

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

MARCH 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, MARCH 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 February 9, 2010 & February 10, 2010 Council Retreat and draft minutes from the February 15, 2010 Council work session.
- b. Application from Rob Baker to serve on the Downtown Development Association (DDA) for a term expiring 12/31/2010.
- c. Arbor Day Proclamation.
- d. Proclamation honoring Reverend Dorothy White O’Neal.
- e. Final acceptance for the following projects:
 - Cobblestone SD, Ph 5C for public water sewer & associated storm drainage utilities
 - Cobblestone DS, Ph 5E for public water, sewer & associated storm drainage utilities
 - Proctor’s Place for public water & sewer utilities

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

5. PUBLIC HEARINGS

- a. Public hearing for annexation petition 2010-01-01 located at Turkington, 3916 Powhatan Road.
- b. Public hearing to receive public input to consider financing and construction of the Clayton Law Enforcement Center.
- c. Public hearing to receive public input for a proposed economic development opportunity.
- d. 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 12/07/2009 Council meeting.

6. **OLD BUSINESS**
 - a. Discussion of non-profit (special appropriations) requests.
 - b. Discussion to schedule budget work session during the week of May 24th.

7. **NEW BUSINESS**
 - a. Recommendation of award for Caterpillar water and sewer project.

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: 301/10

TITLE: DRAFT MINUTES FROM THE FEBRUARY 9, 2010 & FEBRUARY 10, 2010 COUNCIL RETREAT AND DRAFT MINUTES FROM THE FEBRUARY 15, 2010 COUNCIL WORK SESSION.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

03-01-10

Approval.

Draft minutes from the
2/9/2010 & 2/10/2010 Council
Retreat and draft minutes
From the 2/15/2010 Council
Work session.

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

Agenda Item: 3b

Meeting Date: 03/01/10

TITLE: APPLICATION FROM ROB BAKER TO SERVE ON THE DOWNTOWN DEVELOPMENT ASSOCIATION (DDA) FOR A TERM EXPIRING 12/31/2010.

DESCRIPTION: The Downtown Development Association, hereafter DDA, consists of 11 members. Members may be residents of the Town, businesspersons with interests in Downtown Clayton, property owners within the Downtown District of Clayton, or other persons with knowledge or abilities deemed beneficial to the purpose of the Association.

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

Mayor Pro Tem Michael Grannis is the Council liaison to the DDA.

At its February 15 work session, 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>
02-15-10	Presentation.	Application.
03-01-10	Approval.	Application.

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

Agenda Item: 3c

Meeting Date: 03/01/10

TITLE: ARBOR DAY PROCLAMATION.

DESCRIPTION: In North Carolina, Arbor Day is celebrated the first Friday after March 15.

At its February 15 work session, it was the consensus of the Council to place this item on the consent agenda.

RELATED GOAL: Beautify the Town of Clayton

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
02-15-10	Presentation.	Proclamation.
03-01-10	Approval.	Proclamation.

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

Agenda Item: 3d

Meeting Date: 03/01/10

TITLE: PROCLAMATION HONORING REVEREND DOROTHY WHITE O'NEAL.

DESCRIPTION: Proclamation recognizing Reverend O'Neal's life as a volunteer.

At its February 15 work session, 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>
02-15-10	Presentation.	Proclamation.
03-01-10	Approval.	Proclamation.

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

Agenda Item: 3e

Meeting Date: 03/01/10

TITLE: FINAL ACCEPTANCE WARRANTIES FOR THE FOLLOWING PROJECTS:

- COBBLESTONE SD, PH 5C, FOR PUBLIC WATER, SEWER, & ASSOCIATED STORM DRAINAGE UTILITIES
- COBBLESTONE SD, PH 5E, FOR PUBLIC WATER, SEWER, & ASSOCIATED STORM DRAINAGE UTILITIES
- PROCTOR'S PLACE FOR PUBLIC WATER & SEWER UTILITIES

DESCRIPTION: Attached.

At its February 15 work session, it was the consensus of the Council to place these items on the consent agenda.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
02-15-10	Presentation.	Memorandums (3).
03-01-10	Approval.	Memorandums (3).

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

Agenda Item: 5a

Meeting Date: 03/01/10

**TITLE: PUBLIC HEARING FOR ANNEXATION PETITION 2010-01-01
LOCATED AT TURKINGTON ON POWHATAN ROAD.**

**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.
02-15-10	Public notice.	Certificate of sufficiency, Resolution & Map.
03-01-10	Public hearing.	Annexation ordinance & Map.

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

Agenda Item: 5b

Meeting Date: 3/01/10

TITLE: PUBLIC HEARING TO RECEIVE PUBLIC INPUT TO CONSIDER FINANCING AND CONSTRUCTION OF THE CLAYTON LAW ENFORCEMENT CENTER.

DESCRIPTION: Public Notice.

A requirement to receive funding consideration from the USDA is for the Council to schedule to receive public input for the financing and construction of the Clayton Law Enforcement Center during a regular Council meeting.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
02-15-10	Public Notice.	
03-01-10	Public Input.	None.

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

Agenda Item: 5c

Meeting Date: 3/01/10

**TITLE: PUBLIC HEARING TO RECEIVE PUBLIC INPUT FOR A PROPOSED
ECONOMIC DEVELOPMENT OPPORTUNITY.**

DESCRIPTION: Public Notice.

Public hearing at the March 1, 2010, Council meeting.

RELATED GOAL: Grow the Local Economy

ITEM SUMMARY:

Date:

Action:

Info. Provided:

02-15-10

Public Notice.

03-01-10

Public Hearing.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 5d

Meeting Date: 03/01/10

TITLE: CONTINUANCE OF EVIDENTIARY HEARING FOR 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 TO 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.	Email from applicant Requesting continuance, Application, Staff Report, & Map.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 6a

Meeting Date: 03/01/10

TITLE: DISCUSSION OF NON-PROFIT (SPECIAL APPROPRIATIONS)
REQUESTS.

DESCRIPTION:

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

03-01-10

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

Agenda Item: 6b

Meeting Date: 03/01/10

TITLE: DISCUSSION TO SCHEDULE BUDGET WORK SESSION DURING THE WEEK OF MAY 24TH.

DESCRIPTION: Calendar:
Monday, May 24

- Chambers reserved for Planning Board meeting

Tuesday, May 25

- Chambers available

Wednesday, May 26

- Chambers available

Thursday, May 27

- Chambers available

RELATED GOAL: Administrative

ITEM SUMMARY:

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

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

Agenda Item: 7a

Meeting Date: 03/01/10

TITLE: RECOMMENDATION OF AWARD FOR CATERPILLAR WATER AND SEWER PROJECT.

DESCRIPTION: On February 15, 2010, the Town received bids for above project consisting of approximately 3,400 LF of 12" water line and 2,200 LF of 8" gravity sewer to serve the new Caterpillar facility.

Six bids were received and the bid tabulation sheet is attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

03-01-10

Approval.

Letter and bid tab.

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

Agenda Item: 8c

Meeting Date: 03/01/10

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

RELATED GOAL: Administrative

ITEM SUMMARY:

- Council Mtg – Monday, March 1, 2010 @ 7:30 PM
- Clayton Fire Department Advisory Board Meeting – Thursday, March 4, 2010, 7 PM at Fire Station 1, 325 West Horne Street
- Master Municipal Clerk Academy (MMCA) – Friday, March 5, 2010, from 8:45 AM to 4 PM, Clayton Town Hall
- Clayton DDA – Monday, March 8, 2010 @ 7:30 PM, Room GS223
- Sunshine Week – March 14 – 20, 2010
- Council Mtg – Monday, March 15, 2010 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, March 17, 2010 @ 6:00 PM
- Friends of the Library Day Book Sale - Saturday, March 20, 2010, from 8 AM to 2 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)
- 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
- Town Hall Day – Wednesday, June 2, 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:
03-01-10

Action:
Information.

Info. Provided:
Calendar of Events.