

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 5, 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 REGULAR MEETING OF THE CLAYTON TOWN COUNCIL

MONDAY, APRIL 5, 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. **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 March 15, 2010, work session meeting, and draft minutes from March 15, 2010, closed session meeting.
 - b. Final acceptance of public sewer utility for Building Blocks Daycare Force Main.
 - c. Warranty acceptance for public water and sewer utilities for Lions Spring Senior Living Center.
 - d. Sewer allocation request for Automatic Rolls of Raleigh.
 - e. Policy regarding installation of traffic calming measures in relation to the 2008 Streets Bond program.
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
5. **PUBLIC HEARINGS**
 - a. Public hearings for Community Development Block Grant; hereafter CDBG. This is the first of two required hearings.
 - b. Public hearing for rezoning request RZ 10-01, located in the 600 block of West Second Street.
 - c. Continuance of evidentiary hearing for the planned development district request PDD 09-05 submitted by Ashcroft for 75 acres located on North O’Neil Street between Sam’s Branch Creek and the Neuse River; continued from 3/01/2010 Council meeting.
6. **OLD BUSINESS**
 - a. Discussion of non-profit (special appropriations) requests; continued from the 3/01/2010 Council meeting.
 - b. Speed limit proposal for Vinson Road.

7. **NEW BUSINESS**
 - a. Resolution to NCDOT requesting participation in construction of an industrial access road.
 - b. Road closure request for 2010 Town Square Concert Series.
 - c. Agreement for road improvements at Shotwell Road and Amelia Church Road.
 - d. Report and proposal on renewable energy and customer co-generation.
 - e. Resolution authorizing condemnation to acquire certain property.

8. **STAFF REPORTS**
 - a. Town Manager
 - b. Town Attorney
 - c. Town Clerk
 - Calendar of Events
 - 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: 4/05/10

TITLE: DRAFT MINUTES FROM MARCH 15, 2010, WORK SESSION MEETING, AND DRAFT MINUTES FROM MARCH 15, 2010, CLOSED SESSION MEETING.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

04-05-10

Approval.

DRAFT minutes from the 3/15/2010 work session.

*DRAFT minutes from the 3/15/2010 closes session Will be hand-delivered.

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

Agenda Item: 3b

Meeting Date: 04/05/10

**TITLE: FINAL ACCEPTANCE OF PUBLIC SEWER UTILITY FOR BUILDING
BLOCKS DAYCARE FORCE MAIN.**

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
03-15-10	Presentation.	Memorandum.
04-05-10	Approval.	Memorandum.

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

Agenda Item: 3c

Meeting Date: 04/05/10

TITLE: WARRANTY ACCEPTANCE OF PUBLIC WATER AND SEWER UTILITIES FOR LIONS SPRING SENIOR LIVING CENTER.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
03-15-10	Presentation.	Memorandum.
04-05-10	Approval.	Memorandum.

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

Agenda Item: 3d

Meeting Date: 04/05/10

TITLE: SEWER ALLOCATION REQUEST FOR AUTOMATIC ROLLS OF RALEIGH.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
03-15-10	Discussion.	Letter.
04-05-10	Approval.	Letter.

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

Agenda Item: 3e

Meeting Date: 04/05/10

TITLE: POLICY REGARDING INSTALLATION OF TRAFFIC CALMING MEASURES IN RELATION TO THE 2008 STREETS BOND PROGRAM.

DESCRIPTION: Attached.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
03-15-10	Discussion.	Proposed policy.
04-05-10	Approval.	Policy.

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

Agenda Item: 5a

Meeting Date: 04/05/10

TITLE: PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT; HEREAFTER CDBG. THIS IS THE FIRST OF TWO REQUIRED HEARINGS.

DESCRIPTION: The Town is interested in seeking funds from the North Carolina Department of Commerce's Small Cities Community Development Block Grant Program (CDBG). The CDBG - Economic Development Program is administered by the Commerce Finance Center. The Division of Community Assistance administers all other CDBG programs. The CDBG Program permits a wide range of economic and community development activities including: acquisition; public facilities construction; loans to private businesses; housing rehabilitation; code enforcement; clearance; project planning and administration; etc. Applications for Economic Development must show that in excess of 60% of CDBG funds will benefit low or moderate-income persons through job creation or retention. Applications for other CDBG programs, with the exception of Urgent Needs funds, must show that in excess of 50% of funds will benefit low or moderate-income persons.

The attached resolutions will require Council action at its April 19, 2010, meeting.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-05-10	Public hearing.	Resolutions.

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

Agenda Item: 5b

Meeting Date: 04/05/10

TITLE: PUBLIC HEARING FOR REZONING REQUEST RZ 10-01 FOR THREE PARCELS LOCATED IN THE 600 BLOCK OF WEST SECOND STREET.

DESCRIPTION: Rezoning request for three parcels located in the 600 block of West Second Street, inside the town limits. The requested change is from R-10, Residential to R-6, Residential.
At its February 22, 2010, Planning Board meeting, the Planning Board voted unanimously to recommend approval of this rezoning request.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
03-15-10	Presentation.	Application, Report, & Map.
04-05-10	Public hearing.	Application, Report, & Map.

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

Agenda Item: 5c **Meeting Date:** 04/05/10
TITLE: CONTINUANCE OF EVIDENTIARY HEARING FOR THE PLANNED DEVELOPMENT DISTRICT REQUEST PDD 09-05 SUBMITTED BY ASHCROFT FOR 75 ACRES LOCATED ON NORTH O'NEIL STREET BETWEEN SAM'S BRANCH CREEK AND THE NEUSE RIVER; CONTINUED FROM THE MARCH 1, 2010, COUNCIL MEETING.

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. At the October 19, 2009, meeting, Council requested the minutes and site plan from SUB 06-12 and the ordinance requirements for cul-de-sacs. At the December 7, 2009, Council meeting, the applicant requested this item be continued to the first meeting in March. At the March 1, 2010, Council meeting, the applicant requested this item to be continued to the first meeting in April (4/5/2010).

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-19-09	Public Notice.	
11-02-09	Evidentiary Hearing.	
11-16-09	Tracking.	None.
12-07-09	Evidentiary Hearing	
02-15-10	Tracking.	None.
03-01-10	Evidentiary Hearing.	
03-15-10	TRACKING.	None.
04-05-10	Evidentiary Hearing.	Application, Staff Report, Map, Site Plan, Photos, TIA Letter, Comparison of PDD 09-05 & SUB 06-12, Minutes Except of 3/19/2007 & 3/05/2007 for SUB 06-12, SUB 06-12 Site Plan, Section 155.602 - cul-de-sacs, Email from Fire Chief Barbee, Hearing Procedures, Motion Form & Proposed Agreement.

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

Agenda Item: 6a

Meeting Date: 04/05/10

TITLE: DISCUSSION OF NON-PROFIT (SPECIAL APPROPRIATIONS) REQUESTS; CONTINUED FROM THE MARCH 1, 2010, COUNCIL MEETING.

DESCRIPTION: At its March 1, 2010, Council meeting, it was the consensus of the Council to place this item on the April 5, 2010, agenda.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
03-01-10	Discussion.	
04-05-10	Discussion.	Memorandum.

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

Agenda Item: 6b

Meeting Date: 04/05/10

TITLE: SPEED LIMIT PROPOSAL FOR VINSON ROAD.

DESCRIPTION: At its March 15, 2010, Council meeting, it was the consensus of the Council to bring back the recommendation from the police department and a resolution for the next agenda.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
03-15-10	Discussion.	
04-05-10	Discussion.	Resolution.

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

Agenda Item: 7a

Meeting Date: 04/05/10

**TITLE: RESOLUTION TO NCDOT REQUESTING PARTICIPATION IN
CONSTRUCTION OF AN INDUSTRIAL ACCESS ROAD.**

**DESCRIPTION: The Town of Clayton and County of Johnston are in
cooperative agreement and a similar resolution of support
will be considered by County of Johnston.**

RELATED GOAL: Grow the Local Economy

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-05-10	Discussion.	Resolution.

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

Agenda Item: 7b

Meeting Date: 04/05/10

TITLE: ROAD CLOSURE REQUEST FOR 2010 TOWN SQUARE CONCERT SERIES.

DESCRIPTION: The Town of Clayton and Clayton Downtown Development Association are sponsoring a series of concerts at the Town Square beginning at 7 PM on the following Thursdays:

- May 13 – Nantucket with special guest Brimstone
- June 24 – Craig Woolard Band
- July 29 – Band of Oz
- August 19 – Hip Pocket Band
- September 16 – The Embers

The request is on the day of the Town Square Concert to close the Town Square Parking Lot at 7 AM and to close Fayetteville Street between Second and Main Streets at 5 PM with the streets and parking lot reopening at 9 PM.

RELATED GOAL: Create an Alive Downtown

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-05-10	Discussion.	Memorandum.

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

Agenda Item: 7c

Meeting Date: 04/05/10

**TITLE: AGREEMENT FOR ROAD IMPROVEMENTS AT SHOTWELL ROAD
AND AMELIA CHURCH ROAD.**

DESCRIPTION: Attached.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-05-10	Discussion.	Agreement.

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

Agenda Item: 7d

Meeting Date: 04/05/10

**TITLE: REPORT AND PROPOSAL ON RENEWABLE ENERGY AND
CUSTOMER CO-GENERATION.**

DESCRIPTION: Attached.

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

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-05-10	Discussion.	Interconnection Regulations And Solar Policy Recommendations, Applications and Procedures For Interconnecting a Certified Photovoltaic Generating Facility, Application for Interconnecting a Certified Photovoltaic Generating Facility, Photovoltaic Interface Criteria, Diagram, Certificate of Completion, Bilateral Metering for Renewable Energy Facilities Rider

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

Agenda Item: 7e

Meeting Date: 04/05/10

TITLE: RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY.

DESCRIPTION: The attached resolution requests authorization to acquire by condemnation an easement on property owned by Donald C and Beverly Adams located along the Neuse River in order to build and maintain a portion of the Mountains-to-Sea Trail.

RELATED GOAL: Expand Leisure Opportunities and Arts Community

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-05-10	Discussion.	Resolution.

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

Agenda Item: 8c

Meeting Date: 04/05/10

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

RELATED GOAL: Administrative

ITEM SUMMARY:

- Good Friday Holiday – Friday, April 2, 2010
- Council Mtg – Monday, April 5, 2010 @ 7:30 PM
- Clayton Farm & Community Market – Saturday, April 10, 2010, 9 AM – 3 PM, Grand Opening at the Clayton Town Square
- Mike Farris & The Roseland Rhythm Revue – Saturday, April 10, 2010 @ 8PM
- Clayton Community Center opening – Sunday, April 11, 2010, 2 PM to 4 PM
- Clayton DDA Mtg – Monday, April 12, 2010 @ 7:30 PM, Room GS223
- Council Mtg – Monday, April 19, 2010 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, April 21, 2010 @ 6:00 PM
- Planning Board Mtg – Monday, April 26, 2010 @ 7:00 PM
- Clayton Fire Advisory Board Mtg – Tuesday, April 27, 2010 @ 7 PM, Main Fire Station at 325 West Horne Street
- General Assembly convenes – Wednesday, May 12, 2010
- Triangle J's 50th Anniversary Forum – Thursday, May 20, 2010, @ 8 AM – 2 PM, Sheraton Imperial (RTP)
- 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
- Council Budget Work Session – Tuesday, May 25, 2010 @ 6 PM, Main Fire Station, 325 West Horne Street
- Memorial Day Holiday – Monday, May 31, 2010
- Town Hall Day – Wednesday, June 16, 2010
- Clayton Library Board Mtg – Thursday, June 24, 2010, @ 2:30 PM, Hocutt Ellington Library, 100 South Church Street
- Clayton Library Board Mtg – Thursday, October 7, 2010, @ 2:30 PM, Hocutt Ellington Library, 100 South Church Street

Date:
04-05-10

Action:
Information.

Info. Provided:
Calendar of Events.