

Jody L. McLeod  
**MAYOR**

Bruce Thompson  
**TOWN ATTORNEY**

Steve Biggs  
**TOWN MANAGER**



Bob Satterfield  
Alex Harding  
R.S. "Butch" Lawter, Jr.  
Art Holder  
**COUNCIL MEMBERS**

Michael Grannis  
**MAYOR PRO TEM**

## **TOWN COUNCIL MEETING**

**APRIL 19, 2010**

### **AGENDA**

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

**MAYOR JODY L. MCLEOD  
MAYOR PRO TEM MICHAEL GRANNIS  
COUNCILMAN BOB SATTERFIELD**

**COUNCILMAN ALEX HARDING  
COUNCILMAN R.S. "BUTCH" LAWTER, JR.  
COUNCILMAN ART HOLDER**

#### **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, APRIL 19, 2010**  
**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 April 5, 2010, regular meeting and April 5, 2010, closed session meeting.

**4. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

- a. Introduction of new Town of Clayton employee(s).
- b. Special Presentation - Volunteer Appreciation Week.
- c. Special presentation and request for MillStock.
- d. Special presentation and request by Cooper Elementary School PTA.
- e. Presentation by Mr. Steve Schuster of the firm Clearscapes, PA regarding the Clayton Law Enforcement Center (CLEC) design.

**5. ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**

- a. Public hearing for the Town of Clayton's proposed Community Development Block Grant, hereafter CDBG, and obtain citizen input. This is the second of two required public hearings.
- b. Presentation of ordinance amendment requesting revision to section 155.304(M)(3) of the Unified Development Code.
- c. Presentation of special use permit SUP 10-01 requesting consideration of a structure that exceeds the maximum height limits.
- d. Presentation of amendments to the fiscal year 2009-2010 budget:
  - Expenditure of funds for bond issuance costs related to the GO Bond Sale
  - Purchase of audio video equipment for police vehicles
  - Adjustment for the implementation of the New World Systems software
  - Purchase of new generator and extended warranty
  - Purchase of law enforcement equipment
- e. Presentation of contract for Town audit services for 2009-2010.
- f. Presentation of 27<sup>th</sup> Annual Clayton Road Race street closure request for Saturday, May 8, 2010.

- g. Presentation of proclamation for “Older Americans Month.”
  - h. Presentation of proclamation for “41<sup>st</sup> Annual Municipal Clerks Week.”
  - i. Presentation of final acceptance for the following projects:
    - Boling Townes Subdivision for public water and sewer utilities
    - Moss Creek Village, Phase 3&4, for public water, sewer and associated storm drainage utilities
    - Cobblestone SD, Phase 5B, for public water, sewer and associated storm drainage utilities
6. ITEMS CONTINGENT FOR THE REGULAR MEETING
7. ITEMS FOR DISCUSSION
- a. Discussion of proposed Parks and Recreation fee structure and system.
  - b. Report and discussion of the 2010 Independence Day Celebration in relation to budget development.
  - c. Discussion of USDA-RD loan documents and conditions of the Clayton Law Enforcement Center project.
8. OLD BUSINESS
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 March 2010 meeting.
11. ADJOURNMENT

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

Agenda Item: 3a

Meeting Date: 4/19/10

**TITLE: DRAFT MINUTES FROM THE APRIL 5, 2010, REGULAR MEETING  
AND APRIL 5, 2010, CLOSED SESSION MEETING.**

**DESCRIPTION: Minutes.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

04-19-10

Approval.

DRAFT minutes from  
4/5/2010 regular meeting.

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

Agenda Item: 4a

Meeting Date: 04/19/10

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

DESCRIPTION: Introduction(s).

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

04-19-10

Introduction(s).

N/A.

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

Agenda Item: 4b

Meeting Date: 04/19/10

**TITLE: SPECIAL PRESENTATION – VOLUNTEER APPRECIATION WEEK.**

**DESCRIPTION: The week of April 18-24, 2010 is Volunteer Appreciation Week.**

The Clayton Town Council would like to recognize those citizens serving the Town who so generously give of their time and talent in helping to shape Clayton into “The Premier Community for Active Families.”

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

04-19-10

Presentation.

Proclamation.

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

Agenda Item: 4c

Meeting Date: 04/19/10

**TITLE: SPECIAL PRESENTATION AND REQUEST FOR MILLSTOCK.**

**DESCRIPTION:** Clayton Visual Arts, Clayton Downtown Development Association and the Coffee Mill/Flipside are sponsoring the 10<sup>th</sup> Annual MillStock Music & Arts Faire from 10 AM to 5 PM on Saturday, June 5, 2010.

The request is permission to temporarily close the portion of Main Street between Smith and O'Neil from 5 AM to 6 PM and to temporarily close a portion of South Lombard Street between Main Street and Second Street from 5 AM to 8 PM.

**RELATED GOAL:** Create an Alive Downtown and Expand Leisure Opportunities and Arts Community

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Presentation.	Memorandum.

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

**Agenda Item: 4d**

**Meeting Date: 04/19/10**

**TITLE: SPECIAL PRESENTATION AND REQUEST BY COOPER  
ELEMENTARY SCHOOL PTA.**

**DESCRIPTION: Representatives of the Cooper Elementary School PTA are  
requesting support in the construction of a new playground  
at Cooper Elementary School.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Presentation.	PowerPoint.

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

Agenda Item: 4e

Meeting Date: 04/19/10

**TITLE: PRESENTATION BY MR. STEVE SCHUSTER OF THE FIRM CLEARSCAPES, PA REGARDING THE CLAYTON LAW ENFORCEMENT CENTER (CLEC).**

**DESCRIPTION: A presentation on the design of the Clayton Law Enforcement Center.**

**RELATED GOAL: Beautify the Town of Clayton**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

04-19-10

Presentation.

Site and elevation  
Drawings.

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

Agenda Item: 5a

Meeting Date: 04/19/10

**TITLE: PUBLIC HEARING FOR THE TOWN OF CLAYTON'S PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT, HEREAFTER CDBG, AND OBTAIN CITIZEN INPUT. THIS IS THE SECOND OF TWO REQUIRED PUBLIC HEARINGS.**

**DESCRIPTION: The Town is requesting a public hearing for a proposed Small Cities CDBG – Economic Development Application to be submitted to the Commerce Finance Center, North Carolina Department of Commerce for funding consideration. The application will seek a \$700,000 CDBG-Economic Development grant to be used with \$233,333 local funds to construct water, sewer, and road improvements to serve Automatic Rolls of North Carolina facility.**

**Automatic Rolls of North Carolina will build a 65,000 square foot bakery on its site located on Pony Farm Road off of US 70 HWY Business, Clayton. Automatic Rolls of North Carolina plans to spend an estimated \$25 million toward this project that will create 70 new employment opportunities for area residents within 24 months of the CDBG – Economic Development grant award of which 60% of the new jobs will be filled by individuals from households having low to moderate incomes.**

**RELATED GOAL: Grow the Local Economy**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-05-10	Public Hearing. 1 of 2.	Resolutions.
04-19-10	Public Hearing. 2 of 2.	Resolutions.

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

**Agenda Item: 5b**

**Meeting Date: 04/19/10**

**TITLE: PRESENTATION OF ORDINANCE AMENDMENT OA 10-01  
REQUESTING REVISION TO SECTION 155.304(M)(3) OF THE  
UNIFIED DEVELOPMENT CODE.**

**DESCRIPTION: The ordinance amendment was received by a citizen  
requesting a revision to vehicle service in the Unified  
Development Code Section 155.304(M)(6).**

**At its March 22, 2010, meeting, the Planning Board  
unanimously recommended denial of OA 10-01 as  
presented.**

**This item is slated for public hearing at the Council's May 3,  
2010, Council meeting.**

**RELATED GOAL: Manage Growth Producing Quality Developments**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Presentation & Public Notice.	Staff Report & Ordinance Amendment.

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

Agenda Item: 5c

Meeting Date: 04/19/10

**TITLE: PRESENTATION OF SPECIAL USE PERMIT SUP 10-01  
REQUESTING CONSIDERATION OF A STRUCTURE THAT  
EXCEEDS THE MAXIMUM HEIGHT LIMITS..**

**DESCRIPTION: Special use permit SUP 10-01, submitted by Talecris  
Biotherapeutics, is a request to allow the proposed building  
height to exceed the maximum permitted in the I-1 Industrial  
Light zoning district per the Unified Development Code  
Section 155.201(F)(4).**

At its March 22, 2010, Planning Board meeting, the Planning  
Board voted unanimously to recommend approval of SUP  
10-01.

**This item is slated for evidentiary hearing at the Council's  
May 3, 2010, Council meeting.**

**RELATED GOAL: Manage Growth Producing Quality Developments**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Presentation & Public notice.	Application, Staff Report, Map, and elevation drawings.

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

Agenda Item: 5d

Meeting Date: 04/19/10

- TITLE: PRESENTATION OF AMENDMENTS TO THE FISCAL YEAR 2009-2010 BUDGET:**
- EXPENDITURE OF FUNDS FOR BOND ISSUANCE COSTS RELATED TO THE GO BOND SALE
  - PURCHASE OF AUDIO VIDEO EQUIPMENT FOR POLICE VEHICLES
  - ADJUSTMENT FOR THE IMPLEMENTATION OF NEW WORLD SYSTEMS SOFTWARE
  - PURCHASE OF NW GENERATOR AND EXTENDED WARRANTY
  - PURCHASE OF LAW ENFORCEMENT EQUIPMENT

**DESCRIPTION:** Attached.

**RELATED GOAL:** Financially Responsible Town Government Providing Quality Service

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Presentation.	Budget Amendment.

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

Agenda Item: 5e

Meeting Date: 04/19/10

**TITLE: PRESENTATION OF CONTRACT FOR TOWN AUDIT SERVICES FOR 2009-2010.**

**DESCRIPTION:** Attached is the contract to audit accounts for the fiscal year 2009-2010 by Anderson Smith & Wike PLLC. The proposed amounts for the upcoming contract are year-end booking assistance \$90 to \$125 per hour; audit - \$20,000 to \$21,000, not to exceed \$21,000; and preparation of financial statements \$6,500 to \$7,500, not to exceed \$7,500.

Mr. Anderson performed the Town's audit for FY 2008-2009 with year-end booking assistance \$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.

**RELATED GOAL:** Financially Responsible Town Government Providing Quality Service

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Presentation.	Contract.

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

**Agenda Item: 5f**

**Meeting Date: 04/19/10**

**TITLE: PRESENTATION OF 27<sup>TH</sup> ANNUAL CLAYTON ROAD RACE STREET CLOSURE REQUEST FOR SATURDAY, MAY 8, 2010.**

**DESCRIPTION:** The road closures are shown on the map as page two of the road race form. The road closures would begin at 8:30 AM and would be reopened at approximately 10:15 AM, or when the last runner comes in. Horne Street will remain closed until 11:30 AM. Fayetteville Street will remain closed until 11 AM for the Tot Trot.

**RELATED GOAL:** Expand Leisure Opportunities and Arts Community

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Presentation.	Registration form.

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

Agenda Item: 5g

Meeting Date: 04/19/10

**TITLE: PRESENTATION OF PROCLAMATION FOR “OLDER AMERICANS MONTH.”**

**DESCRIPTION: The month of May is recognized as “Older Americans Month.”**

In recognition of “Older Americans Month”, the Town of Clayton will host activities at the Clayton Town Hall on Friday, May 14, 2010, from 11 AM until 1 PM.

**RELATED GOAL: Expand Leisure Opportunities and Arts Community**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Presentation.	Proclamation.

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

Agenda Item: 5h

Meeting Date: 04/19/10

**TITLE: PRESENTATION OF PROCLAMATION FOR “41<sup>ST</sup> ANNUAL MUNICIPAL CLERKS WEEK.”**

**DESCRIPTION: The week of May 2-8, 2010, is recognized as “Municipal Clerks Week.”**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Presentation.	Proclamation.

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

Agenda Item: 5i

Meeting Date: 04/19/10

**TITLE: PRESENTATION OF FINAL ACCEPTANCE FOR THE FOLLOWING PROJECTS:**

- **BOLING TOWNES SUBDIVISION FOR PUBLIC WATER AND SEWER UTILITIES**
- **MOSS CREEK VILLAGE, PHASE 3&4, FOR PUBLIC WATER, SEWER, AND ASSOCIATED STORM DRAINAGE UTILITIES**
- **COBBLESTONE SD, PHASE 5B, FOR PUBLIC WATER, SEWER, AND ASSOCIATED STORM DRAINAGE UTILITIES**

**DESCRIPTION:** Attached.

**RELATED GOAL:** Administrative

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Presentation.	Memorandums (3).

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

Agenda Item: 7a

Meeting Date: 04/19/10

**TITLE: DISCUSSION OF PROPOSED PARKS AND RECREATION FEE STRUCTURE AND SYSTEM.**

**DESCRIPTION:** The Recreation Staff and Management have worked to develop and propose a new fee structure associated with opening of the Clayton Community Center. The fee structure would involve the option of daily pay for attendance or at the preference of the participant a monthly membership in the Center or annual membership with Clayton Parks and Recreation. Annual membership in Clayton Parks and Recreation would allow access to the Center and would provide the holder with the benefit of paying the normal in-town rate for Clayton Parks and Recreation classes, athletics, programs, and rentals. The proposed policy is attached herewith. A second attachment includes a list of fees for Clayton Parks and Recreation. The Staff and Management would further request consideration of the Council to increase youth athletic program fees from \$20 to \$25 for residents and increase the out-of-town fee from \$40 + \$15 (facility fee)= \$55 to a flat rate of \$60.

**RELATED GOAL:** Expand Leisure Opportunities and Arts Community

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Discussion.	Memo & Spreadsheet.

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

Agenda Item: 7b

Meeting Date: 04/19/10

**TITLE: REPORT AND DISCUSSION OF THE 2010 INDEPENDENCE DAY  
CELEBRATION IN RELATION TO BUDGET DEVELOPMENT.**

**DESCRIPTION:**

**RELATED GOAL: Expand Leisure Opportunities and Arts Community**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

04-19-10

Discussion.

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

Agenda Item: 7c

Meeting Date: 04/19/10

**TITLE: DISCUSSION OF USDA-RD LOAN DOCUMENTS AND CONDITIONS  
FOR THE CLAYTON LAW ENFORCEMENT CENTER PROJECT.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-19-10	Discussion.	Letter.

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

**Agenda Item:** 9c

**Meeting Date:** 04/19/10

**TITLE:** TOWN CLERK

**DESCRIPTION:** Calendar of Events:

- Council Mtg – Monday, April 19, 2010 @ 7:30 PM
- Ethics Training for Elected Officials – Tuesday, April 20, 2010, 1:15 PM to 3:30 PM at Smithfield Recreation and Aquatics Center, 600 Booker Dairy Road
- Board of Adjustment Mtg – Wednesday, April 21, 2010 @ 6 PM
- Planning Board Mtg – Monday, April 26, 2010 @ 7 PM
- Clayton Fire Advisory Board Mtg – Tuesday, April 27, 2010 @ 7 PM, Main Fire Station at 325 West Horne Street
- Council Mtg – Monday, May 3, 2010 @ 7:30 PM
- General Assembly convenes – Wednesday, May 12, 2010
- Town Square Concert: Nantucket with special guest Brimstone – Thursday, May 13, 2010 @ 7 PM
- Council Mtg – Monday, May 17, 2010 @ 7:30 PM
- Triangle J's 50th Anniversary Forum – Thursday, May 20, 2010, @ 8 AM – 2 PM, Sheraton Imperial (RTP)
- Board of Adjustment Mtg – Wednesday, May 19, 2010 @ 6 PM
- Clayton Library Board Mtg – Thursday, May 20, 2010, @ 2:30 PM, Hocutt Ellington Library, 100 South Church Street
- Triangle J's 50th Anniversary Reception – Saturday, May 22, 2010 (evening) – location to be determined
- Council Budget Work Session – Monday, May 24, 2010 @ 6 PM, Main Fire Station, 325 West Horne Street
- Planning Board Mtg – Monday, May 24, 2010 @ 7 PM
- Council Budget Work Session – Tuesday, May 25, 2010 @ 6 PM, Main Fire Station, 325 West Horne Street
- Memorial Day Holiday – Monday, May 31, 2010
- Council Mtg – Monday, June 7, 2010 @ 7:30 PM
- Town Hall Day – Wednesday, June 16, 2010
- Board of Adjustment Mtg – Wednesday, June 16, 2010 @ 6 PM
- Council Mtg – Monday, June 21, 2010 @ 7:30 PM
- Clayton Library Board Mtg – Thursday, June 24, 2010, @ 2:30 PM, Hocutt Ellington Library, 100 South Church Street
- Town Square Concert: Craig Woolard Band – Thursday, June 24, 2010 @ 7 PM
- Planning Board Mtg – Monday, June 28, 2010 @ 7 PM
- Independence Day Holiday – Monday, July 5, 2010
- Town Square Concert: Band of Oz – Thursday, July 29, 2010 @ 7 PM
- Town Square Concert: Hip Pocket Band – Thursday, August 19, 2010 @ 7 PM
- Town Square Concert: The Embers – Thursday, September 16, 2010 @ 7 PM
- Clayton Library Board Mtg – Thursday, October 7, 2010, @ 2:30 PM, Hocutt Ellington Library, 100 South Church Street

**RELATED GOAL:** Administrative

**ITEM SUMMARY:**

Date:  
04-19-10

Action:  
Information.

Info. Provided:  
Calendar of Events.

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

Agenda Item: 10c

Meeting Date: 04/19/10

TITLE: HIGHLIGHTS OF THE MARCH PLANNING BOARD MEETING.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

04-19-10

None.

N/A.