

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

OCTOBER 19, 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 WORK SESSION MEETING OF THE CLAYTON TOWN COUNCIL

MONDAY, OCTOBER 19, 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. **ACTION AGENDA**
 - a. Draft minutes from the October 5, 2009, regular meeting.
 - b. Certificate of sufficiency and resolution fixing the date of public hearing for annexation petition 2009-09-01, located at 1123 NC HWY 42 East.
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
 - a. Introduction of new Town of Clayton employee(s).
 - b. Recognize Clayton Police Officers for receiving Advanced Law Enforcement Certification Awards.
 - c. Presentation on the Clayton Youth Theater
5. **ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**
 - a. Presentation of site plan request SP 09-15 located north of Powhatan Road and adjacent to Turkington Plant.
 - b. Presentation of planned development district request PDD 09-05 for property located on North O’Neil Street between Sam’s Branch Creek and the Neuse River.
 - c. Presentation of special use permit request SUP 09-03 for property located on Town Centre Boulevard, Outparcel #2, at Clayton Town Center.
 - d. Presentation of ordinance amendment for Chapter 90, Abandoned or Junk Vehicles.
 - e. Presentation of final acceptance for 115 Lee Court for public water and sewer utilities.
6. **ITEMS CONTINGENT FOR THE REGULAR MEETING**
 - a. Presentation of appointments to Town of Clayton citizen advisory boards and committees.
7. **ITEMS FOR DISCUSSION**

8. **OLD BUSINESS**
 - a. Surplus of real property located at 317 East Second Street, the Blinson House (**requires Council action**).
 - b. Town of Clayton Employee Wellness Initiative (**requires Council action**).

9. **STAFF REPORTS**
 - a. Town Manager
 - b. Town Attorney
 - c. Town Clerk
 - Calendar of Events
 - d. Other Staff

10. **OTHER BUSINESS**
 - a. Informal Discussion & Public Comment.
 - b. Council Comments.
 - c. Planning Board Highlights of the September 2009 meeting.

11. **ADJOURNMENT**

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

Agenda Item: 3a

Meeting Date: 10/19/09

TITLE: DRAFT MINUTES FROM OCTOBER 5, 2009, REGULAR MEETING.

DESCRIPTION: Minutes.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

10-19-09

Approval.

**DRAFT minutes from
10/05/2009 meeting.**

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

Agenda Item: 3b

Meeting Date: 10/19/09

TITLE: CERTIFICATE OF SUFFICIENCY AND RESOLUTION SETTING THE DATE OF PUBLIC HEARING FOR ANNEXATION PETITION 2009-09-01, LOCATED AT 1123 NC HWY 42 EAST.

DESCRIPTION: Annexation petition 2009-09-01 is a citizen initiated non-contiguous annexation request for 255.92 acres located at NC HWY 42 East and Glen Laurel Road (Caterpillar Product Development Center).

At the September 21, 2009, Clayton Town Council meeting, it was the consensus of the Council to place this item on the consent agenda.

This item is slated for public hearing at the November 2, 2009, Clayton Town Council meeting.

RELATED GOAL: Administrative

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
09-21-09	Presentation.	Resolution & map.
10-05-09	Approval.	Resolution & map.
10-19-09	Public Notice.	Certificate of Sufficiency, Resolution, & Map.

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

Agenda Item: 4a

Meeting Date: 10/19/09

TITLE: INTRODUCTION OF NEW TOWN OF CLAYTON EMPLOYEE (S).

DESCRIPTION: Introduction(s).

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

10-19-09

Introduction(s).

N/A.

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

Agenda Item: 4b

Meeting Date: 10/19/09

**TITLE: RECOGNIZE CLAYTON POLICE OFFICERS FOR RECEIVING
ADVANCED LAW ENFORCEMENT CERTIFICATION AWARDS.**

**DESCRIPTION: Recognition of Clayton Law Enforcement officers for receipt
of Advanced Certification.**

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-19-09	Recognition.	N/A.

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

Agenda Item: 4c

Meeting Date: 10/19/09

TITLE: PRESENTATION ON THE CLAYTON YOUTH THEATER.

DESCRIPTION: Ms. Nikki Dye will provide an overview on the Clayton Youth Theater.

RELATED GOAL: Expand Leisure Opportunities and Arts Community

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-19-09	Presentation.	N/A.

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

Agenda Item: 5a

Meeting Date: 10/19/09

TITLE: PRESENTATION OF SITE PLAN REQUEST SP 09-15 LOCATED NORTH OF POWHATAN ROAD AND ADJACENT TO TURKINGTON PLANT.

DESCRIPTION: Site plan request SP 09-15 is for an industrial complex on 5.49 acres located north of Powhatan Road in the Town's ETJ. The proposed facility consists of office and industrial buildings. The property is zoned I-2 WP, Industrial – Heavy Watershed Protection Overlay.

At its September 28, 2009, meeting, the Planning Board voted unanimously to recommend approval of SP 09-15 including a 10/70 special intensity allocation in the watershed protection area.

This item is slated for public hearing at the November 2, 2009, Clayton Town Council meeting.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-19-09	Public Notice.	Application, Staff Report, Code Sect 155.501, Map, Floor Plan & Elevation. Summary of 10/70 allocation Provided at the work session.

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

Agenda Item: 5b

Meeting Date: 10/19/09

TITLE: PRESENTATION OF PLANNED DEVELOPMENT DISTRICT REQUEST PDD 09-05 FOR PROPERTY LOCATED ON NORTH O'NEIL STREET BETWEEN SAM'S BRANCH CREEK AND THE NEUSE RIVER.

DESCRIPTION: Planned development district request PDD 09-05 was submitted by the Johnston Land Group, Ashcroft for master plan of a 75.60 acre tract for residential development comprised of 104 lots for single family residences and 46 townhomes. The site is located on the east side of North O'Neil Street adjacent to Sam's Branch within the Town limits.

At its September 28, 2009, meeting, the Planning Board voted unanimously to recommend of PDD 09-05 to the Town Council.

This item is slated for public hearing at the November 2, 2009, Clayton Town Council meeting.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

Date:

Action:

Info. Provided:

10-19-09

Public Notice.

Application, Staff Report, Map, & Master plan. Summary comparison to be Provided at the work session.

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

Agenda Item: 5c

Meeting Date: 10/19/09

TITLE: PRESENTATION OF SPECIAL USE PERMIT REQUEST SUP 09-03 FOR PROPERTY LOCATED ON TOWN CENTRE BOULEVARD, OUTPARCEL #2, AT CLAYTON TOWN CENTER.

DESCRIPTION: Special use permit SUP 09-03 submitted by Artie Pressley, DA Thomas Construction Company. The request is for a proposed 200 square foot Icehouse on 1.84 acres zoned B-3 SUD Zoning District. The property is located in the Town limits.

At its September 28, 2009, the Planning Board voted unanimously to recommend denial of SUP 09-03 to the Town Council.

This item is slated for public hearing at the November 2, 2009, Clayton Town Council meeting.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

Date:

Action:

Info. Provided:

10-19-09

Public Notice.

Application, Staff Report,
Map, Site Plan & Utility Plan.

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

Agenda Item: 5d

Meeting Date: 10/19/09

**TITLE: PRESENTATION OF ORDINANCE AMENDMENT FOR CHAPTER 90,
ABANDONED OR JUNK VEHICLES.**

**DESCRIPTION: During the 2009 General Assembly session, House Bill 867,
Junked & Abandoned Vehicles was adopted. This bill
changes the definition of a junked vehicle to increase its
maximum value to \$500.**

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

10-19-09

Presentation.

**DRAFT Ordinance, Code
Section 90.02 & HB 867.**

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

Agenda Item: 5e

Meeting Date: 10/19/09

**TITLE: PRESENTATION OF FINAL ACCEPTANCE FOR 115 LEE COURT
FOR PUBLIC WATER AND SEWER UTILITIES.**

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-19-09	Presentation.	Memorandum.

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

Agenda Item: 6a

Meeting Date: 10/19/09

**TITLE: PRESENTATION OF APPOINTMENTS TO TOWN OF CLAYTON
CITIZEN ADVISORY BOARDS AND COMMITTEES.**

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

10-19-09

Presentation.

Review Team Memorandum
& Applications.

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

Agenda Item: 8a

Meeting Date: 10/19/09

TITLE: SURPLUS OF REAL PROPERTY LOCATED AT 317 EAST SECOND STREET, THE BLINSON HOUSE (REQUIRES COUNCIL ACTION).

DESCRIPTION: Attached.

At the October 5, 2009, Council meeting, staff requested to present a resolution for action at the October 19, 2009, Council meeting declaring the house, not the parcel, as surplus property. The resolution would seek proposals from interested private parties for the relocation of the house with the preference that the house remain in Clayton, preferably within the Historic District.

RELATED GOAL: Administrative

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-05-09	Authorization.	Memo.
10-19-09	Approval.	Resolution.

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

Agenda Item: 8b

Meeting Date: 10/19/09

**TITLE: TOWN OF CLAYTON EMPLOYEE WELLNESS PROGRAM
(REQUIRES COUNCIL ACTION).**

DESCRIPTION: At the October 5, 2009, Council meeting, staff presented a Wellness Program for Town of Clayton employees that would create incentives for certain personal health maintenance and wellness practices. The 100% employer paid insurance would be changed to the Wellness Premium Program. Under the proposed program, beginning with FY 2010-2011, the Town's base line for payment of employee insurance premiums would become 90% of the cost. Employees would have the opportunity to participate in the Wellness Program. By garnering points for participation, an employee would receive the benefit of the additional 10% cost of premiums and the Town would be in a position to save on the cost of its group health premium.

This is before the Council for consideration and adoption for the next fiscal year budget, so that employees may begin collecting points for the incentive program to be applied for the upcoming fiscal year.

RELATED GOAL: Administrative

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-05-09	Authorization.	Memo.
10-19-09	Approval.	Memo.


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

Agenda Item: 9c

Meeting Date: 10/19/09

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Council Mtg – Monday, October 19, 2009 @ 7:30 PM
- Fire Department Advisory Board Mtg – Tuesday, October 20, 2009 @ 7:0 PM, Fire Station #1 (325 West Horne Street)
- Board of Adjustment Mtg – Wednesday, October 21, 2009 @ 6:00 PM
- NCLM Annual Conference – October 25 – 27, 2009, Greeneville, NC
- Planning Board Mtg – Monday, October 26, 2009 @ 7:00 PM
- Last day to request an absentee ballot by mail – Tuesday, October 27, 2009
- Saturday One-Stop hours 9 AM to 1 PM – October 31, 2009 is the last day to One-Stop Absentee Vote
- Council Mtg – Monday, November 2, 2009 @ 7:30 PM
-  **ELECTION DAY** – Tuesday, November 3, 2009
- Canvass at the Johnston County Board of Election Office – Tuesday, November 10, 2009 @ 11 AM
- Veteran's Day Holiday – Wednesday, November 11, 2009
- Spencers: Theatre of Illusion – Sunday, November 15, 2009 @ 4 PM
- Council Mtg – Monday, November 16, 2009 @ 7:30 PM
- Thanksgiving Holiday – Thursday, November 26, 2009 & Friday, November 27, 2009
- Clayton Downtown Christmas Village & Tree Lighting Ceremony – Thursday, December 3, 2009
- Christmas Holiday – Thursday, December 24, 2009 & Friday, December 25, 2009

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:
10-19-09

Action:
Information.

Info. Provided:
Calendar of Events.

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

Agenda Item: 10c

Meeting Date: 10/19/09

TITLE: HIGHLIGHTS OF THE AUGUST PLANNING BOARD MEETING.

DESCRIPTION: Summary highlighting the actions of the August 28, 2009, Planning and Zoning Board meeting. This is distributed as information and does not require Council action.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-19-09	None/Informational.	Highlights from 8/28/2009.