

AGENDA
THE WORK SESSION MEETING OF THE CLAYTON TOWN COUNCIL

MONDAY, MAY 17, 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 May 3, 2010, regular meeting.
- b. Notice of public hearing for the proposed fiscal year 2010-2011 budget.
- c. Notice of evidentiary hearing for subdivision application SUB 10-01.

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Introduction of new Town of Clayton employee(s).
- b. Presentation by the DDA requesting an amendment to the DDA bylaws for the meeting schedule.

5. ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA

- a. Presentation of subdivision application SUB 10-01 for Spring Branch Medical and Commercial Park located on NC HWY 42 West.
- b. Presentation of temporary street closure for the 400 block of East Hinton Street.
- c. Presentation of amendment to the Comprehensive List of Fees and Charges for the Library.
- d. Presentation of final acceptance requests for the following:
 - Public water and sewer utilities for Clayton Dialysis Center
 - Public water and sewer utilities for Ashley Furniture Warehouse / Showroom
- e. Presentation of warranty acceptance for asphalt pavement for Cobblestone Subdivision, Phase 7B.

6. ITEMS CONTINGENT FOR THE REGULAR MEETING

7. **ITEMS FOR DISCUSSION**
 - a. Discussion of resolution authorizing economic infrastructure grants program.
 - b. Discussion of 2010 legislative requests for the Town.
 - c. Discussion of potential sites to relocate personnel during the Clayton Law Enforcement Center construction.
 - d. Follow up discussion on the proposed Parks and Recreation fee structure and system.
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 April 2010 meeting.
11. **ADJOURNMENT**

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

Agenda Item: 3a

Meeting Date: 5/17/10

TITLE: DRAFT MINUTES FROM THE MAY 3, 2010, REGULAR MEETING.

DESCRIPTION: Minutes.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

05-17-10

Approval.

DRAFT minutes from
The 5/3/2010 meeting.

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

Agenda Item: 3b

Meeting Date: 5/17/10

**TITLE: NOTICE OF PUBLIC HEARING FOR THE PROPOSED FISCAL YEAR
2010-2011 BUDGET.**

DESCRIPTION: Public Notice.

In accordance with NC GS 159-12(b), this item is slated for public hearing at the Monday, June 7, 2010, Clayton Town Council meeting.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 05-17-10 | Public Notice. | N/A. |

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

Agenda Item: 3c

Meeting Date: 5/17/10

**TITLE: NOTICE OF EVIDENTIARY HEARING FOR SUBDIVISION
APPLICATION SUB 10-01.**

DESCRIPTION: Public Notice.

This item is slated for evidentiary hearing at the Monday, June 7, 2010, Clayton Town Council meeting.

- Evidentiary hearing, also known as quasi-judicial hearing, occurs when an agenda item has been advertised and noticed according to the law; however, the Clayton Town Council acts like a court of law. During an evidentiary hearing, the Clayton Town Council receives only sworn testimony and other credible evidence. In addition, the Clayton Town Council must make findings of fact based upon the evidence presented. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 05-17-10 | Public Notice. | N/A. |

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

Agenda Item: 4a

Meeting Date: 05/17/10

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

DESCRIPTION: Introduction(s).

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

05-17-10

Introduction(s).

N/A.

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

Agenda Item: 4b

Meeting Date: 05/17/10

TITLE: PRESENTATION BY THE DOWNTOWN DEVELOPMENT ASSOCIATION, HEREAFTER DDA, REQUESTING AN AMENDMENT TO THE DDA BYLAWS FOR THE MEETING SCHEDULE.

DESCRIPTION: The DDA respectfully requests to change the regular meeting schedule so that the members will be able to put more energy into the standing committees and subcommittees in which they are active.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

05-17-10

Presentation.

Memo, Bylaws, &
NC GS 143-318.12.

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

Agenda Item: 5a

Meeting Date: 5/17/10

TITLE: PRESENTATION OF SUBDIVISION APPLICATION SUB 10-01 FOR SPRING BRANCH MEDICAL AND COMMERCIAL PARK LOCATED ON NC HWY 42 WEST.

**DESCRIPTION: SUB 10-01 is a preliminary subdivision request for a medical and commercial park. The property is located on NC HWY 42 West and Johnston Estate Road in the Town's corporate limits and is zoned Planned Development – Mixed Use (PD-MU). This site was previously approved as PD-MU 08-08 on April 6, 2009.
At its April 26, 2010, Planning Board meeting, the Planning Board voted unanimously to recommend approval of SUB 10-01 with the five conditions listed in the staff report.**

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|-------------------------------|---|
| 05-17-10 | Public Notice & Presentation. | Application, Staff Report, Map, Site Plans, Ordinance For PD-MU 08-08, and Traffic Impact Analysis. |

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

Agenda Item: 5b

Meeting Date: 05/17/10

TITLE: PRESENTATION OF TEMPORARY STREET CLOSURE FOR THE 400 BLOCK OF EAST HINTON STREET.

DESCRIPTION: The Clayton Fire Department respectfully requests the temporary closure of 400 East Hinton Street for the purpose of a live burn for certification class and continuing education training on Saturday, June 19, 2010, from 7 AM until 5 PM. The adjacent property owners have been notified.

RELATED GOAL: Safest, Healthiest Town in Triangle

ITEM SUMMARY:

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 05-17-10 | Presentation. | Memo & Map. |

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

Agenda Item: 5c

Meeting Date: 05/17/10

TITLE: PRESENTATION OF AMENDMENT TO THE COMPREHENSIVE LIST OF FEES AND CHARGES FOR THE LIBRARY.

DESCRIPTION: The Library of Johnston County has amended the overdue fines for books from \$.10 per day to \$.25 per day. The (Clayton) Library Board concurs with the recommendation of the Library of Johnston County in amending the overdue fines for books from \$.10 per day to \$.25 per day. As the Clayton Library is a participant in the Library of Johnston County, staff respectfully requests amending the schedule for the overdue fines from \$.10 per day to \$.25 per day.

The bolded and underlined text in the Library Fee Schedule are intended for clarification.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 05-17-10 | Presentation. | Proposed Fee Schedule. |

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

Agenda Item: 5d

Meeting Date: 05/17/10

TITLE: PRESENTATION OF FINAL ACCEPTANCE REQUESTS FOR THE FOLLOWING:

- PUBLIC WATER AND SEWER UTILITIES FOR CLAYTON DIALYSIS CENTER
- PUBLIC WATER AND SEWER UTILITIES FOR ASHLEY FURNITURE WAREHOUSE / SHOWROOM

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

05-17-10

Presentation.

Memorandums (2).

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

Agenda Item: 5e

Meeting Date: 05/17/10

**TITLE: PRESENTATION OF WARRANTY ACCEPTANCE FOR ASPHALT
PAVEMENT FOR COBBLESTONE SUBDIVISION, PHASE 7B.**

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

05-17-10

Presentation.

Memorandum.

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

Agenda Item: 7a

Meeting Date: 05/17/10

TITLE: DISCUSSION OF RESOLUTION AUTHORIZING ECONOMIC INFRASTRUCTURE GRANTS PROGRAM.

DESCRIPTION: The attached resolution authorizes the Town to execute a contract with the NC Rural Center for grant funding for the economic infrastructure program to help construct the Town's elevated storage tank that will benefit Automatic Rolls of North Carolina.

This item requires Council action.

RELATED GOAL: Grow the Local Economy

ITEM SUMMARY:

Date:

Action:

Info. Provided:

05-17-10

Presentation.

Resolution.

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

Agenda Item: 7b

Meeting Date: 05/17/10

TITLE: DISCUSSION OF 2010 LEGISLATIVE REQUESTS FOR THE TOWN.

DESCRIPTION: Staff respectfully requests the Council's consideration of local legislation enabling the Town to advertise notice of public hearings through electronic means. The cost of public hearing notices for FY 07-08 was \$3,537 and the cost of public notices for FY 08-09 was \$3,965 and the cost of the cost of public notices for FY 09-10 through April 2010 is \$5,335.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

05-17-10

Presentation.

DRAFT Resolution.

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

Agenda Item: 7c

Meeting Date: 05/17/10

TITLE: DISCUSSION OF POTENTIAL SITES TO RELOCATE PERSONNEL DURING THE CLAYTON LAW ENFORCEMENT CENTER CONSTRUCTION.

DESCRIPTION: During the May 3, 2010, Council meeting, there was discussion on the relocation of personnel to an alternate facility for the 18 to 24 months period. Attached are leases for two locations.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 05-03-10 | Discussion. | |
| 05-17-10 | Discussion. | Leases (2). |

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

Agenda Item: 7d

Meeting Date: 05/17/10

TITLE: FOLLOW-UP 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. At its April 19, 2010, Council meeting, the Council discussed the proposed fee structure and system. Mayor Pro Tem Grannis and Councilman Satterfield requested further discussion of this item. At its May 3, 2010, Council meeting, the Council approved the fee structure for recreation membership rates. Mayor Pro Tem Grannis and Councilman Lawter requester further discussion of the other recreation fees.

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. |
| 05-03-10 | Discussion. | Memo & Spreadsheet. |
| 05-17-10 | Discussion. | |

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

Agenda Item: 9c **Meeting Date:** 05/17/10

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Council Mtg – Monday, May 17, 2010 @ 7:30 PM
- Board of Adjustment Special Work Session Mtg – Wednesday, May 19, 2010 @ 5:30 PM; followed by regular
- Board of Adjustment Mtg – Wednesday, May 19, 2010 @ 6 PM
- 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
- 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
- MillStock Music and Arts Faire – Saturday, June 5, 2010 from 10 AM to 5 PM
- Unveiling of Art Mural – Saturday, June 5, 2010 @ 1 PM, Hocutt Ellington Library, 100 South Church Street
- Council Mtg – Monday, June 7, 2010 @ 7:30 PM
- Town Hall Day – Wednesday, June 16, 2010
- Cinema at the Center: ET – Sunday, June 20, 2010 @ 3 PM
- Board of Adjustment Mtg – Wednesday, June 16, 2010 @ 6 PM
- Council Mtg – Monday, June 21, 2010 @ 7:30 PM
- Town Square Concert: Craig Woolard Band – Thursday, June 24, 2010 @ 7 PM
- Cinema at the Center: Bend It Like Beckham – Sunday, June 27, 2010 @ 3 PM
- Planning Board Mtg – Monday, June 28, 2010 @ 7 PM
- Clayton Library Board Mtg – Thursday, July 1, 2010, @ 4:30 PM, Hocutt Ellington Library, 100 South Church Street
- Independence Day Holiday – Monday, July 5, 2010
- Council Mtg – Monday, July 19, 2010 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, July 21, 2010 @ 6 PM
- 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
- 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:
05-17-10

Action:
Information.

Info. Provided:
Calendar of Events.

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

Agenda Item: 10c

Meeting Date: 05/17/10

TITLE: HIGHLIGHTS OF THE APRIL PLANNING BOARD MEETING.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

05-17-10

None.

N/A.