

Jody L. McLeod  
**MAYOR**

Bruce Thompson  
**TOWN ATTORNEY**

Steve Biggs  
**TOWN MANAGER**



Bob Satterfield  
Michael Grannis  
Alex Harding  
R.S. "Butch" Lawter, Jr.  
**COUNCIL MEMBERS**

Robert Ahlert  
**MAYOR PRO TEM**

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## **TOWN COUNCIL MEETING**

**FEBRUARY 2, 2009**

### **AGENDA**

#### **MAYOR AND TOWN COUNCIL**

**MAYOR JODY L. MCLEOD  
MAYOR PRO TEM ROBERT J. AHLERT  
COUNCILMAN BOB SATTERFIELD**

**COUNCILMAN ALEX HARDING  
COUNCILMAN MICHAEL GRANNIS  
COUNCILMAN R.S. "BUTCH" LAWTER, JR.**

#### **TOWN STAFF**

**STEVE BIGGS, TOWN MANAGER  
SHERRY L. SCOGGINS, TOWN CLERK  
BRUCE THOMPSON II, TOWN ATTORNEY**

**AGENDA**  
**THE REGULAR MEETING OF THE CLAYTON TOWN COUNCIL**

**MONDAY, FEBRUARY 02, 2009**  
**7:30 PM**

**THE CLAYTON CENTER**  
**COUNCIL CHAMBERS**

1. **CALL TO ORDER**  
Pledge of Allegiance  
Invocation – Mayor Jody L. McLeod
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. **Downtown Façade Grant Improvements program.**
  - b. **Bid summary for replacement generator a the WWTP.**
  - c. **Ordinance authorizing demolition of an unsafe building located at 407 West Second Street.**
  - d. **Appointments to the Board of Adjustment and Planning Board.**
  - e. **Final acceptance requests for:**
    - **Public water, sewer, and associated storm drainage utilities for LionsGate SD, Phases 5A & 5B**
    - **Sewer relocation for the Clayton High School tennis court and parking lot**
  - f. **Warranty acceptance requests for:**
    - **Public water and sewer utilities for Little Creek Crossing, Shotwell Road**
    - **Force main for Building Blocks Daycare**
    - **Public water and sewer utilities for Proctor’s Place**
4. **PUBLIC HEARINGS**
  - a. **Public hearing for funding application through the North Carolina Department of Commerce for Neighborhood Stabilization Program.**
5. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
6. **OLD BUSINESS**
  - a. **Status report on meeting with the Archer Lodge Municipal Exploratory Committee (ALMEC).**
  - b. **Discussion of assignment of cost form the most recent municipal election.**

7. **NEW BUSINESS**
  - a. **Consideration of submittal of U&CF Grant application for 2010.**
  
8. **STAFF REPORTS**
  - a. **Town Manager**
    - **Report regarding upgrade of the Town of Clayton municipal bond rating by Standard & Poors.**
  - b. **Town Attorney**
  - c. **Town Clerk**
  - d. **Other Staff**
  
9. **OTHER BUSINESS**
  - a. **Informal Discussion & Public Comment.**
  - b. **Council Comments.**
  
10. **ADJOURNMENT**

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

**Agenda Item: 3a**

**Meeting Date: 02/02/09**

**TITLE: DOWNTOWN FAÇADE GRANT IMPROVEMENTS PROGRAM.**

**DESCRIPTION: The DDA recommended changes to the Downtown Façade Improvement Grant program for Council consideration.**

**At the January 26, 2009, Council meeting, it was the consensus of the Council to place this item on the consent agenda.**

**RELATED GOAL: Downtown: The Community Hub**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-20-09	Presentation.	Memo & Grant application.
02-02-09	Approval.	Façade Improvement Grant Program & Application.

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

Agenda Item: 3b

Meeting Date: 02/02/09

**TITLE: BID SUMMARY FOR REPLACEMENT GENERATOR AT THE WWTP.**

**DESCRIPTION:** The Little Creek Reclamation Facility Generator No. 1 Replacement is included in this year's budget. The Town received a total of five bids, bid tabulation attached. The low bid was received from Bitting Electric Inc (of Cary) and is within the estimated budgeted cost.

At the January 26, 2009, Council meeting, it was the consensus of the Council to place this item on the consent agenda.

**RELATED GOAL:** Administrative

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-20-09	Presentation.	Letter, bid tabulation, & detailed bid tabulation.
02-02-09	Approval.	Letter, bid tabulation, & detailed bid tabulation.

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

Agenda Item: 3c

Meeting Date: 02/02/09

**TITLE: ORDINANCE FOR UNSAFE BUILDING LOCATED AT 407 WEST SECOND STREET.**

**DESCRIPTION:** The unsafe building located at 407 West Second Street is a residential dwelling with numerous minimum housing and nuisance violations. The owners, Sidnie J and Mary Christine Barbour, were contacted for a hearing on the above property on November 18, 2008. Neither owner appeared at the hearing.

The ordinance requests that the Town Council find that the building should be removed or demolished and the cost shall be a lien against the property.

At the January 26, 2009, Council meeting, it was the consensus of the Council to place this item on the consent agenda.

**RELATED GOAL:** Administrative

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-20-09	Presentation.	Ordinance & Support Documents.
02-02-09	Approval.	Ordinance & Support Documents.

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

**Agenda Item: 3d**

**Meeting Date: 02/02/09**

**TITLE: APPOINTMENTS TO THE BOARD OF ADJUSTMENT AND THE PLANNING BOARD.**

**DESCRIPTION:** Applications were reviewed by the staff and Council liaison for the Board of Adjustment and Planning Board with recommendations forwarded to the Review Team. [Review Team consisted of Mayor McLeod, Mayor Pro Tem Ahlert, and Councilman Grannis.]

The attached memorandum reflects the Review Team recommendations.

At the January 26, 2009, Council meeting, it was the consensus of the Council to place this item on the consent agenda.

**RELATED GOAL:** Administrative

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-20-09	Presentation.	Memorandum & Board Applications.
02-02-09	Approval.	Memorandum.

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

Agenda Item: 3e

Meeting Date: 02/02/09

**TITLE: FINAL ACCEPTANCE REQUESTS FOR:**

- PUBLIC WATER, SEWER, AND ASSOCIATED STORM DRAINAGE UTILITIES FOR LIONSGATE SD, PHASES 5A & 5B
- SEWER RELOCATION FOR THE CLAYTON HIGH SCHOOL TENNIS COURT AND PARKING LOT

**DESCRIPTION:** Attached.

At the January 26, 2009, Council meeting, it was the consensus of the Council to place this item on the consent agenda.

**RELATED GOAL:** Administrative

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-20-09	Presentation.	Memorandums (2).
02-02-09	Approval.	Memorandums (2).

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

**Agenda Item: 3f**

**Meeting Date: 02/02/09**

**TITLE: WARRANTY ACCEPTANCE REQUESTS FOR:**

- PUBLIC WATER AND SEWER UTILITIES FOR LITTLE CREEK CROSSING, SHOTWELL ROAD
- FORCE MAIN FOR BUILDING BLOCKS DAYCARE
- PUBLIC WATER AND SEWER UTILITIES FOR PROCTOR'S PLACE

**DESCRIPTION: Attached.**

At the January 26, 2009, Council meeting, it was the consensus of the Council to place this item on the consent agenda.

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-20-09	Presentation.	Memorandums (3).
02-02-09	Approval.	Memorandums (3).

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

Agenda Item: 4a

Meeting Date: 02/02/09

**TITLE: PUBLIC HEARING FOR FUNDING APPLICATION THROUGH THE NORTH CAROLINA DEPARTMENT OF COMMERCE FOR NEIGHBORHOOD STABILIZATION PROGRAM GRANT PROGRAM.**

**DESCRIPTION:** Representatives of The Wooten Company will present information on grant funding available through the Division of Community Assistance. The purpose of the grant funding is to acquire properties that are in foreclosure, rehabilitate them, and match them for sale to eligible buyers.

If the Council wishes to pursue this item, a public hearing is required and would be noticed for the February 2, 2009, Council meeting as the application deadline is February 3, 2009.

At the January 26, 2009, Council work session, Council requested the following information:

- Addresses of properties located within the Town
  - This information is being compiled and will be distributed prior to the meeting.
- Detailed estimate of the administrative costs

**RELATED GOAL:** Value for Taxes and Public Fees

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-20-09	Presentation.	
02-02-09	Public hearing.	Project Budget Estimate.

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

**Agenda Item: 6a**

**Meeting Date: 02/02/09**

**TITLE: STATUS REPORT ON MEETING WITH THE ARCHER LODGE  
MUNICIPAL EXPLORATORY COMMITTEE (ALMEC).**

**DESCRIPTION: At the November 3, 2008, Council meeting, Mr. Carlton  
Vinson provided an overview of the goals and objectives for  
the proposed incorporation of Archer Lodge.**

**A proposed response is hereby provided for consideration  
and authorization by the Council.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-03-08	Presentation.	Letter.
12-15-08	Discussion.	Letter.
01-05-09	Update.	
01-26-09	Update.	
02-02-09	Update.	

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

Agenda Item: 6b

Meeting Date: 02/02/09

**TITLE: DISCUSSION OF ASSIGNMENT OF COST FROM THE MOST RECENT MUNICIPAL ELECTION.**

**DESCRIPTION: At the February 18, 2008, Council meeting, Council received a presentation by Johnston County Board of Elections regarding municipal election date.**

Attached is the invoice from the December 9, 2008, do-over election.

**RELATED GOAL: Value for Taxes and Public Fees**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
2-18-08	Presentation.	None.
2-02-09	Discussion.	Invoice.

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

Agenda Item: 7a

Meeting Date: 02/02/09

**TITLE: CONSIDERATION OF SUBMITTAL OF U&CF GRANT APPLICATION FOR 2010.**

**DESCRIPTION:** The staff is requesting authorization to submit a grant application to continue involvement in the urban forestry and Tree City USA programs. A draft resolution is included in this agenda; a final document will be available at the February 16 meeting.

**RELATED GOAL:** Value for Taxes and Public Fees

**ITEM SUMMARY:**

Date:

Action:

Info. Provided:

02-02-09

Discussion & Action.

DRAFT resolution.

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

Agenda Item: 8a

Meeting Date: 02/02/09

**TITLE: TOWN MANAGER**

**DESCRIPTION: Report regarding upgrade of the Town of Clayton Municipal Bond Rating by Standard & Poors.**

**RELATED GOAL: Value for Taxes and Public Fees**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

02-02-09

Discussion.

Letter and Spreadsheets (2).

**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

Agenda Item: 8c

Meeting Date: 02/02/09

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Council Meeting – Monday, February 2, 2009 @ 7:30 PM
- MMC Academy – Wednesday, February 11, 2009, Chapel Hill
- Council Meeting – Monday, February 16, 2009 @ 7:30 PM [**Council Photo**]
- Public Art Advisory Board Mtg – Tuesday, February 17, 2009 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, February 18, 2009 @ 6:00 PM
- Hormonal Imbalance - Sunday, February 22, 2009 @ 4 PM
- Planning Board Meeting – Monday, February 23, 2009 @ 7:30 PM
- Energy Seminar [ElectriCities] – Wednesday, February 25, 2009 @ 6:30 PM, Council Chambers
- Council Meeting – Monday, March 2, 2009 @ 7:30 PM
- Blues Bash IV: Guitar Heroes with John Dee Holeman and Johnny Winter - Saturday, March 14, 2009 @ 8 PM
- Council Meeting – Monday, March 16, 2009 @ 7:30 PM
- Public Art Advisory Board Mtg – Tuesday, March 17, 2009 @ 6:30 PM
- Board of Adjustment Meeting – Wednesday, March 18, 2009 @ 6:00 PM
- Planning Board Meeting – Monday, March 23, 2009 @ 7:30 PM
- Jesse Cook Band - Friday, March 27, 2009 @ 8 PM
- Council Meeting – Monday, April 6, 2009 @ 7:30 PM
- Good Friday Holiday – Friday, April 10, 2009
- Board of Adjustment Meeting – Wednesday, April 15, 2009 @ 6:00 PM
- Staff Retreat with Lyle Sumek – Thursday, April 16, 2009
- Council Retreat with Lyle Sumek – Friday, April 17, 2009 & Saturday, April 18, 2009
- Fireman’s Annual Awards Banquet – Saturday, April 18, 2009 @ 6:00 PM
- Council Meeting – Monday, April 20, 2009 @ 7:30 PM
- Public Art Advisory Board Mtg – Tuesday, April 21, 2009 @ 6:30 PM
- Kathy Mattea - Saturday, April 25, 2009 @ 8 PM
- Planning Board Meeting – Monday, April 27, 2009 @ 7:30 PM

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:  
02-02-09

Action:  
Information.

Info. Provided:  
Calendar of Events.