

Jody L. McLeod
MAYOR

Bruce Thompson
TOWN ATTORNEY

Steve Biggs
TOWN MANAGER



Bob Satterfield
R.S. "Butch" Lawter, Jr.
Art Holder
Jason Thompson
COUNCIL MEMBERS

Michael Grannis
MAYOR PRO TEM

TOWN COUNCIL MEETING

APRIL 1, 2013

AGENDA

MAYOR AND TOWN COUNCIL

**MAYOR JODY L. MCLEOD
MAYOR PRO TEM MICHAEL GRANNIS
COUNCILMAN BOB SATTERFIELD**

**COUNCILMAN ART HOLDER
COUNCILMAN R.S. "BUTCH" LAWTER, JR.
COUNCILMAN JASON THOMPSON**

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, APRIL 1, 2013
6:30 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 March 18, 2013, work session meeting.
- b. St. Baldrick's Day request.
- c. Clayton Road Race request.
- d. Resolution requesting authorization to hold a surplus auction.

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Presentation of proclamation for Week of the Young Child, April 14-20, 2013.
- b. Presentation of proclamation for Spring 2013 Litter Sweep.
- c. Presentation of request to temporarily close Horne Square and North Lombard Street for the opening of the 2013 season of the Clayton Farmers Market.

5. PUBLIC HEARINGS

- a. Evidentiary hearing for rezoning request and special use request for RZ 2012-118 from R-8 (Residential) to O-R SUD (Office-Residential, Special Use District) for two parcels located in the 400 block of South Lombard Street.

6. OLD BUSINESS

- a. Sewer use ordinance and sewer use check list.
- b. Resolution to NCDOT for road improvements on Powhatan Road.
- c. Status of 110 West Front Street, former Red & White Store.

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: 4/1/13

TITLE: DRAFT MINUTES FROM THE MARCH 18, 2013, WORK SESSION MEETING.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

4-01-13

Approval.

DRAFT minutes of the
3/18/2013 work session.

**MINUTES
CLAYTON TOWN COUNCIL
MARCH 18, 2013**

The second regular meeting of the Clayton Town Council for the month of March was held on Monday, March 18, 2013, at 6:30 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., Councilman Art Holder, and Councilman Jason Thompson.

ALSO PRESENT: Steve Biggs, Town Manager; Katherine Ross, Town Attorney; David DeYoung, Planning Director; Bruce Naegelen, Downtown Development Coordinator; Stacy Beard, Public Information Officer; Emily Beddingfield, Town Planner; Amber Bond, Clerk to the Planning Board & Board of Adjustment

ITEM 1. CALL TO ORDER

Mayor McLeod called the meeting to order at 6:30 PM. Mayor McLeod gave the invocation.

ITEM 2. ADJUSTMENT OF THE AGENDA

The following adjustment of the agenda was requested:

- Table Item 5c, Presentation of resolution regarding fund transfer for prepayment of fire station one outstanding debt.

It was the consensus of the Council to proceed with the agenda with the adjustment.

ITEM 3. ACTION AGENDA

Councilman Holder motioned to approve the action agenda as presented; Councilman Lawter seconded the motion. The motion carried unanimously with the following action agenda items approved at 6:31 PM:

- Item 3a. Draft minutes from the March 4, 2013, regular meeting.
- Item 3b. Public notice - public hearing for rezoning request RZ 2012-118.

ITEM 4. INTRODUCTIONS & SPECIAL PRESENTATIONS

- Item 4a. Introduction of new Town of Clayton employees.

No new Town of Clayton employees were introduced.

Item 4b. Presentation of St. Baldrick's Day request.

Downtown Development Coordinator Bruce Naegelen presented the following for the St. Baldrick's Day request:

- Slated for April 20, 2013, from 12 noon to 5 PM
- Hosted at the FlipSide
- Mr. Rob Baker is the organizer of this event
- Request is for the temporary closure of South Lombard Street between Main and Second Streets
- A 40 foot by 20 foot on the site for this event

Mayor Pro Tem Grannis stated this year Mrs. Grannis and he will participate as a team. He stated contributions by the board members would be appreciated.

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

Item 4c. Presentation of Clayton Road Race request.

Downtown Development Coordinator Bruce Naegelen presented the following for the Clayton Road Race request:

- Slated for May 20, 2013 from 7:30 AM to 12 noon
- Start and finish is at the Clayton Center parking lot, 111 East Second Street
- Temporary street closure for those streets shown on the map; herewith attached

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. Public hearing for rolling stock.

Town Manager Steve Biggs stated the Town received a presentation from Davenport Associates on financial modeling. He stated for the current fiscal year, staff had figured financing rolling stock purchase.

Finance Director Robert McKie stated two financing resolutions are before the Council for consideration. He stated First Citizens has the best terms for the general fund rolling stock and Bank of America has the best terms for the electric fund rolling stock.

Mayor McLeod stated this item has been noticed as a public hearing. He stated anyone wishing to speak to come forward and state his/her name for the record at 6:38 PM. As no one came forward, Mayor McLeod closed the public hearing at 6:38 PM.

Councilman Bob Satterfield motioned to suspend the rules in order to take action during the work session. Councilman Lawter seconded the motion. Motion carried unanimously at 6:38 PM.

Councilman Bob Satterfield motioned to approve the financing with First Citizens Bank for the general fund rolling stock and with Bank of America for the electric fund rolling stock. Councilman Thompson seconded the motion. Motion carried unanimously at 6:39 PM.

Item 5b. Presentation of resolution requesting authorization to hold a surplus auction.

Finance Director Robert McKie provided an overview of the request to authorize the holding of a surplus auction.

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

Item 5c. Presentation of resolution regarding fund transfer for prepayment of fire station one outstanding debt.

This item was tabled.

Item 5d. Presentation of rezoning request and special use request RZ 2012-118 from R-8 (Residential) to O-R SUD (Office – Residential, Special Use District) for two parcels located in the 400 block of South Lombard Street.

Town Planner Emily Beddingfield provided the following PowerPoint overview of rezoning request and special use request RZ 2012-118; herewith attached and incorporated into the record:

- **Rezoning request RZ 2012-118 is from R-8, Residential to O-R, SUD, Office-Residential, Special Use District**
- **Two parcels**
 - **419 South Lombard Street**
 - **425 South Lombard Street**
- **Most recent use of 425 South Lombard Street was a day care**
- **Proposed use of 425 South Lombard Street is a professional office**
- **Proposed site improvements included:**
 - **Parking and driveway conditions**
 - **Parking located behind 419 South Lombard Street**
 - **Use of the existing building**
 - **Site plan would be reviewed by the planning department as it is a minor site plan**
 - **Cross access required for the parking located behind 419 South Lombard Street**

- **Persons parking to visit 425 South Lombard Street would access on Andrews and exit onto Lombard Street**
- **The SUD is a staff recommendation**
- **Neighborhood meeting held on February 18th and no persons attended and no concerns about the request were received**
- **Staff recommendation is approval is to O-R, SUD**
- **Planning Board recommended approval of the staff recommendation with the following conditions:**
 - **Use of the two parcels shall be limited to a professional office and single family residential uses**
 - **Parking shall be limited to the rear and side of the property, and to on-street parking**

Mayor Pro Tem Grannis stated as parking is at 419 Lombard, there will be pavement from Andrews Street into the property. He stated he has concerns about runoff because the property slopes toward a creek. He stated he would like to hear how that will be detoured. He stated when looking at the existing plan for parking, the landscape islands are not noted which could eliminate a parking slip. He stated he would like to hear whether or not parking is permitted on Lombard Street. He stated he did not see a ramp for accessibility to the building and he would like to know where one will be located.

Councilman Satterfield questioned if impervious surface has been addressed.

Town Planner Beddingfield stated at this point it has had a site plan review.

Mayor McLeod stated he understands that it meets the criteria. He added it seems like a lot of stuff in a tiny place. He questioned if this could happen on any thoroughfare in Clayton.

Town Planner Beddingfield stated affirmative.

This item is slated for evidentiary hearing at the Monday, April 1, 2013, Council meeting.

Item 5e. Presentation of sewer use ordinance and sewer use check list.

Town Manager Biggs stated periodically the sewer use ordinance is updated based upon State requirements and that is the case with this amendment.

Item 5f. Presentation of resolution to NCDOT for road improvements on Powhatan Road.

Town Manager Steve Biggs stated Novo Nordisk is located on Powhatan Road and Powhatan Road is a rural road. He stated it is heavily traveled with the pharmaceuticals located in this area.

Item 5g. Presentation of spring 2013 Litter Sweep Proclamation.

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

No items for discussion were presented.

ITEM 8. OLD BUSINESS

Item 8a. Final discussion and action of noise ordinance.

Town Manager Steve Biggs stated the proposed amendment contains activities that are nuisances as well as time of day and area that may be above ambient sound levels.

Councilman Satterfield stated he has spoken with citizens who do not see this as that big a problem. He stated this is potentially a burden to the police department and would require spending money for instruments that require calibration. He stated he is in favor of leaving the ordinance as it is presently written.

Mayor Pro Tem Grannis stated his appreciation to the staff for drafting a good ordinance. He stated Councilman Satterfield's comments carry weight. He stated he has spoken with 27 citizens and 25 did not see noise as a problem, 1 did see noise as a problem, and 1 stated it is a potential problem. He stated based on the research done, he cannot justify moving forward with an amendment to the ordinance at this time.

Councilman Holder stated his concern goes back to his original concern which is the decision of whether or not the noise is loud is left up to the police officer. He stated his preference is objective criteria. He stated if this is tabled, then there is no criteria for officers to make a determination on whether the noise is too loud.

Councilman Satterfield stated he has spoken with a number of officers who do not have an issue with the way it is written now. He added he has spoken with the Chief as well.

Councilman Lawter stated this has been an educational process. He stated his preference is to table until noise complaints become an issue.

Councilman Thompson stated this is complicated to enforce. He stated he concurs with Councilman Lawter.

Councilman Holder requested the Town Manager file the drafted ordinance in the event of a future request.

Item 8b. Status of 110 West Front Street – former Red & White Store.

Town Manager Steve Biggs stated there was a deadline of March 15, 2013, for the owner to submit plans to the Town for review. He stated a couple of days before the deadline, the owner sent a letter that the deadline would not be met because the initial architect left and the new architect stated the deadline was too short for him to meet the deadline. He stated the owner requested a five week extension. He stated the owner and he had a phone conversation and discussed that the Town would need to receive sealed plans from a licensed architect or engineer by April 19 for the repair of the roof structure and repair and/or removal of the canopy structure. He emphasized that is the deadline or the Town would initiate the condemnation process of the structure. He stated the dialogue was cordial.

ITEM 9. STAFF REPORTS

Item 9a. Town Manager

Town Manager Steve Biggs stated the sewer main structure for the John Street Town Homes has been installed and the next step is connection of the service lines to each of the units.

Town Manager Biggs stated for East Clayton Community Park project has a 365 day contract with D.S. Simmons. He stated the contract expired at the end of August. He stated by the end of September the Town requested a specific accounting of lost work days due to weather and any requests for additional days associated. He stated the Town received no reply to either request. He stated the walk through was performed in December and very little work has been done to the punch list items since the December walk through. He stated the Town will be sending a letter advising D.S. Simmons that the Town will be seeking liquidated damages. He added the contract states the maximum is up to \$500 per day over the contract deadline.

Mayor Pro Tem Grannis questioned what those damages would be.

Town Manager Biggs stated he is not prepared to respond this evening.

Item 9b. Town Attorney

Town Attorney Katherine Ross stated no report.

Item 9c. Town Clerk

Clerk to the Planning Board and Board of Adjustment Amber Bond stated no report.

Item 9d. Other Staff

No other staff presented a report.

ITEM 10 OTHER BUSINESS

Item 10a. Informal Discussion & Public Comment.

No informal discussion and public comment was presented to Council.

Item 10b. Council Comments.

Mayor Pro Tem Grannis stated today Councilman Holder, Councilman Thompson and he went to the Legislative Luncheon and met the new Johnston County state delegates. He added the new delegates shared what is occurring within the State and nation.

Mayor McLeod stated also this afternoon, Downtown Development Coordinator Bruce Naegelen, the Public Art Advisory Board, and he reviewed the templates for the Butterfly project. He stated the process will begin in a short time.

ITEM 11. ADJOURNMENT

With there being no further business brought before the Council, Councilman Satterfield motioned to adjourn; Councilman Holder seconded the motion. Motion carried unanimously at 7:13 PM.

Duly adopted by the Clayton Town Council this ____ day of April 2013, 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: 4/01/13

TITLE: ST. BALDRICK'S DAY REQUEST.

DESCRIPTION: St. Baldrick's is a fundraiser for childhood cancer research. The event is slated for April 20, 2013. The request is to temporarily close the portion of South Lombard Street between Main and Second Streets from 12 noon until 5 PM.

At its March 18, 2013, Council meeting, it was the consensus of the Council to place this on the consent agenda.

RELATED GOAL: Think Downtown

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
3-18-13	Presentation.	Staff report.
4-01-13	Approval.	Staff report.



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

SPECIAL EVENTS COMMITTEE REPORT

Application Number: 2013-0246
Event Name: St Baldrick's
Event Date(s): April 20, 2013
Location: The Flipside, 408 E Second St

Downtown/Town Limits/ETJ: Downtown

Applicant: Rob Baker

Contact: Rob Baker (919) 235-8474 (cell), rob@awardsandengravables.com

Committee Meeting: February 28, 2013

Attendance: Steve Biggs, Town Manager; Dale Medlin, Director, Electric Dept.; Steve Blasko, Public Works; Lee Barbee, Fire Chief; Tony Atkinson, Fire Marshall; Dede Bumgarner, Zoning Admin; Christy Starnes; Stacy Beard, PIO; Scotty Henley, Director, The Clayton Center; Martha Vandergriff, The Clayton Center; Bruce Naegelen, Downtown Development Coordinator

EVENT LOCATION: The Flipside Parking Lot, 408 E Second St and S Lombard (between Main & Second streets)

EVENT DESCRIPTION:

- 12:00 pm – 5:00 pm.
 - Fundraiser for childhood cancer research
 - Heads are shaved for donations
 - Estimated Attendees per day: 200-300
-

SERVICES REQUESTED:

- Street closure: S Lombard St between Main & Second
 - For emergency vehicles and crowd overflow if needed
 - Blockades
 - Trash roll-out carts 2 each, regular and recycle
-

COMMITTEE ANALYSIS AND COMMENTARY:

2/28/2013 Committee Mtg:

- No vendors

- 40 x 20 tent (permit required)
 - Volunteers will assist with crowd control, and trash pickup
-

COMMITTEE CONDITIONS

- **Action Issues:**
 - Authorization from Town Council & NCDOT to close S Lombard St
 - Building permit for 20'x40' tent
-

COMMITTEE ACTIONS:

- Recommended approval
 - Send Staff Report to Town Clerk to schedule presentation on March 18 Town Council agenda
-

TOWN COUNCIL CONSIDERATIONS

- Closure of S Lombard Street between Main & Second
 - Permission also needed from NCDOT
-

DOCUMENTATION RECEIVED:

- Special Event Application
 - Proof of Insurance
 - Site Map
-

POST EVENT REVIEW:

Scheduled: April 25, 2013

-

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

Agenda Item: 3c

Meeting Date: 4/01/13

TITLE: CLAYTON ROAD RACE REQUEST.

DESCRIPTION: The Clayton Road Race is an annual Clayton Parks & Recreation 5k Road Race. The event is slated for May 11, 2013. The request is to temporarily close streets included on the map of the route from 7:30 AM to 12 noon.

At its March 18, 2013, Council meeting, it was the consensus of the Council to place this on the consent agenda.

RELATED GOAL: Think Downtown

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
3-18-13	Presentation.	Staff report and map.
4-01-14	Approval.	Staff report and map.



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

SPECIAL EVENTS COMMITTEE REPORT

Application Number: 2013-0238
Event Name: Clayton Road Race
Event Date(s): May 11, 2013
Location: The Clayton Center / Streets of Downtown

Downtown/Town Limits/ETJ: Downtown

Applicant: Clayton Parks & Recreation

Contact: Matt Lorian (919) 553-1554, mlorian@townofclaytonnc.org

Committee Meeting: February 28, 2013

Attendance: Steve Biggs, Town Manager; Dale Medlin, Director, Electric Dept.; Steve Blasko, Public Works; Lee Barbee, Fire Chief; Tony Atkinson, Fire Marshall; Dede Bumgarner, Zoning Admin; Christy Starnes; Stacy Beard, PIO; Scotty Henley, Director, The Clayton Center; Martha Vandergriff, The Clayton Center; Bruce Naegelen, Downtown Development Coordinator

EVENT LOCATION: Start/Finish at The Clayton Center parking lot on Horne Street

EVENT DESCRIPTION:

- 7:30 am – 12:00 pm.
- Annual Clayton Parks & Recreation 5k Road Race
- Refer to map for race route.

Estimated Attendees per day: 250-300

SERVICES REQUESTED:

- Street closures as described on map and under Town Council Considerations
 - Blockades
 - Police support
 - Trash roll-out carts
-

COMMITTEE ANALYSIS AND COMMENTARY:

2/28/2013 Committee Mtg:

- The road race has been organized for many years by Clayton Parks & Recreation
- There are no changes from past years

- Note: As part of TOC Wellness Program, TOC employees may participate in the race and be timed at no cost. No perks like a t-shirt unless they pay the registration fee.
-

COMMITTEE CONDITIONS

- Authorization from Town Council to close Town streets as shown on map and described under Town Council Considerations
 - Authorization from NCDOT to close streets under NCDOT control
-

COMMITTEE ACTIONS

- Recommended approval
 - Send Staff Report to Town Clerk to schedule presentation on March 18 Town Council agenda
-

TOWN COUNCIL CONSIDERATIONS

- Consider closure of Streets:
 - Second Street/Fayetteville Street (Barricade @ Main)
 - Second Street/Church Street (Cones)
 - Second Street/Barbour Street (Cones)
 - Barbour Street/Horne Street (Cones)
 - Barbour Street/Blanche Street (Cones)
 - Barbour Street/Hamby Street (Barricade)
 - Hamby Street/Fayetteville Street (Barricade)
 - Penny Street/Fayetteville Street (Cones)
 - Blanche Street/Fayetteville Street (Cones)
 - Second Street/O'Neil Street (Cones)
 - Second Street/Ellington Street (Cones)
 - Second Street/Robertson Street (Barricade @ Main)
 - Second Street/Mulberry Street (Cones)
 - Second Street/Charles Street (Cones)
 - Second Street/Moore Street (Cones)
 - Second Street/Atkinson Street (Barricade)
 - Horne Street/Atkinson Street (Cones)
 - Bartex Mill Street/Atkinson Street (Cones)
 - Moore Street/Atkinson Street (Barricade)
 - Horne Street/Robertson Street (Cones)
 - Horne Street/Ellington Street (Cones)
 - Horne Street/O'Neil Street (Cones)
 - Horne Street/Fayetteville Street (Barricade)
 - Horne Street/Church Street (Cones)
 - Closure of appropriate streets by NCDOT
 - Closure of The Clayton Center Parking Lot on Horne Street
-

DOCUMENTATION RECEIVED:

- Special Event Application
 - Route Map
-

POST EVENT REVIEW:

Scheduled May 30, 2013 at 10:00 am Fire Station 1

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

Agenda Item: 3d

Meeting Date: 4/01/13

TITLE: RESOLUTION REQUESTING AUTHORIZATION TO HOLD A SURPLUS AUCTION.

DESCRIPTION: The request is authorization to hold a surplus auction via public electronic auction system provided by Gov Deals Inc.

Included in the resolution is a request to notice for public auction is by electronic means in accordance with NC GS 160A-270(c).

At its March 18, 2013, Council meeting, it was the consensus of the Council to place this on the consent agenda.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
3-18-13	Presentation.	Resolution.
4-01-13	Approval.	Resolution.

**TOWN OF CLAYTON
RESOLUTION AUTHORIZING THE SALE OF
CERTAIN PERSONAL PROPERTY AT PUBLIC AUCTION**

WHEREAS, the Town Council of the Town of Clayton desires to dispose of certain surplus property of the Town; and

WHEREAS, the Town Council of the Town of Clayton desires to utilize the auction services of an Internet-based auction system

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

1. The following described property is hereby declared to be surplus to the needs of the Town:

Vin./Serial #	Description
	12x16 2002 Draper Signature Series V screen
26181	1980 Lindsay #80 HO air compressor
14BT41263238487	1986 JCB #1400B backhoe 4x4
T0510CG763578	1989 John Deere #510C backhoe 4x4
KB DA058816	GilBarco Trimline gas dispenser
KB DA085417	GilBarco Trimline diesel dispenser
1FTCR14U7PTA38792	1993 Ford Ranger
2FAFP71W31X126878	2001 Ford Crown Vic
2G1WF55K729310311	2002 Chevrolet Impala
2FAHP71WX3X173580	2003 Ford Crown Vic
2FAHP71W13X173581	2003 Ford Crown Vic
1FTET15N8SNA78675	1995 Ford F-150
2FAFP71W7WX177372	1998 Ford Crown Vic
2FAFP71W61X126860	2001 Ford Crown Vic
1F0PK84AXMVA33103	1991 Ford F-800 bucket truck
1FTNF21585ED38721	2005 Ford F-250 service truck/utility body

	HP Laserjet 4300dtnsl printer
	HP Laserjet 4300dtnsl
2FAFP71W04X175573	2004 Ford Crown Vic
2FAFP71W74X175571	2004 Ford Crown Vic
2FAFP71W84X175577	2004 Ford Crown Vic
2FAFP71W14X175579	2004 Ford Crown Vic
2FAHP71W33X173579	2003 Ford Crown Vic
2FAHP71W83X173576	2003 Ford Crown Vic
2FAFP71W81X109591	2001 Ford Crown Vic
2FAHP71WX5X171413	2005 Ford Crown Vic
2FAHP71W65X171411	2005 Ford Crown Vic
2FAHP71W85X171412	2005 Ford Crown Vic
2FAHP71WX3X173577	2003 Ford Crown Vic
2FAFP71WX6X157620	2006 Ford Crown Vic
2FAFP71W61X124137	2001 Ford Crown Vic
1FTEF15NXSNA78676	1995 Ford F-150 truck
TCM665X021647	2001 John Deere M665 mower
124884	1980 Allis Chalmers 4000 lb forklift

2. **The Finance Director or his designee is authorized to receive, on behalf of the Town Council, bids via public electronic auction for the purchase of the described property.**
3. **The public electronic auction will be held beginning no earlier than April 12, 2013 [resolution shall be published at least 10 days before the date of auction].**
4. **The Town Council further authorizes the disposal of Town surplus property by use of a public electronic auction system provided by GovDeals Inc. The property for sale can be viewed at www.govdeals.com. Citizens may bid on the property at the same website. The terms of the sale shall be: All items are**

sold as is, where is, with no express or implied warranties; All items will be sold for cash or certified check only; Payment must be received for all items sold before they may be removed from the premises; All items sold must be paid for and removed from the site of the sale within 5 business days of the sale, or they will be subject to resale.

5. The Town Clerk shall cause a notice of the public auction for surplus property to be noticed by electronic means in accordance with NC G.S. 160A-270(c), available on the Town of Clayton website: www.townofclaytonnc.org.
6. The highest bid, if it complies with the terms of the sale, may be accepted by the Finance Director or his designee and the sale consummated.

Duly adopted by the Clayton Town Council this 1st day of April 2013, while in regular session.

Jody L. McLeod,
Mayor

ATTEST:

Sherry L. Scoggins, MMC
Town Clerk

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

Agenda Item: 4a

Meeting Date: 4/1/13

TITLE: PRESENTATIONS OF PROCLAMATION FOR “WEEK OF THE YOUNG CHILD”: APRIL 14-20, 2013.

DESCRIPTION: The Johnston County Partnership for Children requested recognition of “Week of the Child” and a representative will be in attendance.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
4-01-13	Presentation.	Proclamation.

Town of Clayton
Proclamation: The Week of the Young Child
April 14 - 20, 2013

WHEREAS, the Partnership for Children of Johnston County and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child, April 14 through April 20; and

WHEREAS, these organizations are working to improve early learning opportunities, including early literacy programs, that can provide a foundation of learning for children in the Town of Clayton and throughout Johnston County; and

WHEREAS, teachers and others who make a difference in the lives of young children in the Town of Clayton deserve thanks and recognition; and

WHEREAS, public policies that support early learning for all young children are crucial to our young children's futures.

NOW, THEREFORE, BE IT RESOLVED, that the Honorable Mayor and Town Council of the Town of Clayton hereby proclaim April 14 - 20, 2013, as The Week of the Young Child in the Town of Clayton and encourage all citizens to work to make a good investment in early childhood.

Duly adopted this the 1st day of April 2013, while in regular session.

Jody L. McLeod
Mayor

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

Agenda Item: 4b

Meeting Date: 4/1/13

**TITLE: PRESENTATIONS OF SPRING 2013 LITTER SWEEP
PROCLAMATION.**

DESCRIPTION: The Clayton Newcomers and Neighbors Club requested recognition of “Spring 2013 Litter Sweep” and a representative will be in attendance.

The NCDOT Spring 2013 Litter Sweep will take place April 13-27, 2013.

Citizens wishing to participate in the NCDOT Spring 2013 Litter Sweep may contact the Office of Beautification Programs at 919-715-3188 or www.ncdot.gov/~beautification

RELATED GOAL: Beautify the Town of Clayton and Create an Arts Community

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
3-18-13	Presentation.	Proclamation.
4-01-13	Presentation.	Proclamation.

Town of Clayton
Proclaim April 13 – 27, 2013 as
Spring 2013 Litter Sweep

Whereas, the Spring 2013 Litter Sweep roadside cleanup will take place April 13 – April 27, 2013, and encourages civic and professional groups, businesses, churches, schools, neighborhoods, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

Whereas, the great natural beauty of our community and a clean environment are sources of great pride for the Town of Clayton, attracting tourists and aiding in recruiting new industries; and

Whereas, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

Whereas, the efforts of volunteers beautify our town and help raise awareness of litter on the environment and give every citizen the opportunity to take responsibility for clean roads;

NOW, THEREFORE, LET IT BE PROCLAIMED by the Honorable Mayor and Town Council of the Town of Clayton that April 13 – April 27, 2013, be proclaimed as **Spring 2013 Litter Sweep Roadside Cleanup**. Let it also be proclaimed that all our citizens are urged to keep our roadsides clean; to reduce and recycle solid wastes; and to report violations of litter laws.

Duly proclaimed this 1st of April 2013, while in regular session.

Jody L. McLeod
Mayor

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

Agenda Item: 4c

Meeting Date: 4/1/13

TITLE: PRESENTATION OF REQUEST TO TEMPORARILY CLOSE HORNE SQUARE AND NORTH LOMBARD STREET FOR THE OPENING OF THE 2013 SEASON OF THE CLAYTON FARMERS MARKET.

DESCRIPTION: The Claytons Farmers Market kicks off its 2013 season on Saturday, April 6, 2013. In addition to yummy produce, the Clayton Farmers Market has arranged for a fire truck and bouncy house to be on site. For the safety of the patrons attending, the Clayton Farmers Market respectfully requests the temporary closure of Horne Square and the portion of North Lombard between Main Street and the railroad tracks.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
4-01-13	Presentation.	

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

Agenda Item: 5a

Meeting Date: 4/01/13

TITLE: EVIDENTIARY HEARING FOR REZONING REQUEST AND SPECIAL USE REQUEST RZ 2012-118 FROM R-8 (RESIDENTIAL) TO O-R SUD (OFFICE – RESIDENTIAL, SPECIAL USE DISTRICT) FOR TWO PARCELS LOCATED IN THE 400 BLOCK OF SOUTH LOMBARD STREET.

DESCRIPTION: The owner and applicant, James Lipscomb, requests the above rezoning for the properties located at 419 and 425 South Lombard Street.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
3-18-13	Presentation & Public Notice.	Rezoning application, Neighborhood meeting Letter & Minutes, Staff Report, Aerial Map & Site plan.
4-01-13	Evidentiary Hearing.	SUP Hearing Procedures, Rezoning application, Neighborhood meeting Letter & Minutes, Staff Report, Aerial Map, Site Plan, Consistency & Reasonable-ness Statement & SUP Motion Form.

**Town of Clayton
Special Use Permit Application
Hearing Procedure**

1. **HEARING.** The Mayor shall call the hearing and announce the case.
2. **RULES OF PROCEDURE.** The procedure by which testimony may be given shall be announced by the Town Attorney. The Town Attorney shall be responsible for keeping all testimony within acceptable legal guidelines.
3. **OATHS.** Oaths shall be administered to all speakers. A statement of oath shall be signed by all persons taking the oath.
4. **STAFF REPORT.** The Staff shall give its report.
5. **APPLICANT TESTIMONY.** The applicant shall be called to present his case. The applicant has the burden to provide testimony and evidence in support of the request. If the applicant or his representative is not present to be sworn, the Mayor may call for a vote of the members present to continue the hearing until the next regular meeting or, in the absence of testimony supporting the application the Council may choose to deny the application. The applicant shall be notified of such action. The applicant and those speaking in support of the application shall be provided a maximum of fifteen minutes to present their case. The Town Clerk shall keep time. The Mayor shall be responsible for keeping the testimony relevant and factual. No questions shall be asked by the Town Council at this time.
6. **OPPOSITION TESTIMONY.** Those speaking in opposition to the application shall be called upon to present their case. Those in opposition to the application shall be provided a maximum of fifteen minutes. If the opposition has not chosen speakers on their behalf, they shall be called in the order of registration or the order in which the oath was signed. The Town Clerk shall keep time. The Mayor shall be responsible for keeping the testimony relevant and factual. No questions shall be asked by the Town Council at this time.
7. **APPLICANT REBUTTAL.** The applicant and/or those in support of the application shall be provided a maximum of five minutes to rebut testimony provided by the opposition. The Council may also ask questions of the applicant at this time.
8. **OPPOSITION REBUTTAL.** Those in opposition to the application shall be provided a maximum of five minutes to rebut testimony provided by

the applicant. The Council may also ask questions of the opposition at this time.

9. **COUNCIL INQUIRY.** The Council may ask any additional questions of the applicant, opposition, or staff at this time. There shall be no time limit except that the Mayor shall be responsible for keeping questions and responses relevant and factual.
10. **DELIBERATION.** The Mayor shall call the Council into deliberation. Once called into deliberation no person may address the Council and no questions may be asked by Council to the public.
11. **UTILITY ALLOCATION (WHEN APPLICABLE).** In the event of pending action on a utility allocation request related to the case and there being no additional testimony, the Council shall take action on a utility allocation in accordance with related policies and procedures.
12. **ACTION-FINDINGS FOR DECISION.** Once discussion of the evidence has been completed and action taken on the utility allocation (when applicable); each finding shall be discussed in turn and a motion, second and vote shall be made for each finding by selecting one of the three alternatives. A majority vote shall prevail. All four findings shall be addressed.
13. **ACTION-APPLICATION.** Once all four findings have been decided and based on the results of the evaluation and vote on those findings, the Council shall make a motion and vote to approve or deny the application.



Town of Clayton
 Planning Department
 111 E. Second Street, Clayton, NC 27520
 P.O. Box 879, Clayton, NC 27528
 Phone: 919-553-1545
 Fax: 919-553-1720

REZONING APPLICATION

Pursuant to Article 7, Section 155.704 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to amend the Official Zoning Map.

Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$400.00 for a rezoning to a Standard District. A rezoning to a Planned Development District requires a fee of \$500.00 +\$5.00 per lot or unit for residential uses or \$500.00 +\$5.00 per acre for non residential uses. All fees are due when the application is submitted.

If the rezoning request is to a Planned Development District, the application must be accompanied by a Major Site Plan application and associated fees.

Please note that Section 155.702(B) of the Unified Development Code requires a Neighborhood Meeting for all Rezoning Petitions.

SITE INFORMATION:

Name of Project: Lipscomb Rezoning Acreage of Property: 0.24 total
 Parcel ID Number: 1) 166917-01-4022 2) 166917-01-4066 Tax ID: 1) 05013002 2) 05013001
 Deed Book: 1) 2613 2) 3799 Deed Page(s): 1) 72 2) 540
 Address: 425 Lombard Street (also shown as 401 Andrews Street) and 2) 419 Lombard Street
 Location: south Lombard between Canady and Andrews Street

Existing Use: vacant/residential Proposed Use: Special use office
 Existing Zoning District: R-8
 Requested Zoning District: O-R
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: R2012-118 Date Received: 12-3-12 Amount Paid: \$400.00

OWNER INFORMATION:

Name: James Lipscomb ET, ALS
Mailing Address: 328 E. Main Street ClaytonNC 27520
Phone Number: 919-422-4704 Fax: 919-553-0330
Email Address: James@myhtr.com

APPLICANT INFORMATION:

Applicant: Same as above
Mailing Address:
Phone Number: Fax:
Contact Person:
Email Address:

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a rezoning application. This information is required to be present on all plans, except where otherwise noted:

- A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department) with the azimuth or courses and distances of every property line shown. Distances shall be in feet or meters and decimals thereof. The number of decimal places shall be appropriate to the class of survey required. The survey must include any and all easements of record (referenced by Deed Book and Page) and must be prepared by a surveyor registered in the State of North Carolina.
- Property legal description typed (10 pt. font or greater) on an 8.5 inch by 11 inch paper with one inch margins. The legal description must also be submitted electronically in Microsoft Word format.
- A copy of the last recorded deed for the subject property.

JUSTIFICATION STATEMENT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

Requesting O-R Zoning on two side by side parcels that front on South Lombard Street.
Parcel 1 - 425 Lombard Street most recent use was an after school daycare; proposed use: office
Parcel 2 - 419 Lombard Street was originally built as a community convenience store then converted into a single family residence.
Proposed use to remain residential with exception of using back yard and side yard for parking for use of parcel 1 and 2.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

Request seems to fit the definition of the O-R zoning category perfectly both properties front on a major collector that serves as a gateway into downtown Clayton. Both properties have been previously used for commercial purposes.

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.

Structure on subject property will easily convert to the proposed office use with very little modification and with no effect on the street yard/appearance with the exception of installation of a handicapped ramp and any allowed signage. The proposed use is not allowed in the R-8 zoning district except as a secondary use to a primary residential use.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.

The proposed change will improve the balance of uses and help meet demand for office space on South Lombard Street which is a very busy gateway to Clayton.

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.

No adverse impact will be created on any public infrastructure due to the rezoning.

5. It has been determined that the legal purposes for which zoning exists are not violated.

It has been determined there are no violations.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

No adverse effects on adjoining properties will be created due to rezoning.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

Correct.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton as requested. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

JAMES WATSON

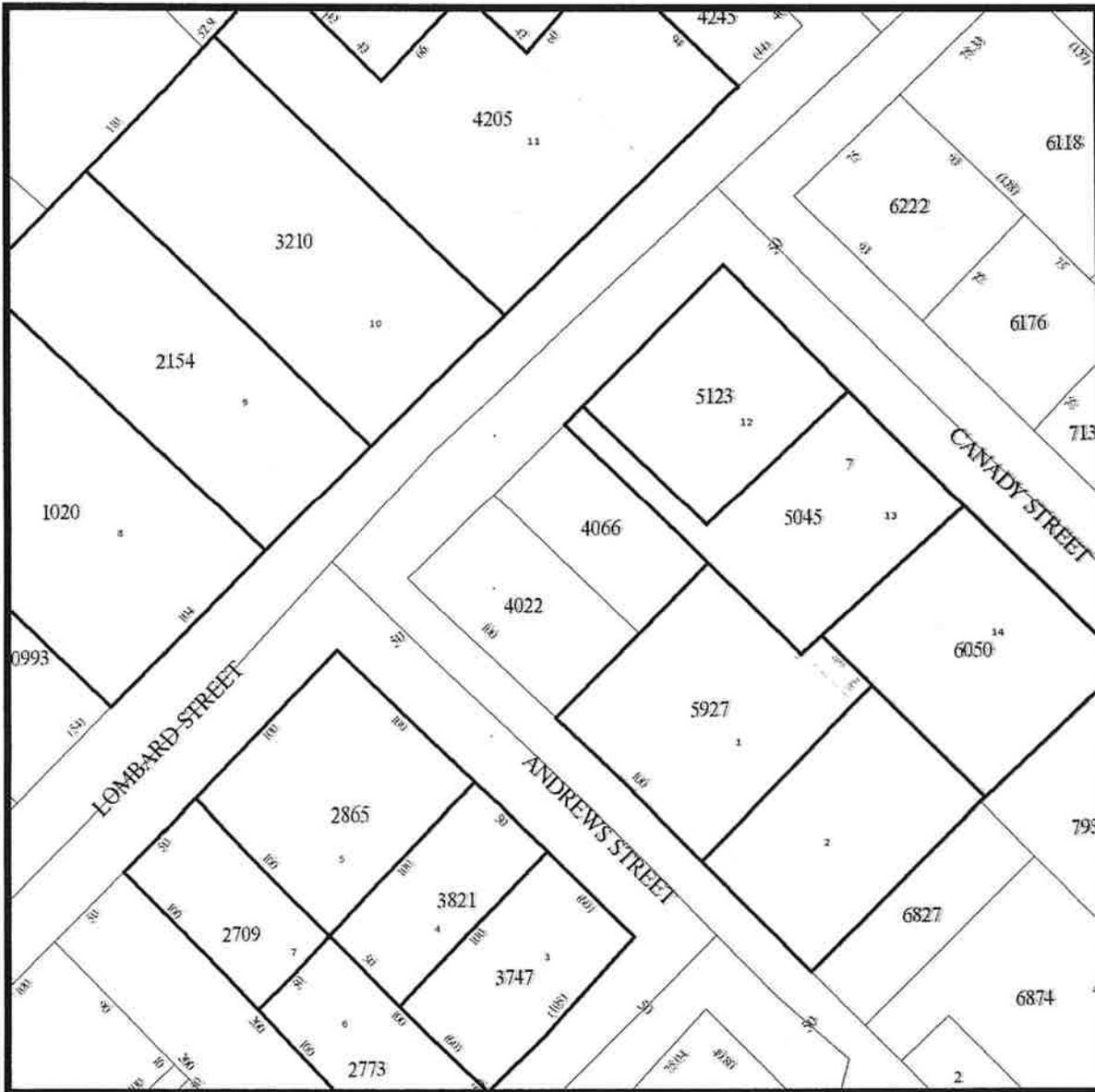
Print Name



Signature of Applicant

12-03-12

Date



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

Query Parcel 1

Tag: 05013003
 NCPin: 166917-00-5927
 Mapsheet No: 166917
 Owner Name1: CORBETT, JESSE V JR
 Owner Name2: CORBETT, JANICE
 Mail Address1: 1020 RIDGE RD
 Mail Address2:
 Mail Address3: CLAYTON NC 27520-0000
 Site Address1: Not Available
 Site Address2: Not Available
 Book: 00855
 Page: 0095
 Market Value: 154630
 Assessed Acreage: 0.23
 Calc Acreage: 0.26
 Sale Price:
 Sale Date: 1979-05-01



1 inch = 85 feet
 (The scale is only accurate when printed landscape on a
 8.5x11 in size sheet with page scaling set to none.)
 Date December 3, 2012

Query Parcel 2

Tag: 05013004
 NCPin: 166917-00-5981
 Mapsheet No: 166917
 Owner Name1: LAMM, KEVIN R
 Owner Name2:
 Mail Address1: 420 ANDREWS ST
 Mail Address2:
 Mail Address3: CLAYTON NC
 27520-0000
 Site Address1: 420 ANDREWS ST
 Site Address2: CLAYTON NC 27520-
 Book: 01827
 Page: 0071
 Market Value: 60950
 Assessed Acreage: 1
 Calc Acreage: 0.21
 Sale Price:
 Sale Date: 1999-05-12

Query Parcel 3

Tag: 05013025A
 NCPin: 166917-00-3747
 Mapsheet No: 166917
 Owner Name1: JONES, JOHNNY BATTLE
 Owner Name2:
 Mail Address1: 413 BLANCHARD ST
 Mail Address2:
 Mail Address3: CLAYTON NC
 27520-2701
 Site Address1: 504 FISHER ST
 Site Address2: CLAYTON NC 27527-
 Book: 03585
 Page: 0774
 Market Value: 63630
 Assessed Acreage: 1
 Calc Acreage: 0.15
 Sale Price:
 Sale Date: 2008-08-07

Query Parcel 4

Tag: 05013025B
 NCPin: 166917-00-3821
 Mapsheet No: 166917
 Owner Name1: BROWN, DEBORAH JEAN
 Owner Name2:
 Mail Address1: 419 EAST MAIN STREET
 Mail Address2:
 Mail Address3: CLAYTON NC
 27520-0000
 Site Address1: 411 ANDREWS ST
 Site Address2: CLAYTON NC 27520-
 Book: 03672
 Page: 0998
 Market Value: 51560
 Assessed Acreage: 1
 Calc Acreage: 0.12
 Sale Price:
 Sale Date: 2009-03-20

Query Parcel 5

Tag: 05013021
 NCPin: 166917-00-2865
 Mapsheet No: 166917
 Owner Name1: MERCADO, JOSE P
 Owner Name2: MERCADO, MARIA L
 Mail Address1: 501 LOMBARD STREET
 Mail Address2:
 Mail Address3: CLAYTON NC
 27520-0000
 Site Address1: Not Available
 Site Address2: Not Available
 Book: 02805
 Page: 0401
 Market Value: 104260
 Assessed Acreage: 1
 Calc Acreage: 0.22
 Sale Price: 95000
 Sale Date: 2004-12-01

Query Parcel 6

Tag: 05013025

NCPin: 166917-00-2773

Mapsheet No: 166917

Owner Name1: HOOKER, DEBORAH ANNE

Owner Name2:

Mail Address1: 510 FISHER STREET

Mail Address2:

Mail Address3: CLAYTON NC
27520-0000

Site Address1: 510 FISHER ST

Site Address2: CLAYTON NC 27527-

Book: 03205

Page: 0904

Market Value: 56260

Assessed Acreage: 1

Calc Acreage: 0.13

Sale Price: 91500

Sale Date: 2006-09-27

Query Parcel 7

Tag: 05013022

NCPin: 166917-00-2709

Mapsheet No: 166917

Owner Name1: HUSSAINI, DIANE C

Owner Name2:

Mail Address1: 509 S LOMBARD ST

Mail Address2:

Mail Address3: CLAYTON NC
27520-0000

Site Address1: 509 S LOMBARD ST

Site Address2: CLAYTON NC 27520-

Book: 01933

Page: 0505

Market Value: 49750

Assessed Acreage: 1

Calc Acreage: 0.11

Sale Price:

Sale Date: 2000-05-10

Query Parcel 8

Tag: 05017002

NCPin: 166917-01-1020

Mapsheet No: 166917

Owner Name1: JONES, JOHNNY BATTLE

Owner Name2:

Mail Address1: 413 BLANCHARD ST

Mail Address2:

Mail Address3: CLAYTON NC
27520-2701

Site Address1: 502 S LOMBARD ST

Site Address2: CLAYTON NC 27520-

Book: 03585

Page: 0774

Market Value: 89560

Assessed Acreage: 1

Calc Acreage: 0.48

Sale Price:

Sale Date: 2008-08-07

Query Parcel 9

Tag: 05017001

NCPin: 166917-01-2154

Mapsheet No: 166917

Owner Name1: JOYNER, BARNEY G

Owner Name2:

Mail Address1: P O BOX 168

Mail Address2:

Mail Address3: RALEIGH NC
27602-0000

Site Address1: 426 S LOMBARD ST

Site Address2: CLAYTON NC 27520-

Book: 00667

Page: 0282

Market Value: 76810

Assessed Acreage: 1

Calc Acreage: 0.33

Sale Price:

Sale Date: 1969-01-01

Query Parcel 10

Tag: 05016005
 NCPin: 166917-01-3210
 Mapsheet No: 166917
 Owner Name1: POWELL, KIMBERLY M
 Owner Name2: POWELL, SHAWN
 Mail Address1: 418 LOMBARD STREET
 Mail Address2:
 Mail Address3: CLAYTON NC 27520-0000
 Site Address1: 418 S LOMBARD ST
 Site Address2: CLAYTON NC 27520-
 Book: 03194
 Page: 0333
 Market Value: 140940
 Assessed Acreage: 0.39
 Calc Acreage: 0.42
 Sale Price: 74500
 Sale Date: 2006-09-06

Query Parcel 11

Tag: 05016003
 NCPin: 166917-01-4205
 Mapsheet No: 166917
 Owner Name1: RIALE, ROGER A JR
 Owner Name2:
 Mail Address1: 147 PRINCESS LOOP
 Mail Address2:
 Mail Address3: TROUTMAN NC
 28166-7664
 Site Address1: 410 S LOMBARD ST
 Site Address2: CLAYTON NC 27520-
 Book: 03624
 Page: 0706
 Market Value: 102550
 Assessed Acreage: 0.48
 Calc Acreage: 0.49
 Sale Price: 117000
 Sale Date: 2008-11-18

Query Parcel 12

Tag: 05012001
 NCPin: 166917-01-5123
 Mapsheet No: 166917
 Owner Name1: REGNER, STEVE L
 Owner Name2: REGNER, MELANIE R
 Mail Address1: 828 PARKRIDGE DRIVE
 Mail Address2:
 Mail Address3: CLAYTON NC 27527-0000
 Site Address1: Not Available
 Site Address2: Not Available
 Book: 01901
 Page: 0537
 Market Value: 99700
 Assessed Acreage: 0.2
 Calc Acreage: 0.19
 Sale Price: 83000
 Sale Date: 2000-01-14

Query Parcel 13

Tag: 05012001A
 NCPin: 166917-01-5045
 Mapsheet No: 166917
 Owner Name1: REGNER, STEVE L
 Owner Name2: REGNER, MELANIE R
 Mail Address1: 828 PARKRIDGE DRIVE
 Mail Address2:
 Mail Address3: CLAYTON NC
 27527-0000
 Site Address1: Not Available
 Site Address2: Not Available
 Book: 01901
 Page: 0537
 Market Value: 142930
 Assessed Acreage: 0.23
 Calc Acreage: 0.23
 Sale Price:
 Sale Date: 2000-01-14

Query Parcel 14

Tag: 05012002

NCPin: 166917-01-6050

Mapsheet No: 166917

Owner Name1: PRESTON, TILLEY M

Owner Name2:

Mail Address1: 409 CANADY ST

Mail Address2:

Mail Address3: CLAYTON NC
27520-2504

Site Address1: Not Available

Site Address2: Not Available

Book: 01511

Page: 0720

Market Value: 93070

Assessed Acreage: 1

Calc Acreage: 0.25

Sale Price:

Sale Date: 1996-04-16

Query Parcel 15

Tag: -----

NCPin: -----

Mapsheet No: -----

Owner Name1: -----

Owner Name2: -----

Mail Address1: -----

Mail Address2: -----

Mail Address3: -----

Site Address1: -----

Site Address2: -----

Book: -----

Page: -----

Market Value: -----

Assessed Acreage: -----

Calc Acreage: -----

Sale Price: -----

Sale Date: -----

Query Parcel 16

Tag: -----

NCPin: -----

Mapsheet No: -----

Owner Name1: -----

Owner Name2: -----

Mail Address1: -----

Mail Address2: -----

Mail Address3: -----

Site Address1: -----

Site Address2: -----

Book: -----

Page: -----

Market Value: -----

Assessed Acreage: -----

Calc Acreage: -----

Sale Price: -----

Sale Date: -----

Query Parcel 17

Tag: -----

NCPin: -----

Mapsheet No: -----

Owner Name1: -----

Owner Name2: -----

Mail Address1: -----

Mail Address2: -----

Mail Address3: -----

Site Address1: -----

Site Address2: -----

Book: -----

Page: -----

Market Value: -----

Assessed Acreage: -----

Calc Acreage: -----

Sale Price: -----

Sale Date: -----

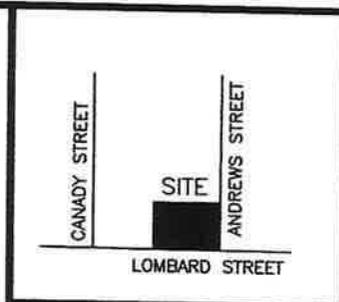
NOTES:

- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
- 2) AREAS COMPUTED BY COORDINATE METHOD
- 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD
- 4) NO HORIZONTAL CONTROL FOUND WITHIN 2000 FEET OF SURVEY
- 5) BOUNDARY PREDICATED ON EXISTING MONUMENTATION FOUND IN THE FIELD

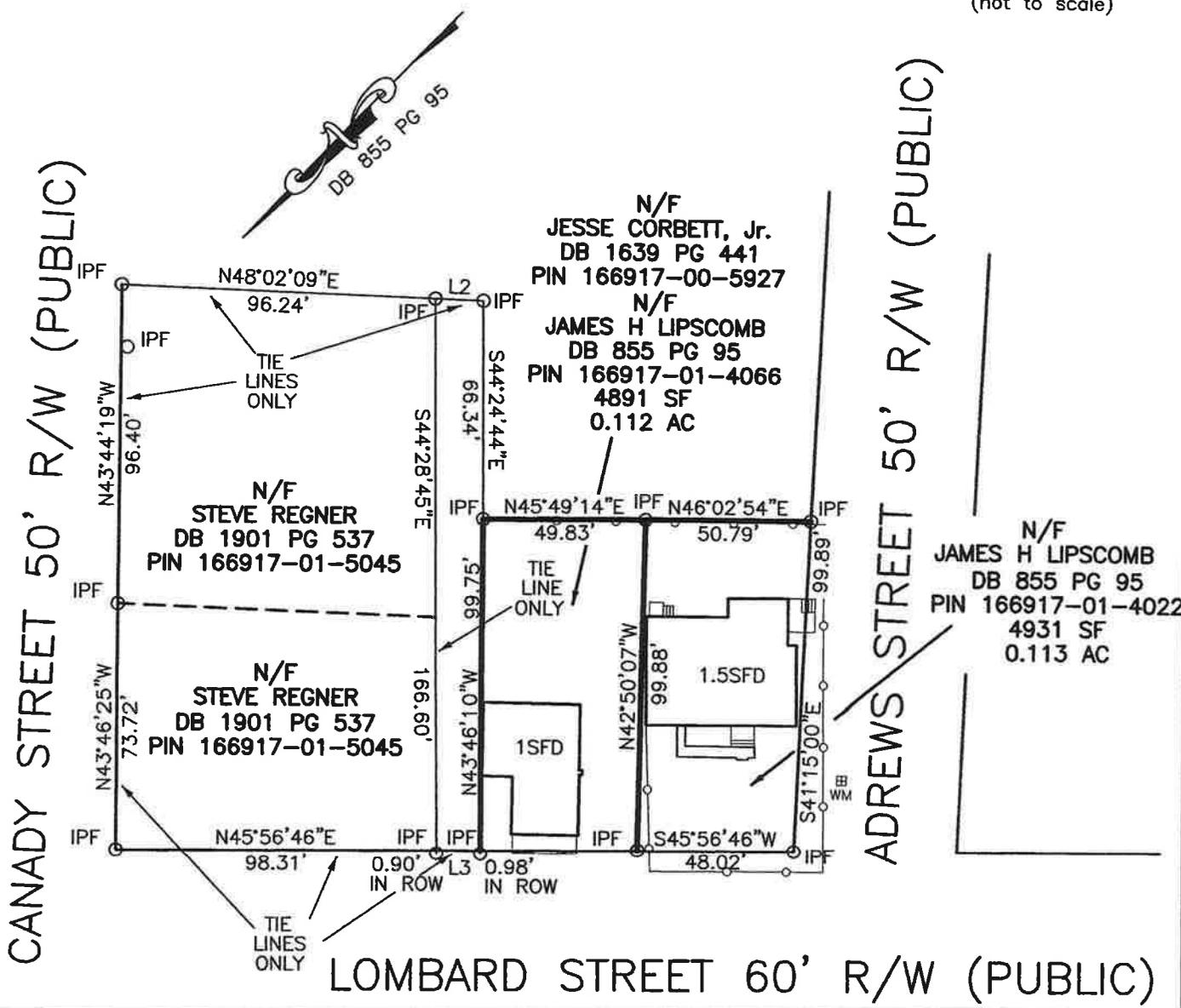
MINIMUM BUILDING SETBACKS
ZONING: R-8

FRONT.....	25 FEET
SIDE.....	10 FEET
STREET SIDE.....	15 FEET
REAR.....	25 FEET

NUMBER	DIRECTION	DISTANCE
L2	N47°54'35"E	14.79'
L3	N45°56'46"E	13.46'



VICINITY MAP
(not to scale)



LEGEND	
○ IPF	IRON PIPE FOUND
● IPS	IRON PIN SET
○ RRSF	RAILROAD SPIKE
○ PKNF	PARKER-KALON NAIL FOUND
WV	WATER VALVE
WM	WATER METER
CO	CLEAN OUT
S.F.	SQUARE FEET
100.0	ELEVATIONS
CATV	CABLE TV BOX
ELEC	ELECTRIC BOX
PB	PLAT BOOK
PP	POWER POLE
DB	DEED BOOK
---	LINES NOT SURVEYED

PHYSICAL SURVEY FOR
JAMES H. LIPSCOMB
401 ANDREWS STREET, CLAYTON, N.C. 27520
CLAYTON TOWNSHIP JOHNSTON COUNTY NORTH CAROLINA

TRUE LINE SURVEYING, P.C.
205 WEST MAIN STREET
CLAYTON, N.C. 27520
TELEPHONE: (919) 359-0427
FAX: (919) 359-0428
www.truelinesurveying.com
C-1857

NOT PREPARED FOR RECORDATION JOB NO. 522.009

I, CURK T. LANE CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, THAT THE ERROR OF CLOSURE AS CALCULATED IS 1:10,000+, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES.

L - 3990
REGISTRATION NUMBER SURVEYOR

DATE OF SURVEY: 11-28-12 DRAWN: CURK DATE: 12-03-12 CHECKED: CURK

JAMES LIPSCOMB

328 EAST MAIN STREET
CLAYTON, NC 27520
919-422-4704 (MOBILE)

January 8, 2013

Dear Clayton Area Property Owner:

The purpose of this letter is to notify you of an application filed with the Town of Clayton for a land use proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a neighborhood meeting will be held to provide information to area residents about the nature of the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: February 18th 2013

Location: HomeTowne Realty Office, 328 East Main Street, Clayton, NC 27520

Time: 6:30 P.M.

Type of Application: Rezoning

General Description: Discussion of the rezoning of 419 Lombard Street and 425 Lombard Street from R-8 Residential to Office Residential for the purpose of using 425 Lombard Street as an Attorney/Professional Office.

If you have any questions prior to or after this meeting, you may contact me at **919-422-4704**.

Sincerely,



James Lipscomb

cc: Clayton Planning Department

Emily,

We opened the meeting at 630 and closed the meeting at 704 no one showed up or contacted us in anyway.

Thanks,

James

James H Lipscomb Partner
HomeTowne Realty Group
Sent from my iPhone

McCULLERS & WHITAKER, PLLC

ATTORNEYS AND COUNSELLORS AT LAW

January 18, 2013

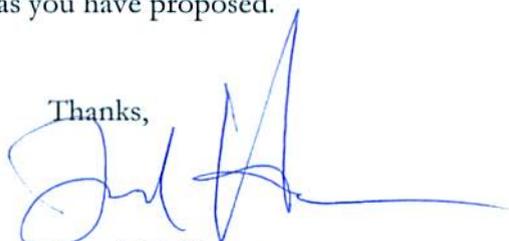
ATTN: Emily S. Beddingfield
Town of Clayton Planning Department
111 East Second Street
Clayton, NC 27528

RE: Lipscomb Rezoning (425/419 Lombard Street)

Emily:

I am writing on behalf of my uncle, James Lipscomb, regarding the rezoning of the properties located at 425 and 419 Lombard Street in Clayton. I am also writing in my capacity as the prospective occupier of the properties should the rezoning be allowed. James is currently out of town, but he wanted me to write and let you know that he fully supports and consents to the rezoning of the aforementioned property to a Special Use District. I've been working closely with James throughout this process, and he has assured me that he is amenable to rezoning the property to "O-R-S" as you have proposed.

Thanks,



Joseph T. Hamer
Attorney

Joshua M. Whitaker
jmw@mandwlawyers.com

Damion L. McCullers
dlm@mandwlawyers.com

Mitchell K. Brewer
mkb@mandwlawyers.com

Jeremy C. Hitch
jch@mandwlawyers.com

Joseph Hamer
jth@mandwlawyers.com

Christophis J. Mann
cjm@mandwlawyers.com

Offices:

Garner:
216 US Highway 70 West
Garner, NC 27529

Clayton:
205 W. Main Street
Clayton, NC 27520

Raleigh:
5540 Centerview Drive,
Ste 200
Raleigh, NC 27606

Chapel Hill:
1829 E. Franklin Street, Bldg 600
Chapel Hill, NC 27514

Phone: (919) 585-5501

Fax: (919) 573-0798

www.mandwlawyers.com



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

Town Council

STAFF REPORT

Application Number: RZ 2012-118
Project Name: Lipscomb Rezoning
NC PIN: 166917-01-4022 and 166917-01-4066
Town Limits/ETJ: Town Limits
Applicant: James Lipscomb
Owners: James Lipscomb and John Lipscomb

Neighborhood Meeting: February 18, 2013

PROJECT LOCATION: The project is located on South Lombard Street between Canady and Andrews Streets.

REQUEST: The request is to rezone the above referenced property from R-8 (Single Family Residential - 8) to O-R (Office-Residential).

SITE DATA:

Acreage: 0.24 acres (total for both parcels)
Present Zoning: R-8 (Single Family Residential - 8)
Proposed Zoning: O-R (Office-Residential)
Existing Use: The building on the corner of Andrews and Lombard Streets (425 S Lombard Street) is currently vacant and was most recently used as a daycare. The second parcel (419 S Lombard Street) is currently used as a single family residence.

DEVELOPMENT DATA:

Proposed Use: Professional Office, Single Family Residence

ENVIRONMENTAL: There are no environmental concerns at this site.

ADJACENT ZONING AND LAND USES:

North:	Zoning: R-8
	Existing Use: Residential
South:	Zoning: R-8
	Existing Use: Residential
East:	Zoning: R-8
	Existing Use: Residential
West:	Zoning: R-8
	Existing Use: Residential

STAFF ANALYSIS AND COMMENTARY:

The applicant has requested the property be rezoned to the O-R district to accommodate a professional office in an existing structure. Staff is recommending the property be rezoned to a Special Use District (O-RSUD) in order to allow conditions to be placed on the site via a Special Use Permit. The applicant amendable to this revised zoning designation (see attached letter).

The subject property consists of two adjacent parcels located on S. Lombard Street held under the same ownership. The property at 425 S. Lombard Street (at the corner of S. Lombard and Andrews Streets) is a vacant building most recently used as a daycare. The property at 419 S. Lombard Street is a rental single family residence. The surrounding properties are zoned as residential use, and the Strategic Growth Plan shows the proposed land use for this site as “residential-infill.”

The applicant is proposing to convert the building at 425 S. Lombard to a professional office. The parcel on which the proposed office sits is not large enough to accommodate required parking for the office. Off-site parking is not permitted in residential districts, thus, rezoning to O-R is also proposed at the adjacent property at



419 S Lombard (under the same ownership). Staff's opinion is that by placing the parking in the rear of the property, the impact to the character of the neighborhood will be substantially reduced.

Given the residential nature of this area, staff is recommending that the properties be rezoned to a Special Use District in order to allow low-impact commercial uses at this site while ensuring the preservation of the residential character of the neighborhood. The applicant is requesting that the home at 419 S Lombard continue to be allowed to be utilized as a single family residence.

Approval of a rezoning to a Special Use District requires approval of a Special Use Permit authorizing a specific use or uses and a specific site development plan, both of which are bound to such conditions as the Town Council may attach. The Special Use Permit request can be approved along with the rezoning request. Staff recommends that if Council approves the rezoning to a Special Use District, that a Special Use Permit listing approved uses and conditions also be approved. The site plan itself will be approved by the Planning Director contingent on conditions set by Council.

- **Consistency with the Strategic Growth Plan**

The proposed use is consistent with the following Strategic Growth Plan policies:

- 2.1 Balanced Development/Investment: Old and New

The proposed use is not consistent with the Strategic Growth Plan's proposed land use of "residential infill." However, staff feels that given the history of the site as a commercial use and the higher traffic volume on Lombard Street, this location is appropriate for commercial uses that are compatible in use and appearance with surrounding residential uses. Rezoning to a Special Use District ensures review of each proposed use and allows for application of conditions to protect the surrounding neighborhood.

- **Consistency with the Unified Development Code**

The use of the subject site as professional office will be consistent with the UDC if rezoned to the O-R District.

- **Compatibility with Surrounding Land Uses**

The O-R zoning district is "intended to accommodate modest-scale professional occupations, along with single-family and multi-family residential units, to serve as a neighborhood activity center and as a transition between residential and more intense commercial uses." As noted above, staff feels the O-R district is compatible with surrounding uses in this location and meets the intent of this zoning district. Rezoning to a Special Use District will further ensure that compatibility is preserved.

OTHER:

- FIRE PROTECTION: The Town of Clayton Fire Department will provide fire protection.
 - SCHOOL IMPACTS: NA
 - PARKS AND RECREATION: NA
 - ACCESS/STREETS: S Lombard Street and Andrews Street
 - WATER/SEWER PROVIDER: Town of Clayton
 - ELECTRIC PROVIDER: Town of Clayton
-

FINDINGS:

In connection with its legislative decision on a rezoning request, the Town Council may consider certain approval criteria. The applicant has addressed the approval criteria expressly established by Chapter 155.704 (J) of the UDC. Please refer to the Application materials.

If the Council chooses to approve the rezoning to the Special Use District, the following applies to the subsequent approval of the Special Use Permit:

When considering a Special Use Permit application, The Town Council shall consider specific Findings of Fact expressly established by Chapter 155.711 (I) of the UDC. A Special Use which fails to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved.

STAFF RECOMMENDATION / CONDITIONS OF APPROVAL:

Staff recommends: **1)** approval of the rezoning of the property to Office-Residential Special Use District, and **2)** approval of a Special Use Permit for the same geography with the following conditions:

- a. Use of the two parcels shall be limited to a professional office and single family residential uses.
 - b. Parking shall be limited to the rear and side of the property, and to on-street parking.
-

PLANNING BOARD RECOMMENDATION: At their regular meeting held February 25, 2013, the Planning Board voted to recommend approval of **1)** approval of the rezoning of the property to Office-Residential Special Use District, and **2)** approval of a Special Use Permit for the same geography with the conditions recommended by staff.

Attachments: **1)** Zoning/Aerial Map, **2)** Letter from applicant stating agreement with Special Use District, **3)** Application, **4)** Neighborhood meeting materials, **5)** proposed site plan.



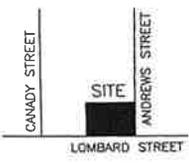
Proposed Rezoning from R-8 to O-R

Applicant: James Lipscomb
 Property Owner: James and John Lipscomb
 Parcel ID Numbers: 166917-01-4022 and 166917-01-4066
 File Number: RZ 2012-118



Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

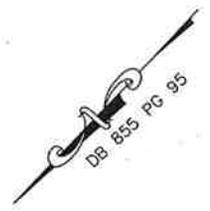




MINIMUM BUILDING SETBACKS
ZONING: R-8

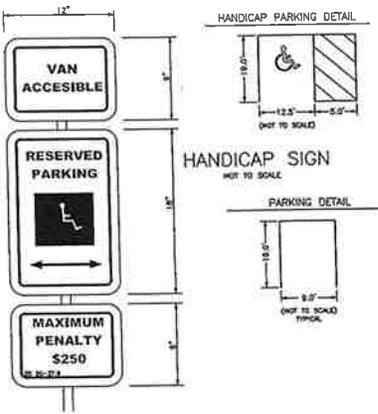
FRONT.....	25 FEET
SIDE.....	10 FEET
STREET SIDE.....	15 FEET
REAR.....	25 FEET

NUMBER	DIRECTION	DISTANCE
L2	N47°54'35"E	14.79'
L3	N45°56'46"E	13.46'



- NOTES:
- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
 - 2) AREAS COMPUTED BY COORDINATE METHOD
 - 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD
 - 4) NO HORIZONTAL CONTROL FOUND WITHIN 2000 FEET OF SURVEY
 - 5) BOUNDARY PREDICATED ON EXISTING MONUMENTATION FOUND IN THE FIELD

VICINITY MAP (NOT TO SCALE)

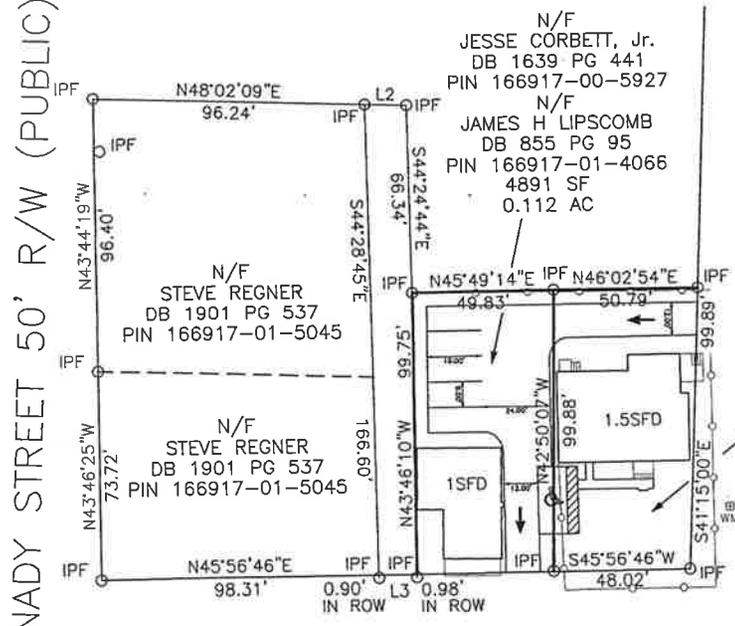


SITE DATA

AREA IN SITE 9822 SF
0.226 AC

TAX PARCEL NO. 05013002 and 05013001
PIN NO. 166917-01-4022 and 166917-01-4066
ZONING: R-8
CURRENT USE: VACANT
ONSITE PARKING SPACES PROVIDED 5
ON STREET PARKING SPACES PROVIDED 2
HANDICAP SPACES PROVIDED 1

CANADY STREET 50' R/W (PUBLIC)



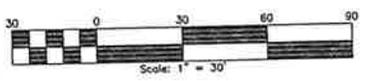
ADREWS STREET 50' R/W (PUBLIC)

LOMBARD STREET 60' R/W (PUBLIC)

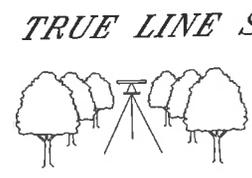
MINOR SITE PLAN FOR PERM DEC 17 2012

JAMES LIPSCOMB
CLAYTON TOWNSHIP, JOHNSTON COUNTY
NORTH CAROLINA
DECEMBER 14, 2012

- LEGEND
- IPF IRON PIPE FOUND
 - SPS BRON PIPE SET
 - CONC CONCRETE MONUMENT FOUND
 - PAV-PAV PAVEMENT-PAVEMENT MONUMENT FOUND
 - PAV-KALH PAVEMENT-KALH MONUMENT FOUND
 - PRCS PRICES
 - CP CONTROL CORNER
 - COMPUTED POINT
 - PP POWER POLE
 - OPW OVERHEAD POWER LINE
 - RIGHT OF WAY
 - S.F. SQUARE FEET
 - AC ACRE
 - DEED DEED BOOK
 - PLAT PLAT BOOK
 - BOOM BOOK OF MAPS
 - RF RAILROAD FENCE
 - LINEAR FEET
 - LOT HAS OPTIC SEWER
 - 152 OFFSITE SEWER LOT
 - 151 RECOMBINATION LOT
 - 15R STREET ADDRESS
 - [] LINES NOT SURVEYED



SURVEYED BY:	STEVE
DRAWN BY:	CLURK
CHECKED BY:	CLURK
DRAWING NAME:	SITEPLAN.DWG
SURVEY DATE:	11-28-12
JOB NO.	522.009



205 WEST MAIN STREET
CLAYTON, N.C. 27520
TELEPHONE: (919) 359-0427
FAX: (919) 359-0428
www.truelinesurveying.com

**MOTION GRANTING WASTEWATER ALLOCATION
[Not applicable; in-fill project]**

~~Motion for Wastewater Allocation Request: N/A~~

Council will motion to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts without modification of the request or additional public hearing.

If the rezoning request is approved, Council will continue with the Consistency and Reasonableness Statement.

**MOTION GRANTING REZONING APPROVAL
CONSISTENCY AND REASONABLENESS STATEMENT
RZ 2012-118**

MOTION:

THE TOWN COUNCIL OF THE TOWN OF CLAYTON HEREBY STATES RZ 2012-118 is consistent with the Town of Clayton Strategic Growth Plan.

MOTION:

THE TOWN COUNCIL OF THE TOWN OF CLAYTON HEREBY STATES that RZ 2012-118 is consistent with the Town of Clayton Strategic Growth Plan and based upon information presented at the public hearing and by the applicant, and based upon the recommendations and detailed information developed by staff and/or the Planning Board contained in the staff report, and considering the criteria of Section 155.704(J) of the Unified Development Code of the Town of Clayton, RZ 2012-118 is reasonable and in the public interest.

If the rezoning is approved, the Council will continue with the Special Use Permit.

Duly adopted by the Clayton Town Council this ____ day of ____ 2013.

ATTEST:

Jody L. McLeod, Mayor

Sherry L. Scoggins, MMC Town Clerk

**Town of Clayton
Special Use Permit Application
Evaluation Form**

Application Number: RZ-SUD 2012-118

The Town Council shall decide the matter of Special Use Permit Application Number RZ-SUD 2012-118 by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

Finding One of Four:

Circle One

- A. Based on the evidence presented it is the finding of the Council that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved. (Applicant meets the criteria for approval).

- B. Based on the evidence presented it is the finding of the Council that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved with the following additional stated conditions: (Applicant meets the criteria for approval upon acceptance of the noted conditions.)

- C. Based on the evidence presented it is the finding of the Council that the application, if approved, will materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved for the following stated reasons: (Applicant fails to meet the criteria for approval.)

Finding Two of Four:

Circle One

- A. Based on the evidence presented it is the finding of the Council that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Clayton Code of Ordinances, Zoning Code, Subdivision Regulations or other applicable regulations. (Applicant meets the criteria necessary for approval.)**

- B. Based on the evidence presented it is the finding of the Council that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Clayton Code of Ordinances, Zoning Code, Subdivision Regulations or other applicable regulations with the following additional stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)**

- C. Based on the evidence presented it is the finding of the Council that the application, fails to meet all required specifications or fails to conform to the standards and practices of sound land use planning and the Town of Clayton Code of Ordinances, Zoning Code, Subdivision Regulations or other applicable regulations in the following ways or for the following reasons: (Applicant fails to meet the criteria necessary for approval.)**

Finding Three of Four:

Circle One

- A. Based on the evidence presented it is the finding of the Council that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence presented it is the finding of the Council that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence presented it is the finding of the Council that the application, if approved, will substantially injure the value of adjoining or abutting property and/or will be detrimental to the use or development of adjacent properties or other neighborhood uses in the following ways or for the following reasons. (Applicant fails to meet the criteria for approval.)

Finding Four of Four:

Circle One

- A. Based on the evidence presented it is the finding of the Council that the application, if approved, would not adversely affect the general plans for the development of the Town of Clayton nor violate the character or existing standards for development of the adjacent properties. (Applicant meets the criteria necessary for approval.)**

- B. Based on the evidence presented it is the finding of the Council that the application, if approved, would not adversely affect the general plans for the development of the Town of Clayton nor violate the character or existing standards for development of the adjacent properties upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)**

- C. Based on the evidence presented it is the finding of the Council that the application, if approved, would adversely affect the general plans for the development of the Town of Clayton or violates the character or standards for the development of the adjacent properties in the following ways or for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)**

Once all findings have been decided one of the two following motions must be made:

Motion 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 # _____.

Motion to Deny: Based upon failure to meet each of the above four stated findings and for reasons stated therein, I move to deny Special Use Permit Application # _____.

Record of Decision:

Based on a motion and majority vote of the Clayton Town Council Special Use Permit Application Number **RZ-SUD 2012-118** is hereby:

_____ approved upon acceptance and conformity with all stated conditions; or,

_____ denied for the noted reasons.

Decision made this ____ day of _____, 20__ while in regular session.

Mayor

ATTEST:

Town Clerk

**TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 6a

Meeting Date: 4/01/13

TITLE: SEWER USE ORDINANCE AND SEWER USE CHECK LIST.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
3-18-13	Presentation.	Letter from NCDENR, DRAFTED Ordinance: Chapter 52, & Letter from Parker Poe.
4-01-13	Discussion.	Letter from NCDENR, DRAFTED Ordinance: Chapter 52, & Letter from Parker Poe.



North Carolina Department of Environment and Natural Resources

Division of Water Quality

Pat McCrory
Governor

Charles Wakild, P.E.
Director

John E. Skvarla, III
Secretary

January 11, 2013

Mr. James Warren
Wastewater Operations Superintendent
Town of Clayton
P.O. BOX 879
Clayton, NC 27520

Subject: Approval of Draft Sewer Use Ordinance
Program: Town of Clayton
NPDES Permit No. NC0025453
Johnston County

Dear Mr. Warren:

The Pretreatment, Emergency Response, and Collection Systems (PERCS) Unit of the Division of Water Quality has reviewed the updated draft Sewer Use Ordinance (SUO) submitted by the Town of Clayton. This SUO was received on January 4, 2013.

The review indicates that the SUO is adequate and meets the minimum requirements of 15A NCAC 2H .0900 and 40 CFR 403. Please note that typographical error was discovered in section 52.994 Annual Publication of Significant Noncompliance. In the paragraph, it should refer 15A NCAC 2H .0903(b)(34). Upon adoption please submit the final adopted SUO to the PERCS Unit, including documentation of adoption, effective date, and the attorney's statement.

Thank you for your continued cooperation with the Pretreatment Program. If you have any questions or comments, please contact Monti Hassan at (919) 807-6314 [email: Monti.Hassan@ncdenr.gov] or Deborah Gore, Unit Supervisor at (919) 807-6383 [email: Deborah.Gore@ncdenr.gov].

Sincerely,


fw Charles Wakild, P.E.

mh/Clayton.SUO.2012
cc: Central Files
Cheng Zhang, Raleigh Regional Office
Monti Hassan, PERCS Unit

TOWN OF CLAYTON
Amendment to Chapter 52: Sewer Use

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA to amend Chapter 52 with the following:

Amend section 52.001 with the following:

§ 52.001 PURPOSE; POLICY.

(B) The objectives of this chapter are:

(1) To prevent the introduction of pollutants and wastewater discharges into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;

(2) To prevent the introduction of pollutants and wastewater discharges into the municipal wastewater system which will pass through the system, inadequately treated, into any waters of the state or otherwise be incompatible with the system;

Amend section 52.002 with the following:

§ 52.002 DEFINITIONS AND ABBREVIATIONS.

CONTROL AUTHORITY. Refers to the POTW organization if the POTW organization's approval has not been withdrawn.

INTERFERENCE. The inhibition, or disruption of the collection system, POTW treatment processes, operations, or its sludge process, use, or disposal, which causes or contributes to a violation of any requirement of the POTW's Control Authority's (and/or POTW's if different from the Control Authority) NPDES, collection system, or non-discharge permit or prevents sewage sludge use or disposal in compliance with specified applicable state and federal statutes, regulations, or permits. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with § 405 of the Act, (33 USC 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA) (42 USC 6901, et seq.), the Clean Air Act, the Toxic Substances Control Act, the Marine Protection Research and Sanctuary Act (MPRSA) or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

PASS-THROUGH. A discharge which exits the POTW Control Authority's (and/or POTW's if different from the Control Authority) into waters of the state in quantities or concentrations which, alone or with discharges from other sources, causes a violation of the POTW's NPDES, or non-discharge permit, or a downstream water quality standard, or collection system permit.

POLLUTANT. Any waste as defined in G.S. § 143-213(18) and dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste and certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, **metals**, BOD, COD, toxicity, ~~or~~ **and** odor).

PRETREATMENT STANDARDS. Prohibited discharge standards, categorical standards, ~~or~~ local limits **which applies to an industrial user.**

SIGNIFICANT NONCOMPLIANCE (SNC) ~~or~~ REPORTABLE NONCOMPLIANCE (RNC) A status of noncompliance defined as follows:

Significant Noncompliance or SNC is the status of noncompliance of a Significant Industrial User when one or more of the following criteria are met.

(a) Violations of wastewater discharge limits.

1. ~~Chronic violations. Sixty six percent or more of the measurements exceed (by any magnitude) the same daily maximum limit or the same average limit in a six month period.~~

Chronic violations of wastewater discharge limits, defined here as those in which sixty-six (66) percent or more of all the measurements taken for the same pollutant parameter (not including flow) during a six month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40CFR Part 403.3(1):

2. ~~Technical Review Criteria (TRC) violations. Thirty three percent or more of the measurements are equal to or more than the TRC times the limit (maximum or average) in a six month period. There are two groups of TRC's:~~

~~_____ a. For conventional pollutants BOD, TSS, fats, oil and grease, TRC = 1.4~~

~~_____ b. For all other pollutants, TRC = 1.2~~

Technical Review Criteria (TRC) violations, defined here as those in which thirty-three (33) percent or more of all the measurements taken for the same pollutant parameter during a six-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(1) multiplied by the applicable TRC; (TRC= 1.4 for BOD, TSS, fats, oil and grease, 1.2 for all other pollutants (except flow and pH);

3. ~~Any other violations of an effluent limit (average or daily maximum) that the control authority believes has caused, alone or in combination with other~~

~~discharges, interference or pass-through; or endangered the health of the sewage treatment plant personnel or the public.~~

Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR Part 403.3(1) (daily maximum, long term average, instantaneous limit, or narrative standard) that the Control Authority and/or POTW determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of Town or contracted personnel or the general public);

4. ~~Any discharge of a pollutant that has caused imminent endangerment to human health or welfare, or to the environment, and has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.~~

Any discharge of a pollutant or wastewater that has caused imminent endangerment to human health, welfare or to the environment or has resulted in either the Control Authority's or the POTW's, if different from the Control Authority, exercise of its emergency authority under 40 CFR Part 403.8(f)(1)(vi)(B) to halt or prevent such a discharge;

(e) Any other violation or group of violations that the control authority and/or POTW ~~considers~~ determines to be significant will adversely affect the operation or implementation of the local pretreatment program.

SIU or SIGNIFICANT INDUSTRIAL USER. ~~Any industrial user of the wastewater disposal system who:~~ An industrial user that discharges wastewater into a publicly owned treatment works and that:

(a) ~~Has an average daily process wastewater flow of 25,000 gallons or more,~~
or

Discharges an average 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, non contact and boiler blowdown wastewaters); or

(b) ~~Contributes more than 5% of any design or treatment capacity (such as, allowable pollutant load) of the wastewater treatment plant receiving the indirect discharge, or~~

Contributes process wastewater which makes up five percent or more of the NPDES , non-discharge permit flow limit or organic capacity of the POTW treatment plant. In this context the organic capacity refers to BOD, TSS, Ammonia, Total Phosphorus, and Total Nitrogen, or

(c) ~~Is required to meet a National Categorical Pretreatment Standard, or~~

Is subject to Categorical Pretreatment Standards under 40 CFR Part 403.6 and 40 CFR chapter I, Subchapter N, Parts 405-471: or

~~(d) Is found by the town, the Division of Water Quality or the U.S. Environmental Protection Agency (EPA) to have the potential for impact, either singly or in combination with other contributing industrial users, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or compliance with any pretreatment standards or requirements.~~

Is designated as such by the Control Authority on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation, or for violating any Pretreatment Standard or requirement, or for contributing to violations of the POTW's effluent limitations and conditions in its NPDES or non-discharge permit, or for limiting the POTW's sludge disposal options

Amend section 52.010 with the following:

§ 52.010 PROHIBITED DISCHARGE STANDARDS.

(B) *Specific prohibitions.* No user shall contribute or cause to be contributed into the POTW the following pollutants, substances, or wastewater:

(4) Any wastewater having a pH less than 6.0 or greater than 9-0 10.5 or wastewater having any other corrosive property capable of causing damage to the POTW or equipment. (Any pH above 12.5 is considered hazardous under 40 CFR 261.22.)

(14) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 50 200 mg/l.

Amend section 52.012 with the following:

§ 52.012 LOCAL LIMITS.

(A) To implement the general and specific discharge prohibitions listed in this chapter, industrial user-specific local limits will be developed, ensuring that the POTW's maximum allowable headworks loading is not exceeded for particular pollutants of concern for each industrial user. Where specific local limits are not contained for a given parameter or pollutant in an industrial user permit, the following average discharge limits will apply to all users:

50 200 mg/l FOG (Fat, Oils, Grease)

Amend section 52.041 with the following:

§ 52.041 WASTEWATER PERMITS.

(C) *Significant industrial user permit application.* Users required to obtain a significant industrial user permit shall complete and file with the town an application in the form prescribed by the Superintendent or Director, ~~and accompanied by an application fee in the amount prescribed in the schedule of charges and fees.~~ Significant industrial users shall apply for a significant industrial user permit within 90 days after notification of the Superintendent's or Director's determination in division (B) above. In

support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- (1) ~~Name, address, and location, (if different from the address);~~ of industrial user;
- (2) ~~Standard Industrial Classification (SIC) codes for pretreatment, the industry as a whole, and any processes for which categorical pretreatment standards have been promulgated; or expected classification and industrial user category;~~ Address of industrial user;
- (3) ~~Analytical data on wastewater constituents and characteristics including but not limited to those mentioned in §§ 52.010 through 52.018 of this chapter, any of the priority pollutants (§ 307(a) of the Act) which the applicant knows or suspects are present in the discharge as determined by a reliable analytical laboratory, and any other pollutant of concern to the POTW; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to § 304(g) of the Act and contained in 40 CFR 136, as amended;~~ Standard industrial classification (SIC) code(s) or expected classification and industrial user category;
- (4) ~~Time and duration of the indirect discharge;~~ Wastewater flows to include: average daily and 30-minute peak wastewater flow rates, including daily, monthly and seasonal variations if any expected;
- (5) ~~Average daily and 30-minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;~~ Types and concentrations (or mass) of pollutants contained, or expected in the discharge;
- (6) ~~Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, floor drains, sewer connections, direction of flow and appurtenances by the size, location and elevation;~~ Lists of products manufactured or services supplied;
- (7) Description of activities, facilities and plant processes on the premises, including all materials which are or could be accidentally or intentionally discharged; including a description of existing on-site pretreatment facilities and practices.
- (8) ~~Where known, the nature and concentration of any pollutants in the discharge which are limited by any town, state, or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards;~~ Flow diagram or sewer map to include sewer lines, floor drains, and discharge points;
- (9) ~~If additional pretreatment and/or O&M will be required to meet the pretreatment standards; the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be longer than the~~

compliance date established for the applicable pretreatment standard. The following conditions apply to this schedule: Raw materials used and stored at the site;

~~_____ (a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards. No increment in the schedule shall exceed nine months.~~

~~_____ (b) No later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Superintendent or Director including, at a minimum, whether or not it complied with the increment of progress, the reason for any delay, and if appropriate, the steps being taken by the user to return to the established schedule. In no event shall more than nine months elapse between such progress reports to the Superintendent or Director.~~

(10) ~~Each product produced by type, amount, process or processes and rate of production;~~ Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;

(11) ~~Type and amount of raw materials processed (average and maximum per day);~~ Description of current and projected waste reduction activities in accordance with G.S. 143-215.1(g);

(12) ~~Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;~~

(13) If subject to a categorical standard, a baseline monitoring report in accordance with 40 CFR 403.12(b) and 15A NCAC 2H.0908(a), as outlined in § 52.050 of this chapter.

(14) Any other information as may be deemed by the Superintendent or Director to be necessary to evaluate the permit application.

(E) *Application review and evaluation.* The Superintendent or Director will evaluate the data furnished by the user and may require additional information.

(2) Within 30 60 days of receipt the Superintendent or Director shall acknowledge and accept the complete application; or if not complete, shall return the application to the applicant with a statement of what additional information is required.

(G) ~~Permit synopsis.~~ A fact sheet providing a brief synopsis of the application shall be prepared by the POTW staff for submission to the applicant and the approval authority and shall be made available to the public upon request. The contents of such fact sheets shall include at least the following information: Permit supporting documentation. The Control Authority staff shall prepare the following documents for all Significant Industrial User permits.

~~(1) A sketch and detailed description of the industrial facilities and pretreatment facilities, including the location of all points of discharge to the POTW and all established compliance monitoring points. An allocation table (AT) listing permit information for all Significant Industrial Users, including but not limited to permit limits, permit effective and expiration dates, and a comparison of total permitted flows and loads with Division approved maximum allowable loadings of the POTW, including flow, on forms or in a format approved by the Division. The AT shall be updated as permits are issued and renewed, and as permits are modified where the permitted limits or other AT information is revised.~~

~~(2) A quantitative description of the discharge described in the application which includes at least the following: The basis, or rationale, for pretreatment limitations, including the following:~~

~~(a) The rate or frequency of the proposed discharge; if the discharge is continuous, the average daily flow; Documentation of categorical determination, including documentation of any calculations used in applying categorical pretreatment standards; and~~

~~(b) The actual average daily discharge in pounds per day of any limited pollutant and any pollutant identified in the application as known or suspected present; and, Documentation of the rationale of any parameters for which monitoring has been waived under 40 CFR Part 403.12(e)(2).~~

~~(c) The basis for the pretreatment limitations including the documentation of any calculations in applying categorical pretreatment standards.~~

(I) *Hearings.*

(1) ~~Initial~~ *Adjudicatory hearing.* An applicant whose permit is denied, or is granted subject to conditions he deems unacceptable, a permittee/user assessed a civil penalty under § 52.991, or one issued an administrative order under § 52.990, shall have the right to an adjudicatory hearing before a hearing officer designated by the Town Manager upon making written demand, identifying the specific issues to be contested, to the Town Manager within 30 days following receipt of the significant industrial user permit, civil penalty assessment, or administrative order. Unless such written demand is made within the time specified herein, the action shall be final and binding and further appeal is barred. For modified permits, only those parts of the permit being modified may be adjudicated. The conditions/requirements in the newly issued permit, civil penalty, or administrative order shall be stayed pending the adjudicatory hearing, however, the user shall be fully liable for any and all damages to the POTW and any fines and penalties levied against the town which were the result of the user failing to comply with the stayed conditions of the permit, penalty, or order pending the adjudicatory hearing. The hearing officer shall make a final decision on the contested permit, penalty, or order within 45 days of the receipt of the written demand for a hearing. The Town Manager shall transmit a copy of the hearing officer's decision by registered or certified mail as described in

paragraph (3) below. The decision is a final decision for the purposes of seeking a judicial review. The Terms and conditions of a permit under appeal shall be as follows:

(c) *Terminated Permits.* Upon appeal, including judicial review in the General Courts of Justice, of a terminated permit, no permit is in effect until either the conclusion of judicial review or until the parties reach a mutual resolution.

(2) *Final appeal hearing.* Any decision of a hearing officer made as a result of an adjudicatory hearing held under division (I)(1) above may be appealed to the Town Council upon filing a written demand within ten days of receipt of notice of the decision. Hearings held under this division shall be conducted in accordance with local hearing procedures. Failure to make written demand within the time specified herein shall bar further appeal. The Town Council shall make a final decision on the appeal within 90 days of the date the appeal was filed and shall transmit a written copy of its decision by registered or certified mail as described in paragraph (3) below. The decision is a final decision for the purpose of seeking judicial review.

(4) *Judicial review.* Any person against whom a final order or decision of the Town Council is entered, pursuant to the hearing conducted under division (I)(2) above, may seek judicial review of the order or decision by filing a written petition request for review by the Superior Court of Johnston County within 30 days after receipt of notice by registered or certified mail of the order or decision, but not thereafter, with the Superior Court of Johnston County along with a copy to the town. Within 30 days after receipt of the copy of the petition of judicial review, the Town Council shall transmit to the reviewing court the original or a certified copy of the official record.

(K) *Permit conditions.*

(1) The Superintendent or Director shall have the authority to grant a permit with such conditions attached as he believes necessary to achieve the purpose of this chapter and G.S. § 143-215.1. Wastewater permits shall contain, but are not limited to, the following:

(f) A statement of applicable civil and/or criminal penalties for violation of pretreatment standards and requirements and any applicable compliance schedule;

Amend section 52.054 with the following:

§ 52.054 REPORTS OF CHANGED CONDITIONS.

(A) Each user must notify the Superintendent or Director of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least 30 days before the change. The permittee shall not begin the changes until receiving written approval from the Control Authority and/or Municipality. See § 52.055 for other reporting requirements.

(D) For purposes of this requirement, significant changes include, but are not limited to, flow or pollutant increases of 20% or greater, and the discharge of any previously unreported pollutants.

(Ord. passed 11-8-94; Am. Ord. 2008-05-02, passed 5-5-08)

Amend section 52.059 with the following:

§ 52.059 ANALYTICAL REQUIREMENTS.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed by a laboratory certified by the state to perform the wastewater analysis in accordance with the techniques prescribed in 40 CFR 136, unless otherwise specified in an applicable categorical pretreatment standard or unless otherwise performed in accordance with procedures approved by EPA or Town. If 40 CFR 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA and Town. Analysis must be performed by a State certified lab for each parameter analyzed, if such certification exists for that parameter.

(Ord. passed 11-8-94)

Amend section 52.071 with the following:

§ 52.071 INSPECTION AND SAMPLING.

The town will inspect the facilities of any user to ascertain whether the purpose of this chapter is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the town, approval authority and EPA or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination and copying or in the performance of any of their duties. The town, approval authority, and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the town, approval authority, and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. Denial of the Superintendent's or Director's POTW, approval authority's, or EPA's access to the user's premises shall be a violation of this chapter. Unreasonable delays may constitute denial of access.

(Ord. passed 11-8-94)

Amend section 52.072 with the following:

§ 52.072 SEARCH WARRANTS.

If the ~~Superintendent or Director~~ POTW, approval authority, or EPA has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect or sample as part of a routine inspection and sampling program of the town designed to verify compliance with this chapter or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the ~~Superintendent or Director~~ POTW, approval authority, or EPA may seek issuance of a search warrant from the Superior Court of Johnston County.

(Ord. passed 11-8-94)

Amend section 52.991 with the following:

§ 52.991 CIVIL PENALTIES.

(A) Any user who is found to have failed to comply with any provision of this chapter, or the orders, rules, regulations and permits issued hereunder, may be ~~fin~~ assessed a civil penalty of up to \$25,000 per day per violation.

Amend section 52.994 with the following:

§ 52.994 ANNUAL PUBLICATION OF SIGNIFICANT NONCOMPLIANCE.

At least annually, the Superintendent or Director shall publish in a newspaper of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW, a list of those industrial users which were found to be in significant noncompliance, also referred to as reportable noncompliance in 15A NCAC 2H .0903(b)(~~10,34~~), with applicable pretreatment standards and requirements, during the previous 12 months.

(Ord. passed 11-8-94; Am. Ord. 2008-05-02, passed 5-5-08)

Duly adopted this 1st day of April 2013 while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk



R. Bruce Thompson II
Partner
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Charleston, SC
Charlotte, NC
Columbia, SC
Myrtle Beach, SC
Raleigh, NC
Spartanburg, SC

February 22, 2013

Ms. Deborah Gore
PERCS Unit Supervisor
North Carolina Division of Water Quality
1617 Mail Service Center
Raleigh, North Carolina 27699-1617

**Re: Sewer Use Ordinance and Sewer Use Check List,
Clayton, North Carolina**

Dear Ms. Gore:

I certify that I am the duly appointed and acting Attorney for the Town of Clayton, North Carolina. I have reviewed the proposed sewer use ordinance for the Town of Clayton, North Carolina and also its sewer use ordinance check list as required by 15A NCAC 2H .0907 (b)(1) and 40 CFR 403.9(b)(1), and they meet with my approval.

Very truly yours,

R. Bruce Thompson II

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

Agenda Item: 6b

Meeting Date: 4/01/13

TITLE: RESOLUTION TO NCDOT FOR ROAD IMPROVEMENTS ON POWHATAN ROAD.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
3-18-13	Presentation.	Resolution.
4-01-13	Discussion.	Resolution.

TOWN OF CLAYTON
Resolution of Request for North Carolina Department of Transportation
Participation in Improvements to Powhatan Road

WHEREAS, the Town of Clayton through its Strategic Plan Update 2006 has adopted a set of Goals to guide the Town in making decisions; and,

WHEREAS, Goal Number One was identified as “Grow the Local Economy” accompanied by the objectives “Continuing to partner with Economic Development Organizations, Johnston County, RTRP, NC DOT, Johnston Medical Center, J CATS” and “Retaining and growing current businesses”; and,

WHEREAS, Powhatan Road is located within a major business and employment hub serving the interests of and contributing to the economic vitality of the Town of Clayton and Johnston County; and,

WHEREAS, adequate road access and sound maintenance practices are essential parts of the infrastructure necessary to support investment and expansion of the employment base and protect the safety of the motoring public; and,

WHEREAS, the North Carolina Department of Transportation promotes the economic wellbeing and safe public travel for communities across the State by providing new roadways, improvements to existing roadways, roadway maintenance, and public transportation.

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 necessary improvements to and maintenance of Powhatan Road in support of continuing economic vitality of this major employment area and assurance of safe roadway conditions for commuters and the public.

Adopted this the 1st day of April 2013 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: 6c

Meeting Date: 4/01/13

TITLE: STATUS OF 110 WEST FRONT STREET, FORMER RED AND WHITE STORE.

DESCRIPTION: At the July 16, 2012, Council work session, it was the consensus of the Council that staff draft the ordinance authorizing the building inspector to have the property demolished in the event Town does not see work initiated within the specified timeframe. At its August 6, 2012, Council meeting, it was the consensus of the Council to continue this item for 90 days. At its November 5, 2012, Council meeting, the Council received information from the lien holder of this property. All Council members voted in favor of continuing this item to the November 19, 2012, Council meeting in order to receive additional information.

RELATED GOAL: Think Downtown & Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
7-16-12	Discussion.	Ordinance.
8-06-12	Discussion.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
10-15-12	None – Tracking.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
11-05-12	Discussion.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
11-19-12	Discussion.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
12-3-12	Discussion.	Ordinance, Map, NC GS 160A-439, and Town Code of Ords section 153.027.
12-17-12	Discussion.	N/A.
1-7-13	Discussion.	N/A.
1-23-13	Discussion.	N/A.
2-4-13	Discussion.	
2-18-13	Discussion.	
3-04-13	Discussion.	
3-18-13	Discussion.	
4-01-13	Discussion.	

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 8c

Meeting Date: 4/01/13

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Active Aging Alliance of Johnston County Forum – Monday, March 25, 2013 @ 2 PM at the Clayton Community Center, 715 Amelia Church Road
- Planning Board Mtg – Monday, March 25, 2013 @ 6 PM
- Town Hall Day – Wednesday, March 27, 2013
- Good Friday Holiday – Friday, March 29, 2013
- Easter Egg Hunt – Friday, March 29, 2013 @ 10:30 AM at Clayton Community Park, 1075 Amelia Church Road
- Council Mtg – Monday, April 1, 2013 @ 6:30 PM
- Local Bill deadline for House – April 3, 2013
- “Clayton River Walk on the Neuse” Mountains-to-Sea Trail Dedication – Friday, April 5, 2013, @ 3 PM
- Clayton Farmers Market weekly Saturday Market resumes at Horne Square – Saturday, April 6, 2013, from 9 AM to 1 PM
- “Spring Kick off Concert” – Friday, April 12, 2013; 6 PM – 8 PM @ Clayton Community Center, 715 Amelia Church Road (**Alcohol is prohibited**)
- NC DOT Spring 2013 Litter Sweep Campaign – April 13-27, 2013
- Council Mtg – Monday, April 15, 2013 @ 6:30 PM
- Week of the Young Child – April 14-20, 2013
- Board of Adjustment Mtg – Wednesday, April 17, 2013 @ 6:30 PM
- St. Baldrick’s Day – Saturday, April 20, 2013; 12 noon to 5 PM @ FlipSide, 408 East Second Street
- Planning Board Mtg – Monday, April 22, 2013 @ 6 PM
- Zaxby’s Movie Night – Saturday, April 27, 2013 @ Town Square from 6 PM to 10 PM
- Derby Day (sponsored by Clayton Morning Rotary Club) – Saturday, May 4, 2013, at Portofino, time to be announced
- Council Mtg – Monday, May 6 2013 @ 6:30 PM
- Clayton Road Race – Saturday, May 11, 2013; 9 AM to noon @ Clayton Town Hall
- Board of Adjustment Mtg – Wednesday, May 15, 2013 @ 6 PM
- Clayton Town Square Concert Series: **Hip Pocket Band** – Thursday, May 16, 2013 from 7 PM to 9 PM
- HeartChase – Saturday, May 18, 2013 @ Town Square and in Downtown Clayton from 10 AM to 12 noon; registration begins at 9 AM.
- Council Mtg – Monday, May 20, 2013 @ 6:30 PM
- Clayton Chamber Business Expo – Tuesday, May 21, 2013, at the Clayton Center
- Memorial Day Holiday – Monday, May 27, 2013
- Planning Board Mtg – **TUESDAY**, May 28, 2013 @ 6 PM

- MillStock Music & Art Faire – Saturday, June 1, 2013 @ Horne Square from 10 AM to 4 PM
- Clayton Town Square Concert Series: **The Central Park Band** – Thursday, June 20, 2013 from 7 PM to 9 PM
- Independence Day Holiday – Thursday, July 4, 2013
- Clayton Annual July 4th Celebration – Thursday, July 4, 2013 @ Municipal Park – Events begin at 4:30 PM and wrap up with fireworks at 9:15 PM
- Clayton Town Square Concert Series: **Craig Woolard Band** – Thursday, July 18, 2013 from 7 PM to 9 PM
- Clayton Town Square Concert Series: **Johnny Orr Band** – Thursday, August 15, 2013 from 7 PM to 9 PM
- Labor Day Holiday – Monday, September 2, 2013
- Clayton Town Square Concert Series: **MikeMickXer** – Thursday, September 12, 2013 from 7 PM to 9 PM
- Zaxby’s Movie Night – Saturday, September 14, 2013 @ Town Square from 6 PM to 10 PM
- Zaxby’s Movie Night – Saturday, October 12, 2013 @ Town Square from 6 PM to 10 PM
- Veteran’s Day Holiday – Monday, November 11, 2013
- Thanksgiving Holiday – Thursday, November 28, 2013 & Friday, November 29, 2013
- Christmas Holiday – Tuesday, December 24, 2013; Wednesday, December 25, 2013; & Thursday, December 26, 2013

Date:
4-01-13

Action:
N/A.

Info. Provided:
Calendar of Events.