

Jody L. McLeod  
**MAYOR**

Bruce Thompson  
**TOWN ATTORNEY**

Steve Biggs  
**TOWN MANAGER**



Bob Satterfield  
Alex Harding  
R.S. "Butch" Lawter, Jr.  
Art Holder  
**COUNCIL MEMBERS**

Michael Grannis  
**MAYOR PRO TEM**

## **TOWN COUNCIL MEETING**

**NOVEMBER 7, 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 REGULAR MEETING OF THE CLAYTON TOWN COUNCIL**

**MONDAY, NOVEMBER 7, 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. CONSENT AGENDA**

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Council may request to have an item removed from the consent agenda for further discussion.)

- a. Draft minutes from the October 17, 2011, work session meeting.
- b. Ordinance directing the building inspector to remove or demolish property located at 119 Liberty Lane.
- c. Temporary easement between the Town of Clayton and NCDOT.
- d. Resolution for 2012 Council schedule.
- e. Resolution for 2012 holiday schedule.
- f. Presentation of warranty acceptance for public water and sewer utilities for South Tech Park.

**4. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

- a. Clayton Christmas Parade request by the Clayton Chamber of Commerce.

**5. PUBLIC HEARINGS**

- a. Public forum to discuss limiting parking to one side of Collinsworth Drive between Athletic Club Boulevard and Manning Drive in the Riverwood Athletic Club Subdivision.

**6. OLD BUSINESS**

- a. Town board and committee applications.
- b. Designating Barbour Street as a one way street (south) from Second to Horne Street and amending the prohibited parking from the west side to the east side of the 200 block of Barbour Street.
- c. UDC relative to manufactured homes proposed for placement in established manufactured home parks [**TRACKING PURPOSES ONLY** – Referred to Planning Board for recommendation].

**7. NEW BUSINESS**

**8. STAFF REPORTS**

- a. Town Manager
- b. Town Attorney
- c. Town Clerk
  - Calendar of Events
- d. Other Staff

**9. OTHER BUSINESS**

- a. Informal Discussion & Public Comment.
- b. Council Comments.

**10. ADJOURNMENT**

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

Agenda Item: 3a

Meeting Date: 11/07/11

**TITLE: DRAFT MINUTES FROM THE OCTOBER 17, 2011, WORK SESSION MEETING.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

11-07-11

Approval.

DRAFT minutes the  
10-17-2011 work session.

**MINUTES  
CLAYTON TOWN COUNCIL  
OCTOBER 17, 2011**

The second regular meeting of the Clayton Town Council for the month of October was held on Monday, October 17, 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 R. S. "Butch" Lawter Jr., and Councilman Alex Harding.

**ABSENT:** Councilman Art Holder

**ALSO PRESENT:** Steve Biggs, Town Manager; Brenton McConkey, Town Attorney; Sherry Scoggins, Town Clerk; David DeYoung, Planning Director; John Harris, Code Enforcement Officer; Tommy Roy, Information Services Technician; Ronnie Wood, Electric System Director; Dale Medlin, Interim Electric System Director; Lee Barbee, Fire Chief

**ITEM 1. CALL TO ORDER**

Mayor McLeod called the meeting to order at 7:33 PM and led the Pledge of Allegiance. Mayor McLeod gave the invocation.

**ITEM 2. ADJUSTMENT OF THE AGENDA**

Town Clerk Sherry Scoggins requested the following adjustment of the agenda:

- Table Item 4a

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

**ITEM 3. ACTION AGENDA**

Councilman Satterfield motioned to approve the action agenda as presented; Councilman Lawter and Councilman Harding simultaneously seconded the motion. The motion carried 4-0 with the following action agenda item being approved at 7:34 PM:

- Item 3a. Draft minutes from the September 19, 2011, work session meeting and draft minutes from the October 3, 2011, regular meeting.

**ITEM 4. INTRODUCTIONS & SPECIAL PRESENTATIONS**

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

Item 4a was tabled.

Item 4b. Recognition of two Electric Department employees promoted to Crew Leader.

Interim Electric System Director Dale Medlin introduced the newly promoted crew leaders:

- Mert Woodall
- Mack Keen

Item 4c. Recognition of two Electric Department employees for completing the ElectriCities Lineman Career Development Program.

Interim Electric System Director Dale Medlin recognized the following employees for completing the ElectriCities Lineman Career Development :

- Mert Woodall achieved Level II for Lineman Career Development Program certificate
- Mack Keen achieved Journeyman certificate

Interim Electric System Director Dale Medlin stated his thanks to Electric System Director Ronnie Wood for being a good supervisor and friend.

Electric System Director Ronnie Wood stated he appreciates the work of the employees of the Electric Department. He stated the lineman career development program has four steps and each step can take one year to eighteen months to complete.

Town Manager Biggs provided an overview of the selection process for Crew Leader. He added education for the Electric Department is a large step forward.

Mayor McLeod thanked the Electric Department for the job they do.

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

Item 5a. Presentation of ordinance directing the building inspector to remove or demolish property located at 119 Liberty Lane.

Town Manager Steve Biggs stated this ordinance is the next step of the process when a substandard structure is identified. He stated if the land owner does not fix the structure then the Town makes a determination to demolish the structure.

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

**Item 5b. Presentation of report on finding in the UDC relative to manufactured homes proposed for placement in established manufactured home parks.**

Town Manger Steve Biggs stated the Town received a request for a zoning compliance for placement of a manufactured home in a park facility. He stated there are two exceptions for homes in parks and the code requires a masonry curtain wall for homes located in manufactured home parks. He stated comment was received from operators of manufactured home parks that this does not work well because the homes are not permanent and the masonry curtain wall is expensive to install and remove. He stated if the Council is amenable, it would be assigned to the Planning Board for study.

It was the consensus of the Council to refer this item to the Planning Board for recommendations.

**Item 5c. Presentation of memo requesting no parking on Collinsworth Drive between Athletic Club Boulevard and Manning Drive in the Riverwood Athletic Club Subdivision.**

Town Manager Biggs stated vehicles queue up certain times of day in relation to school activities that block passage on Collinsworth Drive. He stated rather than waiting in the car pool line, parents wait for kids to walk to the vehicle parked on Collinsworth Drive.

Mayor McLeod stated he does not have an issue with no parking signage, and he added it will require enforcement.

Town Manager Biggs stated this will come back to the next meeting for action. He stated no public hearing is required on this item, and staff will notice this item is pending before the Council. He stated the parking penalty for the first ticket is \$25.00.

Mayor McLeod suggested contacting the Riverwood HOA and news media.

Councilman Lawter suggested implementing this after the winter break.

Town Manager Biggs stated that will allow time to order signs and educate the public.

Councilman Satterfield suggested an officer patrol the area between now and January to share the new parking requirements.

**Item 5d. Presentation of temporary easement between the Town of Clayton and NCDOT.**

Town Manager Biggs stated NCDOT is moving forward with the NC 42 widening project and it will impact the Fire Station 2 property. He stated the offer is in the agenda packet. He stated a section of utilities will have to be moved at the NCDOT expense. He added if there is a second relocation of utilities, it would also be at NCDOT expense. He stated the apron at the fire station would be placed back with concrete instead of asphalt.

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

Item 5e. Presentation of resolution for 2012 Council schedule.

It was the consensus of the Council to amend the July meeting schedule to reflect one meeting in July on July 16, 2012, and to place this item on the consent agenda.

Item 5f. Presentation of resolution for 2012 holiday schedule.

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

Item 5g. Presentation of Town board and committee applications.

Councilman Lawter stated the Recreation Advisory Board will meet tomorrow to interview candidates.

It was the consensus of the Council to bring this item back to the November meeting.

Item 5h. Presentation of warranty acceptance for public water and sewer utilities for South Tech Park.

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.

## **ITEM 7. ITEMS FOR DISCUSSION**

Item 7a. Discussion on possibility to designate Barbour Street as one way (south) from Second to Horne Streets.

Town Manager Biggs stated this request originated with the police department due to the opening of the law enforcement center and the request has been networked with the fire department. He stated in addition to designating Barbour Street between Second and Horne as one way in the south direction. He added there is a request from the police department to change the parking

schedule from no parking on the west side of Barbour Street to no parking on the east side and leave the area in front of the bays open. He added this has been discussed with Ms. Cannady who resides in the center of the block.

Mayor McLeod stated he has noticed for the portion of one-way on Barbour Street between Second and Main Streets that cars are traveling both ways. He questioned if the signage is adequate.

Town Manager Biggs stated the Town could seek input from a traffic engineer.

Based upon question by Council, Town Manager Biggs stated on street parking in an urban environment is a good use of resources. He stated when prohibiting parking on both sides it creates a compliance issue.

It was the consensus of the Council to have this item brought back on the next agenda for additional discussion.

#### **ITEM 8. OLD BUSINESS**

No old business was presented.

#### **ITEM 9. STAFF REPORTS**

##### **Item 9a. Town Manager**

Town Manager Steve Biggs stated the Clayton Law Enforcement Center; hereafter CLEC, open house was well attended. He stated approx 350 guests toured the facility. He stated good feedback was received.

Town Manager Steve Biggs stated a notice was received from James Warren for a project being performed on the influent structure. He stated for the last several years odor mitigation chemical application to deal with the release of the hydrogen sulfide gas. He stated during the rebuild, the odor mitigation will be discontinued. He stated there may be odor concerns in the evening and early morning. He stated the project will be performed over the next several months.

Councilman Lawter complimented Public Works & Utility Director Tim Simpson and Wastewater Operations Supervisor James Warren because of their efforts for odor mitigation.

Councilman Satterfield suggested including this information in the utility bills.

##### **Item 9b. Town Attorney**

Town Attorney Brenton McConkey stated no report.

Item 9c. Town Clerk

Town Clerk Sherry Scoggins stated no report.

Item 9d. Other Staff

No other staff presented comments.

**ITEM 10. OTHER BUSINESS**

Item 10a. Informal Discussion & Public Comment.

No informal discussion and public comment were presented.

Item 10b. Council Comments.

Councilman Lawter complimented the staff for manning the CLEC for the tours.

Councilman Lawter stated he attended Squealin on the Square and he hoped it would continue.

**ITEM 11. ADJOURNMENT**

With there being no further business brought before the Council, Mayor Pro Tem Grannis motioned to adjourn; Councilman Satterfield seconded the motion. Motion carried 4-0 at 8:11 PM.

Duly adopted by the Town Council this \_\_\_\_\_ day of \_\_\_\_\_ 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: 11/07/11**

**TITLE: ORDINANCE DIRECTING THE BUILDING INSPECTOR TO REMOVE OR DEMOLISH PROPERTY LOCATED AT 119 LIBERTY LANE.**

**DESCRIPTION: Attached.**

At the October 17, 2011, Council meeting it was the consensus of the Council to place this item on the consent agenda.

**RELATED GOAL: Beautify the Town of Clayton**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-17-11	Presentation.	Ordinance & Support Documents.
11-07-11	Approval.	Ordinance.

**AN ORDINANCE DIRECTING THE BUILDING INSPECTOR TO REMOVE OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS A DILAPIDATED BUILDING, UNSAFE FOR HUMAN HABITATION, IN ACCORDANCE WITH ARTICLE XV, SECTION 152, OF THE TOWN OF CLAYTON CODE OF ORDINANCES**

**WHEREAS, the Town Council of the Town of Clayton finds that the two accessory buildings described herein, and located at 119 liberty Lane, Clayton, North Carolina, are dilapidated buildings, unfit for human habitation, as defined in Article XV, Section 152, of the Town of Clayton Code of Ordinances:**

**WHEREAS, the owner of this building, Lilly T. Moore Spence, has been given a reasonable opportunity to comply with an Order issued by the Building Inspector on April 15, 2011 to remove or demolish the building and said owner has failed to comply with said lawful Order;**

**WHEREAS, the Town Council finds that the two accessory buildings should be removed or demolished by the Building Inspector, in accordance with his Order directing the same, under the authority of Article XV, Section 152, of the Town of Clayton Code of Ordinances;**

**NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Clayton, North Carolina that:**

**The Building Inspector is hereby authorized and directed to proceed to remove or demolish the above described buildings in accordance with this Order to the owner thereof dated April 15, 2011 and in accordance with Article XV, Section 152, of the Town Code, the costs of which shall be a lien against the property herein described as prescribed by law.**

**This Ordinance shall become effective upon its adoption and shall be recorded in the office of the Johnston County Register of Deeds as required by law.**

Duly adopted this the \_\_\_\_\_ day of \_\_\_\_\_, while in regular session

**ATTEST**

\_\_\_\_\_  
**Sherry Scoggins, Town Clerk**

\_\_\_\_\_  
**Jody McLeod, Mayor**

Approved as to form:

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

-2-

**NORTH CAROLINA  
JOHNSTON COUNTY**

I, \_\_\_\_\_, a Notary Public, do hereby certify that **Sherry L. Scoggins personally came before me this day and acknowledged that she is Town Clerk of the Town of Clayton and that by authority duly given and as the act of the Town the foregoing instrument was signed in its name by Jody L. McLeod, Mayor of the Town of Clayton.**

Witness my hand and notarial seal this the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
**Notary Public**

\_\_\_\_\_  
**My Commission Expires**

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

**Agenda Item: 3c**

**Meeting Date: 11/07/11**

**TITLE: TEMPORARY EASEMENT BETWEEN THE TOWN OF CLAYTON AND NCDOT.**

**DESCRIPTION: NCDOT approached the Town of Clayton requesting a temporary easement for a state highway improvement project. NCDOT would pay the Town \$6,705.00 for same.**

**At its October 17, 2011, Council meeting, it was the consensus of the Council to place this item on the consent agenda.**

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

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-17-11	Presentation.	NCDOT Temporary Easement.
11-07-11	Acceptance.	NCDOT Temporary Easement.

Revenue Stamps \$ \_\_\_\_\_

### TEMPORARY EASEMENT

THIS INSTRUMENT DRAWN BY *Leard G. ...* CHECKED BY \_\_\_\_\_

Return to: Division Right of Way Agent - NCDOT  
Department of Transportation  
2416 Bedgood Drive Wilson, NC 27893

NORTH CAROLINA  
COUNTY OF Johnston  
TAX MAP AND LOT 166808-88-9899

T.I.P. No.: R-3825A  
WBS ELEMENT: 34552.2.2  
TIP/PARCEL NUMBER: R-3825A-007  
ROUTE: NC 42 From US 70 to SR 1902

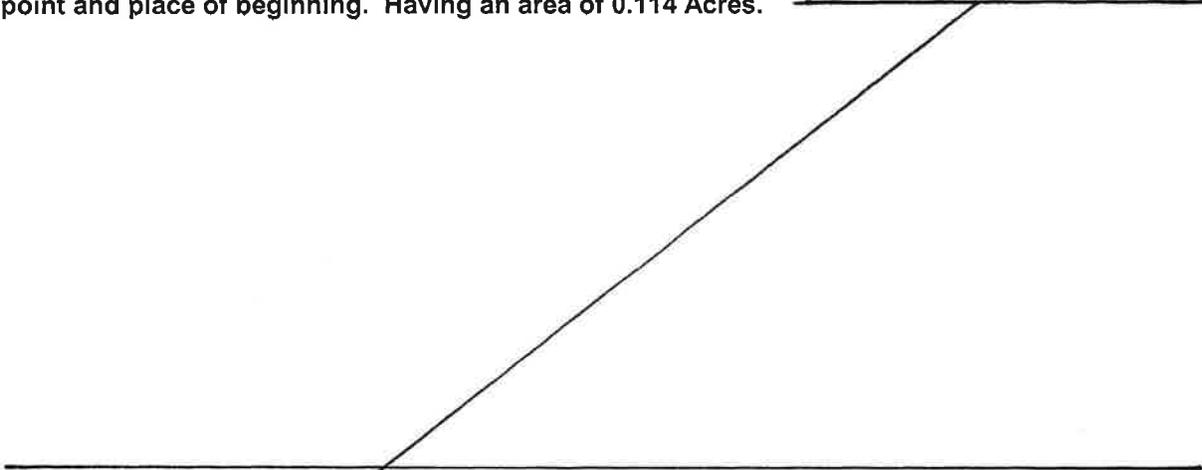
THIS EASEMENT, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2011,  
by and between Town of Clayton  
P O Box 879  
Clayton, NC 27528

hereinafter referred to as the GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

#### WITNESSETH

THAT the GRANTORS, for themselves, their heirs, successors, executors, and assigns, for and in consideration of the sum of \$ 6,705.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors, and assigns, a temporary easement for highway purposes, subject to the terms and provisions hereinafter set forth, over a portion of real property described in deed(s) recorded in Book 1681 Page 209 in the office of the Register of Deeds of Johnston County, said easement being described as follows:

Point of beginning being S 68°50'12" E, 119.58 feet from a Point in the Center Line of -L-Sta.51+00; thence to a point on a bearing of S 72°39'33" W, a distance of 423.3 feet (129.01 meters); thence to a point on a bearing of S 17°23'37" E, a distance of 0.1 feet (0.03 meters); thence to a point on a bearing of S 17°23'37" E, a distance of 7.1 feet (2.17 meters); thence to a point on a bearing of N 74°52'54" E, a distance of 231.0 feet (70.39 meters); thence to a point on a bearing of N 70°02'34" E, a distance of 192.7 feet (58.73 meters); thence to a point on a bearing of N 17°34'36" W, a distance of 7.4 feet (2.25 meters); returning to the point and place of beginning. Having an area of 0.114 Acres.



Said easement widths, station numbers, survey lines and additional easement areas being delineated on that set of plans for State Highway Project 34552.2.2 on file in the office of the Department of Transportation in Raleigh, North Carolina, and also on a copy of said project plans which will be recorded, pursuant to N.C.G.S 136- 19.4, in the Office of the Register of Deeds of Johnston County, to which plans reference is hereby made for greater certainty of description of the easement areas herein conveyed and for no other purpose.

This DEED OF EASEMENT is subject to the following terms and provisions only:

It is understood and agreed that the DEPARTMENT shall have the right to construct and maintain the cut and/or fill slopes in the above-described area until such time as the property owner alters the adjacent lands in such a manner that the cut and/or fill slopes are no longer needed for the lateral support of the roadway. Any additional construction areas lying beyond the cut and/or fill slopes and extending beyond the right of way limits will terminate upon completion of the project.

It is further understood and agreed that the portion of existing concrete driveway located within the construction limits of the project is to be replaced by DOT at no cost to the Town of Clayton.

There are no conditions to this DEED OF EASEMENT not expressed herein.

TO HAVE AND TO HOLD said temporary easement for highway purposes, subject to the terms and provisions hereinabove set forth, unto the DEPARTMENT, its successors and assigns, and the GRANTORS, for themselves, their heirs, successors, executors and assigns, hereby warrant and covenant that they are the sole owners of the property; that they solely have the right to grant the said temporary easement; and that they will warrant and defend title to the same against the lawful claims of all persons whomsoever;

The Grantors acknowledge that the project plans for Project # 34552.2.2 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 34552.2.2, Johnston County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals (or if corporate, has caused the instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

\_\_\_\_\_  
(SEAL) \_\_\_\_\_ (SEAL)  
  
\_\_\_\_\_  
(SEAL) \_\_\_\_\_ (SEAL)  
  
\_\_\_\_\_  
(SEAL) \_\_\_\_\_ (SEAL)

Town Seal

\_\_\_\_\_  
Town of Clayton

BY: X \_\_\_\_\_  
Jody L McLeod (Mayor)

ATTEST: X \_\_\_\_\_  
Sherry L Scoggins (Town Clerk)

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: \_\_\_\_\_

(Stamp/Seal)	STATE OF _____ COUNTY OF _____ I, _____ a Notary Public for said County and State, so hereby certify that _____
	GRANTORS, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the _____ day of _____
	My commission expires _____ Notary Public
(Stamp/Seal)	STATE OF <u>North Carolina</u> COUNTY OF <u>Johnston</u> I, _____ a Notary Public for said County and State, certify that <u>Sherry L Scoggins</u> personally came before me this day and acknowledged that he/she is <u>Town Clerk</u> of <u>The Town of Clayton</u> and that by the authority duly given and as the act of the Town the foregoing instrument was signed in its name by <u>Jody L McLeod, Mayor of the Town of Clayton.</u>
	Witness my hand and official stamp or seal, this the _____ day of _____
	My commission expires _____ Notary Public

The foregoing Certificate(s) of \_\_\_\_\_ is/are certified to be correct. This instrument and this certificate are duly registered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ in Book \_\_\_\_\_, Page \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ M. \_\_\_\_\_ REGISTER OF DEEDS FOR \_\_\_\_\_ COUNTY

BY: \_\_\_\_\_ Deputy/Assistant - Register of Deeds

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

**Agenda Item: 3d**

**Meeting Date: 11/07/11**

**TITLE: RESOLUTION FOR 2012 COUNCIL SCHEDULE.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**At its October 17, 2011, Council meeting, it was the consensus of the Council to place this item on the consent agenda.**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-17-11	Presentation.	Resolution.
11-07-11	Acceptance.	Resolution.

**TOWN OF CLAYTON  
RESOLUTION – 2012 COUNCIL SCHEDULE**

**WHEREAS**, the Clayton Town Council exists to conduct the business of the people; and

**WHEREAS**, the Clayton Town Council meetings are held the first and third Monday of the month at 7:30 PM in the Council Chambers of the Town Hall, unless otherwise noted; and

**WHEREAS**, each meeting of the Clayton Town Council is open to the public, except as provided by NC G.S. 143-318.11; and

**WHEREAS**, the Clayton Town Council may amend the yearly meeting schedule in accordance with NC G.S. 143-318.12:

<b>TOWN OF CLAYTON 2012 CALENDAR TOWN COUNCIL MEETINGS</b>
<b>January 3, 2012 (Tuesday) &amp; January 17, 2012 (Tuesday)</b>
<b>February 6, 2012 &amp; February 20, 2012</b>
<b>March 5, 2012 &amp; March 19, 2012</b>
<b>April 2, 2012 &amp; April 16, 2012</b>
<b>May 7, 2012 &amp; May 21, 2012</b>
<b>June 4, 2012 &amp; June 18, 2012</b>
<b>July 16, 2012</b>
<b>August 6, 2012 &amp; August 20, 2012</b>
<b>September 4, 2012 (Tuesday) &amp; September 17, 2012</b>
<b>October 1, 2012 &amp; October 15, 2012</b>
<i>--NCLM Annual Conference October 21-23, 2012; Charlotte, NC--</i>
<b>November 5, 2012 &amp; November 19, 2012</b>
<b>December 3, 2012 &amp; December 17, 2012</b>

**NOW THEREFORE, BE IT RESOLVED** that the Town Council of Clayton hereby adopts the 2011 Clayton Town Council Schedule as presented.

Duly adopted this 7th of November 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: 3e**

**Meeting Date: 11/07/11**

**TITLE: RESOLUTION FOR 2012 HOLIDAY SCHEDULE.**

**DESCRIPTION: Attached.**

At its October 17, 2011, Council meeting, it was the consensus of the Council to place this item on the consent agenda.

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-17-11	Presentation.	Resolution.
11-07-11	Acceptance.	Resolution.

**TOWN OF CLAYTON  
RESOLUTION - 2012 HOLIDAY SCHEDULE**

**WHEREAS**, it is the policy of the Town to follow the holiday schedule provided by the State of North Carolina for its employees; and

**WHEREAS**, the below 2012 Holiday Schedule was retrieved from the State of North Carolina website <http://www.osp.state.nc.us/holsched.htm>;

<b>2012 Holiday Schedule</b>		
<b>Holiday</b>	<b>Observance Date</b>	<b>Day of Week</b>
New Year's Day	January 2, 2012	Monday
Martin Luther King Birthday	January 16, 2012	Monday
Good Friday	April 6, 2012	Friday
Memorial Day	May 28, 2012	Monday
Independence Day	July 4, 2012	Wednesday
Labor Day	September 3, 2012	Monday
Veterans Day	November 12, 2012	Monday
Thanksgiving Day	November 22 & 23 2012	Thursday & Friday
Christmas	December 24,25,26, 2012	Monday, Tuesday & Wednesday

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of Clayton hereby adopts the 2012 Holiday Schedule as presented.

Duly adopted this 7th day of November 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: 3f**

**Meeting Date: 11/07/11**

**TITLE: WARRANTY ACCEPTANCE FOR PUBLIC WATER AND SEWER UTILITIES FOR SOUTH TECH PARK.**

**DESCRIPTION: Attached.**

At its October 17, 2011, Council meeting, it was the consensus of the Council to place this item on the consent agenda.

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-17-11	Presentation.	Memo.
11-07-11	Acceptance.	Memo.

# 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

---

---

## MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector 

Copy: Thomas Manning, PE, Manning DECM, Inc.  
Steven Sanderson, PE, Sanderson Engineering

Date: September 14, 2011

Subject: South Tech Park

Please place a warranty acceptance request for the subject public water & sewer utilities on the next available agenda. All punch list items have been addressed and record drawings have been accepted. Subsequently, a final inspection will be done and all deficient items corrected by the developer's contractor prior to final acceptance.

**received**  
9-15-2011 

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

**Agenda Item: 4a**

**Meeting Date: 11/07/11**

**TITLE: CLAYTON CHRISTMAS PARADE REQUEST BY THE CLAYTON CHAMBER OF COMMERCE.**

**DESCRIPTION: The Clayton Chamber of Commerce is sponsoring the Clayton Christmas Parade on Saturday, December 10, 2011, beginning at 3 PM.**

**The Clayton Chamber of Commerce respectfully requests the Council's permission to temporarily close Main Street between US 70 Business to Robertson Street on Saturday, December 10, 2011, from 12 noon to 5 PM for this event.**

**RELATED GOAL: Create an Alive Downtown.**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-07-11	Presentation.	Letter.

October 11, 2011

Mr. Steve Biggs, Town Manager  
Town of Clayton  
P.O. Box 879  
Clayton, NC 27528

Dear Council Members,

The Clayton Chamber of Commerce will once again be sponsoring the 2011 Clayton Christmas Parade. The parade will take place on Saturday, December 10, 2011 at 3:00p.m.

The Chamber staff respectfully requests the Council's permission to close Main Street (from US 70 to Robertson Street) on Saturday, December 10<sup>th</sup> from 12 noon to 5:00 p.m. for this Parade event.

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

Thank you for your consideration of this request.

Sincerely,

Mary Beth Roberti  
Director of Special Projects

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

**Agenda Item: 5a**

**Meeting Date: 11/07/11**

**TITLE: PUBLIC FORUM TO DISCUSS LIMITING PARKING TO ONE SIDE OF COLLINSWORTH DRIVE BETWEEN ATHLETIC CLUB BOULEVARD AND MANNING DRIVE IN THE RIVERWOOD ATHLETIC CLUB SUBDIVISION.**

**DESCRIPTION: Letter of request and photos attached.**

Town Code of Ordinances, Chapter 74: Parking Schedules has been reviewed. If it is the pleasure of the Council to grant this request, an ordinance amendment would be available at the November 7, 2012, Council meeting for consideration.

The Clayton Town Council discussed this item at its October 17, 2011, Council meeting. It was the consensus of the Council to host a public forum to receive citizen input and to have this item noticed in the paper and notify Riverwood Elementary, Riverwood Middle, and Riverwood Athletic HOA of the public forum.

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

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-17-11	Presentation.	Letter & UDO excerpt 155.302 (F) & (G).
11-07-11	Public forum.	Ordinance.

**TOWN OF CLAYTON  
AMENDMENT TO THE CODE OF ORDINANCES  
CHAPTER 74: PARKING SCHEDULES**

**BE IT HEREBY ADOPTED THAT THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA** amends its Code of Ordinances with the following:

Amend the following section of CHAPTER 74: Parking Schedules, Schedule I, Prohibited Parking with the following:

Street	Location	Ord. No.	Passage Date
Collinsworth Drive	Northeast side of the 100 block from Athletic Club Boulevard to Manning Drive		

Duly adopted this 7th day of November 2011 while in regular session and to become effective on January 3, 2012.

(SEAL)

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

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Brenton W. Thompson  
Town Attorney



# TOWN OF CLAYTON FIRE DEPARTMENT

P.O. BOX 879 CLAYTON, NC 27528



To: Steve Biggs, Town Manager

From: Lee Barbee, Fire Chief

Date: September 20, 2011

Re: Parking on Collinsworth Drive

With the continued growth of new homes in the Riverwood Athletic Club in recent years parking on the street becomes a problem for response and passage of emergency vehicles. The congestion happens with the long line of traffic for car riders being dropped off and picked up as well as special events held at Riverwood Elementary and Riverwood Middle Schools.

A lot of parents will park their vehicles on both sides of the Collinsworth Drive between Athletic Club Boulevard and Manning Drive to pick up the walking students that live in Riverwood Athletic Club.

Fire Marshal Atkinson and I have been out to Collinsworth Drive during a congested day and measured the street while vehicles were parked on both sides. An engine from Archer Lodge assisted us. ALFD Engine 3 is 102" wide (see photos) while other apparatus from Clayton FD and Archer Lodge has widths up to 118.5". It is clear that a 118.5" wide truck would have great difficulty passing all the way through with vehicles parked on both sides of the street. In addition the equipment doors on a fire apparatus or an ambulance could not be opened to get needed equipment without striking a parked vehicle.

To solve the wide-vehicle access problem for emergency vehicle responses and even delivery vehicles we are asking for consideration to limit vehicle parking to one side of the block on Collinsworth Drive between Athletic Club Boulevard and Manning Drive.

I have discussed the problem with Police Chief Glenn Allen as well as Keith Heiner, Director of Community Associations for Fred Smith Company and Riverwood HOA Board and they are in support of limiting parking on one side of the block.

"No Parking" signs are requested to be placed on the Northeast side of the 100 block of Collinsworth Drive. Parking would be allowed on the Southwest side which has curb and gutter.









October 10, 2011

To: Town of Clayton/Chief Barbee

From: Riverwood Athletic Club Community Association

Subject: Parking along Collinsworth Drive

The Community Association is in agreement that there proposes a parking hazard along Collinsworth Drive. At times there are vehicles that are parked on both sides of the street that would not allow emergency vehicles to get through in case of emergency. We believe that no parking signs along with Clayton Police Department enforcement would greatly help this matter. If there are any questions concerning this matter please feel free to contact me.

Thank you,

A handwritten signature in black ink that reads "Keith Heiner". The signature is written in a cursive style with a large, sweeping initial "K".

Keith Heiner

Community Manager

919-550-8086 ext. 248

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

**Agenda Item: 6a**

**Meeting Date: 11/07/11**

**TITLE: TOWN BOARD AND COMMITTEE APPOINTMENTS.**

**DESCRIPTION:** Attached is an overview of each of the boards, appointments that are expiring and applications requesting appointment to each of the boards.

**RELATED GOAL:** Administrative

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-17-11	Presentation.	Memo & applications.
11-07-11		Memo & applications.



**TO: Town Council**

**FROM: Sherry Scoggins, Town Clerk**

**DATE: November 7, 2011**

**SUBJECT: Applications for Citizen Advisory Boards**

Attached are the applications received from citizens requesting consideration to serve on a Town citizen advisory boards. The applications have been sorted by board and an overview coversheet of each board precedes the applications.

Applications received by the August 18, 2011, closing were forwarded to the staff liaison and Council ex-officio. For candidates requesting reappointment, the by-laws were checked for eligibility and the staff liaison checked the attendance record. For candidates requesting initial appointment, the staff liaison and Council ex-officio had the option of conducting interviews.

Applications received after August 18, 2011, were logged in by the Clerk. If a board has a vacancy after the first application review cycle, these application(s) will be forwarded for consideration:

<b>Candidate</b>	<b>Board</b>	<b>Initial / Reappointment</b>	<b>In-Town / ETJ</b>	<b>Applied Because...</b>
Anthony Stanback	Rec Adv Bd	Reappointment	Out of Town	Letter
James H Lipscomb	DDA	Appointment	Out of Town	Other - Bruce
Todd Blandford	Library	Appointment	Out of Town	Newspaper
Jason Hardy	Public Art Adv Bd	Reappointment	Out of Town	Email

## **BOARD OF ADJUSTMENT**

The Board of Adjustment consists of **seven** regular members with four members residing in-town and three members residing in the ETJ. The BOA also has **two** alternate members, one member residing in-town and one member residing in the ETJ.

Presently the Board of Adjustment has two in-town positions with terms expiring 12/31/2011 and one ETJ position with a term expiring 12/31/2011:

- Michael G. Orlowski, In-town
- Ralph J. Crabtree, In-town
- Donna M. White, ETJ

Candidate	Initial / Reappointment	In-Town / ETJ	Staff Liaison / Ex-officio Comment
Michael G. Orlowski	Reappointment	In-Town	Recommend
Ralph J Crabtree	Reappointment	In-Town	Recommend
Donna White	Reappointment	ETJ*	Recommend

If the above slate of candidates is acceptable, the BOA could have full membership.

- \* ETJ recommendation(s) for the Board of Adjustment and/or the Planning and Zoning Board are sent to the Johnston County Board of Commissioners for appointment (NC GS 160A-362).

## DOWNTOWN DEVELOPMENT ASSOCIATION

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

The Downtown Development Association (DDA) has three positions with terms expiring 12/31/2011 and a vacant position with a term expiring 12/31/2012:

- Boo Carver
- Michael Sims
- Richard Rairigh
- Vacant

Candidate	Initial / Reappointment	In-Town / ETJ	Staff Liaison / Ex-officio Comment
Richard Rairigh	Reappointment	In-Town	Recommend
Michael Sims	Reappointment	In-Town	Recommend
Janice "Jan" Hardison	Appointment	In-Town	Recommend (FT)
Jessica Creech	Appointment	In-Town	Recommend (PT)
Kate Mango	Appointment	Out of Town	Keep on File
Philip F Nangle	Appointment	In-Town	Keep on File
Vincent Lanzolla	Appointment	In-Town	Keep on File

If the above slate of candidates is acceptable, the DDA could have full membership.

## **FIRE ADVISORY BOARD**

The Fire Department Advisory Board consists of **seven** members. The membership consists of two town residents serving four year staggered terms; two Claytex Tax District residents serving four year staggered terms; and three members of the Fire Department (active) serving three-year staggered terms.

The Fire Advisory Board has three positions with terms expiring 12/31/2011 – one Claytex Tax District resident, and two Fire Department (active) members:

- Walter H. Langdon (Claytex)
- Paul Zais (Fire Dept.)
- Chris Sutton (Fire Dept.)

<b>Candidate</b>	<b>Initial / Reappointment</b>	<b>In-Town / ETJ</b>	<b>Staff Liaison / Ex-officio Comment</b>
Walter H. Langdon	Reappointment	Claytex	Recommend
Paul Zais	Reappointment	Fire	Recommend
Chris Sutton	Reappointment	Fire	Recommend
John L Troeger	Appointment	Clayton	Keep on File
Jeffrey Braxton Parrish	Appointment	Claytex	Keep on File

If the above slate of candidates is acceptable, the Fire Advisory Board could have full membership.

## **LIBRARY BOARD**

The Library Board consists of 10 members; five members shall be chosen from within the Town and the others as broadly representative of the service area as possible.

The Library Board has three positions with terms expiring 12/31/2011:

- Kim Cooper
- Elizabeth T. Barbour
- Etheleen Eason

<b>Candidate</b>	<b>Initial / Reappointment</b>	<b>In-Town / ETJ</b>	<b>Staff Liaison / Ex-officio Comment</b>
Etheleen Eason	Reappointment	In-Town	Recommend
Elizabeth T Barber	Reappointment	Out of Town	Recommend
Kim Cooper	Reappointment	Out of Town	Recommend
Francine J Stephenson	Appointment	In-Town	Keep on File
Linda Dextre	Appointment	In-Town	Keep on File
Tom Schappert	Appointment	In-Town	Keep on File
Jessica Creech	Appointment	In-Town	Keep on File
Cathy Marraccini	Appointment	Out of Town	Keep on File

If the above slate of candidates is acceptable, the Library Board could have full membership.

## PLANNING BOARD

The Planning Board consists of **nine** regular members with five members residing in-town and four members residing in the ETJ. The Planning Board also has **two** alternate members, one member residing in-town and one member residing in the ETJ.

The Planning and Zoning Board has one in-town position with a term expiring 12/31/2011 and two ETJ position with terms expiring 12/31/2011:

- David Teem, In-town
- Franklin Price, ETJ
- Marty D Bizzell, ETJ

Candidate	Initial / Reappointment	In-Town / ETJ	Staff Liaison / Ex-officio Comment
Franklin R Price	Reappointment	ETJ	Recommend
David Teem	Reappointment	In-Town	Recommend
Marty D Bizzell	Reappointment	ETJ	Recommend
Nathaniel "Nathan" L. Evans	Appointment	ETJ	Keep on File
Dewayne L Sykes	Appointment	ETJ	Keep on File
Randell Coye Durham	Appointment	ETJ	Keep on File

If the above slate of candidates is acceptable, the Planning and Zoning Board could have full membership.

- \* ETJ recommendation(s) for the Board of Adjustment and/or the Planning and Zoning Board are sent to the Johnston County Board of Commissioners for appointment (NC GS 160A-362).

## **PUBLIC ART ADVISORY BOARD**

The Public Art Advisory Board consists of **five** members. The membership consists of individuals who have special knowledge, interest or experience in the arts, key business leaders, design professionals, educators, civic and community activists.

The Public Art Advisory Board has three positions with terms expiring 12/31/2011:

- Jason D. Hardy
- Ramona H Cash
- Dorothy Demboski

<b>Candidate</b>	<b>Initial / Reappointment</b>	<b>In-Town / ETJ</b>	<b>Staff Liaison / Ex-officio Comment</b>
Dorothy Demboski	Reappointment	In-Town	Recommended
Ramona Hobgood Cash	Reappointment	Out of Town	Recommended
John P McFadden	Appointment	In-Town	Keep on File
Francine J Stephenson	Appointment	In-Town	Keep on File
Michael D. Schmidt	Appointment	Out of Town	Keep on File
Richard A "Rick" Roberts	Appointment	In-Town	Keep on File
Jason Hardy	Reappointment	Out of Town	Recommended

If the above slate of candidates is acceptable, the Public Art Advisory Board could have full membership.

## **RECREATION ADVISORY COMMITTEE**

The Recreation Advisory Committee consists of **15** members. The membership should be as broadly representative of the community as possible.

The Recreation Advisory Board has five positions with terms expiring 12/31/2011, one vacant position with a term expiring 12/31/2012, and one vacant position with a term expiring 12/31/2013:

- Darrin Bisson
- Jenny Gorman
- Anthony Stanback
- Vacant (2011)
- Elaine B. Wilson
- Vacant (2012)
- Vacant (2013)

<b>Candidate</b>	<b>Initial / Reappointment</b>	<b>In-Town / ETJ</b>	<b>Staff Liaison / Ex-officio Comment</b>
Ruth C Hunt	Appointment	In-Town	Recommended
Michael Sneed	Appointment	Out of Town	Recommended
Cathy Marraccini	Appointment	Out of Town	Recommended

If the above slate of candidates is acceptable, the Recreation Advisory Committee would have two vacancies.

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

**Agenda Item: 6b**

**Meeting Date: 11/07/11**

**TITLE: DESIGNATING BARBOUR STREET AS ONE WAY (SOUTH) FROM SECOND TO HORNE STREETS AND AMENDING THE PROHIBITED PARKING FROM THE WEST SIDE TO THE EAST SIDE OF THE 200 BLOCK OF BARBOUR STREET.**

**DESCRIPTION: At its October 17, 2011, Council meeting, it was the consensus of the Council to have this item brought back for additional discussion.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-17-11	Discussion.	
11-07-11	Discussion.	Ordinance Amendment.

**TOWN OF CLAYTON  
AMENDMENT TO THE CODE OF ORDINANCES  
CHAPTER 74: PARKING SCHEDULES**

**BE IT HEREBY ADOPTED THAT THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA** amends its Code of Ordinances with the following:

Amend the following section of CHAPTER 74: Parking Schedules, Schedule I, Prohibited Parking to read as follows:

Street	Location	Ord. No.	Passage Date
Barbour Street	200 block, east side		

Duly adopted this 7th day of November 2011 while in regular session.

(SEAL)

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

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Brenton W. Thompson  
Town Attorney

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

**Agenda Item: 6c**

**Meeting Date: 11/07/11**

**TITLE: UDC RELATIVE TO MANUFACTURED HOME PROPOSED FOR  
PLACEMENT IN ESTABLISHED MANUFACTURED HOME PARKS  
[TRACKING PURPOSES ONLY – REFERRED TO PLANNING BOARD  
FOR RECOMMENDATION].**

**DESCRIPTION: Tracking purposes only.**

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

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-17-11	Presentation.	Letter & UDO excerpt 155.302 (F) & (G).
11-07-11	Tracking.	N/A.

TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET

Agenda Item: 8c

Meeting Date: 11/07/11

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- 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
- Grand Opening Celebration of Automatic Rolls of North Carolina – Friday, November 18, 2011
- 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
- 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
- Martin Luther King Birthday Holiday – Monday, January 16, 2012
- Council Mtg – **TUESDAY**, January 17, 2012

Date:  
11-07-11

Action:  
N/A.

Info. Provided:  
Calendar of Events.