

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**

**DECEMBER 05, 2011**

### **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**  
**REGULAR / ORGANIZATIONAL MEETING**  
**OF THE CLAYTON TOWN COUNCIL**

**MONDAY, DECEMBER 5, 2011**  
**7:30 PM**

**THE CLAYTON CENTER**  
**COUNCIL CHAMBERS**

1. **CALL TO ORDER**  
Honor Guard – Posting of Colors by Town of Clayton Fire Department  
Pledge of Allegiance – Led by Boy Scout Pack 124  
Invocation – Mayor Jody L. McLeod
2. **ADJUSTMENT OF THE AGENDA**
3. **ACTION AGENDA**
  - a. Draft minutes of the November 21, 2011, work session meeting and draft minutes of the November 21, 2011, closed session meeting.
  - b. Youth Art Month proclamation.
  - c. Text amendment for the Planning Board as found in the Town Code of Ordinances Book.
  - d. Resolution directing the clerk to investigate annexation petition 2011-11-01 located at 277 Guy Road for the unincorporated portion of the parcel.
  - e. Final acceptance request for public water, sewer, and associated storm drainage utilities for Woods at Glen Laurel.
  - f. Warranty acceptance for public sewer utility for Cambridge Corner / O'Reilly Auto Parts.
4. **OLD BUSINESS**
  - a. Public hearing for text amendment to the Town's Unified Development Ordinance for the Board of Adjustment as found in the Town Code of Ordinances Book.
5. **ORGANIZATIONAL MEETING**
  - a. Comments from outgoing official Councilman Alex Harding.
  - b. Recognition of outgoing official Councilman Alex Harding.
  - c. Administration of oaths of office to the newly elected Clayton Town Council members by Mr. Will Crocker, Clerk of Superior Court to:
    - R.S. "Butch" Lawter, Jr. as Councilman
    - Jason Thompson as Councilman
    - Jody L. McLeod as Mayor
  - d. Comments from the newly sworn elected officials:

- Councilman R.S. “Butch” Lawter, Jr.
  - Councilman Jason Thompson
  - Mayor Jody L. McLeod
6. RECESS FOR RECEPTION – Everyone is invited to the reception.
  7. MAYOR PRO TEM SELECTION AND COUNCIL LIAISON APPOINTMENTS
    - a. Nomination and selection of Mayor Pro Tem.
    - b. Distribution of Council liaison and committee assignments: Mayor McLeod.
  8. INTRODUCTIONS & SPECIAL PRESENTATIONS
  9. ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA
    - a. Resolution of request for NCDOT participation in construction of a new access point at West Clayton Elementary along HWY 42 West.
  10. ITEMS FOR DISCUSSION
    - a. Discussion of scheduling and logistics for the 2011-2012 Council Retreat.
  11. STAFF REPORTS
    - a. Town Manager
    - b. Town Attorney
    - c. Town Clerk
      - Ethics Training opportunities for “newly” elected officials
      - Calendar of Events
    - d. Other Staff
  12. INFORMAL DISCUSSION AND PUBLIC COMMENT
    - a. Informal Discussion & Public Comment
    - b. Council Comments.
  13. OTHER BUSINESS
  14. ADJOURNMENT
- 

**Council Portrait will be taken prior to the commencement of the meeting at 6:45 PM.**

TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET

Agenda Item: 3a

Meeting Date: 12/05/11

TITLE: DRAFT MINUTES OF THE NOVEMBER 21, 2011, WORK SESSION MEETING AND DRAFT MINUTES OF THE NOVEMBER 21, 2011, CLOSED SESSION MEETING.

DESCRIPTION: Minutes.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

12-05-11

Adoption.

DRAFT minutes of the  
11/21/2011 work session.

***\*DRAFT minutes of the  
11/21/2011 closed session  
Will be hand-delivered.***

**MINUTES  
CLAYTON TOWN COUNCIL  
NOVEMBER 21, 2011**

The second regular meeting of the Clayton Town Council for the month of November was held on Monday, November 21, 2011, at 7:30 PM at Town Hall, 111 East Second Street.

**PRESENT:** Mayor Jody L. McLeod, Councilman Bob Satterfield, Councilman R. S. "Butch" Lawter Jr., and Councilman Art Holder.

**ABSENT:** Mayor Pro Tem Michael Grannis and Councilman Alex Harding

**ALSO PRESENT:** Steve Biggs, Town Manager; Brenton McConkey, Town Attorney; Sherry Scoggins, Town Clerk; David DeYoung, Planning Director; Tommy Roy, Information Services Technician; Larry Bailey, Parks & Recreation Director; Steve Blasko, Streets & Property Maintenance Superintendent

**ITEM 1. CALL TO ORDER**

Mayor McLeod called the meeting to order at 7:30 PM and led the Pledge of Allegiance. Mayor McLeod gave the invocation.

**ITEM 2. ADJUSTMENT OF THE AGENDA**

Town Manager Steve Biggs requested the following adjustments of the agenda:

- Add as Item 10c, closed session to discuss an economic development opportunity in accordance with NC GS 143-318.11 (a) (4); and
- Table Item 7b.

It was the consensus of the Council to approve the adjustments of the agenda as presented.

**ITEM 3. ACTION AGENDA**

Councilman Holder motioned to approve the action agenda as presented; Councilman Lawter seconded the motion. The motion carried 3-0 with the following action agenda item being approved at 7:31 PM:

Item 3a. Draft minutes from the November 7, 2011, regular meeting and draft minutes from the November 7, 2011, closed session meeting.

**ITEM 4. INTRODUCTIONS & SPECIAL PRESENTATIONS**

Item 4a. Introduction of new Town of Clayton employee(s).

The following new Town of Clayton employees were introduced:

- Matt Paxon, Property Maintenance Technician
- James “Jimmy” Bradley, Park Maintenance Worker

Item 4b. Presentation of Youth Art Month request.

Ms. Brenda Gay of the Women’s Club of Clayton requested the Town Council proclaim January as Youth Art Month. She stated the arts festival is open to students in the Clayton middle and high schools and this year there will be seven schools participating. She stated the Arts Award Reception will be at the Clayton Center on Thursday, January 5, 2012 from 6:30 to 7:30 PM and all the Council members are invited to attend. Mayor McLeod was requested to assist with the recognition awards.

It was the consensus of the Council to place this item on the consent agenda.

**ITEM 5. ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**

Item 5a. Presentation of text amendment to the Town’s Unified Development Ordinance for the Board of Adjustment as found in the Town Code of Ordinances Book.

Planning Director David DeYoung stated this is a text amendment to Chapter 155 of the Town Code of Ordinances for attendance for those serving on the Board of Adjustment.

This item is slated for public hearing on Monday, December 5, 2011.

Item 5b. Presentation of text amendment for the Planning Board as found in the Town Code of Ordinances Book.

Planning Director David DeYoung stated this is a text amend to Chapter 32 of the Town Code of Ordinances for attendance for those serving on the Planning Board and mirrors the Board of Adjustment amendment.

It was the consensus of the Council to place this item on the consent agenda.

Item 5c. Presentation of resolution directing the clerk to investigate annexation petition 2011-11-01 located at 277 Guy Road for the unincorporated portion of the parcel.

It was the consensus of the Council to place this item on the consent agenda.

Item 5d. Presentation of final acceptance request for public water, sewer, and associated storm drainage utilities for Woods at Glen Laurel.

It was the consensus of the Council to place this item on the consent agenda.

Item 5e. Presentation of warranty acceptance for public sewer utility for Cambridge Corner / O'Reilly Auto Parts.

It was the consensus of the Council to place this item on the consent agenda.

**ITEM 6. ITEMS CONTINGENT FOR THE REGULAR MEETING**

No items contingent for the regular meeting were presented to Council.

**ITEM 7. ITEMS FOR DISCUSSION**

Item 7a. Discussion of loading zone request from Medlin's Office Supply.

Town Manager Steve Biggs stated a written request was received from Jennifer Lawrence of Medlin's Office Supply describing the need for a loading zone on Lombard Street adjacent to the Pittman Jeweler's building for the hours of 8 AM to 11 AM.

Based upon request by Council, Town Manager Biggs stated a map for the requested loading zone can be brought back for Council review and it would be available to anyone needing to load or unload.

Based upon question by Council, Town Manager Biggs stated the loading zone ordinance can include a duration such as 30 minutes.

Based upon question by Council, Town Manager Biggs stated his understanding of the alley is it is privately owned.

Item 7b. Discussion of Travel Rates as listed in the Town's Comprehensive List of Fees and Charges.

This item was tabled.

**ITEM 8. OLD BUSINESS**

Item 8a. Designating Barbour Street as a one way street (south) between Main Street to Horne Street and amending the prohibited parking to include the 100 and 200 blocks of the east side of Barbour Street and prohibit parking on the west side of Barbour Street from the corner of Second Street to the property line for 212 South Barbour Street.

Town Manager Biggs stated if it is adjacent to Town facilities, the parking is restricted. He stated the side adjacent to the Chamber would prohibit parking and in the next block the side adjacent to the Clayton Law Enforcement Center would prohibit parking. He added the parking adjacent to the Town Annex would prohibit parking. He stated Barbour Street would then be limited to one-way from Main Street to Horne Street going south bound. He stated the Council action would consist of amending the ordinance for parking and a motion designating that portion of Barbour Street as one-way.

**ITEM 9. STAFF REPORTS**

**Item 9a. Town Manager**

Town Manager Steve Biggs stated the current status on the dog park is the drive way was installed this weekend and it is pending inspection. He stated additional stone will be brought in and installation of an asphalt pavement at Glen Laurel Road would be by Town personnel or contracted personnel. He stated the fence installation is slated for next week. He stated the targeted “soft” open date is December 8. He stated the Dog Park Subcommittee is seeking funding alternatives for benches and kiosks for the site. He stated the grand opening is being deferred to early spring.

**Item 9b. Town Attorney**

Town Attorney Brenton McConkey stated no additional report.

**Item 9c. Town Clerk**

Town Clerk Sherry Scoggins stated no additional report.

**Item 9d. Other Staff**

Other staff did not have a report.

**ITEM 10. OTHER BUSINESS**

**Item 10a. Informal Discussion & Public Comment.**

No informal discussion and public comment were presented to the Council.

**Item 10b. Council Comments.**

No Council comments were presented.

**Item 10c. Closed session to discuss an economic development opportunity in accordance with NC GS 143-318.11 (a) (4).**

Councilman Satterfield motioned to go into closed session to discuss an economic development opportunity in accordance with NC GS 143-318.11 (a) (4); Councilman Holder seconded the motion. Motion carried 3-0 at 7:47 PM.

Councilman Satterfield motioned to return to open session; Councilman Lawter seconded the motion. Motion carried 3-0 at 8:17 PM.

**ITEM 11. ADJOURNMENT**

With there being no further business brought before the Council, Councilman Satterfield motioned to adjourn; Councilman Lawter seconded the motion. Motion carried 3-0 at 8:17 PM.

Duly adopted by the Town Council this \_\_\_\_ day of December 2011, while in regular session.

ATTEST:

\_\_\_\_\_  
Jody L. McLeod,  
Mayor

\_\_\_\_\_  
Sherry L. Scoggins, MMC  
Town Clerk

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

**Agenda Item: 3b**

**Meeting Date: 12/05/11**

**TITLE: YOUTH ART MONTH PROCLAMATION.**

**DESCRIPTION: Presentation.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-21-11	Presentation.	Proclamation.
12-05-11	Approval.	Proclamation.

# TOWN OF CLAYTON PROCLAMATION YOUTH ART MONTH

**WHEREAS**, the arts, in its many forms, constitute an important part of the community and contribute to the development of our youth; and,

**WHEREAS**, participation in and enjoyment of the arts can take many forms, including the visual arts, fine arts and performing arts; and,

**WHEREAS**, the Clayton Women's Club has sought to promote the involvement of our youth in various art projects to the betterment of their minds and the community as a whole.

**NOW, THEREFORE, LET IT BE PROCLAIMED** by the Honorable Mayor and Town Council of the Town of Clayton that the month of January each year, be recognized as:

## YOUTH ART MONTH

Let it also be proclaimed that all businesses, industries and citizens in the Clayton community are urged to support and encourage the school aged children of Clayton to participate in the arts.

Duly proclaimed this the 5th day of December 2011, while in regular session.

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Jody L. McLeod  
Mayor

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

**Agenda Item: 3c**

**Meeting Date: 12/05/11**

**TITLE: TEXT AMENDMENT FOR THE PLANNING BOARD AS FOUND IN THE TOWN CODE OF ORDINANCES BOOK.**

**DESCRIPTION: The proposed text amendment clarifies attendance for Planning Board members.**

**At its October 24, 2011, Planning Board meeting, the Planning Board members unanimously voted to recommend approval of the proposed text amendment.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-21-11	Presentation.	Draft Ordinance.
12-05-11	Approval.	Ordinance.

**TOWN OF CLAYTON**  
**Amendment to the Code of Ordinances: Chapter 32**  
**Departments, Boards, and Commissions: Planning Board**

**BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA** that the following text shall be amended to the Code of Ordinances:

Amend Section 32.075 MEMBERS; TERMS; VACANCIES to read as follows:

- (C) All members are expected to attend scheduled meetings for the prompt and efficient transaction of business. The secretary to the board shall maintain the attendance record, including attendance at regular meetings, work sessions and special called meetings. If at any time a member either fails to attend two-thirds of the scheduled meetings during a calendar year or misses three scheduled meetings in succession, the secretary to the board shall notify the Chairman of the Board. The Chairman of the Board will send a letter of recommendation on this member's attendance to the Town Council liaison and the Town Clerk. The Town Clerk shall include the letter as an item on the next available Town Council meeting agenda requesting that the Council as a whole make a decision on this member's continued service to the board.

Duly adopted by the Clayton Town Council this 5th day of December 2011 while in regular session.

ATTEST:

\_\_\_\_\_  
Jody L. McLeod  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Sherry L. Scoggins, MMC  
Town Clerk

\_\_\_\_\_  
Brenton W. McConkey  
Town Attorney

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

**Agenda Item: 3d**

**Meeting Date: 12/05/11**

**TITLE: RESOLUTION DIRECTING THE CLERK TO INVESTIGATE ANNEXATION PETITION 2011-11-01 LOCATED AT 277 GUY ROAD FOR THE UNINCORPORATED PORTION OF THE PARCEL.**

**DESCRIPTION: A citizen initiated annexation petition was received from North Carolina District of the Assemblies God Inc for the contiguous unincorporated portion of parcel located at 277 Guy Road (parcel number 05G02014Q).**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-21-11	Presentation.	Resolution & Map.
12-05-11	Approval.	Resolution & Map.

**ANNEXATION PETITION 2011-02-01  
277 Guy Road,  
Unincorporated portion of parcel no. 05G02014Q  
Owner – NC District Council of Assemblies of God Inc  
CONTIGUOUS, 1.88 acres (out of a 3.93 acre tract)**

**TOWN OF CLAYTON  
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-31**

**WHEREAS**, a petition requesting annexation of an area described in said petition was received on November 4, 2011, by the Town Council; and

**WHEREAS**, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

**WHEREAS**, the Town Council of the Town of Clayton deems it advisable to proceed in response to this request for annexation:

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Clayton that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town of Clayton the result of her investigation.

Duly adopted this 5th day of December 2011, while in regular session.

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**Jody L. McLeod  
Mayor**

**ATTEST:**

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**Sherry L. Scoggins, MMC  
Town Clerk**

**Annexation 2011-11-01**

**2.21 Acres**

**Crossroads Church of Clayton**

Annexation Petitioner: NC District Council of  
the Assemblies of God Inc

Property Owner: NC District Council of  
the Assemblies of God Inc

Parcel Number(s) Portion of 05G02014Q

Town Council Date(s): November 21, 2011  
December 5, 2011



Map produced by Town of Clayton  
Date: November 7, 2011

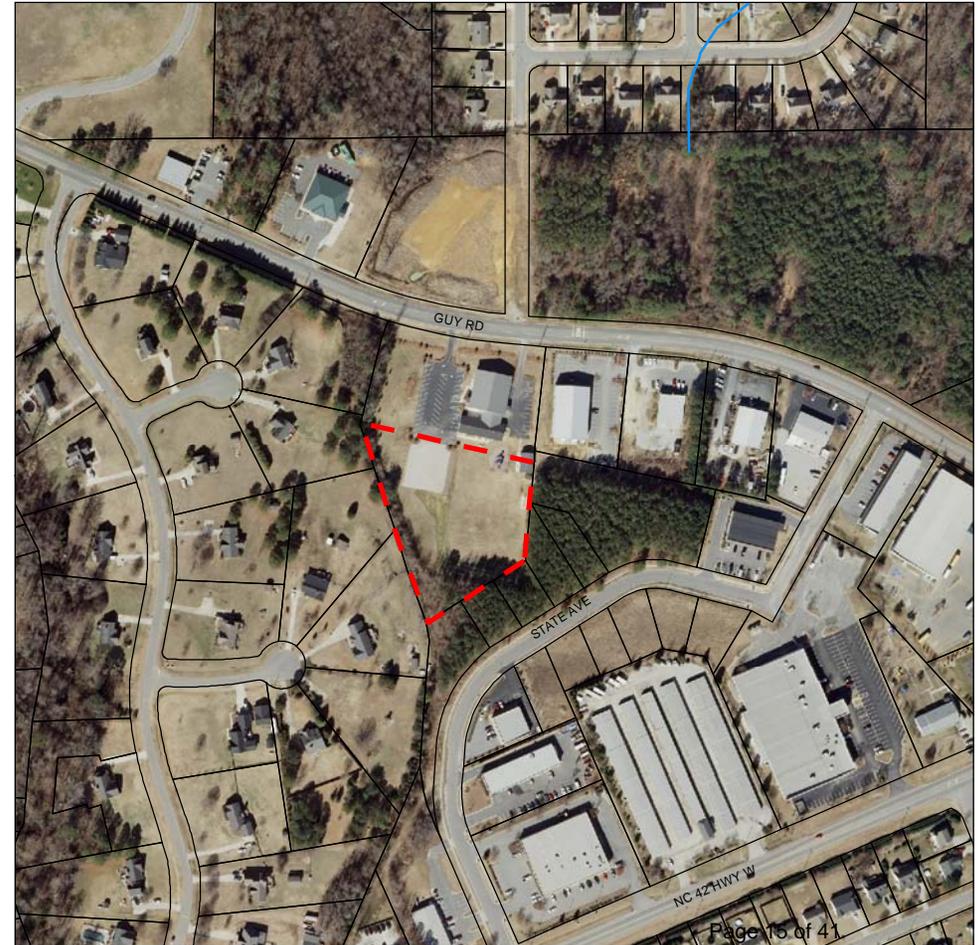
Disclaimer: Town of Clayton assumes no legal  
responsibility for the information represented here.

Aerial Photography Date: February/March 2010

Scale: 1" = 400'

 Town Limits

1



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

**Agenda Item: 3e**

**Meeting Date: 12/05/11**

**TITLE: FINAL ACCEPTANCE REQUEST FOR PUBLIC WATER, SEWER,  
AND ASSOCIATED STORM DRAINAGE UTILITIES FOR WOODS AT  
GLEN LAUREL.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-21-11	Presentation.	Memorandum.
12-05-11	Approval.	Memorandum.

# TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE  
(919) 553-1530

VEHICLE MAINTENANCE  
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS  
(919) 553-1530

WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector *CR*

Copy: Steven Sanderson, Sanderson Engineering  
David DeYoung, Planning Director

Date: October 11, 2011

Subject: Woods at Glen Laurel

Please place a final acceptance request for the subject public water, sewer, & associated storm drainage utilities on the next available agenda. All punch list items have been completed. Upon acceptance, the Town will assume all operation and maintenance duties.

**received**  
10-12-2011 *DRH*

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

**Agenda Item: 3f**

**Meeting Date: 12/05/11**

**TITLE: WARRANTY ACCEPTANCE REQUEST FOR PUBLIC SEWER  
UTILITY FOR CAMBRIDGE CORNER / O'REILLY AUTO PARTS.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-21-11	Presentation.	Memorandum.
12-05-11	Approval.	Memorandum.

# TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE  
(919) 553-1530

VEHICLE MAINTENANCE  
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS  
(919) 553-1530

WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Sherry Scoggins, Town Clerk  
From: Chris Rowland, Construction Inspector *CR*  
Copy: Jonathan Barnes, Dalton Engineering  
Date: October 25, 2011  
Re: Cambridge Corner / O'Reilly Auto Parts

Please place a warranty acceptance request for the subject public sewer utility on the next available agenda. Record drawings have been reviewed and accepted. Following acceptance, the lines will be subject to a one-year warranty period. Subsequently, a final inspection will be done and any deficient items corrected by the developer's contractor prior to final acceptance.



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

**Agenda Item: 4a**

**Meeting Date: 12/05/11**

**TITLE: PUBLIC HEARING FOR TEXT AMENDMENT IN THE TOWN'S UNIFIED DEVELOPMENT ORDINANCE FOR THE BOARD OF ADJUSTMENT AS FOUND IN THE TOWN CODE OF ORDINANCES BOOK.**

**DESCRIPTION: The proposed text amendment clarifies attendance for Board of Adjustment members.**

**At its October 19, 2011, Board of Adjustment meeting, the Board of Adjustment members unanimously voted to recommend approval of the proposed text amendment.**

**At its October 24, 2011, Planning Board meeting, the Planning Board members unanimously voted to recommend approval of the proposed text amendment.**

**This item is slated for public hearing on Monday, December 5, 2011.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-21-11	Presentation & Public Notice.	DRAFT Ordinance.
12-05-11	Public Hearing.	Ordinance.

**TOWN OF CLAYTON**  
**Amendment to the Code of Ordinances: Chapter 155**  
**Unified Development Code: Review Bodies – Board of Adjustment**

**BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA** that the following text shall be amended to the Code of Ordinances:

**155.700 REVIEW BODIES**

**(C) Board of Adjustment**

**(2) Composition**

**(c) Alternate members.**

3. Each alternate member, while attending any regular or special meeting and serving in the absence of any regular member, shall have and may exercise all the powers and duties of a regular members.

**(d) Attendance.** All members are expected to attend scheduled meetings for the prompt and efficient transaction of business. The secretary to the board shall maintain the attendance record, including attendance at regular meetings, work sessions and special called meetings. If at any time a member either fails to attend two-thirds of the scheduled meetings during a calendar year or misses three scheduled meetings in succession, the secretary to the board shall notify the Chairman of the Board. The Chairman of the Board will send a letter of recommendation on this member's attendance to the Town Clerk. The Town Clerk shall include the letter as an item on the next available Town Council meeting agenda requesting that the Council as a whole make a decision on this member's continued service to the board.

Duly adopted by the Clayton Town Council this 5th day of December 2011, while in regular session.

**ATTEST:**

\_\_\_\_\_  
**Jody L. McLeod**  
**Mayor**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Sherry L. Scoggins, MMC**  
**Town Clerk**

\_\_\_\_\_  
**Brenton W. McConkey**  
**Town Attorney**

TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET

Agenda Item: 5a

Meeting Date: 12/05/11

TITLE: COMMENTS FROM OUTGOING OFFICIAL COUNCILMAN ALEX  
HARDING.

DESCRIPTION:

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

12-05-11

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

**Agenda Item: 5b**

**Meeting Date: 12/05/11**

**TITLE: RECOGNITION OF OUTGOING OFFICIAL COUNCILMAN ALEX HARDING.**

**DESCRIPTION: Recognition.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-05-11**

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

**Agenda Item: 5c**

**Meeting Date: 12/05/11**

**TITLE: ADMINISTRATION OF OATHS OF OFFICE TO THE NEWLY ELECTED CLAYTON TOWN COUNCIL MEMBERS AND MAYOR BY MR. WILL CROCKER, CLERK OF SUPERIOR COURT TO:**

- R. S. "BUTCH" LAWTER, JR AS COUNCILMAN
- JASON THOMPSON AS COUNCILMAN
- JODY L. MCLEOD AS MAYOR.

**DESCRIPTION: Oaths of office.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-05-11	Swearing-in.	

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

**Agenda Item: 5d**

**Meeting Date: 12/05/11**

**TITLE: COMMENTS FROM THE NEWLY SWORN ELECTED OFFICIALS:**

- **COUNCILMAN R. S. "BUTCH" LAWTER, JR.,**
- **COUNCILMAN JASON THOMPSON,**
- **MAYOR JODY L. MCLEOD.**

**DESCRIPTION:**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-05-11**

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

**Agenda Item: 7a**

**Meeting Date: 12/05/11**

**TITLE: NOMINATION AND SELECTION OF MAYOR PRO TEM.**

**DESCRIPTION:** In accordance with NC GS 160A-70, at the organizational meeting the Council shall elect from among its members a mayor pro tempore to serve at the pleasure of the Council. The council member serving as mayor pro tempore shall be entitled to vote on all matters and shall be considered a councilman for all purposes, including the determination of whether a quorum is present.

**RELATED GOAL:** Administrative

**ITEM SUMMARY:**

Date:

Action:

Info. Provided:

12-05-11

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

**Agenda Item: 7b**

**Meeting Date: 12/05/11**

**TITLE: DISTRIBUTION OF COUNCIL LIAISON AND COMMITTEE  
ASSIGNMENTS: MAYOR JODY L. MCLEOD.**

**DESCRIPTION: At each organizational meeting, the mayor makes appointments of Council members or himself to serve as liaison or delegate to the various Town boards and committees and other agencies or associations to which the Town is a member.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-05-11**

**Will be distributed by  
The Mayor at the meeting.**

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

**Agenda Item: 9a**

**Meeting Date: 12/05/11**

**TITLE: RESOLUTION OF REQUEST FOR NCDOT PARTICIPATION IN CONSTRUCTION OF A NEW ACCESS POINT AT WEST CLAYTON ELEMENTARY ALONG HWY 42 WEST.**

**DESCRIPTION: The Town of Clayton requests the participation of NCDOT to provide a solution to the unsafe and congested conditions in the vicinity of West Clayton Elementary School and in cooperation with Johnston County Schools the Town of Clayton pledges \$1,000 in financial support to further the feasibility of the project and to serve as a partner to improve the current conditions.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-05-11	Approval.	Resolution.

**TOWN OF CLAYTON**  
**RESOLUTION OF REQUEST FOR NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**PARTICIPATION IN CONSTRUCTION OF A NEW ACCESS POINT**  
**AT WEST CLAYTON ELEMENTARY ALONG HIGHWAY 42 WEST**

**WHEREAS**, safety of the motoring public is of utmost importance to the Town of Clayton; and,

**WHEREAS**, certain conditions now exist along NC 42 west in the vicinity of West Clayton Elementary School that create an unsafe and congested condition for through motorists as well as persons arriving at and departing from the School zone; and,

**WHEREAS**, the Town of Clayton has sought in the past and continues to be a partner to Johnston County Schools in all activities and projects that create mutual benefit for students, parents, and the community as a whole; and,

**WHEREAS**, Johnston County Schools has worked with the NC Department of Transportation to identify a project that would tend to mitigate the current unsafe and congested conditions in the vicinity of West Clayton Elementary School; and,

**WHEREAS**, Johnston County Schools has requested support and involvement in the project from the Town of Clayton.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council for the Town of Clayton is requesting the participation of the North Carolina Department of Transportation to provide a solution to the unsafe and congested conditions in the vicinity of West Clayton Elementary School in cooperation with Johnston County Schools and the Town of Clayton and that the Town of Clayton pledges \$1,000 in financial support to further the feasibility of the project and to serve as a partner to improving the current conditions.

Duly adopted this the 5<sup>th</sup> day of December 2011 while in regular session.

Attest:

\_\_\_\_\_  
Jody L. McLeod  
Mayor

\_\_\_\_\_  
Sherry L. Scoggins, MMC  
Town Clerk

**INFORMATION SHEET**

**Board Meeting Agenda Item  
Johnston County Board of Education**

**November 8, 2011**  
**Date**

**SUBJECT:** West Clayton Paving Project

**BACKGROUND INFORMATION:**

Over the past several years, parking has become a major issue at West Clayton Elementary. So many parents have elected to drive their children to and from school, that it has become a necessity to expand a staging area for vehicles. This will alleviate the traffic congestion on Hwy 42 and move these vehicles to a staging area on the school campus.

**ADMINISTRATIVE CONSIDERATION:**

The staff has collected four informal bids for the installation of the vehicle staging area for West Clayton Elementary. They are \$66,750.00 from Coats Corp., \$64,820.00 from McCoy Contracting Inc., and a NO BID from S.T. Wooten and D.S.S. Inc.  
(See attached bid proposals)

**RECOMMENDATION:**

The staff recommends that a contract in the amount of \$64,820.00 be awarded to McCoy Contracting Inc.

**Approved**

**Disapproved**

**Received as Information**

\*\*\* DISCLAIMER \*\*\*  
Johnston County assumes no legal responsibility for the information represented here.



Scale 1 inch = 150 feet  
(The scale is only accurate when printed landscape on a 8.5x11in size sheet with no page scaling.)

Date November 2, 2011

# Coates Corporation

1503 S. Pleasant-Coates Rd. Benson, NC 27504  
 919.989.9702 ~ 919.989.9703 fax  
 www.coatescorp.com

## PROPOSAL

Date	Proposal #
10/11/2011	

Name / Address
Johnston County Schools Division of Facility Services 601A West Market Street Smithfield, NC 27577

Project
---------

West Clayton Elementary
-------------------------

Description	U/M	Qty	Rate	Total
Mobilize to site with necessary equipment	LS	1	500.00	500.00
Demolition of onsite materials as follows:				
1. clearing & grubbing	LS	1	1,800.00	1,800.00
2. curb & gutter approx. 60LF	LS	1	500.00	500.00
3. asphalt surface approx 100 SY	LS	1	925.00	925.00
Strip & grade for new driveway as follows:				
1. strip & dispose onsite approx. 200 CY topsoil & grass	LS	1	500.00	500.00
2. excavate w/onsite materials approx. 300 CY common excavation	LS	1	975.00	975.00
3. fine grade driveway for stone application approx. 2400 SY	LS	1	2,000.00	2,000.00
4. furnish & install approx. 400 CY offsite select borrow fill	LS	1	3,300.00	3,300.00
5. fine grade all areas upon completion for seeding	LS	1	2,500.00	2,500.00
Furnish, fine grade & backfill approx. 200 LF concrete curb & gutter	LS	1	3,100.00	3,100.00
Furnish & install approx. 2400 SY 6" CABG stone base approx. 850 tons	LS	1	11,475.00	11,475.00
Furnish & install approx. 2400 SY 2" S9.5A or S9.5B asphalt surface	LS	1	30,450.00	30,450.00
Furnish & install striping & arrows as needed	LS	1	1,800.00	1,800.00
Furnish all construction staking for complete job	LS	1	3,500.00	3,500.00
Testing of all in place materials	LS	1	2,500.00	2,500.00
Seed, mulch & tack all disturbed areas approx. 1/2 acre	LS	1	925.00	925.00
<b>NOTES &amp; EXCLUSIONS:</b>				
1. Undercut excavation w/onsite disposal shall be @ \$9.75/cy.				
2. Rock excavation w/onsite disposal shall be @ \$110.00/cy.				
3. Offsite disposal of rock @ \$15.00/cy.				
4. No permits or bonding of any kind.				
5. Offsite borrow materials shall be @ \$8.25/cy.				
6. No relocation of any onsite utilities; i.e. water, sewer, power, phone or fiber optic.				
7. All invoicing will be done on or before the 25th of each month with payment due the 10th of the following month. Any outstanding balance will be subject to a 1 1/2% per month finance charge.				
<b>Total</b>				





**McCoy Contracting, Inc.**  
PO Box 560  
Princeton, NC 27569

Jo Co BOE  
PO Box 1336  
Smithfield, NC 27577

Re: Clayton Elementary School  
New Drive Area

Dear Jimmy

We propose to furnish all Necessary Labor, Materials, Equipment, Taxes and Insurance to grade for a new driveway area for car staging, as listed below at the above-mentioned site.

The Lump Sum Bid is \$64,820.00 and with the following qualifications:  
**Option # 01: Barbour Mill Road Entrance**

- 1. Mobilization.....\$500.00
- 2. Demolition;
  - Clear trees along property line
  - Demolish and remove app 60 lf of curb and gutter
  - Total for Demolition.....\$2,800.00**
- 3. Grading;
  - Strip grass and vegetation for new driveway, app 220 cubic yards
  - Cut new driveway to grade, app 300 cubic yards, use in structural area
  - Fine-grade for ABC stone placement, app 2400 sy
  - Install app 400 cubic yards of select borrow material
  - Dress up all disturbed areas at completion
  - Total for Grading.....\$13,920.00**
- 4. Concrete;
  - Install app 200 lf of 24" curb and gutter
  - Total for Concrete Installation.....\$2,600.00**
- 5. Base / Paving;
  - Install app 2,400 sy of 6" ABC stone, app 850 tons
  - Install app 2,400 sy of 2" S 9.5 A asphalt, app 290 tons
  - Install striping and arrows as needed
  - Total for Base / Paving.....\$43,800.00**
- 6. Seeding;
  - Seed and straw disturbed areas
  - Total for Seeding.....\$1,200.00**

**Please note the following exclusions:**

- 1. Bonds, permits, or fees
- 2. Undercut of unsuitable sub-grade
- 3. Any other item not specifically mentioned above

**Page 2**

Should our price (s) be accepted, the following method of payment should be incorporated into the contract documents. "Progress billings for completed work in place, and/or stored materials, will be submitted on a monthly basis. You will receive our Billing the first of each month; or unless otherwise agreed upon terms are required, and payment is to be made to us within ten days of receipt of statement."

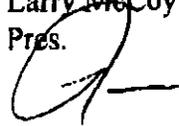
The ACSC Superpave price is based on the NCDOT Monthly Terminal F.O.B. Asphalt Binder Price of \$577.86 per ton for the month of Oct. 2011. If the asphalt cement price fluctuates from this stated price during the time of paving McCoy Contracting reserves the right to adjust prices in accordance with the NCDOT Monthly Terminal F.O.B. Asphalt Binder Prices

We thank you for the opportunity of submitting this quotation. Should it meet with your approval, please sign on the acceptance line and return the complete proposal to us. We will execute and return a copy for your files. Or should you have any questions, please call me. Our proposal remains firm for 15 days.

Sincerely,

McCoy Contracting, Inc.  
License # 47435  
**Office** 919-975-0220 **Mob.** 919-422-3015 **Fax** 919-975-0221

Larry McCoy  
Pres.



LM/lwm

ACCEPTED BY:

APPROVED BY:

\_\_\_\_\_  
Company Name and Address McCoy Contracting, Inc

\_\_\_\_\_  
Date Date

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

**Agenda Item: 10a**

**Meeting Date: 12/05/11**

**TITLE: DISCUSSION OF SCHEDULING AND LOGISTICS FOR THE 2011-2012 COUNCIL RETREAT.**

**DESCRIPTION:**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-05-11**

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

**Agenda Item: 11c**

**Meeting Date: 12/05/11**

**TITLE: TOWN CLERK**

**DESCRIPTION: Ethics Training opportunities for “newly” elected officials**

In accordance with NC GS 160A-87, Ethics education program required, the School and Government and North Carolina League of Municipalities are offering the following opportunities for new and seasoned elected officials to receive educational programming that includes the required two clock hours of ethics training for those newly elected and those re-elected.

The following Town of Clayton elected officials will need to complete the ethics training within the 12 months after election:

- Mayor Jody L. McLeod
- Councilman R.S. “Butch” Lawter Jr.
- Councilman Jason Thompson

Educational sessions for the Essentials of Municipal Government are available:

- Greenville: January 11-12, 2012
- Asheville: January 25-26, 2012
- Chapel Hill: February 17-18, 2012
- Wilmington: February 23-24, 2012
- Charlotte: February 28-29, 2012

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-05-11	N/A.	Essentials of Municipal Government Overview.

Published on *School of Government* (<http://www.sog.unc.edu>)

[Home](#) > Essentials of Municipal Government

# Essentials of Municipal Government

[Classroom](#) <sup>[1]</sup> [Leadership and Governance](#) <sup>[2]</sup>

Two educational programs will be offered in five locations across the state to help newly elected and veteran officials lead in this time of change, respond innovatively to economic challenges, and work together effectively to make decisions that will shape North Carolina's future. Both programs offer participants points toward recognition in the [Local Elected Leaders Academy \(LELA\)](#). <sup>[3]</sup>

***See below for course descriptions and locations:***

## ***Essentials of Municipal Government \$350***

*For newly-elected officials*

This two day course is for newly elected municipal officials. It is also recommended for veteran municipal officials who have never attended *Essentials*. The course is intended for new mayors and council members. The program covers the basics of municipal government, making the transition from campaigning to governing, understanding roles, responsibilities and key elements of municipal law, working effectively as a board and with the city manager, meeting financial requirements, understanding environmental regulation, and planning for zoning and land use.

## ***Community Planning and Zoning: Making Better Decisions -\$175***

*For veteran elected officials*

This is a one day workshop for veteran municipal *and* county officials. Today's elected officials are confronted with controversial and complicated decisions about land use and development. Learn more about your role in planning and zoning, navigating the zoning process, and working effectively with others to make better decisions. Today's decisions will affect North Carolina's future.

Elected officials are encouraged to invite their municipal and county managers to join them. This workshop is held in the same location and on the first day of *Essentials of Municipal Government*.

***Combination of both courses—Essentials of Municipal Government and Community Planning and Zoning: Making Better Decisions - \$350***

*For municipal veteran elected officials*

This two day combined course is open to *veteran municipal elected officials*. The first day, attend the workshop on community and planning. Then on day two, join newly elected municipal officials in sessions discussing working together in council-mayor/council-manager municipalities, personnel and operations, infrastructure and environment, and financial management. This option is also recommended for entire boards. It provides opportunities for team building and networking. If you are interested in more information on bringing your entire board, please contact Susan Hutchinson 919-966-4171 or [smhutch@sog.unc.edu](mailto:smhutch@sog.unc.edu) [4].

***Information on State Mandated Ethics Training:***

The above courses-*Essentials of Municipal Government* and *Community Planning and Zoning: Making Better Decisions* offer ethics training as part of the course curriculum. *Registration is required*. This updated training fulfills the ethics education requirement for local elected officials mandated by state law each time an official is elected or re-elected. If an official is on the November 2011 ballot and wins the initial election or re-election, two hours of ethics training is required prior to November 2012. Attorneys can claim two hours of general CLE credit.

To attend ethics during this program, you must register for one the above courses. Please visit the [ethics](#) [5] website for additional information on ethics legislation.

***Scholarship Opportunities:***

The Local Elected Leaders Academy offers scholarships to municipal elected officials to attend the above programs.(application link coming soon). Scholarships are made available for the 2012 sessions through the generous support of the following sponsors:

- Food Lion
- Local Government Federal Credit Union

Registration for the course is required before submitting a scholarship application.

Click [here](#) [6] for a scholarship application.

# Program Options

Please select one of the options below for more information

- [Greenville January 11-12, 2012](#) <sup>[7]</sup>
- [Asheville January 25-26, 2012](#) <sup>[8]</sup>
- [Chapel Hill-February 17-18, 2012](#) <sup>[9]</sup>
- [Wilmington-February 23-24, 2012](#) <sup>[10]</sup>
- [Charlotte-February 28-29, 2012](#) <sup>[11]</sup>

Classroom Leadership and Governance  
Knapp-Sanders Building  
Campus Box 3330  
UNC-Chapel Hill, Chapel Hill, NC 27599-3330  
T: 919.966.5381 | F: 919.962.0654

**Source URL:** <http://www.sog.unc.edu/node/1199>

## Links:

- [1] <http://www.sog.unc.edu/taxonomy/term/7>
- [2] <http://www.sog.unc.edu/taxonomy/term/25>
- [3] <http://www.sog.unc.edu/.../programs/lela>
- [4] <mailto:smhutch@sog.unc.edu>
- [5] <http://www.sog.unc.edu/programs/ethics>
- [6] [http://www.sog.unc.edu/sites/www.sog.unc.edu/files/EMG-RL%20Scholarship%20App%202012\\_1.pdf](http://www.sog.unc.edu/sites/www.sog.unc.edu/files/EMG-RL%20Scholarship%20App%202012_1.pdf)
- [7] <http://www.sog.unc.edu/node/1199/sog-program/view-offering/186>
- [8] <http://www.sog.unc.edu/node/1199/sog-program/view-offering/317>
- [9] <http://www.sog.unc.edu/node/1199/sog-program/view-offering/318>
- [10] <http://www.sog.unc.edu/node/1199/sog-program/view-offering/319>
- [11] <http://www.sog.unc.edu/node/1199/sog-program/view-offering/320>

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

Agenda Item: 11c

Meeting Date: 12/05/11

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Clayton Downtown Christmas Village & Tree Lighting Ceremony – Thursday, December 1, 2011
- Council Mtg – Monday December 5, 2011 @ 7:30 PM
- Clayton Christmas Parade – Saturday, December 10, 2011 @ 3 PM
- Downtown Development Association Mtg – Monday, December 12, 2011 @ 7:30 PM in Room GS 223
- Council Mtg – Monday, December 19, 2011 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, December 21, 2011 @ 6 PM
- Christmas Holiday – Monday, December 26, 2011 & Tuesday, December 27, 2011
- Planning Board Mtg – **WEDNESDAY**, December 28, 2011 @ 7 PM
- New Year’s Day Holiday – Monday, January 2, 2012
- Council Mtg – **TUESDAY**, January 3, 2012 @ 7:30 PM
- Youth Art Month Recognition and Reception at the Clayton Center – Thursday, January 5, 2012 @ 6:30 PM
- Martin Luther King Birthday Holiday – Monday, January 16, 2012
- Council Mtg – **TUESDAY**, January 17, 2012 @ 7:30 PM
- Main Street Conference (**Hosted by the Town of Clayton**) – January 25 – 27, 2012
- Council Mtg – Monday, February 6, 2012 @ 7:30 PM
- Council Mtg – Monday, February 20, 2012 @ 7:30 PM
- Council Mtg – Monday, March 5, 2012 @ 7:30 PM
- Council Mtg – Monday, March 19, 2012 @ 7:30 PM
- Council Mtg – Monday, April 2, 2012 @ 7:30 PM
- Good Friday Holiday – Friday, April 6, 2012
- Council Mtg – Monday, April 16, 2012 @ 7:30 PM
- Council Mtg – Monday, May 7, 2012 @ 7:30 PM
- Council Mtg – Monday, May 21, 2012 @ 7:30 PM
- Memorial Day Holiday – Monday, May 28, 2012
- Council Mtg – Monday, June 4, 2012 @ 7:30 PM
- Council Mtg – Monday, June 18, 2012 @ 7:30 PM
- Independence Day Holiday – Wednesday, July 4, 2012
- Council Mtg – Monday, July 16, 2012 @ 7:30 PM
- Labor Day Holiday – Monday, September 3, 2012

Date:  
12-05-11

Action:  
N/A.

Info. Provided:  
Calendar of Events.