strategies have all been implemented. Discussion on staff capacity and upcoming training. Discussed were major modernization initiatives. Operational plans were shared.

Shared were challenges of FY25 which included completion of goals and projects, organizational staffing and capacity, operational budget and implementation of strategic plan, capital investment strategy, and enterprise resource planning software transition.

6 ADJOURNMENT

a) Adjourn

With nothing further, the meeting was adjourned at 3:21 p.m.

Motion To Adjourn

RESULT:	**CARRIED 5-0**
MOVER:	Porter Casey
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Porter Casey, Gretchen Williams, and Ruth Anderson
NO:	None

Duly adopted this the 4th day of March, 2024 while in regular session.

Michael Sims
Mayor Pro Tem

ATTEST:

Heidi L. Holland

Heidi L. Holland, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
INCORPORATED
APRIL 1869
CLAYTON, N.C.