

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

FEBRUARY 01, 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, FEBRUARY 1, 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 the January 19, 2010, work session meeting and draft minutes from the January 19, 2010, closed session meeting.
 - b. Resolution directing the Clerk to investigate annexation petition 2010-01-01 located north of Powhatan Road and adjacent to the Turkington Plant.
 - c. Ordinances for unsafe buildings at the following locations:
 - 407 Matthews Circle
 - 1005 Woodlawn Way
 - d. Appointment of Suzette Rodriguez to serve on the Public Art Advisory Board with a term expiring 12/31/2010.
 - e. Temporary limited parking on Main Street during the Public Square Construction.
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
 - a. Representative of the Clayton Civitan Club to clarify request submitted to the Town Council at its January 19, 2010, work session.
5. **PUBLIC HEARINGS**
 - a. Evidentiary hearing for special use permit SUP 09-04, East Clayton Community Park, for development of a 60 plus acre park site.
 - b. Evidentiary hearing for special use permit SUP 09-05, all Star Park, for expansion of existing park by adding a pavilion.
6. **OLD BUSINESS**
7. **NEW BUSINESS**

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: 2/01/10

TITLE: DRAFT MINUTES FROM THE JANUARY 19, 2010, WORK SESSION MEETING AND DRAFT MINUTES FROM THE JANUARY 19, 2010, CLOSED SESSION MEETING.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
02-01-10	Approval.	Draft minutes from the 1/19/2010 work session. *DRAFT minutes from The 1/19/2010 closed Session will be hand-Delivered.

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

Agenda Item: 3b

Meeting Date: 02/01/10

TITLE: RESOLUTION DIRECTING THE CLERK TO INVESTIGATE ANNEXATION PETITION 2010-01-01 LOCATED NORTH OF POWHATAN ROAD AND ADJACENT TO THE TURKINGTON PLANT.

DESCRIPTION: Annexation petition 2010-01-01, submitted by Walthom Group V and Brack and Rhonda Lee, is a citizen initiated request for non-contiguous annexation of 5.48 acres located at 3916 Powhatan Road.

***At the November 2, 2009, Council meeting, a public hearing for site plan approval SP 09-15 was held as it is located within the watershed protection overlay district. One of the conditions of approving SP 09-15 was a valid annexation petition being submitted prior to the issuance of building permits.**

At the January 19, 2010, 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>
01-19-10	Presentation	Resolution & Map.
02-01-10	Approval.	Resolution & Map.

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

Agenda Item: 3c

Meeting Date: 02/01/10

TITLE: ORDINANCES FOR UNSAFE BUILDINGS AT THE FOLLOWING LOCATIONS:

- 407 MATTHEWS CIRCLE
- 1005 WOODLAWN WAY

DESCRIPTION: The unsafe buildings located at 407 Matthews Circle and 1005 Woodlawn Way are residential dwellings with numerous minimum housing and nuisance violations. The owners, George L Hunter and Hazel M Smith, of the property located at 407 Matthews Circle, were contacted for a hearing on December 2, 2009. Neither owner appeared at the hearing. The owner, Joseph Earl Smith, of the property located at 1005 Woodlawn Way was contacted for a hearing on September 3, 2009. The owner of the property was present at the hearing. To date, the property owner has not obtained a permit from the inspections department. Both ordinances request that the Town Council find that the buildings should be removed or demolished and the costs shall be a lien against each property.

At the January 19, 2010, Council meeting, it was the consensus of the Council to place these items on the consent agenda.

RELATED GOAL: Beautify the Town of Clayton

ITEM SUMMARY:

Date:

01-19-10

Action:

Presentation.

Info. Provided:

407 Matthews Circle:
Ordinance, Order, Hearing
Minutes, Letter of Notice, &
Letter.

1005 Woodlawn Way:
Ordinance, Order, Hearing
Minutes, & Letter of Notice.

02-01-10

Approval.

Ordinance for 407 Matthews
Circle & Ordinance for 1005
Woodlawn Way.

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

Agenda Item: 3d

Meeting Date: 02/01/10

TITLE: APPOINTMENT OF SUZETTE RODRIGUEZ TO SERVE ON THE PUBLIC ART ADVISORY BOARD WITH A TERM EXPIRING 12/31/2010.

DESCRIPTION: The Public Art Advisory Board, hereafter PAAB, consists of five members. The members may be individuals who have special knowledge, interest, or experience in the arts, key business leaders, design professionals, educators and civic and community activists.

The PAAB has one vacant position with a term expiring 12/31/2010.

Mayor McLeod is the Council liaison to the PAAB.

At the January 19, 2010, 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>
01-19-10	Presentation.	Application.
02-01-10	Approval.	Application.

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

Agenda Item: 3e

Meeting Date: 2/1/10

TITLE: TEMPORARY LIMITED PARKING ON MAIN STREET DURING THE PUBLIC SQUARE CONSTRUCTION PROJECT.

DESCRIPTION: Attached.

At the January 19, 2010, Council meeting, it was the consensus of the Council to place this item on the consent agenda with business hours specified on the signage for the south side of Main Street.

RELATED GOAL: Create an Alive Downtown

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-19-10	Discussion.	Memo & Email.
02-01-10	Approval.	Ordinance.

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

Agenda Item: 4a

Meeting Date: 2/1/10

TITLE: REPRESENTATIVE OF THE CLAYTON CIVITAN CLUB TO CLARIFY REQUEST SUBMITTED TO THE TOWN COUNCIL AT ITS JANUARY 19, 2010, WORK SESSION.

DESCRIPTION: Attached.

It was the consensus of the Council to invite a representative to clarify and explain the request.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-19-10	Discussion.	Letter & Lease Agreement.
02-01-10	Presentation.	Letter & Lease Agreement.

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

Agenda Item: 5a

Meeting Date: 02/01/10

TITLE: EVIDENTIARY HEARING FOR SPECIAL USE PERMIT SUP 09-04, EAST CLAYTON COMMUNITY PARK, FOR DEVELOPMENT OF A 60 PLUS ACRE PARK SITE.

DESCRIPTION: Special use permit SUP 09-04, submitted by the Town, requests development of a 60 plus acre park site located on the east side of Glen Laurel Road, adjacent to Forest Glen Subdivision.

At its December 28, 2009, Planning Board meeting, the Planning Board unanimously voted to recommend approval of SUP 09-04.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-19-10	Presentation & Public Notice.	Application, Staff Report, Map, & Site Plan.
02-01-10	Evidentiary Hearing.	Application, Staff Report, Map, Site Plan, Hearing Procedures, & Motion Form.

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

Agenda Item: 5b

Meeting Date: 02/01/10

**TITLE: EVIDENTIARY HEARING FOR SPECIAL USE PERMIT SUP 09-05,
ALL STAR PARK, FOR EXPANSION OF EXISTING PARK BY
ADDING A PAVILION.**

**DESCRIPTION: Special use permit SUP 09-05, submitted by the Town,
requests to expand an existing park by adding a pavilion at
the corner of Front and Cooper Streets.**

**At its December 28, 2009, Planning Board meeting, the
Planning Board unanimously voted to recommend approval
of SUP 09-05.**

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
01-19-10	Presentation & Public Notice.	Application, Staff Report, Map, & Site Plan.
02-01-10	Evidentiary Hearing.	Application, Staff Report, Map, Site Plan, Hearing Procedures, & Motion Form.

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

Agenda Item: 8c

Meeting Date: 02/01/10

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Council Mtg – Monday, February 1, 2010 @ 7:30 PM
- Clayton DDA Mtg – Monday, February 8, 2010 @ 7:30 PM , Room GS223
- Council Retreat – Tuesday, February 9, 2010, 8:30 AM until 4 PM (or until finished) @ Comfort Suites, 761 Enterprise Drive
- Council Retreat – Wednesday, February 10, 2010, 8:30 AM until 4 PM (or until finished) @ Comfort Suites, 761 Enterprise Drive
- Destino: Popera with a Soul Infusion – Saturday, February 13, 2010 @ 8 PM
- Council Mtg – Monday, February 15, 2010 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, February 17, 2010 @ 6:00 PM
- Planning Board Mtg – Monday, February 22, 2010 @ 7:00 PM
- Blues Bash V: Soul Mates featuring Eric Bibb and Ruthie Foster – Friday, February 26, 2010 @ 8:00 PM
- Johnston FRESH: A Local Food Fair (sponsored by the Clayton Farmers Market) – Saturday, February 27, 2010 @ 6 PM at the Clayton Center
- Council Mtg – Monday, March 1, 2010 @ 7:30 PM
- Clayton DDA – Monday, March 8, 2010 @ 7:30 PM, Room GS223
- Council Mtg – Monday, March 15, 2010 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, March 17, 2010 @ 6:00 PM
- Planning Board Mtg – Monday, March 22, 2010 @ 7:00 PM
- John Pizzarelli – Friday, March 26, 2010 @ 8:00 PM
- Good Friday Holiday – Friday, April 2, 2010
- Council Mtg – Monday, April 5, 2010 @ 7:30 PM
- Mike Farris & The Roseland Rhythm Revue – Saturday, April 10, 2010 @ 8:00 PM
- Clayton DDA Mtg – Monday, April 12, 2010 @ 7:30 PM, Room GS223
- Triangle J's 50th Anniversary Forum – Thursday, May 20, 2010, @ 8 AM – 2 PM, Sheraton Imperial (RTP)
- Triangle J's 50th Anniversary Reception – Saturday, May 22, 2010 (evening) – location to be determined
- Town Hall Day – Wednesday, June 2, 2010

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:
02-01-10

Action:
Information.

Info. Provided:
Calendar of Events.