

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**

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## **TOWN COUNCIL MEETING**

**JULY 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, JULY 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 June 21, 2010, work session meeting.
  - b. Final acceptance for Sam’s Creek Sanitary Sewer Interceptor.
  
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
  - a. Introduction of new Town of Clayton employee(s).
  - b. Presentation of request for 2010 Oktoberfest.
  - c. Presentation of request to prohibit parking on the east side of the 100 block of Barbour Street.
  - d. Presentation of request for 2010 Clayton Harvest Festival.
  
5. **ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**
  - a. Presentation of rezoning request RZ 10-02 for property on the south side of US 70 HWY Business and Rose Street across from the intersection with NC 42 HWY East presently zoned R-8, Residential and requesting B-3, HWY Business with TOD-1 Thoroughfare Overlay.
  - b. Presentation of rezoning request RZ 10-03 for property at the corner of Second and Barbour Streets presently zoned O&I, Office and Institutional and requesting B-1, Central Business District.
  - c. Presentation of planned development district request PDD 10-02 for Creekside Commons, formerly Cobblestone Commons, located off of Averagesboro Drive in the southeastern portion of Cobblestone Development.
  - d. Presentation of special use permit request SUP 10-02 at 317 Pony Farm Road for Automatic Rolls of North Carolina LLC requesting to exceed the maximum building height.
  - e. Presentation of special project budget ordinances for:
    - Clayton Law Enforcement Center
    - Parks and Recreation Bond Related Projects
    - Streets and Infrastructure Bond Related Projects
  - f. Presentation of quitclaim deed for property at corner of Wilson Street and Mial Street; parcel number 05034068C.

- g. Presentation of warranty acceptances for public water, sewer, and associated storm drainage utilities for:
    - Cobblestone Subdivision, Ph 7B,
    - Lion's Gate SD, Ph 4
  - h. Presentation of temporary street closure request for the Summer Reading Program [**This item requires Council action**].
6. ITEMS CONTINGENT FOR THE REGULAR MEETING
7. ITEMS FOR DISCUSSION
- a. Discussion of fee schedule for Talecris project.
  - b. Discussion of Clayton Law Enforcement Center finance options.
8. OLD BUSINESS
- a. Community Development Block Grant [CDBG] for Automatic Rolls Infrastructure Project [**This item requires Council action**].
  - b. Discussion of status of the Riverwood Athletic Club streets.
  - c. Discussion of representation on the Johnston County SPCA Board of Directors.
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 June 2010 meeting.
  - d. Clayton Fire Department Annual Report.
11. ADJOURNMENT

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

Agenda Item: 3a

Meeting Date: 07/19/10

**TITLE: DRAFT MINUTES FROM THE JUNE 21, 2010, WORK SESSION MEETING.**

**DESCRIPTION: Minutes.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

07-19-10

Approval.

DRAFT minutes from  
6/21/2010 work session  
Meeting.

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

Agenda Item: 3b

Meeting Date: 07/19/10

**TITLE: FINAL ACCEPTANCE FOR SAM'S CREEK SANITARY SEWER INTERCEPTOR.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**07-19-10**

**Approval.**

**Memorandum.**

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

Agenda Item: 4a

Meeting Date: 07/19/10

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

DESCRIPTION: Introduction(s).

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

07-19-10

Introduction(s).

N/A.

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

**Agenda Item: 4b**

**Meeting Date: 07/19/10**

**TITLE: PRESENTATION OF REQUEST FOR 2010 OKTOBERFEST.**

**DESCRIPTION:** The Clayton Downtown Development Association requests the use of the Town Square for the 2010 Oktoberfest on Saturday, October 2, 2010, and the temporary closure of Fayetteville Street between Main and Second Streets.

**RELATED GOAL:** Create an Alive Downtown

**ITEM SUMMARY:**

Date:

Action:

Info. Provided:

07-19-10

Presentation.

Memorandum.

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

**Agenda Item: 4c**

**Meeting Date: 07/19/10**

**TITLE: PRESENTATION OF REQUEST TO PROHIBIT PARKING ON THE EAST SIDE OF THE 100 BLOCK OF BARBOUR STREET.**

**DESCRIPTION: The Clayton Downtown Development Association requests to limit parking to one side of the 100 block of Barbour Street.**

**RELATED GOAL: Create an Alive Downtown**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**07-19-10**

**Presentation.**

**Memorandum & Photos.**

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

**Agenda Item: 4d**

**Meeting Date: 07/19/10**

**TITLE: PRESENTATION OF REQUEST FOR 2010 CLAYTON HARVEST FESTIVAL.**

**DESCRIPTION: The Clayton Area Chamber of Commerce, hereafter Chamber, requests use of the Town Square (Main and Fayetteville Streets) on Friday, September 17, 2010, and Saturday, September 18, 2010, for the 2010 Clayton Harvest Festival. Additionally, the Chamber requests the temporary closure of Main Street for the annual Vendor Fair.**

**RELATED GOAL: Create an Alive Downtown**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
07-19-10	Presentation.	Memorandum.

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

Agenda Item: 5a

Meeting Date: 07/19/10

**TITLE: PRESENTATION OF REZONING REQUEST RZ 10-02 FOR PROPERTY ON THE SOUTH SIDE OF US 70 HWY BUSINESS AND ROSE STREET ACROSS FROM THE INTERSECTION WITH NC 42 HWY EAST; PRESENTLY ZONED R-8, RESIDENTIAL AND REQUESTING B-3, HWY BUSINESS WITH TOD-1 THOROUGHFARE OVERLAY.**

**DESCRIPTION: Mr. Kumrob Maungyoo requests to rezone 1.7 acres located at the intersection of US 70 HWY Business and Rose Street from R-8, Residential to B-3, HWY Business.**

**At its June 28, 2010, Planning Board meeting, the Planning Board voted unanimously to recommend denial of this request.**

**This item is slated for public hearing at the Monday, August 2, 2010, Clayton Town Council meeting.**

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

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
07-19-10	Presentation.	Application, Staff Report, Map, and Site Plan.

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

Agenda Item: 5b

Meeting Date: 07/19/10

**TITLE: PRESENTATION OF REZONING REQUEST RZ 10-03 FOR PROPERTY AT THE CORNER OF SECOND AND BARBOUR STREETS; PRESENTLY ZONED O&I, OFFICE AND INSTITUTIONAL AND REQUESTING B-1, CENTRAL BUSINESS DISTRICT.**

**DESCRIPTION: The Town of Clayton requests to rezone 1.56 acres located at the corner of Second and Barbour Streets from O&I, Office and Institutional to B-1, Central Business District.**

At its June 28, 2010, Planning Board meeting, the Planning Board voted unanimously to recommend approval of this request.

**This item is slated for public hearing at the Monday, August 2, 2010, Clayton Town Council meeting.**

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

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
07-19-10	Presentation.	Application, Staff Report, Map, and Site Plan.

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

Agenda Item: 5c

Meeting Date: 07/19/10

**TITLE: PRESENTATION OF PLANNED DEVELOPMENT DISTRICT REQUEST PDD 10-02 FOR CREEKSIDE COMMONS, FORMERLY COBBLESTONE COMMONS, LOCATED OFF OF AVERASBORO DRIVE IN THE SOUTHEASTERN PORTION OF COBBLESTONE DEVELOPMENT.**

**DESCRIPTION: ASCO Builders Inc requests to develop a 28 acre tract located off of Averasboro Drive adjacent to Cobblestone Subdivision into 104 single-family lots. The present zoning is R-6, Residential, and it is partially within the Town limits.**

**At its June 28, 2010, Planning Board meeting, the Planning Board voted 8-1 (Mr. Lee dissenting) to recommend approval of this request.**

**This item is slated for evidentiary hearing at the Monday, August 2, 2010, Clayton Town Council meeting.**

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

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
07-19-10	Presentation.	Application, Staff Report, Map, and Site Plan.

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

Agenda Item: 5d

Meeting Date: 07/19/10

**TITLE: PRESENTATION OF SPECIAL USE PERMIT REQUEST SUP 10-02 AT 317 PONY FARM ROAD FOR AUTOMATIC ROLLS OF NORTH CAROLINA LLC REQUESTING TO EXCEED THE MAXIMUM BUILDING HEIGHT.**

**DESCRIPTION: Northeast Foods request a special use permit to exceed the maximum height requirements for a structure to be constructed in the I-2, Industrial-2 zoning district at 317 Pony Farm Road.**

At its June 28, 2010, Planning Board meeting, the Planning Board voted unanimously to recommend approval of this request.

This item is slated for evidentiary hearing at the Monday, August 2, 2010, Clayton Town Council meeting.

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

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
07-19-10	Presentation.	Application, Staff Report, Map, and Site Plan.

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

Agenda Item: 5e

Meeting Date: 07/19/10

**TITLE: PRESENTATION OF SPECIAL PROJECT BUDGET ORDINANCES  
FOR:**

- **CLAYTON LAW ENFORCEMENT CENTER**
- **PARKS AND RECREATION BOND RELATED PROJECTS**
- **STREETS AND INFRASTRUCTURE BOND RELATED PROJECTS**

**DESCRIPTION:** Attached.

**RELATED GOAL:** Administration

**ITEM SUMMARY:**

Date:

Action:

Info. Provided:

07-19-10

Presentation.

Ordinances (3).

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

Agenda Item: 5f

Meeting Date: 07/19/10

**TITLE: PRESENTATION OF QUITCLAIM DEED FOR PROPERTY AT CORNER OF WILSON STREET AND MIAL STREET; PARCEL NUMBER 05034068C.**

**DESCRIPTION:** In late 2007, the Town was approached by Habitat for Humanity of Johnston County for parcels located along Mial Street. It was assumed that the parcel 05034068C belonged to the Town and a non-warranty deed was prepared to reflect this. The Town was contacted by the legal firm representing the Eastern Carolina Regional Housing Authority (hereafter ECRHA) and a deed was produced reflecting the above parcel belongs to ECRHA. The quitclaim deed will enable the Town to transfer the parcel to the appropriate owner.

**RELATED GOAL:** Administration

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
07-19-10	Presentation.	Quitclaim Deed & Support Documents.

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

Agenda Item: 5g

Meeting Date: 07/19/10

**TITLE: PRESENTATION OF WARRANTY ACCEPTANCE FOR PUBLIC WATER, SEWER, AND ASSOCIATED STORM DRAINAGE UTILITIES FOR:**

- COBBLESTONE SUBDIVISION, PHASE 7B
- LION'S GATE SUBDIVISION, PHASE 4

**DESCRIPTION:** Attached.

**RELATED GOAL:** Administration

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
07-19-10	Presentation.	Memorandums (2).

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

Agenda Item: 5h

Meeting Date: 07/19/10

**TITLE: PRESENTATION OF TEMPORARY STREET CLOSURE REQUEST FOR THE SUMMER READING PROGRAM [THIS ITEM REQUIRES COUNCIL ACTION].**

**DESCRIPTION:** The Clayton Woman’s Club and the Clayton Library respectfully request the temporary closure of the 100 block of South Church Street on Friday, July 30, 2010, from 8 AM to 1 PM. This would allow the Summer Reading Program patrons safe passage between the Library and Woman’s Club for the end of the program outdoor event.

**RELATED GOAL:** Create an Alive Downtown

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
07-19-10	Presentation.	Memorandum.

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

Agenda Item: 7a

Meeting Date: 07/19/10

TITLE: DISCUSSION OF FEE SCHEDULE FOR TALECRIS PROJECT.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

07-19-10

Discussion.

Memorandum.

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

Agenda Item: 7b

Meeting Date: 07/19/10

**TITLE: DISCUSSION OF CLAYTON LAW ENFORCEMENT CENTER  
FINANCE OPTIONS.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
07-19-10	Discussion.	Memorandum.

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

Agenda Item: 8a

Meeting Date: 7/19/10

**TITLE: COMMUNITY DEVELOPMENT BLOCK GRANT [CDBG] FOR AUTOMATIC ROLLS INFRASTRUCTURE PROJECT [THIS ITEM REQUIRES COUNCIL ACTION].**

**DESCRIPTION:** The Clayton Town Council held a public hearing at the March 1, 2010, Council meeting to receive public comment on the Town's application for a Community Development Block Grant, hereafter CDBG, for Automatic Rolls of North Carolina, formerly referred to as Northeast Foods. The following overview was provided:

- Grant funds would be used to fill 60% of the 84 jobs with persons earning low to moderate income
- The Town will administer the grant, and the \$700,000 grant funds would principally be used for infrastructure – water, sewer, and street extension

**RELATED GOAL:** Grow the Local Economy

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
02-15-10	Public Notice.	
03-01-10	Public Hearing.	
07-19-10	Approval.	Letter, Agreement, Signatory Form, & Vendor Electronic Payment Form.

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

Agenda Item: 8b

Meeting Date: 7/19/10

**TITLE: DISCUSSION OF STATUS OF THE RIVERWOOD ATHLETIC CLUB STREETS.**

**DESCRIPTION:** At the June 7, 2010, Council meeting, Council received public comment from:

- Tonia Lucas, 508 Sarazen Drive
- Andy Luce, 109 Spalding Lane
- Phil Nangle, 812 Sarazen Drive
- David Stuckey, 113 Spalding Lane
- Fred Smith, Riverwood Athletic Club developer

It was the consensus of the Council that this be a report item on each agenda.

It was the consensus of the Council to receive a staff update at the July meeting and a map of the streets and a preliminary schedule.

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

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
06-07-10	Discussion.	Memos & Emails.
06-21-10	N/A.	
07-19-10	Discussion.	Memo, Policy, & Map.

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

**Agenda Item: 8c**

**Meeting Date: 7/19/10**

**TITLE: DISCUSSION OF REPRESENTATION ON THE JOHNSTON COUNTY  
SPCA BOARD OF DIRECTORS.**

**DESCRIPTION: At the April 5, 2010 Council meeting, all Council members voted in favor of amending the animal pick up fee to \$50 per animal delivered to the shelter contingent upon the Town being granted representation on the Johnston County SPCA Board of Directors for as long as the Johnston County SPCA receives Town funding.**

**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.	
07-19-10	Discussion.	Memorandum.

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

Agenda Item: 9c

Meeting Date: 07/19/10

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Council Mtg – Monday, July 19, 2010 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, July 21, 2010 @ 6 PM
- Cinema at the Center: Incredibles – Sunday, July 25, 2010 @ 3 PM, the Clayton Center
- Planning Board Mtg – Monday, July, 26, 2010 @ 7 PM
- Town Square Concert: Band of Oz – Thursday, July 29, 2010 @ 7 PM
- Council Mtg – Monday, August 2, 2010 @ 7:30 PM
- Council Mtg – Monday, August 16, 2010 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, August, August 18, 2010 @ 6 PM
- Town Square Concert: Hip Pocket Band – Thursday, August 19, 2010 @ 7 PM
- Planning Board Mtg – Monday, August 23, 2010 @ 7 PM
- Labor Day Holiday – Monday, September 6, 2010
- Council Mtg – **TUESDAY**, September 7, 2010 @ 7:30 PM
- 2010 Harvest Music Festival – September 15 – 19, 2010
- Board of Adjustment Mtg – Wednesday, September 15, 2010 @ 6 PM
- Town Square Concert: The Embers – Thursday, September 16, 2010 @ 7 PM
- Council Mtg – Monday, September 20, 2010 @ 7:30 PM
- Oktoberfest – Saturday, October 2, 2010, from noon to 10 PM, Town Square
- Council Mtg – Monday, October 4, 2010 @ 7:30 PM
- Clayton Library Board Mtg – Thursday, October 7, 2010, @ 2:30 PM, Hocutt Ellington Library, 100 South Church Street
- Council Mtg – Monday, October 18, 2010 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, October 20, 2010 @ 7:30 PM
- Planning Board Mtg – Monday, October 25, 2010 @ 7 PM
- Veteran’s Day Holiday – Thursday, November 11, 2010
- Thanksgiving Holiday – Thursday, November 25, 2010 & Friday, November 26, 2010

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:  
07-19-10

Action:  
Information.

Info. Provided:  
Calendar of Events.

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

Agenda Item: 10c

Meeting Date: 07/19/10

**TITLE: HIGHLIGHTS OF THE JUNE 2010 PLANNING BOARD MEETING.**

**DESCRIPTION: Attached as information; does not require Council action.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

07-19-10

None.

Highlights.

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

Agenda Item: 10d

Meeting Date: 07/19/10

**TITLE: CLAYTON ANNUAL FIRE DEPARTMENT ANNUAL REPORT.**

**DESCRIPTION: Attached as information; does not require Council action.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

07-19-10

None.

Annual Report.