

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

TOWN COUNCIL MEETING

JUNE 01, 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, JUNE 01, 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. Draft minutes from the May 18, 2009, work session meeting and May 19, 2009, NCDOT Local Elected Officials meeting.
 - b. Budget ordinance amendments for the following:
 - Reflect expenditure of funds related to multiple fiscal year construction of East Clayton Industrial Area (ECIA) Phase II project
 - Receipt of grant funding from the Bill and Melissa Gates Foundation and the corresponding purchase of computer equipment for the library
 - Reflect the expenditure of funds related to the multiple fiscal year implementation of the new comprehensive municipal software system
 - Reflect the addition of debt service for the Sam’s Branch Sewer Outfall Project
 - Amendment to move budget allocations between divisions within the Planning Department
 - c. Mutual Aid Agreements with the following fire departments:
 - City of Raleigh Fire Department
 - Eastern Wake Fire And Rescue
 - Garner Volunteer Fire-Rescue, Inc.
 - d. Appointments to Recreation Advisory Committee:

Candidate	Term
Jatinder “Jaki” Jaijee	12/31/2010
Anthony Stanback	12/31/2011
Jenny Gorman	12/31/2011

- e. Resolution: “2009 Resolution on the Spending of Federal Economic Renewal Grants to the Town of Clayton.”

- f. Proclamation: “Horne Memorial Methodist Church 150th Anniversary.”
 - g. Warranty acceptance for Clayton Dialysis Center.
4. INTRODUCTION AND SPECIAL PRESENTATIONS
- a. Presentation on Census 2010.
5. PUBLIC HEARINGS
- a. Public hearing to receive public comment on the Fiscal Year 2009-2010 Town of Clayton budget.
 - b. Public hearing to consider text amendment to Town Code of Ordinances, Unified Development Code, Section 155.202.
 - c. Evidentiary hearing to consider special use permit SUP 09-02, submitted by KAD Inc., for the construction of a 200 square foot office and storage space addition to the existing building located at 1499 Old US 70 West.
6. OLD BUSINESS
- a. Johnston County Board of Elections Agreement.
 - b. Appointment to the Clayton Library Board.
 - c. Contract for Town audit services for FY 2008-2009.
7. NEW BUSINESS
- a. Budget ordinance amendment to the fiscal year 2008-2009 budget for the following:
 - Transfer budgeted funds to correct functional expenditure account for the purchase of electric meters;
 - Transfer of funds from the Water/Sewer Capital Reserve Fund to the Water/Sewer Fund.
8. STAFF REPORTS
- a. Town Manager
 - b. Town Attorney
 - c. Town Clerk
 - Calendar of Events
 - Saturday, July 4th
 - 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: 06/01/09

TITLE: DRAFT MINUTES FROM THE MAY 18, 2009, WORK SESSION MEETING AND MAY 19, 2009, NCDOT LOCAL ELECTED OFFICIALS MEETING.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
06-01-09	Approval.	Draft minutes from the 5/18/2009 work session Meeting and Draft minutes From the 5/19/2009 NCDOT Local Officials Meeting.

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

Agenda Item: 3b

Meeting Date: 06/01/09

- TITLE: BUDGET ORDINANCE AMENDMENTS FOR THE FOLLOWING:**
- REFLECT EXPENDITURE OF FUNDS RELATED TO MULTIPLE FISCAL YEAR CONSTRUCTION OF EAST CLAYTON INDUSTRIAL AREA (ECIA) PHASE II PROJECT
 - RECEIPT OF GRANT FUNDING FROM THE BILL AND MELISSA GATES FOUNDATION AND THE CORRESPONDING PURCHASE OF COMPUTER EQUIPMENT FOR THE LIBRARY
 - REFLECT THE EXPENDITURE OF FUNDS RELATED TO THE MULTIPLE FISCAL YEAR IMPLEMENTATION OF THE NEW COMPREHENSIVE MUNICIPAL SOFTWARE SYSTEM
 - REFLECT THE ADDITION OF DEBT SERVICE FOR THE SAM'S BRANCH SEWER OUTFALL PROJECT
 - AMENDMENT TO MOVE BUDGET ALLOCATIONS BETWEEN DIVISIONS WITHIN THE PLANNING DEPARTMENT

DESCRIPTION: Attached.

At the May 18, 2009, Council meeting, it was the consensus of the Council to place these items on the consent agenda.

RELATED GOAL: Value for Taxes and Public Fees

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-18-2009	Presentation.	Ordinance Amendments (5).
06-01-09	Approval.	Ordinance Amendments (5).

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

Agenda Item: 3c

Meeting Date: 06/01/09

TITLE: MUTUAL AID AGREEMENTS WITH THE FOLLOWING FIRE DEPARTMENTS:

- CITY OF RALEIGH FIRE DEPARTMENT
- EASTERN WAKE FIRE AND RESCUE
- GARNER VOLUNTEER FIRE-RESCUE, INC

DESCRIPTION: Attached.

At the May 18, 2009, Council meeting, it was the consensus of the Council to place these items on the consent agenda.

RELATED GOAL: Safest, Healthiest Town in the Triangle Area

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-18-2009	Presentation.	Agreements (3).
06-01-09	Approval.	Agreements (3).

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

Agenda Item: 3d

Meeting Date: 06/01/09

TITLE: APPOINTMENTS TO RECREATION ADVISORY BOARD.

DESCRIPTION: The Clayton Library Board has one vacancy and the Recreation Advisory Committee has four vacancies. The staff liaison and council liaison to each committee have interviewed the applicants. The Review Committee (Mayor McLeod, Mayor Pro Tem Ahlert, and Councilman Grannis) reviewed the applications and attached are the recommendations for each town board.

At the May 18, 2009, Council meeting, it was the consensus of the Council to place this item on the consent agenda:

Candidate	Term
Jatinder "Jaki" Jaijee	12/31/2010
Anthony Stanback	12/31/2011
Jenny Gorman	12/31/2011

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-18-2009	Presentation.	Memorandum & applications.
06-01-2009	Approval.	Memorandum.

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

Agenda Item: 3e

Meeting Date: 06/01/09

TITLE: RESOLUTION: "2009 RESOLUTION ON THE SPENDING OF FEDERAL ECONOMIC RENEWAL GRANTS TO THE TOWN OF CLAYTON."

DESCRIPTION: A representative of Nucor Steel requested the Clayton Town Council consider the attached resolution.

At the May 18, 2009, Council meeting, Council requested a listing of municipalities or counties that have adopted the attached resolution:

Town of Madison Town Council: April 9

Town of Wentworth Town Council: April 7

City of Oxford Board of Commissioners: April 14

Granville County Board of Commissioners: April 20

City of Eden: April 21

Town of Holly Springs: April 21

City of Creedmoor: April 28

Alamance County Board of Commissioners: May 4

Town of Sharpsburg Town Council: May 5

At the May 18, 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>
05-18-2009	Presentation.	Resolution.
06-01-2009	Approval.	Resolution.

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

Agenda Item: 3f

Meeting Date: 06/01/09

**TITLE: PROCLAMATION: "HORNE MEMORIAL METHODIST CHURCH
150TH ANNIVERSARY."**

DESCRIPTION: Attached.

At the May 18, 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>
05-18-2009	Presentation.	Proclamation.
06-01-2009	Approval.	

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

Agenda Item: 3g

Meeting Date: 06/01/09

TITLE: WARRANTY ACCEPTANCE FOR CLAYTON DIALYSIS CENTER.

DESCRIPTION: Attached.

At the May 18, 2009, Council meeting, it was the consensus of the Council to place this item on the consent agenda.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

05-18-2009

Presentation.

Memorandum.

06-01-2009

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

Agenda Item: 4a

Meeting Date: 06/01/09

TITLE: PRESENTATION ON CENSUS 2010.

DESCRIPTION: A partnership specialist with the US Census Bureau will provide an overview of the upcoming 2010 Census.

What is the Census?

- The census is a count of everyone living in the United States every 10 years.
- The census is mandated by the U.S. Constitution.
- The next census is in 2010.
- Your participation in the census is required by law.
- It takes less than 10 minutes to complete.
- Federal law protects the personal information you share during the census.
- Census data are used to distribute Congressional seats to states, to make decisions about what community services to provide, and to distribute \$300 billion in federal funds to local, state and tribal governments each year

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

06-01-09

Presentation.

Video and PowerPoint
Presentation.

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

Agenda Item: 5a

Meeting Date: 06/01/09

**TITLE: PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE
FISCAL YEAR 2009-2010 TOWN OF CLAYTON BUDGET.**

**DESCRIPTION: Public hearing to receive public comment on the Fiscal Year
2009-2010 Town of Clayton Budget.**

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-18-09	Public Notice.	N/A.
06-01-09	Public Hearing.	

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

Agenda Item: 5b

Meeting Date: 06/01/09

TITLE: PUBLIC HEARING ON ORDINANCE AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE CONCERNING PRIVATE CLUBS IN THE B-1 ZONING DISTRICT.

DESCRIPTION: Amendment to the B-1, Central Business District.

RELATED GOAL: Business Community: Diverse and Profitable

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-18-09	Presentation & Public Notice.	Memorandum & Ordinance Amendment.
06-01-09	Public Hearing.	Memorandum & Ordinance Amendment.

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

Agenda Item: 5c

Meeting Date: 06/01/09

**TITLE: EVIDENTIARY HEARING ON SPECIAL USE PERMIT, SUP 09-02,
FOR CONSTRUCTION OF ADDITION TO BUILDING LOCATED AT
1499 OLD US 70 WEST.**

**DESCRIPTION: Special use permit SUP 09-02 is a request for approval of a
proposed 200 square feet office/storage addition to an
existing building of .819 acre zoned B-3 SUD Zoning District.
The property is located at the corner of Shotwell Road and
Old US 70 West and is inside the town limits.**

**At the May 18, 2009, Council meeting, Council requested the
applicant and owner attend the evidentiary hearing.**

RELATED GOAL: Business Community: Diverse and Profitable

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-18-2009	Presentation & Public Notice.	Application, Staff report, Map & Elevation renderings.
06-01-09	Evidentiary Hearing.	Application, Staff report, Map, Elevation renderings, SUP Procedures, & Motion Form.

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

Agenda Item: 6a

Meeting Date: 06/01/09

TITLE: JOHNSTON COUNTY BOARD OF ELECTIONS AGREEMENT.

DESCRIPTION: Attached are the proposed and current contracts with the Johnston County Board of Elections. In reviewing the contracts, the proposed contract incorporates a new paragraph inserted as item 3 and the remaining items are the same as the current contract.

The Clayton Town Board of Commissioners and Johnston County Board of Elections, hereafter Jo Co BOE, entered into an agreement for the Jo Co BOE to conduct Town elections on June 4, 1973.

At the May 18, 2009, Council meeting, Council requested agreements from other jurisdictions.

RELATED GOAL: Value for Taxes and Public Fees

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-18-2009	Presentation.	Letter from the Jo Co BOE, Proposed Contract, & Current Contract (2007).
06-01-09	Discussion.	Letter from the Jo Co BOE, Proposed Contract & Current Contract (2007). Contract betw Wake County & City of Raleigh (Raleigh City Council approved on 4/21/09).

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

Agenda Item: 6b

Meeting Date: 06/01/09

TITLE: APPOINTMENTS TO CITIZEN ADVISORY TOWN BOARDS.

DESCRIPTION: The Clayton Library Board has one vacancy and the Recreation Advisory Committee has four vacancies. The staff liaison and council liaison to each committee have interviewed the applicants. The Review Committee (Mayor McLeod, Mayor Pro Tem Ahlert, and Councilman Grannis) reviewed the applications and attached are the recommendations for each town board.

At the May 18, 2009, Council meeting, Council requested the Clayton Library Board appointment be placed as old business, pending the May 21, 2009, Clayton Library Board meeting.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-18-2009	Presentation.	Memorandum & applications.
06-01-2009	Discussion.	Memorandum & applications.

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

Agenda Item: 6c

Meeting Date: 05/18/09

TITLE: CONTRACT FOR TOWN AUDIT SERVICES FOR FY 2008-2009.

DESCRIPTION: Attached is the contract to audit accounts for the fiscal year 2008-2009 by Kenneth R. Anderson CPA CMA – PLLC. The proposed amounts for the upcoming contract are year-end booking assisting \$90 to \$125 per hour; audit - \$19,500 to \$21,000, not to exceed \$21,000; and preparation of financial statements - \$5,500 to \$6,500, not to exceed \$6,500.

Mr. Anderson performed the Town’s audit for FY 2007-2008 with year-end booking assistance cost \$90 to \$125 per hour; audit - \$21,500 to \$22,500, not to exceed \$22,500; and preparation of financial statements - \$8,000 to \$8,500, not to exceed \$8,500.

Mr. Anderson performed the Town’s audit for FY 2006-2007 with the year end bookkeeping assistance cost at \$75 to \$100 per hour; audit - \$20,000 to \$21,500, not to exceed \$21,500; and preparation of financial statements - \$7,500 to \$8,500, not to exceed \$8,500.

Mr. Anderson performed the Town’s audit for FY 2005-2006 with the year end bookkeeping assistance cost at \$75 - \$100 per hour; audit - \$22,500 to \$23,500, not to exceed \$23,500; and the preparation of financial statements \$75 to \$100 per hour, not to exceed \$9,000.

RELATED GOAL: Value for Taxes and Public Fees

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
5-18-2009	Discussion.	
6-01-2009	Discussion.	Contract.

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

Agenda Item: 7a

Meeting Date: 05/18/09

TITLE: BUDGET ORDINANCE AMENDMENTS TO THE FISCAL YEAR 2008-2009 BUDGET FOR THE FOLLOWING:

- **TRANSFER BUDGETED FUNDS TO THE CORRECT FUNCTIONAL EXPENDITURE ACCOUNT FOR THE PURCHASE OF ELECTRIC METERS;**
- **TRANSFER OF FUNDS FROM THE WATER/SEWER CAPITAL RESERVE FUND TO THE WATER/SEWER FUND.**

DESCRIPTION: Attached.

RELATED GOAL: Value for Taxes and Public Fees & Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

5-18-2009

Presentation.

Ordinance Amendments (2).

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

Agenda Item: 8c

Meeting Date: 06/01/09

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Council Meeting – Monday, June 1, 2009 @ 7:30 PM
- MillStock Music & Arts Faire – Saturday, June 6, 2009
- DDA Meeting – Monday, June 8, 2009 @ 6:30 PM, Room GS 223
- Recreation Advisory Committee Meeting – Monday, June 8, 2009 @ 7:30 PM
- Council Meeting – Monday, June 15, 2009 @ 7:30 PM
- Public Art Advisory Board Meeting – Tuesday, June 16, 2009 @ 6:30 PM, Green Room
- Board of Adjustment Meeting – Wednesday, June 17, 2009 @ 6:00 PM
- Town Square Concert – Thursday, June 18, 2009 @ 7 PM (Abbey Road Live!)
- Planning Board Meeting – Monday, June 22, 2009 @ 7:00 PM
- Independence Day Holiday – Friday, July 3, 2009
- July 4th Town Celebration – Saturday, July 4, 2009 @ Municipal Park; activities begin @ 4 PM; fireworks begin @ 9:15 PM
- DDA Meeting – Monday, July 13, 2009 @ 6:30 PM, Room GS 223
- Board of Adjustment Meeting- Wednesday, July 15, 2009 @ 6:00 PM
- Town Square Concert – Thursday, July 16, 2009 @ 7 PM (Legends of Beach)
- Council Meeting – Monday, July 20, 2009 @ 7:30 PM
- Public Art Advisory Board Meeting – Tuesday, July 21, 2009 @ 6:30 PM, Green Room
- Planning Board Meeting – Monday, July 27, 2009 @ 7:00 PM
- Council Meeting – Monday, August 3, 2009 @ 7:30 PM
- DDA Meeting – Monday, August 10, 2009 @ 6:30 PM, Room GS 223
- Council Meeting – Monday, August 17, 2009 @ 7:30 PM
- Public Art Advisory Board Meeting – Tuesday, August 18, 2009 @ 6:30 PM, Green Room
- Board of Adjustment Meeting- Wednesday, August 19, 2009 @ 6:00 PM
- Town Square Concert – Thursday, August 20, 2009 @ 7 PM (Zydecopious)
- Planning Board Meeting – Monday, August 24, 2009 @ 7:00 PM
- Labor Day Holiday – Monday, September 7, 2009
- Council Meeting – **TUESDAY**, September 8, 2009 @ 7:30 PM
- Town Square Concert – Thursday, September 17, 2009 @ 7 PM (Band of Oz)
- Council Meeting – Monday, September 21, 2009 @ 7:30 PM
- NCLM Annual Conference – October 25 – 27, 2009, Greeneville, NC

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:
06-01-09

Action:
Information.

Info. Provided:
Calendar of Events.