

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**

**JUNE 20, 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**  
**THE WORK SESSION MEETING OF THE CLAYTON TOWN COUNCIL**

**MONDAY, JUNE 20, 2011**  
**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 6, 2011, regular meeting.
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
  - a. Introduction of new Town of Clayton employee(s).
  - b. Presentation by the Clayton Chamber of Commerce for the 2011 Harvest Festival.
5. **ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**
  - a. East Clayton Community Park bid opening results [Council action is requested].
  - b. 2011 Town of Clayton / Johnston County Fire Contract [Council action is requested].
  - c. Ordinance amendment to the FY 10-11 budget for the Clayton Law Enforcement Center (CLEC) [Council action is requested].
  - d. Proclamation – July 2011 as Parks and Recreation Month [Council action is requested].
  - e. Final acceptance request for asphalt pavement at Mitchiner Hills Subdivision, Phase 1.
6. **ITEMS CONTINGENT FOR THE REGULAR MEETING**
7. **ITEMS FOR DISCUSSION**
8. **OLD BUSINESS**
  - a. FY 2011-2012 Town Operating Budget [Council action is requested].
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 May 2011 meeting.
- d. Closed session in accordance with NC GS 143-318.11 (a) (5).

**11. ADJOURNMENT**

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

Agenda Item: 3a

Meeting Date: 6/20/11

TITLE: DRAFT MINUTES FROM THE JUNE 6, 2011, REGULAR MEETING.

DESCRIPTION: Minutes.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

6-20-11

Approval.

DRAFT minutes from  
6/6/2011 regular meeting.

**MINUTES  
CLAYTON TOWN COUNCIL  
JUNE 6, 2011**

The first regular meeting of the Clayton Town Council for the month of June was held on Monday, June 6, 2011, at 7:30 PM at Town Hall, 111 East Second Street.

**PRESENT:** Mayor Jody L. McLeod, Mayor Pro Tem Michael Grannis, Councilman Bob Satterfield, Councilman Alex Harding, and Councilman Art Holder.

**ABSENT:** Councilman R. S. "Butch" Lawter, Jr.

**ALSO PRESENT:** Steve Biggs, Town Manager; Jeffrey Bandini, Town Attorney; Sherry Scoggins, Town Clerk; Nancy Medlin, Deputy Town Manager; David DeYoung, Planning Director; Robert McKie, Finance Director; Ronnie Wood, Electric System Director

**ITEM 1. CALL TO ORDER**

Mayor McLeod called the meeting to order at 7:32 PM and led everyone in the Pledge of Allegiance. Mayor McLeod gave the invocation.

**ITEM 2. ADJUSTMENT OF THE AGENDA**

Town Manager Steve Biggs requested Item 9c be removed.

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

**ITEM 3. ACTION AGENDA**

Councilman Harding motioned to approve the action agenda as presented; Mayor Pro Tem Grannis seconded the motion. The motion carried 4-0 at 7:33 PM with the following action agenda items being approved:

- Item 3a. Draft minutes from the May 16, 2011, work session meeting; draft minutes from the May 16, 2011, closed session; and draft minutes from the May 24, 2011, budget work session.
- Item 3b. Proclamation for Flag Day; June 14, 2011.
- Item 3c. Proclamation for Adopt a Pet Month; June 2011.
- Item 3d. Warranty acceptance for South Tech Park/Harvest Mill Lane for the public water, sewer, and associated storm drainage utilities.

**ITEM 4. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

No introductions and special presentations were presented to Council.

**ITEM 5. PUBLIC HEARINGS**

Item 5a. Public hearing for the Town’s Fiscal Year 2011-2012 budget.

Mayor McLeod stated this item has been advertised for public hearing and opened the hearing for public comment. As no public comment was received, Mayor McLeod closed the public hearing at 7:33 PM.

Town Manager Biggs stated the budget ordinance will be presented at the June 20, 2011, meeting for Council action.

Item 5b. Evidentiary hearing for special use permit request SUP 2011-17 for Life Spring Academy located at Wellspring Community Church on Short Johnson Road.

Mayor McLeod stated special use permit SUP 2011-17 for Life Spring Academy located at Wellspring Community Church on Short Johnson Road has been noticed for an evidentiary hearing at 7:34 PM. He called upon Town Attorney Bandini to explain the rules of procedure.

Town Attorney Jeffrey Bandini introduced the evidentiary hearing procedures used for Special Use Permit SUP 2011-17. He explained that special use permits are different in certain respects from the capacity in which the Town Council normally functions. Mr. Bandini stated that the Town Council normally functions in a legislative capacity; special use permit hearings are “quasi-judicial,” which means that the Council would act essentially as a court of law. He stated there is a burden that the applicant of the special use permit must meet the four criteria as found in the Town’s Unified Development Code. He added anyone opposed to the application would have to put on evidence of a similar kind, showing the criteria have not been met. Mr. Bandini stated that testimony must be given under oath. He added all testimony and evidence provided to the Council must be competent, material and substantial. He stated pursuant to the North Carolina General Statutes, competent evidence does not include opinion testimony of lay witnesses on certain matters and hearsay evidence will not be admitted. Mr. Bandini stated the Town Council will apply the criteria contained in the Town’s Unified Development Code and make its decision based on the evidence and testimony presented at the hearing. Mr. Bandini also explained that his role during the hearing is to monitor all evidence and testimony to ensure that it complies with North Carolina law, the Town’s Code and procedures, and all other applicable requirements.

Mayor McLeod called all those wishing to give evidence, whether for or against the special use permit, to come forward and be sworn in. Town Clerk Sherry Scoggins administered the oath to the following: Planning Director David

DeYoung, Town Manager Steve Biggs, Bobbi D. Roe, Jill Gallegos, Dawn Parker, Robert L. Austin, and James Howard Lipscomb.

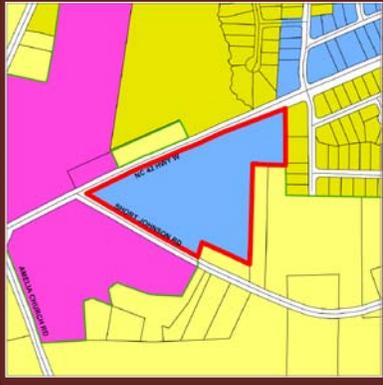
Planning Director David DeYoung provided a PowerPoint presentation overview:

PLANNING DEPARTMENT

**SUP 2011-17**  
**LifeSpring Academy**

**Request:**

- ◆ Special Use Permit to allow the addition of a private school (K-12) within the existing WellSpring Community Church located at the southeast corner of Short Johnson Road and NC 42 HWY W



PLANNING DEPARTMENT

**LifeSpring Academy**

**Site Data:**

- ◆ 14.39 acre parcel
- ◆ Office-Institutional (O-I) Zoning District
- ◆ Currently occupied by existing one-story church (approved 2002)
- ◆ 8,460 SF
- ◆ 290 seats





## LifeSpring Academy

### Site Improvements:

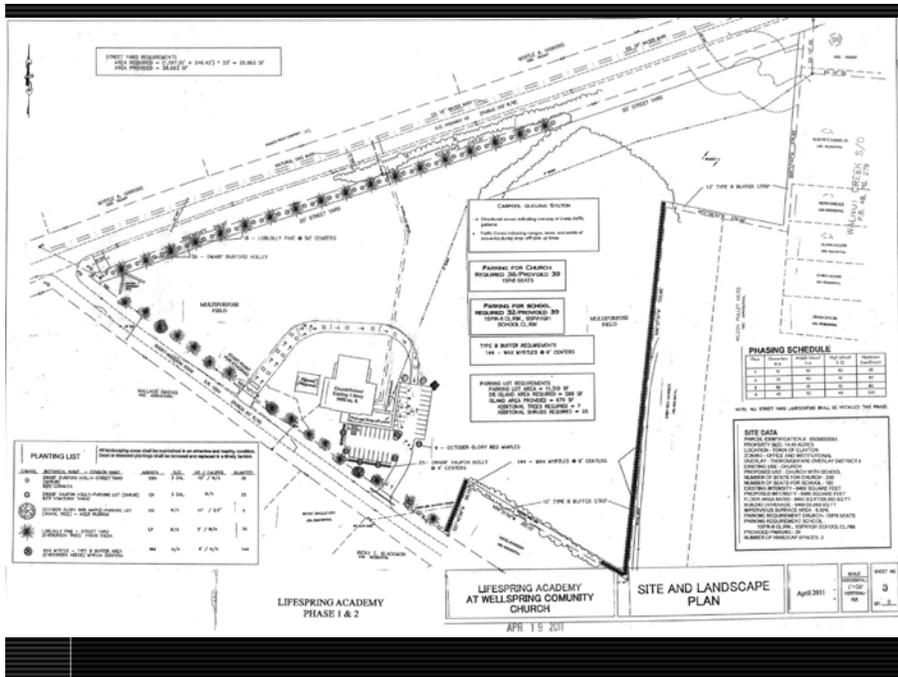
- ◆ The proposed school will utilize existing site improvements and facilities and will be phased

### Landscaping:

- ◆ Additional vegetation being added to parking lot and buffer along Short Johnson Road

### Access:

- ◆ Two existing approved entrances from Short Johnson Road



Planning Director DeYoung stated car poolers will use the first driveway for student drop-off and use the second driveway to exit. He stated the landscaping improvements include replacing a series of trees in the existing buffer that have died. He added at the end of Phase Two a traffic study is required.



## LifeSpring Academy

### Phasing:

- ◆ Phase 1 (year 1): Projected enrollment of 25-35 students, maximum of 35.
- ◆ Phase 2 (year 2): Projected enrollment of 40-50 students, maximum of 50.
- ◆ Phase 3 (year 3): Projected enrollment of 60-80 students, maximum of 80.
- ◆ Phase 4 (year 4 and beyond): Projected enrollment of 100-120 students, maximum of 120.



## LifeSpring Academy

The proposed development is generally consistent with:

- ◆ Strategic Growth Plan
  - Balanced growth - development location / infrastructure availability / roadway access
- ◆ Unified Development Code
  - The proposed use is consistent with the UDC with Special Use Permit
  - Applicant has addressed Findings of Fact
- ◆ Surrounding Land Uses
  - Minimal to no additional impact

## LifeSpring Academy



Both the Planning Board and staff is recommending approval subject to the following Conditions of Approval:

1. The school shall provide the Planning Department with the actual enrollment each year for years 1 – 4 by the 10th day of school.
2. The school shall provide the Planning Department with an updated projected enrollment (for years/Phases 2 through 4) at the end of each school year.

## LifeSpring Academy



Conditions of Approval:

3. At the end of Phase 2 and prior to Phase 3, a Traffic Impact Analysis (TIA) meeting the Town's standards shall be submitted to the Planning Department for review and approval.
4. Prior to the issuance of a Zoning Compliance Permit, the Town shall inspect the church/school for compliance with applicable regulations.

Ms. Dawn Parker stated they would begin by introducing themselves. She stated she lives in Clayton and has lived in Johnston County all her life. She stated she is one of the three founders and she will serve as the financial administrator of the school. She stated her degree is in accounting and she would not be a lead teacher.

Ms. Bobbi Roe stated she is currently a public school teacher and has been an educator for 25 years. She added she is a math coach in another county. She stated she will be a teacher and is a co-founder and administrator.

Ms. Jill Gallegos stated she lives in the area. She stated she has been an educator for 20 plus years with experience in high school, ESL, and teaching adult learners. She stated she is also one of the founders and will be teaching grades 7 through 12 this coming school year.

Mr. Bobby Austin stated he is the pastor of Well Spring Community Church.

Mr. James Lipscomb stated he is with HomeTowne Realty.

Ms. Parker stated this was not a process she was familiar and Mr. Lipscomb has been an angel from God for this whole process.

Ms. Parker, Ms. Roe, and Ms. Gallegos provided a joint PowerPoint presentation:



"I will praise you because I am fearfully and wonderfully made."

Psalm 139:14

## *LifeSpring Academy*

- ▶ LifeSpring Academy is a unique, Christ-filled private school implementing a hands-on, student-centered approach to education. LifeSpring Academy is the result of a prayerful group of ordinary people called by God to offer all families another choice to educate their children.



Ms. Gallegos provided an overview of the mission of Life Spring Academy. She stated it is important to partner with the parents.

### Proposed Four-Phase Plan

| Phase              | Enrollment  |
|--------------------|---|
| Phase I (year 1)   | Projected enrollment of 25–35 students, maximum of 35.    |
| Phase II (year 2)  | Projected enrollment of 40–50 students, maximum of 50.    |
| Phase III (year 3) | Projected enrollment of 60–80 students, maximum of 80.    |
| Phase IV (year 4)  | Projected enrollment of 100–120 students, maximum of 120. |



Ms. Parker stated they have a four phase plan. She stated the requested information will be provided by the fourth day of the beginning of each school year.

## Overview of Finding of Facts.

- ▶ a) No material endangerment to the public health and safety:
  - No change in use of existing property.
  - All North Carolina's Department of Non-Public Education's guidelines and required inspections will be met
- ▶ b) Compliance with all specifications and regulations of the town of Clayton and/or other applicable agencies:
  - Proposed phasing plan will bring LifeSpring Academy into full compliance, before the beginning of phase 3
- ▶ c) Projection of adjacent property values:
  - Current adjacent property is under developed
  - Neighborhood meeting notes
  - The developed properties are not at highest and best use
- ▶ d) Conformance with plans and development standards of the Town of Clayton:
  - Four-Phase plan allows LifeSpring Academy to come into full compliance with development standards



Ms. Roe provided an overview of the four findings of fact. She added that all North Carolina Department of Non-Public Education guidelines and required inspections would be met because they cannot sign the lease without meeting the state required inspections. She shared persons attending the neighborhood meeting expressed support for the request.

### *LifeSpring Classroom Structures*

#### School of Grammar

Kindergarten – 2<sup>nd</sup> Grade  
3<sup>rd</sup>–6<sup>th</sup> Grade

#### School of Logic and Rhetoric

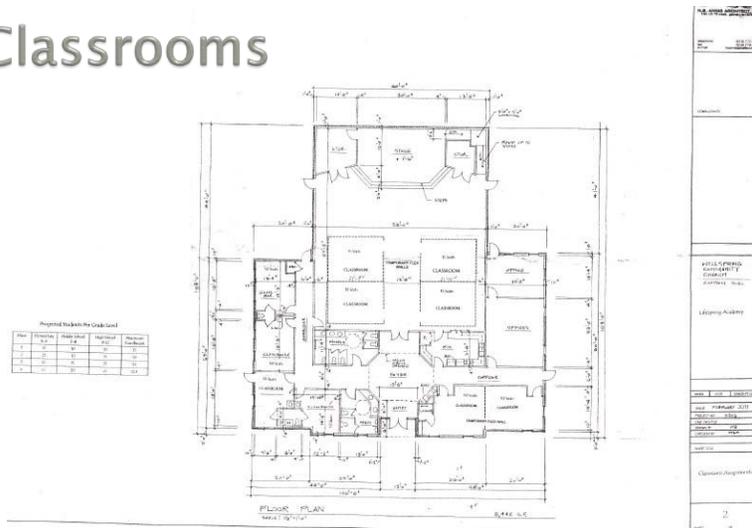
7<sup>th</sup> – 12<sup>th</sup> Grade  
7<sup>th</sup>–9<sup>th</sup> Logic, 10<sup>th</sup>–12<sup>th</sup> Rhetoric



Ms. Gallegos stated this will be a multi-age school.

Ms. Roe stated if enrollment exceeded a level then it would be split into two classes.

## Classrooms



## Screenflex Room Dividers



Ms. Parker provided an overview of the screenflex room dividers and how they would be used in the sanctuary.

## Schedules

LifeSpring will operate on a traditional school calendar:

First Day of School – August 25, 2011

Last Day of School – May 25, 2012

Daily operating schedule:

9:00–3:30



8

Ms. Gallegos provided an overview of the schedule for Life Spring Academy.

*LifeSpring Academy*



I will praise you because I am fearfully and wonderfully made.”  
Psalm 139:14



Ms. Roe stated thanks for the guidance and help received from the Planning Department, Planning Board, Pastor Bobby Austin of Wellspring Community Church and James Lipscomb. She added they have learned a lot.

As there was no one to speak in opposition, Mayor McLeod turned this over to the Council for inquiry at 7:49 PM.

Mayor Pro Tem Grannis questioned how the phasing requirements would be ensured for compliance.

Planning Director DeYoung stated the Planning Department will monitor the conditions of approval. He stated the Planning Department will create a spreadsheet for projects that have been approved with time constraints. He stated it will be tracked month-to-month to see which projects have pending items. He stated it is the responsibility of the Planning Department staff to monitor conditions of approval so those are met by the applicant in a timely fashion.

Mayor Pro Tem Grannis questioned the maximum classroom size.

Ms. Parker stated 15 students.

Mayor Pro Tem Grannis added even at the 120 level.

Ms. Roe stated the 120 students are calculated from the number of spaces within the parking lot to accommodate the elementary and high school students. She added the largest class size would be 15. She stated if there are 16 students in a grade, then the students would be split into two classrooms.

Mayor Pro Tem Grannis questioned the maximum amount of people in the church building at any given time. He explained that he noticed the restroom facility does not appear restrictive and added it is important to know the maximum number of people.

Ms. Parker stated it would depend on the number of students enrolled and staff. She added it could be from six to ten teachers.

Mayor Pro Tem Grannis questioned if there would be no church functions during the class day.

Ms. Parker stated no church functions would be scheduled during class time.

Mayor Pro Tem Grannis stated that would be about 130 people.

Councilman Harding stated he is more focused on the space. He stated when the school gets to 100 to 120, if there is enough space.

Ms. Roe stated they did their own study and placed 15 children in each classroom. She added if the K-2 class exceeds the number of allowable students, they may have to do a waiting list.

Councilman Harding questioned if that size warrants a traffic impact analysis; hereafter referred to as TIA.

Planning Director DeYoung stated absolutely. He stated when they get to 50 students, the school will exceed the a.m. peak. He stated the third phase will be up to 80 students.

Councilman Harding questioned the number of students attending Powhatan Elementary School.

Planning Director DeYoung stated he did not have that information. He stated a typical elementary school has 700 students.

Councilman Harding thanked the applicants for teaching and he added it is a great profession.

Councilman Harding questioned if there is a utility allocation with this request.

Town Manager Biggs stated not with the application. He stated the requested amount is within the administrative approval.

Councilman Holder stated he noticed the elementary students would be released 20 minutes ahead of the other students. He stated if he was a parent with kids in all three sessions he would not want to leave and return in 20 minutes. He added that two or three parents could be impacted and they could impact the traffic by remaining.

Ms. Roe stated in that case the older students are dismissed with the younger students so the parent can make one pick up.

Councilman Holder stated he would dismiss all the students at one time.

Mr. Roe stated it is standard to dismiss the older students after the younger students.

Mayor McLeod closed the inquiry at 7:56 PM and he called the Council into deliberation.

**Mayor Pro Tem Grannis motioned:**

Based on the substantial and competent evidence and testimony presented to the Town Council on this matter, the Council finds and concludes that Special Use Permit Application **SUP 2011-17**, subject to the conditions recommended by the Planning Board and Planning Staff:

1. The school shall provide the Planning Department with the actual enrollment each year for years 1-4 by the 10<sup>th</sup> day of school.

2. The school shall provide the Planning Department with an updated projected enrollment (for years/Phases 2 through 4) at the end of each school year.
  3. At the end of Phase 2 and prior to Phase 3, a Traffic Impact Analysis (TIA) meeting the Town's standards shall be submitted to the Planning Department for review and approval.
  4. Prior to the issuance of a Zoning Compliance Permit, the Town shall inspect the church/school for compliance with applicable regulations.
- And with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representatives:
- (1) Will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved;
  - (2) Meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Clayton's Unified Development Ordinance or all other applicable regulations;
  - (3) Will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties and other neighborhood uses; and
  - (4) Will not adversely affect the general plans for the development of the Town of Clayton and will not violate the character or existing standards for development of the adjacent properties.

Councilman Harding seconded the motion. Motion carried 4-0.

**Councilman Harding motioned to approve:**

Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein I move to approve Special Use Permit Application **SUP 2011-17**.

Mayor Pro Tem Grannis seconded the motion. Motion carried 4-0 at 7:58 PM.

**ITEM 6. OLD BUSINESS**

Item 6a. Wastewater allocation request for Spring Branch Medical located on NC 42 HWY West and adjacent to Johnston Medical Center.

Town Manager Steve Biggs stated this project was approved earlier. He stated there has been correspondence on the wastewater allocation amount. He stated the request is for approval of the first phase in the amount of 17,304 gpd. He stated this project will be done in phases.

Based upon question by Council, Town Manager Biggs stated there is an abundance of wastewater allocation for commercial; however, he does not have an actual amount.

Based upon question by Council, Town Manger Biggs stated if construction is begun within 18 months, the wastewater allocation request is considered

reserved. He added the Town does not have a clause to reclaim requests that do not fully build out. He stated this request was scrutinized because it ties into the Walnut Creek Pump Station. He stated the Town is presently in the process of making a direct connection along HWY 42 in order to by-pass the Walnut Creek Pump station. He added his recommended is to review allocations on a phase-by-phase basis for this project.

Councilman Satterfield motioned to approve the wastewater allocation request of 17,304 gpd; Councilman Holder seconded the motion. Motion carried 4-0.

## **ITEM 7. NEW BUSINESS**

Item 7a. Ordinance amendments to the Fiscal Year 2010-2011 budget:

- 2009A GO Bond Recreation Project
- Sam's Branch Sewer Outfall Project
- Wastewater Treatment Plant Upgrade – Phase 1
- Electric Fund Power Purchase
- Water & Sewer Fund Debt Service

Finance Director Robert McKie stated the five budget ordinance amendments will clean up the books.

Mayor Pro Tem Grannis motioned to approve the budget ordinance amendments as presented; Councilman Harding seconded the motion. Motion carried 4-0.

## **ITEM 8. STAFF REPORTS**

Item 8a. Town Manager

Town Manager Steve Biggs stated the Town does have a lease for the Sam's Branch Trailhead area. He added the asphalt is in place and the bridges are pending construction. He stated the Town anticipates beginning the trailhead project either this week or next.

Town Manager Steve Biggs stated the Town received official notice for receipt of the \$300,000 PARTF grant.

Town Manager Biggs provided an overview of the following pending legislative bills:

- HB845 – Annexation Update
- HB281 – Extra-Territorial Jurisdiction (ETJ) Elimination
- HB307 – Electronic Notices Alternative
- SB170 – Clarify Nuisance Abatement Laws
- SB683 – Residential Building Inspections

Item 8b. Town Attorney

Town Attorney Jeffrey Bandini stated no report.

Item 8c. Town Clerk

Town Clerk Sherry Scoggins stated the Clayton Board of Adjustment meeting for June is cancelled

Item 8d. Other Staff

No other staff made a presentation.

**ITEM 9. OTHER BUSINESS**

Item 9a. Informal Discussion & Public Comment.

Mr. James Lipscomb thanked the Council and Planning Department for working with the Life Spring applicants.

Item 9b. Council Comments.

No Council comments were presented.

Item 9c Closed session to discuss real estate acquisition in accordance with NC GS 143-318.11 (a) (5).

This item was removed.

Item 10. ADJOURNMENT

Mayor Pro Tem Grannis motioned to adjourn; Councilman Harding seconded the motion. Motion carried unanimously at 8:12 PM.

Duly adopted by the Town Council this \_\_\_\_\_ day of June 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: 4a

Meeting Date: 6/20/11

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

DESCRIPTION: Introduction(s).

RELATED GOAL: Administrative

ITEM SUMMARY:

| <u>Date:</u> | <u>Action:</u>   | <u>Info. Provided:</u> |
|--------------|------------------|------------------------|
| 6-20-11      | Introduction(s). | N/A.                   |

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

Agenda Item: 4b

Meeting Date: 6/20/11

**TITLE: PRESENTATION BY THE CLAYTON CHAMBER OF COMMERCE FOR THE 2011 HARVEST FESTIVAL.**

**DESCRIPTION: The Clayton Chamber of Commerce is hosting the 2011 Clayton Harvest and Music Festival September 14 – 18, 2011.**

The Clayton Chamber of Commerce respectfully requests the use of the Town Square from Friday, September 16 through Sunday, September 18.

The Clayton Chamber of Commerce respectfully requests the temporary closure of the following streets:

- Main Street between Smith and O’Neil Streets on Saturday, September 17 from 5 AM thru 6:30 PM
- Lombard Street between Main and Second Streets on Saturday, September 17
- Church Street between Main and Second Streets on Saturday, September 17
- Barbour Street between Main and Second Streets on Saturday, September 17
- Fayetteville Street between Main and Second Streets from 6:30 PM on Thursday, September 15, 2011, thru midnight on Sunday, September 18, 2011

**RELATED GOAL: Create an Alive Downtown**

**ITEM SUMMARY:**

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 6-20-11      | Presentation.  | N/A.                   |

# CLAYTON NC CHAMBER of COMMERCE

301 East Main Street • P.O. Box 246 • Clayton, NC 27528 • 919-553-6352 • 919-553-1758 fax

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May 24, 2011

## LETTER OF REQUEST

Clayton Town Council  
C/o Mr. Steve Biggs, Town Manager  
Town of Clayton  
P.O. Box 879  
Clayton, NC 27528

Dear Town Manager and Council Members,

As you are aware, the Clayton Chamber of Commerce sponsors the Clayton Harvest and Music Festival annually in September. The 2011 event is scheduled for September 14 – 18, 2011.

This event draws thousands of visitors to downtown Clayton, and we expect this year to again bring record numbers to our town.

### *Town Square:*

The Chamber staff respectfully requests the Council's permission to use the Town Square at the corner of Main and Fayetteville Street on Friday, September 16<sup>th</sup> to Sunday, September 18<sup>th</sup>. We are planning to have two (2) stages and food vendors at this location. The stage will be set up in the grassy area, while the food vendors will be located on the paved area. Friday we will have a youth focus, with a dance and activities with assistance from local churches, youth groups and school leadership groups. The Chairman for the Friday night activities is Butch Lawter.

On Saturday the festival will look very similar to last year with a few possible improvements/changes that are currently in the planning stages.

On Sunday, we will host a Gospel Sing. This event was held on Friday night last year and because of its success, we decided to move the event to Sunday to allow for a longer time frame and expanding participation. The Chairman for the Gospel Sing is Steve Matthews.

One major change on the Town Square is the addition of a 24 x 24 performance stage, giving us two stages to schedule entertainment. This will allow us to have no down time between performances. Both stages will be installed on Friday and removed Monday morning.

**Street Closures:**

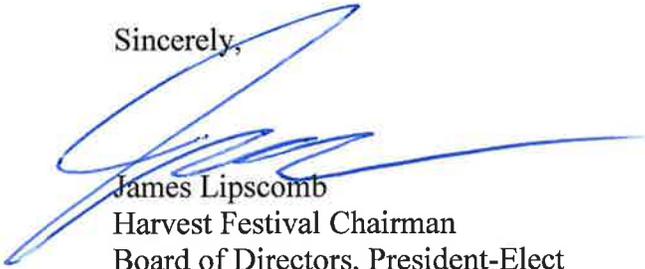
We would like to request the closing of Main Street on Saturday, September 17<sup>th</sup>, 2011 starting at 5:00 a.m. for the annual Vendor Fair. We will ensure that all vendors are cleared of Main Street no later than 6:30pm.

On Saturday, September 17<sup>th</sup> we also request the following side streets be closed between Main and Second Streets; Lombard Street, Church Street, and Barbour Street.

We further request that Fayetteville Street (from Main to Second Street) be closed Thursday, September 15, 2011 at 6:30 p.m. through Sunday, September 18, 2011 at midnight.

Thank you for your consideration of our request.

Sincerely,



James Lipscomb  
Harvest Festival Chairman  
Board of Directors, President-Elect

Sincerely,



James Godfrey  
Executive Director  
Clayton Chamber of Commerce

cc: Bruce Naegelen

TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET

Agenda Item: 5a

Meeting Date: 6/20/11

TITLE: EAST CLAYTON COMMUNITY PARK BID OPENING RESULTS  
[COUNCIL ACTION IS REQUESTED].

DESCRIPTION: The bid opening for East Clayton Community Park was Tuesday, June 14<sup>th</sup>. The bid tabulation will be available the evening of the Council meeting for discussion. **Council action is requested.**

RELATED GOAL: Expand Leisure Opportunities and Arts Community

ITEM SUMMARY:

Date:

Action:

Info. Provided:

6-20-11

Will be distributed at the  
6/20 meeting.

TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET

Agenda Item: 5b

Meeting Date: 6/20/11

TITLE: 2011 TOWN OF CLAYTON / JOHNSTON COUNTY FIRE CONTRACT  
[COUNCIL ACTION IS REQUESTED].

DESCRIPTION: Inter-local agreement for provision of fire service between  
Johnston County and the Town of Clayton. **Council action is  
requested.**

RELATED GOAL: Administrative

ITEM SUMMARY:

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 6-20-11      | Approval.      | Agreement.             |

TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET

Agenda Item: 5c

Meeting Date: 6/20/11

TITLE: BUDGET ORDINANCE AMENDMENT TO THE FY 10-11 BUDGET FOR THE CLAYTON LAW ENFORCEMENT CENTER [COUNCIL ACTION IS REQUESTED].

DESCRIPTION: Attached. **Council action is requested.**

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

6-20-11

Approval.

Budget Ordinance.

TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET

Agenda Item: 5d

Meeting Date: 6/20/11

TITLE: PROCLAMATION – JULY 2011 AS PARKS AND RECREATION  
MONTH [COUNCIL ACTION IS REQUESTED].

DESCRIPTION: Attached. **Council action is requested.**

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

6-20-11

Approval.

Proclamation.

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

Agenda Item: 5e

Meeting Date: 6/20/11

**TITLE: FINAL ACCEPTANCE REQUEST FOR ASPHALT PAVEMENT AT  
MITCHINER HILLS SUBDIVISION, PHASE 1.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**6-20-11**

**Approval.**

**Memorandum.**

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

Agenda Item: 8a

Meeting Date: 6/20/11

**TITLE: FY 2011-2012 TOWN OPERATING BUDGET [COUNCIL ACTION IS REQUESTED].**

**DESCRIPTION: The FY 11-12 budget continues the trend towards conservative but responsive work planning and financial management. The guidance and unwavering support of the Mayor and Town Council are the foundation upon which this Town operation and budget was built. **Council action is requested.****

**RELATED GOAL: Financially Responsible Town Government Providing Quality Service.**

**ITEM SUMMARY:**

| <u>Date:</u> | <u>Action:</u>   | <u>Info. Provided:</u> |
|--------------|------------------|------------------------|
| 5-16-11      | Presentation.    |                        |
| 5-24-11      | Budget Workshop. |                        |
| 6-06-11      | Public Hearing.  |                        |
| 6-20-11      | Adoption.        | Budget Ordinance.      |

TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET

Agenda Item: 9c

Meeting Date: 6/20/11

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Town Square Concert Series: Johnny Orr Band – Thursday, June 16, 2011 from 7 PM to 9 PM
- Council Mtg – Monday, June 20, 2011
- ~~Public Art Advisory Board Mtg – Tuesday, June 21, 2011 @ 11:30 AM in the Green Room at the Clayton Center - Cancelled~~
- Planning Board Mtg – Monday, June 27, 2011 @ 7 PM
- Filing for municipal office opens – Friday, July 1, 2011 @ 12 Noon at the Johnston County Board of Elections, 205 South Second Street, Smithfield
- Independence Day Holiday – Monday, July 4, 2011
- Clayton July 4<sup>th</sup> Celebration – Municipal Park from 4 PM – 9 PM
- Clayton Library Board Mtg – Thursday, July 14, 2011 @ 4:30 PM at the Hocutt-Ellington Library, 100 South Church Street
- Filing for municipal office closes– Friday, July 15, 2011 @ 12 Noon at the Johnston County Board of Elections, 205 South Second Street, Smithfield
- Council Mtg – Monday, July 18, 2011 @ 7:30 PM
- Public Art Advisory Board Mtg – Tuesday, July 19, 2011 @ 6:30 PM in the Green Room at the Clayton Center
- Board of Adjustment Mtg – Wednesday, July 20, 2011 @ 6 PM
- Town Square Concert Series: Craig Woolard Band – Thursday, July 21, 2011 from 7 PM to 9 PM
- Planning Board Mtg – Monday, July 25, 2011 @ 7 PM
- Council Mtg – Monday, August 1, 2011 @ 7:30 PM
- Downtown Development Association Mtg – Monday, August 8, 2011 @ 7:30 PM in Room GS 223
- Council Mtg – Monday, August 15, 2011 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, August 17, 2011 @ 6 PM
- Town Square Concert Series: Central Park Band – Thursday, August 18, 2011 from 7 PM to 9 PM
- Planning Board Mtg – Monday, August 22, 2011 @ 7 PM
- 2011 ElectriCities Annual Conference – August 25 – 27, 2011; Grove Park Inn Asheville
- Labor Day Holiday – Monday, September 5, 2011
- Council Mtg – **TUESDAY**, September 6, 2011 @ 7:30 PM
- Town Square Concert Series: The Castaways – Thursday, September 15, 2011 from 7 PM to 9 PM
- Council Mtg – Monday, September 19, 2011 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, September 21, 2011 @ 6 PM
- Planning Board Mtg – Monday, September 26, 2011 @ 7 PM

- Council Mtg – Monday, October 3, 2011 @ 7:30 PM
- Clayton Library Board Mtg – Thursday, October 6, 2011 @ 2:30 PM at the Hocutt-Ellington Library, 100 South Church Street
- Downtown Development Association Mtg – Monday, October 10, 2011 @ 7:30 PM in Room GS 223
- Council Mtg – Monday, October 17, 2011 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, October 19, 2011 @ 6 PM
- 2011 North Carolina League of Municipalities (NCLM) Annual Conference – October 23 -25, 2011; Raleigh
- Planning Board Mtg – Monday, October 24, 2011 @ 7 PM
- Clayton Farm and Community Market: Season Closes – Saturday, October 29, 2011, 9 AM – 2 PM, at the Clayton Town Square
- Council Mtg – Monday November 7, 2011 @ 7:30 PM
- Elections – Tuesday, November 8, 2011
- Veteran’s Day Holiday – Friday, November 11, 2011
- Downtown Development Association Mtg – Monday, November 14, 2011 @ 7:30 PM, site TBA
- Board of Adjustment Mtg – Wednesday, November 16, 2011 @ 6 PM
- Council Mtg – Monday, November 21, 2011 @ 7:30 PM
- Thanksgiving Day Holiday – Thursday, November 24, 2011 & Friday, November 25, 2011
- Planning Board Mtg – Monday, November 28, 2011 @ 7 PM
- Council Mtg – Monday December 5, 2011 @ 7:30 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

Date:  
6-20-11

Action:  
N/A.

Info. Provided:  
Calendar of Events.

# Filing for Candidacy

## Citizens:

Filing for candidacy will begin very soon. This means citizens interested in being considered to serve on the Clayton Town Council may file to have their name on the November ballot. Below are answers to frequently asked questions about filing for candidacy:

**When are candidates elected to serve on the Clayton Town Council?**

Elections for the Clayton Town Council are held on the odd-numbered years.

**Which seats may candidates apply for?**

The Mayor and two councilmember positions will be considered for the 2011 election.

**When may a citizen file for office?**

Filing for municipal office will begin the first Friday in July no earlier than 12:00 noon and will end 12 noon on the third Friday in July. In 2011, filing begins at 12:00 noon on Friday, July 1, 2011 and ends at 12:00 noon on Friday, July 15, 2011 [NC GS 163-294.2(c)].

**What must a citizen do to file for candidacy to serve on the Clayton Town Council?**

The citizen will need to complete a Notice of Candidacy form at the Johnston County Board of Elections Office at 205 South Second Street, Smithfield, one block south of the Johnston County Courthouse.

**What are the requirements for a citizen to file for a Council seat?**

The requirements for filing for a Council seat are:

- Resident of the Town of Clayton
- Registered voter
- 21 years of age
- Not convicted of a felony

**Is there a fee for filing?**

There is a \$10.00 filing fee for the Mayor seat and a \$5.00 filing fee for a Councilmember's seat [NC GS 163-294.2(e)]. The filing fee must be paid by check or money order.

**Do citizens need to declare a political party when filing?**

Citizens do not need to declare a political party as the Town of Clayton election is conducted on a nonpartisan basis.

**How are election results determined?**

Election results are determined using the nonpartisan plurality method meaning the highest vote getter wins the seat [NC GS 163.292].

**When does an elected candidate "officially" become a member of the Town Council?**

An elected candidate "officially" becomes a member of the Clayton Town Council after taking the oath of office. After taking the oath of office, the elected candidate is then referred to as Councilman or Councilwoman.

**When does a newly elected official take the oath of office?**

The oath of office is administered at the organizational meeting, which is the first Town of Clayton Council meeting in December [NC GS 160A-68].

If you still have a question about filing for candidacy, please contact the Johnston County Board of Elections Office at 919-989-5095.

Respectfully submitted,  
Sherry L. Scoggins, MAAC  
Town Clerk



# Clayton July 4th Celebration

A variety of family activities are planned for  
Monday, July 4 at Municipal Park from 4-9pm

## Schedule of Activities

**4:00 Family Field Events** -*sack races, relay races, 50 yd. dash, water balloon toss, egg toss, egg & spoon race*

**Basketball Skills Competition**  
**Cornhole Competition**

Free Watermelon

**5:00 Free Watermelon**  
**Clayton Fire Department Spray Down**  
**Kung Fu, Zumba, and Line Dancing Demonstrations**  
**Children's Games (5:00-8:30)**

Free Ice Cream

**6:00 Bingo**

**7:00 Free Ice Cream**

**7-9:00 "East Bound" Performs** (*bring your blanket or lawn chair*)

**9:00 Raffle Drawing**  
**Sponsor Recognition**  
**National Anthem**

**9:15 Area's Best Fireworks Show**



Think **CLAYTON**. Think Fireworks.

### Sponsors

#### Patriot

Town of Clayton  
McDonald's  
Wake Heart & Vascular

#### Red

Kimley-Horn and Associates, Inc.

#### White

Monster Batting Cages  
Four Oaks Bank & Trust  
Withers & Ravenel  
Caterpillar  
Debra Zombek, D.D.S., P.A.  
Farm Bureau  
Wal-Mart  
Lorie Paulk Photography

#### Blue

Infinity Fire Protection  
State Farm  
Patriot State Bank  
Hudson's Hardware

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

Agenda Item: 10c

Meeting Date: 6/20/11

**TITLE: HIGHLIGHTS OF THE MAY 2011 PLANNING BOARD MEETING.**

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

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

6-20-11

None.

N/A.

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

Agenda Item: 10d

Meeting Date: 06/20/11

**TITLE: CLOSED SESSION TO DISCUSS REAL ESTATE ACQUISITION IN ACCORDANCE WITH NC GS 143-318.11 (A) (5).**

**DESCRIPTION: Discussion.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

06-20-11

Discussion.