

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

FEBRUARY 18, 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. SCGGINS, TOWN CLERK
BRUCE THOMPSON II, TOWN ATTORNEY**

AGENDA
THE WORK SESSION MEETING OF THE CLAYTON TOWN COUNCIL

MONDAY, FEBRUARY 18, 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. **ACTION AGENDA**
 - a. Draft minutes from the February 4 2013, Council meeting.
 - b. Public notice: Evidentiary hearing slated for Monday, March 4, 2013, for special use permit SUP 2012-77, for Southside Christian School.
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
 - a. Introduction of new Town of Clayton employee(s).
 - b. Presentation of the following special event requests:
 - Zaxby’s Movie Night
 - Town Square Concert Series
 - MillStock
5. **ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**
 - a. Presentation of special use permit request SUP 2012-77 for Southside Christian School for a private school located at 1696 Amelia Church Road.
 - b. Presentation of Interlocal Contract for Cooperative Purchasing.
 - c. Presentation of amendment to the Code of Ordinances pertaining to term length for the Library Board.
 - d. Presentation of proclamation for Arbor Day.
 - e. Presentation of asphalt warranty for Cobblestone Subdivision, Phase 7G, 7H, & 7I.
 - f. Presentation of warranty acceptance for public water, sewer, and associated storm drainage utilities for Cobblestone Subdivision, Phases 7D, 7E, 7F, 7G, 7H, & 7I.
6. **ITEMS CONTINGENT FOR THE REGULAR MEETING**
7. **ITEMS FOR DISCUSSION**

8. **OLD BUSINESS**
 - a. Status of noise ordinance.
 - b. Status of 110 West Front Street – Former Red & White Store.
 - c. Status of John Street Sewer Improvement Project.

9. **STAFF REPORTS**
 - a. Town Manager
 - NCDOT response to Town request for Vinson Road.
 - b. Town Attorney
 - c. Town Clerk
 - Calendar of Events
 - d. Other Staff

10. **OTHER BUSINESS**
 - a. Informal Discussion & Public Comment.
 - b. Council Comments.

11. **ADJOURNMENT**

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

Agenda Item: 3a

Meeting Date: 2/18/13

TITLE: DRAFT MINUTES FROM THE FEBRUARY 4, 2013, COUNCIL MEETING.

DESCRIPTION: Minutes.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

2-18-13

Approval.

DRAFT 2/4/13 minutes.

**MINUTES
CLAYTON TOWN COUNCIL
FEBRUARY 4, 2013**

The first regular meeting of the Clayton Town Council for the month of February was held on Monday, February 4, 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 Art Holder, Councilman R.S. "Butch" Lawter Jr., and Councilman Jason Thompson.

ALSO PRESENT: Steve Biggs, Town Manager; Jamie Schwedler, Town Attorney; Sherry Scoggins, Town Clerk; Nancy Medlin, Deputy Town Manager; David DeYoung, Planning Director; Tim Simpson, Public Works & Utilities Director; Stacy Beard, Public Information Officer; Bruce Naegelen, Downtown Development Coordinator; Tommy Roy, Information Services Technician; Robert McKie, Finance Director.

ITEM 1. CALL TO ORDER

Mayor McLeod called the meeting to order at 6:40 PM. Mayor McLeod led the Pledge of Allegiance and gave the invocation.

ITEM 2. ADJUSTMENT OF THE AGENDA

The following adjustment of the agenda was requested:

- Item 4a, Presentation requesting the temporary closure for a portion of Fayetteville Street on Saturday, February 9, 2013.

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

ITEM 3. ACTION AGENDA

Councilman Holder motioned to approve the action agenda as presented; Councilman Thompson seconded the motion. The motion carried unanimously at 6:42 PM with the following action agenda items being approved:

- Item 3a. Draft minutes from the January 23, 2013, work session meeting, and the January 23, 2013, closed session meeting.
- Item 3b. Supplemental agreement with NCDOT for the Front Street Extension Project; TIP # U-3605.
- Item 3c. Warranty acceptance for public water and sewer utilities for Pine Hollow Commons Commercial Subdivision.
- Item 3d. Policies relating to Town Square and Horne Square.

ITEM 4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

Item 4a. Presentation for temporary closure of Fayetteville Street on Saturday, February 9, 2013.

Mr. Richard McLeod stated on behalf of Clayton High School and Johnston County EMS he is requesting the temporary closure of a portion of Fayetteville Street near the high school on Saturday, February 9, 2013, from 3 PM to 4 PM for a mock crash scene as a public service announcement to teens for the upcoming prom. He stated he has been in contact with both the fire and police departments. He requested the use of fire department apparatus for this scenario. He distributed a handout with a map of the proposed route during the temporary closure; herewith attached and incorporated into the permanent record. He stated Saturday was selected as Fayetteville Street is not as busy. He added the students would go door-to-door to notify the residents of the upcoming event. He also requested the Town broadcast what has been done as a public service announcement.

Based upon Council question, Mr. McLeod stated both fire and police are aware of this request.

Mayor Pro Tem Grannis motioned to approve the request for the temporary closure of Fayetteville Street as presented; Councilman Holder seconded the motion. Motion carried unanimously at 6:44 PM.

Item 4b. Presentation on forecast models and credit refunding analyses by Davenport & Company LLC.

- Refinancing of the installment purchase contract with Bank of America for Town Hall request.

Town Manager Steve Biggs introduced the presenter, Ted Cole of Davenport & Company LLC.

Mr. Ted Cole of Davenport & Company LLC stated with him is Mr. Bob High. He added there are three presentations and hard copies were distributed; herewith incorporated are the support documents for each of the three presentations into the permanent record.

Mr. Cole provided an overview of the “**General Fund Discussion.**” He added this discussion does not include sewer, water and electric.

During the General Fund Discussion, Mr. Cole discussed options for funding of rolling stock scenarios.

Councilman Satterfield questioned if the scenario includes no additional borrowing.

Mr. Cole stated what is borrowed is shown on page 13.

Mayor Pro Tem Grannis questioned if the case one study includes inflation.

Mr. Cole stated the only growth factor is the expenditure growth.

Town Manager Biggs stated for the Town's debt services as a percentage of Town expenditures is that the Town has significantly cut its budget. He stated just this year was the first year of budgetary growth and the expenditures were restored to the 2007 amount. He stated in looking at the Town debt, it is not as flexible as the remainder of the operating budget. He stated through the recession, the Town debt has remained relatively static. He stated for the 2008 bond referendum and the financing of the Clayton Law Enforcement Center, the Town added about \$11 million of debt. He stated the ratio is one of particular significance in this time frame. He added the Town is not seeking to model what is the Town's maximum debt capacity, rather look at the ratio and make a policy decision to improve. He stated the process is a definite acknowledgement of where the Town is today financially, and looking at continuing to improve upon that over the next several years.

Councilman Holder stated he sees a cash deficit in the rolling stock with no tax increase and questioned where the money is coming from.

Mr. Cole stated there are two scenarios with options to pay for rolling stock. He added the goal is to improve upon the debt service to expenditures. He stated scenario one added to the debt capacity every year and did not offer other funds and for scenario two there is some latitude with a cost up front by using the pay as you go.

Town Manager Biggs stated in FY 11-12 the close-out was \$700,000 and it was a one year surplus. He stated the Town increased the fund balance available. He stated the recommendation would be a fund balance approach the first few years in order to finance or fund rolling stock as a pay as you go item. He stated by doing that the Town can maintain a percentage of fund balance in excess of expenditures.

Mr. Cole provided the following overview of the **"General Fund Discussion"**

- Recommend shifting to cash funding for rolling stock needs
- Analysis and models are set up for guidance from the Council
- To supplement the Capital Improvement Plan, develop a funding plan
- In a low interest rate environment and identified four potential refunding

candidates

- Town Hall loan with Bank of America (refinance)
- Fire Station One loan with Bank of America (pay-off)
- Parks loan with First Citizens
- Clayton Law Enforcement Center loan with First Citizens

Mayor Pro Tem Grannis stated it was mentioned there is a pre-payment penalty on the Town Hall even though the Town could have a lower interest rate. He questioned if the pre-payment offset the interest reduction; and if not, what the pre-payment penalty would be.

Mr. Cole stated the pre-payment penalty would be 1.5% and he referred to page 26 of the “General Fund Discussion” handout. He added the payoff of the fire station reduces the payment to zero. He stated none of these loans are being extended and this is an opportunity to take advantage of a lower interest rate.

Mayor Pro Tem Grannis questioned if the savings on the other two loans have a pre-payment penalty.

Mr. Cole stated that is being discussed. Mr. Cole stated the Council has opportunities. He added the recommendation is to go ahead and pursue the loan modification with Bank of America on the Town Hall. He stated the Bank of America rate offered is very good and there is no real transaction cost to modify the rate. He recommended that for the other two loans with First Citizens to have discussions to determine and assess the options.

Town Manager Biggs stated the numbers presented earlier do not include taking action on these recommendations.

Mr. Cole stated that is correct. He stated all of the prior ratios are as the debt stands today.

Town Manager Biggs stated the Council adopted financial policies for the general fund. He added the general fund is tax supported debt. He stated the remaining presentations will not be as in depth as the General Fund. He stated the enterprise funds are more like small businesses.

Mr. Cole provided an overview of the “**Water & Sewer Fund Discussion.**”

Mayor Pro Tem Grannis stated after 2013 there is an operating expense of almost \$700,000 more than this year. He questioned the number.

Town Manager Biggs stated he would review the budget.

Mr. Cole stated an observation is as specific capital needs for water and sewer system, the model is set up so that staff can utilize the cash flow implications.

Mr. Cole provided an overview of the “**Electric Fund Discussion.**”

Mayor Pro Tem Grannis stated his thanks for the documentation. He stated this gives the Council a lot of information to digest and a direction for each of the funds.

Town Manager Biggs stated staff is requesting direction. He stated the rolling stock financing could change. He stated based on the presentation, it is the staff’s interpretation to pursue the scenario two approach to rolling stock – pay as you go. He requested direction from the Council on the completion of the refinancing and restructurings as described and coming back to Council with a proposal for the payoff of Fire Station One.

Mayor Pro Tem Grannis stated the issue regarding the renegotiation of the loans is good with the interest rates to save money. He stated with the rolling stock, he could save money in the long run. He stated he does not want to go below the established minimum fund balance.

It was the consensus of the Council for staff to proceed with the recommendations presented this evening.

Mayor McLeod stated the Town created a financial policy. He questioned if that will work against the Town in the future.

Mr. Cole stated as the manager mentioned, the cutting of the budget over the last several years to stay in good financial standing put pressure on the policy. He stated the other is the Town pursued capital projects that were good opportunities with the economy to do so. He stated it has been shown how the Town will come back into compliance in a quick fashion. He added he does not see that as a negative.

Finance Director Robert McKie stated as Davenport & Company LLC recommended for Town Hall, included in the agenda packet is a refinancing of the installment purchase contract with Bank of America.

Mayor Pro Tem Grannis motioned to approve the installment purchase contract with Bank of America. Councilman Lawter and Councilman Holder simultaneously seconded the motion. Motion carried unanimously at 8:01 PM.

ITEM 5. PUBLIC HEARINGS

- Item 5a. Public hearing for text amendments to the following land use ordinances of the Town Code of Ordinances:
- Chapter 151, Regarding Floodplain Administrator
 - Chapter 155, Article 7

Planning Director David DeYoung provided a PP presentation; herewith attached and incorporated into the permanent record.

Planning Director DeYoung provided the following overview:

- Chapter 151
 - Amend Floodplain Administrator from Planning Director to Town Engineer
- Chapter 155, Article 7
 - Corrected establishment and composition references for the Town Council, Board of Adjustment, and Planning Board
 - Amended the review the authority for the Technical Review Committee
 - Updated pre-application conference requirements
 - Adjusted the meeting time from 6:30 PM to no earlier than 6:00 PM
 - Updated application requirements
 - Updated public notice requirements

Councilman Thompson noted a typo on the amendment to Chapter 151.

Mayor McLeod opened the public hearing at 8:03 PM. As no one came forward to speak for or against this item, the public hearing was closed at 8:03 PM.

Councilman Holder motioned to approve the text amendments as presented; Mayor Pro Tem Grannis seconded the motion. Motion carried unanimously at 8:04 PM.

On behalf of the Town Council of the Town of Clayton, Mayor Pro Tem Grannis motioned:

Section 1: Text Amendments to Chapter 155 Article 7 of the Unified Development Code is consistent with the Town of Clayton Strategic Growth Plan.

Section 2: Based upon information presented at the public hearings 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 155.703(H) of the Unified Development Code of the Town of Clayton, Text Amendment revisions to Chapter 155 Article 7 of the Unified Development Code are reasonable and in the public interest.

Councilman Lawter seconded the motion. Motion carried unanimously for the statement of consistency and reasonableness at 8:05 PM.

ITEM 6. OLD BUSINESS

Item 6a. Chain link fence.

Planning Director David DeYoung stated in January a resident provided information to the Town Council on chain link fencing. He stated at this time, chain link fencing is not permitted in residential neighborhoods in the Town. He stated the citizen request was to review chain link fencing. He stated a review has been done. He stated chain link fencing has changed over time with the vinyl coating of chain link fencing. He added the black coated chain link fencing blends into the environment.

Mayor Pro Tem Grannis questioned if height restrictions will be evaluated.

Planning Director DeYoung stated that has not been discussed and can be added if Council directs.

Mayor Pro Tem Grannis stated he would like that added.

Item 6b. Status of John Street sewer project.

Town Manager Biggs stated as of this morning the Town received executed easements of all properties for this project. He stated a date has not been received from the contactor for mobilization on the sewer phase. He stated based on input, the Town will hold a neighborhood meeting.

Based upon question by Council, Public Works & Utilities Director Tim Simpson stated there is a short length of sewer and the estimate is a couple of months. He added that is weather permitting.

Mayor Pro Tem Grannis stated his preference is to notify the tenants.

Item 6c. Status of 110 West Front Street, former Red & White Store.

Town Manager Steve Biggs stated a plan for the property was received on January 15 from the new property owner. He stated the construction schedule is for 180 days. He stated the Town responded last week to the proposal and accepted the schedule. He added the new owner can provide a more specific scope of work by March 15. He stated the Town requested by March 15 a set of architectural plans and submittal of application for a building permit. He stated

the 180 days begins after approval and issuance of building permit. He stated the Town requested primary attention to the canopy as it is a structural concern.

Item 6d. Noise ordinance – TRACKING PURPOSES ONLY.

Tracking purposes only.

ITEM 7. NEW BUSINESS

No New Business was presented to the Council.

ITEM 8. STAFF REPORTS

Item 8a. Town Manager

Town Manager Steve Biggs stated Skip Green, grants writer, contacted the Town today on an opportunity to submit a Rural Business Enterprise Grant (RBEG). He stated the grant is structured such that the Town will seek \$75,000 in grants for the Town and there is not a local match for this grant. He stated the grant would be used as a revolving loan fund to businesses. He stated the Town would look at businesses with fewer than 50 employees, less than a million dollars a year in sales, and 100% American owned. He stated the grant is structured so the loans would come before the Council. He stated loans would be available to new and expanding existing businesses. He stated the geographic parameters for eligibility are property must be within the corporate limits of the Town, with priority given to businesses within the central business district. He stated the Town has a prospective first loan applicant, Deep River Brewery Company. He stated when the Town collects on loan repayments, then the funds can be used for other loans. He emphasized there is no local match, form of grant, and allowed to be a revolving fund. He stated the deadline for submittal is next Monday. He stated the request is action authorizing the submittal of the application.

Mayor Pro Tem Grannis motioned to approve as presented. Councilman Lawter seconded the motion. Motion carried unanimously at 8:15 PM.

Town Manager Biggs stated to follow up on the presentation by Davenport, he is distributing the quarterly financial reports. He distributed the following three reports: Expenditure Report, Revenue Report, and Sales Tax Report; herewith attached and incorporated into the permanent record.

Town Manager Biggs reviewed the Expenditure Report. He stated there will be an amendment to the streets budget to establish a capital fund for the Front Street Improvement Project.

Town Manger Biggs reviewed the Revenue Report. He stated the ad valorem, state shared revenues, and inter-governmental revenues in the General Fund are ahead of what they were last year at this time. He stated the only item that is less than last year is permits and fees. He stated the Water and Sewer Fund is ahead of what it was last year at this time. He stated the Electric Fund is less than what it was last year at this time for sales.

Councilman Holder stated it may be time to review the rates.

Town Manager Biggs reviewed the Sales Tax Report. He stated for the first quarter the Town was ahead of the prior year collection. He stated the second quarter appears ahead of the collection at this time last year.

Item 8b. Town Attorney

Town Attorney Jamie Schwedler stated no report.

Item 8c. Town Clerk

Town Clerk Sherry Scoggins stated Johnston County Household Hazardous Waste Collection Day 2013 is Saturday, March 2 from 8 AM until 1 PM. She stated the location is the Johnston County Livestock Arena, 520 County Home Road of Smithfield (next to the landfill). She added this is open to residents of Clayton who reside in Johnston County and a flyer listing the accepted items is on the podium.

Town Clerk Sherry Scoggins stated NCLM sponsored Town Hall Day is Wednesday, March 27, 2013.

Item 8d. Other Staff

Downtown Development Coordinator Bruce Naegelen provided an overview and distributed highlights of the Main Street Conference; herewith attached and incorporated into the permanent record. He stated the Town of Clayton received three awards:

- Award of Merit for best in-fill building project – CLEC
- Special recognition for best outdoor space improvement – Mosaic Community Garden
- 2012 Main Street Champion – Woman’s Club of Clayton membership

He stated the 2014 conference will be hosted in New Bern.

He stated next Tuesday night NBC 17 will be doing its broadcast live at 6 PM and 7 PM from Horne Square.

He stated the Town of Clayton is hosting the North Carolina Downtown Development Association Board Meeting this Friday in GS 223.

ITEM 9. OTHER BUSINESS

Item 9a. Informal Discussion and Public Comment.

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

Item 9b. Council Comments.

Mayor Pro Tem Grannis stated his thanks to the police department for the arrest of the man that took out of Wal-Mart and caused the accident.

Councilman Holder stated it is significant to get the 20 attributes for a good downtown and see where Clayton stands. He stated he would like to know how many Clayton has and how many the Town does not have that can be a goal. He stated the other item of significance is if a business is grossing \$30,000 that closes at 6 PM, if they stayed open after 6PM the potential gross is \$100,000.

ITEM 10. ADJOURNMENT

Councilman Thompson motioned to adjourn; Councilman Holder seconded the motion. Motion carried unanimously at 8:30 PM.

Duly adopted by the Town Council this ____ day of February 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: 2/18/13

TITLE: PUBLIC NOTICE: EVIDENTIARY HEARING SLATED FOR MONDAY, MARCH 4, 2013, FOR SPECIAL USE PERMIT SUP 2012-77, FOR SOUTHSIDE CHRISTIAN SCHOOL.

DESCRIPTION: Public notice.

RELATED GOAL: Legislative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
2-18-13	Public notice.	N/A.

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

Agenda Item: 4a

Meeting Date: 2/18/13

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

DESCRIPTION: Introduction(s).

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
2-18-13	Introduction(s).	N/A.

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

Agenda Item: 4b

Meeting Date: 2/18/13

TITLE: PRESENTATION OF THE FOLLOWING SPECIAL EVENT REQUESTS:

- ZAXBY'S MOVIE NIGHT
- TOWN SQUARE CONCERT SERIES
- MILLSTOCK

DESCRIPTION: Attached.

RELATED GOAL: Think Downtown

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
2-18-13	Presentations.	Special Events Committee Reports (3).



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: 2013-0117
Event Name: **Zaxby's Movie Night (presented by Clayton DDA)**
Event Date(s): **April, May, September, October**
Location: Town Square

Downtown/Town Limits/ETJ: Downtown

Applicant: Clayton Downtown Development Association

Contact: Bruce Naegelen (919) 553-1545, bnagelen@townofclaytonnc.org
Derrick Thompson (919) 622-0784

Committee Meeting: January 24, 2013

Attendance: Dale Medlin, Director, Electric Dept; Lee Barbee, Fire Chief; Steve Blasko, Public Works; Kenneth Lunger, CPD; Jeffra Patton, Safety Officer; Tony Atkinson, Fire Marshall, Scotty Hensley, Director, The Clayton Center; Barry Rose, Electric Department; Stacy Beard, Public Information Officer; Martha Vandergriff, The Clayton Center; Bruce Naegelen, Downtown Development Coordinator

Guests: John McFadden & June Lioret, CVA (Millstock Music & Arts Faire); Mary Beth Roberti, Chamber of Commerce (Christmas Parade)

EVENT LOCATION: Town Square, 110 W Main Street

EVENT DESCRIPTION: 6:00 pm – 10:00 pm. Movie projected on an inflatable screen, food and beverage vendors, children's activities including face-painting and bouncy house.

Movie Dates are: March 16, 2013; April 27, 2013; September 14, 2013; October 12, 2013

Estimated Attendees: 400 – 700 per night

SERVICES REQUESTED:

- Use of Town Square & Parking Lot
 - Trash & recycled carts – 4 each
-

INFORMATION NEEDED:

- Permission to close Town Square Parking Lot (Town Council)

COMMITTEE ANALYSIS AND COMMENTARY:

- Layout and requests are the same as previous years
-

COMMITTEE CONDITIONS

- Volunteers will provide security
 - Volunteers will clean up Town Square following event
 - Permission from Town Council to close Town Square parking lot
-

TOWN COUNCIL CONSIDERATIONS

- Closure of Town Square Parking lot from Noon – 10:00 pm
 - **COUNCIL ACTION:**
-

DOCUMENTATION:

- Special Event Application
 - Site Map
-

ACTION:

- Staff to schedule presentation on Town Council Agenda – February 18, 2013
 - Council response
 - Special Event Permit to be issued upon approvals
-

POST EVENT REVIEW:

-



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SPECIAL EVENTS COMMITTEE REPORT

Application Number: 2013-0118
Event Name: Clayton Town Square Concert Series
Event Date(s): May – September 2013
Location: Town Square

Downtown/Town Limits/ETJ: Downtown

Applicant: Clayton Downtown Development Association

Contact: Bruce Naegelen (919) 553-1545, brnaegelen@townofclaytonnc.org

Committee Meeting: January 24, 2013

Attendance: Dale Medlin, Director, Electric Dept; Lee Barbee, Fire Chief; Steve Blasko, Public Works; Kenneth Lunger, CPD; Jeffra Patton, Safety Officer; Tony Atkinson, Fire Marshall, Scotty Hensley, Director, The Clayton Center; Barry Rose, Electric Department; Stacy Beard, Public Information Officer; Martha Vandergriff, The Clayton Center; Bruce Naegelen, Downtown Development Coordinator

Guests: John McFadden & June Lioret, CVA (Millstock Music & Arts Faire); Mary Beth Roberti, Chamber of Commerce (Christmas Parade)

EVENT LOCATION: Town Square, 110 W Main Street

EVENT DESCRIPTION: 7:00 pm – 9:00 pm. Public concert with stage, food and other vendors, including beer & wine sales by Clayton Downtown Development Association, Inc.

Concert Dates are: May 16, 2013; June 20, 2013; July 18, 2013; August 15, 2013; September 12, 2013.

Please note that the September 12 concert will be the Thursday preceding the Clayton Harvest & Music Festival by agreement with the Clayton Chamber of Commerce. It was decided by both organizations that separation would be mutually beneficial.

Estimated Attendees per day: 1,000 – 1,500 per concert

SERVICES REQUESTED:

- Use of Town Square & Parking Lot
- Blockades for parking lot and road closures

- Trash & recycled carts – 6 each
-

INFORMATION NEEDED:

- Permission to close Town Square Parking Lot (Town Council)
 - Permission to close Fayetteville Street between Main & Second (Town Council & NCDOT)
-

COMMITTEE ANALYSIS AND COMMENTARY:

- Layout and requests are the same as previous years
-

COMMITTEE CONDITIONS

- Beer & wine will be sold by Clayton DDA, Inc. during each concert
 - ABC permits will be secured
 - Off-duty officers (2) will be hired during sale of alcohol (6:30 pm – 9:30 pm)
 - Permission from Town Council and NCDOT for road closures
 - Permission from Town Council to close Town Square parking lot
-

TOWN COUNCIL CONSIDERATIONS

- Closure of Town Square Parking lot from 7:00 pm – 10:00 pm
- Closure of Fayetteville Street between Main and Second Street
- NCDOT permission to close Fayetteville Street

- **COUNCIL ACTION:**

DOCUMENTATION:

- Special Event Application
 - Site Map
-

ACTION:

- Staff to schedule presentation on Town Council Agenda – February 18, 2013
 - Council & NCDOT response
 - Special Event Permit to be issued upon approvals
-

POST EVENT REVIEW:

-



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SPECIAL EVENTS COMMITTEE REPORT

Application Number: 2013-0058
Event Name: Millstock Music & Art Faire
Event Date(s): June 1, 2013
Location: Horne Square

Downtown/Town Limits/ETJ: Downtown

Applicant: Clayton Visual Arts

Contact: John McFadden (919) 359-3649, jewelerjohn@hotmail.com

Committee Meeting: January 24, 2013

Attendance: Dale Medlin, Director, Electric Dept; Lee Barbee, Fire Chief; Steve Blasko, Public Works; Kenneth Lunger, CPD; Jeffra Patton, Safety Officer; Tony Atkinson, Fire Marshall, Scotty Hensley, Director, The Clayton Center; Barry Rose, Electric Department; Stacy Beard, Public Information Officer; Martha Vandergriff, The Clayton Center; Bruce Naegelen, Downtown Development Coordinator

Guests: John McFadden & June Lioret, CVA (Millstock Music & Arts Faire); Mary Beth Roberti, Chamber of Commerce (Christmas Parade)

EVENT LOCATION: Horne Square with activities along S Lombard Street (between Main & Second St.) – Clayton Farmers Market will move to N Lombard Street.

EVENT DESCRIPTION: 10:00 am – 4:00 pm. Up to 60 arts-related vendors will set up on Horne Square and in the parking lot. 7 music and dance performances will take place on Horne Square. Additional vendors will be set up on either side of S, Lombard Street to provide connection to Millstock activities at The Flipside.

Estimated Attendees per day: 2,000

SERVICES REQUESTED:

- Trash/Recycled carts (4 each) at Horne Square

INFORMATION NEEDED:

- Signed Horne Square Use Form
- Approval of closure of N Lombard & S Lombard (between Main & Second)

COMMITTEE ANALYSIS AND COMMENTARY:

None

COMMITTEE CONDITIONS

- **Action Issues:**
 - Staff will schedule presentation on Town Council Agenda for February 18, 2013
 - Staff will contact organizers regarding presentation to Town Council
 - Permit pending
 - Authorization from Town Council
-

TOWN COUNCIL CONSIDERATIONS

- Closure of Horne Square Parking lot from 7:00 am – 5:00 pm – June 1, 2013
 - Closure of N Lombard Street for use by Clayton Farmers Market
 - Closure of S Lombard Street (between Main & Second St) from 7:00 am – 5:00 pm
-

DOCUMENTATION:

- Special Event Application
 - Site Map
-

ACTIONS:

-
-

POST EVENT REVIEW:

-



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 Fax: 919-553-1720

SPECIAL USE PERMIT APPLICATION

Pursuant to Article 7, Section 155.711 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 allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.

Special Use Permit 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. All fees are due when the application is submitted.

Please note that Section 155.702(B) of the Unified Development Code requires a Neighborhood Meeting for all Special Use Permit applications.

SITE INFORMATION:

Name of Project: SOUTHSIDE CHRISTIAN SCHOOL - Acreage of Property: _____

Parcel ID Number: 1648-97-7118 Tax ID: _____

Deed Book: _____ Deed Page(s): _____

Address: 1696 AMELIA CHURCH ROAD CLAYTON

Location: _____

Existing Use: CHURCH Proposed Use: CHURCH / SCHOOL

Existing Zoning District: R-E

Requested Zoning District: _____

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: <u>54P 2012-77</u>	Date Received: <u>AUG 01 2012</u> <small>Town of Clayton Planning Department</small>	Amount Paid: <u>\$400.00</u>
---------------------------------	---	------------------------------

OWNER INFORMATION:

Name: AMELIA CHRISTIAN CHURCH
Mailing Address: 1696 AMELIA CHURCH ROAD
Phone Number: 919 553-6171 Fax: _____
Email Address: _____

APPLICANT INFORMATION:

Applicant: SOUTHSIDE CHRISTIAN SCHOOL
Mailing Address: 299 CARLTON STREET CLAYTON NC
Phone Number: 919-553-7652 Fax: _____
Contact Person: BRENT PURDUM
Email Address: brentpurdum@nc.rr.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

- All required plans (please see the plan requirements checklist).
- A signed and sealed traffic impact analysis.
- Verification of wastewater allocation (granted or requested).
- Driveway permits (Town of Clayton or NCDOT encroachment with associated documentation).
- Other applicable documentation: _____

JUSTIFICATION STATEMENT

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

THE EXISTING STRUCTURE IS MAINLY USED FOR AS A CHURCH. WE ARE REQUESTING TO ADD A SPECIAL USE FOR A SMALL CHRISTIAN SCHOOL. THE SCHOOL SHALL OCCUPY THE EXISTING BUILDING DURING NORMAL SCHOOL DAYS SIMILAR TO JOHNSTON COUNTY PUBLIC SCHOOLS. THE START AND ENDING HOURS FOR CLASS SHALL BE SET WITH INPUT FROM NCDOT.

REQUIRED FINDINGS OF FACT

Section 155.711(I) of the Unified Land Development Code requires applications for a Special Use Permit to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the application will not materially endanger the public health or safety if located where proposed and ultimately developed according to the plans as submitted.

THIS IS AN EXISTING BUILDING THAT WE WOULD LIKE TO ADD ANOTHER USE TO IT.
THE ADDED USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY WITHIN THE AREA

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.

THE STRUCTURE AND PARKING ARE SUFFICIENT FOR THE PROPOSED USE.

3. That the application 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.

THE ADDED USE TO THE EXISTING STRUCTURE SHOULD NOT INJURE THE VALUE OF ADJOINING PROPERTIES OR ABUTTING PROPERTIES.

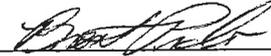
4. That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

THE PROPOSED USE IS SIMILAR IN NATURE TO EXISTING USE. THE RELIGIOUS FACILITY IS PROPOSING TO ADD WORK TIMES DURING THE WEEK INSTEAD OF ONLY WEEKENDS TO ACCOMMODATE A SMALL CHRISTIAN SCHOOL

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to approve the subject Special Use Permit. 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.

BRENT PURDUM
Print Name


Signature of Applicant

7/31/12
Date

Page 3 of 7



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

OWNER'S CONSENT FORM

Consent is required from the property owner(s) and if applicable, to an agent if the property owner(s) do not intend to attend all meetings and public hearings and submit in person all material pertaining to the application. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. Attach copy of last recorded deed for subject property.

Project Name: SOUTHSIDE CHRISTIAN SCHOOL Submittal Date: _____

I hereby give CONSENT to BRENT PURDUM (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

OWNER INFORMATION: *(Corporations must submit verification that signatory has authorization to sign)*

CLARENCE E. BLACKMON
 (Name - type, print clearly) Board of Elders

Clarence E. Blackmon 8-6-12
 (Signature)

1696 AMELIA CHURCH ROAD
 (Address)

CLAYTON, N. C. 27520
 (City, State, Zip)

AGENT INFORMATION:

BRENT PURDUM
 (Name - type, print clearly)

Brent Purdum
 (Signature)

 (Address)

 (City, State, Zip)

STATE OF _____
 COUNTY OF _____

Sworn and subscribed before me _____, a Notary Public for the above State and County, this the _____ day of _____, 20_____.

SEAL

 Notary Public

My Commission Expires: _____



Southside Christian School
"Excellence through Absolute Truth in Christian Education"

October 29, 2012

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: Tuesday, November 13, 2012 from 6:00-7:00 pm.

Location: Amelia Christian Church, 1696 Amelia Church Road, Clayton, NC.

Type of Application: Change of Use

General Description: Amelia Church has made application to permit Southside Christian School to use the educational building on the Amelia Church property for their middle school/high school campus. The number of students utilizing this building for the 2013-2014 school year is estimated to be approximately thirty students.

If you have any questions prior to or after this meeting, you may contact us at 919-553-7652.

Sincerely,

Jenene Davis
Southside Christian School Administrator

2028 ORTON ROAD, CLAYTON, NC 27520
JENENE DAVIS, ADMINISTRATOR
TELEPHONE: (919)553-7652 FAX: (919)553-5077
WWW.SCSWARRIORS.COM

Neighborhood Meeting Letters Sent To:

Marie Aiken Hargis and Wallace Dale Aiken	1793 Amelia Church Road Clayton NC 27520	165801-06-1681
Melba E. Aiken	1709 Amelia Church Road Clayton NC 27520	164800-96-8894
Douglas V. and Elizabeth P. Kath	1657 Amelia Church Road	165801-07-0256
Bobby R. and Judy C. Ross	1618 Amelia Church Road	164800-97-8570
Ernest Donald and Bobbie Strickland	2012 Fort Drive	164800-97-6631
Kory K Kale and Michael C. Graham	9213 Ashton Glen Zebulon, NC 27597	164800-97-4505
Justo R. Badillo	2018 Fort Drive	164800-97-1584
Steven B. Earnhardt	2020 Fort Drive	164800-87-9593
Nathan and Holli Knighton	101 Pheasant Drive Clayton	164800-97-1143
Edward A. Patterson	102 Pheasant Drive	164800-96-1919
Francis J. and Marcia Peebles	105 Pheasant Run	164800-96-1806
Jospeh and Arlene Merle	107 Pheasant Drive	164800-96-1743
Bryce and Kathleen Riebel	201 Pheasant Run	164800-96-1518
Henry A and Debra C. Sanders	203 Pheasant Drive	164800-96-2458
James and Helen Young	208 Pheasant Drive	164800-96-2191
Charles and Raquel Williams	206 Pheasant Drive	164800-96-0199
Johnston Memorial Hospital	PO Box 1376 Smithfield, NC 27577	164800-85-6610
KZY LLC	109 Raphael Drive, Cary NC 27511	165801-05-4683

Meeting Date: Tuesday, November 13, 2012 from 6:00-7:00 pm.

Location: Amelia Christian Church, 1696 Amelia Church Road, Clayton, NC.

Type of Application: Change of Use

General Description: Amelia Church has made application to permit Southside Christian School to use the educational building on the Amelia Church property for their middle school/high school campus. The number of students utilizing this building for the 2013-2014 school year is estimated to be approximately thirty students.

The neighborhood meeting went very well on Tuesday, November 13th.

The meeting was attended by Amelia Christian Church elder Clarence Blackmon, Southside Christian School Board members: Wes Winterstein, Chad Jewett, and Joe Fucello, Southside Christian School Principal Dave Wredberg, and Southside Christian School Administrator Jenene Davis. From the neighborhood in attendance were Francis and Marcia Peebles who reside at Pheasant Drive.

Mr. and Mrs. Peebles were initially concerned Amelia Christian Church would be expanding their buildings and requiring the Peebles to relocate their shed which was erected partially on church property. Once they found that this was not the case, the Peebles family expressed their enjoyment of a quiet neighborhood and a desire to have it remain a great place to live.

Once they understood the mission of the school and looked through the school yearbooks, they were at peace and joked about teaching the boys' shop class.

Overall, this was an encouraging meeting.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: Southside Christian School

Location/Date: Amelia Christian Church 11/13/12

	NAME	ADDRESS
1	Francis Peebles	105 Pheasant Dr, Clayton N.C. 27520
2	Umarcia A. Peebles	105 Pheasant Clayton, N.C. 27520
3		
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20		

919-585-2378
315-783-0608
cell.

January 15, 2013

Matti McLamb
Assistant District Engineer
NCDOT
2671 US 70 West
Goldsboro, NC 27530

Dear Ms. McLamb:

We are requesting an addendum to Fort Drive (SR 1624), driveway permit number D-4305106094, for Amelia Church and Southside Christian School.

The addendum request is for Southside Christian School to use the Fort Drive driveway as the primary use for weekdays (Monday – Friday) to allow access for students. The drop-off times will be 8:15-8:30 a.m. and pickup times will be 3:00-3:15 p.m.

The proposed grades and enrollment are as follows:
School Year 2013-2014: Grades 7th-9th with estimated enrollment of 45 students.
School Year 2014-2015: Grades 7th-10th with estimated enrollment of 50 students.
School Year 2015-2016: Grades 7th-11th with estimated enrollment of 60 students.
School Year 2016-2017: Grades 7th-12th with estimated enrollment of 70 students.

Southside Christian School proposes to block off the driveway off Amelia Church Road to utilize Fort Drive only. The method will consist of temporary construction cones and temporary signs that will be used only during the drop off and pick up times.

Sincerely,

Jenene L. Davis Jenene L. Davis, Southside Christian School, Administrator
Kay Godwin Kay Godwin, Amelia Christian Church, Head Elder

I, Dawn Morzells, a Notary Public of the County of Johnston State of North Carolina, hereby certify that Jenene L. Davis & Kay Godwin appeared personally before me this day and being duly sworn acknowledged that the above form was executed by him.

Witness my hand and notarial seal, this 17th day of January, 20 13

Dawn Morzells
Notary

My commission expires 03/04/14

Seal



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: SUP 2012-77
Project Name: Southside Christian School
NC PIN: 164800-97-7118
Town Limits/ETJ: ETJ
Applicant: Southside Christian School
Owners: Amelia United Church of Christ
Agent(s): Brent Purdum

Neighborhood Meeting: November 13, 2012

PROJECT LOCATION: The project is located at 1696 Amelia Church Road at the existing Amelia United Church of Christ, approximately 0.25 mile north of the intersection of Amelia Church Road and NC Highway 42 West.

REQUEST: The request is for a Special Use Permit to allow a school in the R-E zoning district as an additional use in existing church buildings.

SITE DATA:

Acreage: 5.45 acres
Present Zoning: R-E (Residential – Estate)
Proposed Zoning: Same
Existing Use: Church
Impervious Surface: NA (existing impervious coverage will not change)

DEVELOPMENT DATA:

Proposed Use: Private school to serve a maximum of 70 7th–12th grade students (4 classrooms)
Buildings: Utilizing existing church education building
Number of Stories: Existing two story building
Required Parking: Existing parking is sufficient to accommodate required parking

ENVIRONMENTAL: There are no environmental concerns at this site.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	R-E (Residential Estate)
	Existing Use:	Residential
South:	Zoning:	R-E (Residential Estate)
	Existing Use:	Church
East:	Zoning:	R-E (Residential Estate) and R-10 (Residential-10)
	Existing Use:	Residential
West:	Zoning:	R-E (Residential Estate)
	Existing Use:	Residential

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting a Special Use Permit to utilize the existing Amelia United Church of God site as a school serving a maximum of 70 students, 7th through 12th grade. Schools are permitted via a Special Use Permit per Section 155.202(B).

The Site Plan will be presented to Planning Board for approval at the January 28, 2012 meeting. The Special Use Permit will be subsequently presented for approval to Town Council.

- **Consistency with the Strategic Growth Plan**

The proposed use is consistent with the Strategic Growth Plan.

- **Consistency with the Unified Development Code**

The applicant is requesting a Special Use approval as required by Section 155.202 (B) of the Unified Development Code. This section states that a school is only permitted if granted a Special Use Permit by Town Council in accordance with Section 155.711.

- **Compatibility with Surrounding Land Uses**

The proposed use is compatible with the surrounding area. The school will utilize existing church buildings, driveways, and parking already in use for church-related activities.

- **Landscaping and Buffering**

The proposed use meets the minimum landscaping and buffering requirements of the Unified Development Code.

- **Signs**

The applicant is required to apply for sign permits and is limited to allowances permitted by the Unified Development Code.

- **Architecture**

No new construction is proposed with this request.

o **Waivers/Deviations/Variances from Code Requirements**

None requested.

OTHER:

FIRE PROTECTION: The Town of Clayton Fire Department will provide fire protection.

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: Access to the site will utilize the existing drives off of Amelia Church Road and Fort Drive. NCDOT has approved use of the existing drives for access to the proposed school with no roadway improvements, with re-evaluation required if the number of students exceeds 70.

WATER/SEWER PROVIDER: Town of Clayton. Capacity has been determined to be adequate to handle the number of proposed students.

ELECTRIC PROVIDER: Progress Energy

FINDINGS:

When considering a Special Use Permit application, The Town Council shall consider specific Findings of Fact. A Special Use which fails to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has addressed the Findings expressly established by Chapter 155.711 (l) of the UDC. Please refer to the application materials for the applicant's response.

STAFF RECOMMENDATION: Staff is recommending approval of the site plan and Special Use Permit with the following conditions:

CONDITIONS OF APPROVAL:

1. To exceed 70 students, the applicant must contact the Town of Clayton Planning Department and NCDOT to ensure site conditions are adequate to handle the increased number of students.

PLANNING BOARD RECOMMENDATION: The Planning Board has recommended approval of SUP 2012-77 to Council, with the condition as indicated.

ATTACHMENTS: 1) Zoning/Aerial map, 2) Application, 3) Driveway permit addendum letter to NCDOT, 4) Site Plan, 5) Neighborhood Meeting Materials

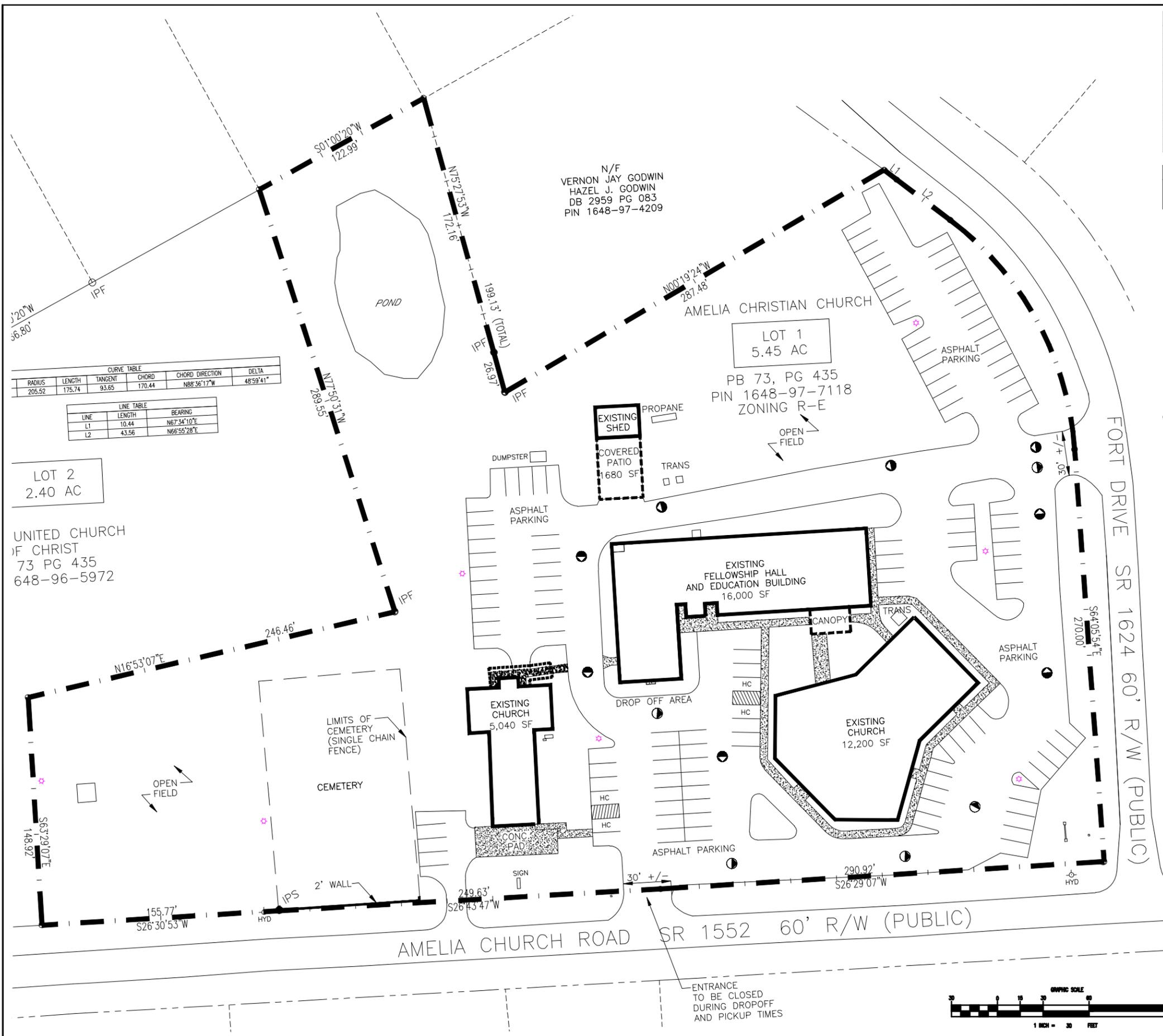


Southside Christian School Special Use Permit Zoning/Aerial Map

Applicant: Southside Christian School
 Property Owner: Amelia United Church of Christ
 Parcel ID Numbers: 164800-97-7118
 File Number: SUP 2012-77

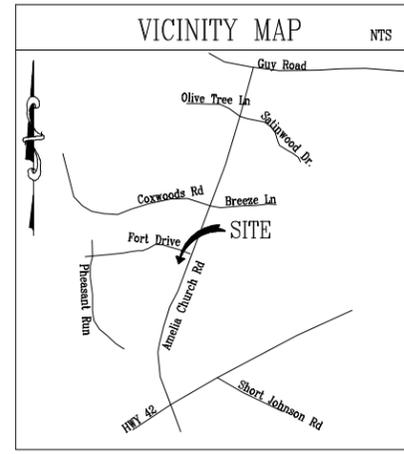
Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.





SITE DATA	
PROJECT NAME	SOUTHSIDE CHRISTIAN HIGH SCHOOL
NC PIN #	1648-97-7118
PROPERTY SIZE (ACRES AND SF)	5.45 ACRES (237,402 SF)
PROPERTY LOCATION (TOWN LIMITS/ETJ)	TOWN OF CLAYTON ETJ
EXISTING ZONING DISTRICT	ZONING R-E
EXISTING USE(S)	CHURCH
PROPOSED USE(S)	EXISTING CHURCH WITH CHRISTIAN SCHOOL
BUILDING COVERAGE (%)	14.71% BUILDING COVERAGE
PERVIOUS AREA (SF AND %)	N/A
IMPERVIOUS AREA (SF AND %)	N/A IMPERVIOUS AREA WILL NOT CHANGE
BUILDING HEIGHT (SF) MAX.	EDUCATION BUILDING IS APPROXIMATELY 24' TALL
NUMBER OF STORES/FLOORS	2 STORY
PARKING REQUIRED	N/A - 5 TEACHERS AND 2 ADMINISTRATORS
PARKING PROVIDED	122 EXISTING PARKING SPACES
HANDICAP REQUIRED	N/A
HANDICAP PROVIDED	4 EXISTING HC SPACES

FUTURE STUDENT PROJECTIONS	
STUDENT PROJECT:	35 STUDENTS 2013-2014 SCHOOL YEAR
STUDENT PROJECT:	50 STUDENTS 2014-2015 SCHOOL YEAR
STUDENT PROJECT:	65 STUDENTS 2015-2016 SCHOOL YEAR



SEAL:

PRELIMINARY - DO NOT USE FOR CONSTRUCTION

AMELIA CHURCH
SOUTHSIDE CHRISTIAN SCHOOL
Amelia Church Road
Clayton, NC
Johnston County

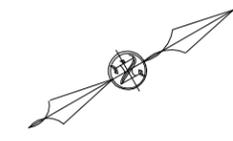
OWNER/DEVELOPER:
AMELIA CHURCH
CLAYTON, NORTH CAROLINA

For Bidding & Contractor Information Contact:
F.W. Dodge Plan Room Tel: (615) 884-1017

REVISIONS:

LAYOUT COORD: MEL
PLANNING MGR: MEL
DRAWING BY: MEL
DATE: 1/17/13
JOB NUMBER: 001
TITLE:

SITE PLAN
SHEET NUMBER:
C1.0
COMMENTS:



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

Agenda Item: 5b

Meeting Date: 2/18/13

TITLE: PRESENTATION OF INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING.

DESCRIPTION: Attached.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
2-18-13	Presentation.	Contract.



**INTERLOCAL CONTRACT
FOR COOPERATIVE PURCHASING**

ILC
No.: _____
Permanent Number assigned by HGAC

THIS INTERLOCAL CONTRACT ("Contract"), made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the "Act"), by and between the Houston-Galveston Area Council, hereinafter referred to as "H-GAC," having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, and * _____, a local government, a state agency, or a non-profit corporation created and operated to provide one or more governmental functions and services, hereinafter referred to as "End User," having its principal place of business at * _____

WITNESSETH

WHEREAS, H-GAC is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, pursuant to the Act, H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, End User has represented that it is an eligible entity under the Act, that its governing body has authorized this Contract on * _____ (Date), and that it desires to contract with H-GAC on the terms set forth below;

NOW, THEREFORE, H-GAC and the End User do hereby agree as follows:

ARTICLE 1: LEGAL AUTHORITY

The End User represents and warrants to H-GAC that (1) it is eligible to contract with H-GAC under the Act because it is one of the following: a local government, as defined in the Act (a county, a municipality, a special district, or other political subdivision of the State of Texas or any other state), or a combination of two or more of those entities, a state agency (an agency of the State of Texas as defined in Section 771.002 of the Texas Government Code, or a similar agency of another state), or a non-profit corporation created and operated to provide one or more governmental functions and services, and (2) it possesses adequate legal authority to enter into this Contract.

ARTICLE 2: APPLICABLE LAWS

H-GAC and the End User agree to conduct all activities under this Contract in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Contract.

ARTICLE 3: WHOLE AGREEMENT

This Contract and any attachments, as provided herein, constitute the complete contract between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

ARTICLE 4: PERFORMANCE PERIOD

The period of this Contract shall be for the balance of the fiscal year of the End User, which began * _____ and ends * _____. This Contract shall thereafter automatically be renewed annually for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which the End User may make any payment due an H-GAC contractor beyond the fiscal year in which such obligation was incurred under this Contract.

ARTICLE 5: SCOPE OF SERVICES

The End User appoints H-GAC its true and lawful purchasing agent for the purchase of certain products and services through the H-GAC Cooperative Purchasing Program. End User will access the Program through HGACBuy.com and by submission of any duly executed purchase order, in the form prescribed by H-GAC to a contractor having a valid contract with H-GAC. All purchases hereunder shall be in accordance with specifications and contract terms and pricing established by H-GAC. Ownership (title) to products purchased through H-GAC shall transfer directly from the contractor to the End User.

(over)

ARTICLE 6: PAYMENTS

H-GAC will confirm each order and issue notice to contractor to proceed. Upon delivery of goods or services purchased, and presentation of a properly documented invoice, the End User shall promptly, and in any case within thirty (30) days, pay H-GAC's contractor the full amount of the invoice. All payments for goods or services will be made from current revenues available to the paying party. In no event shall H-GAC have any financial liability to the End User for any goods or services End User procures from an H-GAC contractor.

ARTICLE 7: CHANGES AND AMENDMENTS

This Contract may be amended only by a written amendment executed by both parties, except that any alterations, additions, or deletions to the terms of this Contract which are required by changes in Federal and State law or regulations are automatically incorporated into this Contract without written amendment hereto and shall become effective on the date designated by such law or regulation.

H-GAC reserves the right to make changes in the scope of products and services offered through the H-GAC Cooperative Purchasing Program to be performed hereunder.

ARTICLE 8: TERMINATION PROCEDURES

H-GAC or the End User may cancel this Contract at any time upon thirty (30) days written notice by certified mail to the other party to this Contract. The obligations of the End User, including its obligation to pay H-GAC's contractor for all costs incurred under this Contract prior to such notice shall survive such cancellation, as well as any other obligation incurred under this Contract, until performed or discharged by the End User.

ARTICLE 9: SEVERABILITY

All parties agree that should any provision of this Contract be determined to be invalid or unenforceable, such determination shall not affect any other term of this Contract, which shall continue in full force and effect.

ARTICLE 10: FORCE MAJEURE

To the extent that either party to this Contract shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the party's control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed; provided, however, force majeure shall not excuse an obligation solely to pay funds. Determination of force majeure shall rest solely with H-GAC.

ARTICLE 11: VENUE

Disputes between procuring party and Vendor are to be resolved in accord with the law and venue rules of the State of purchase.

THIS INSTRUMENT HAS BEEN EXECUTED IN TWO ORIGINALS BY THE PARTIES HERETO AS FOLLOWS:

*

Name of End User (local government, agency, or non-profit corporation)

*

Mailing Address

*

City State ZIP Code

*By: _____
Signature of chief elected or appointed official

*

Typed Name & Title of Signatory Date

Houston-Galveston Area Council
3555 Timmons Lane, Suite 120, Houston, TX 77027

By: _____
Executive Director

Attest: _____
Manager

Date: _____

*Denotes required fields

*Request for Information

To expedite service, please complete the following blanks relevant to your agency's administrative/elective personnel and return the completed form to H-GAC, Cooperative Purchasing Program, P.O.Box 22777,
Houston, TX 77227-2777.

Name of End User Agency : _____ County Name : _____
(Municipality / County / District / etc.)

Mailing Address : _____
(Street Address/P.O. Box) (City) (State) (ZIP Code)

Main Telephone Number : _____ FAX Number: _____

Physical Address : _____
(Street Address, if different from mailing address) (City) (State) (ZIP Code)

Web Site Address: _____

Authorized Official: _____ Title: _____
(City manager / Executive Director / etc.) Ph No.: _____

Mailing Address: _____ E-Mail Address : _____
(Street Address/P.O. Box)

(City) (State) (ZIP Code)

Official Contact: _____ Title: _____
(Purchasing Agent/Auditor etc.) Ph No.: _____

Mailing Address: _____ Fx No.: _____
(Street Address/P.O. Box) Email Address : _____

(City) (State) (ZIP Code)

Official Contact: _____ Title: _____
(Public Works Director/Police Chief etc.) Ph No.: _____

Mailing Address: _____ Fx No.: _____
(Street Address/P.O. Box) Email Address : _____

(City) (State) (ZIP Code)

Official Contact: _____ Title: _____
(EMS Director/Fire Chief etc.) Ph No.: _____

Mailing Address: _____ Fx No.: _____
(Street Address/P.O. Box) Email Address : _____

(City) (State) (ZIP Code)

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

Agenda Item: 5c

Meeting Date: 2/18/13

**TITLE: PRESENTATION OF AMENDMENT TO THE CODE OF ORDINANCES
PERTAINING TO TERM LENGTH FOR THE LIBRARY BOARD.**

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
2-18-13	Presentation.	Ordinance Amendment.

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

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

Amend Section 32.060 ESTABLISHMENT with the following:

(D) (3) *Length of appointment.* A term **for a three year appointment** begins January 1 and expires December 31. Appointments that are vacated shall be filled by the Town Council for the completion of the unexpired term.

Duly adopted by the Clayton Town Council this ____ day of ____ 2013 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Sherry L. Scoggins, MMC
Town Clerk

Katherine E. Ross
Town Attorney

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

Agenda Item: 5d

Meeting Date: 2/18/13

TITLE: PRESENTATION OF PROCLAMATION FOR ARBOR DAY.

DESCRIPTION: In 2013, North Carolina will recognize Arbor Day on Friday, March 22, 2013.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
2-18-13	Presentation.	Proclamation.

**TOWN OF CLAYTON
PROCLAMATION - ARBOR DAY**

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than one million trees in Nebraska; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community; and

WHEREAS, trees, in our town increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees soften the urban environment and create a sense of joy and spiritual renewal.

NOW, THEREFORE, LET IT BE PROCLAIMED by the Honorable Mayor and Town Council of the Town of Clayton, North Carolina, that Friday, March 22, 2013, be recognized as "**Arbor Day**" and we urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and we urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Duly proclaimed this ____ day of March 2013, while in regular session.

Jody L. McLeod,
Mayor

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

Agenda Item: 5e

Meeting Date: 2/18/13

**TITLE: PRESENTATION OF ASPHALT WARRANTY FOR COBBLESTONE
SUBDIVISION, PHASES 7G, 7H, & 7I.**

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
2-18-13	Presentation.	Memorandum.

TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE
(919) 553-1530

VEHICLE MAINTENANCE
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector *CR*

Copy: Steven Sanderson, Sanderson Engineering
Rob Bailey, Walthom Group
David DeYoung, Planning Director

Date: January 17, 2013

Re: Cobblestone Subdivision, Phase 7G, 7H, & 7I

The referenced asphalt pavement has been installed. Please schedule Council action for the acceptance of this work, subject to a one-year warranty period. Upon expiration of the warranty period, pavement and base course condition will be evaluated and any identified faults corrected by the developer prior to final acceptance.

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

Agenda Item: 5f

Meeting Date: 2/18/13

TITLE: PRESENTATION OF WARRANTY ACCEPTANCE FOR PUBLIC WATER, SEWER, AND ASSOCIATED STORM DRAINAGE UTILITIES FOR COBBLESTONE SUBDIVISION, PHASES 7D, 7E, 7F, 7G, 7H, & 7I.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
2-18-13	Presentation.	Memorandum.

TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE
(919) 553-1530

VEHICLE MAINTENANCE
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector *CR*

Copy: Steven Sanderson, Sanderson Engineering
Rob Bailey, Walthom Group
David DeYoung, Planning Director

Date: January 29, 2013

Re: Cobblestone Subdivision, Phase 7D, 7E, 7F, 7G, 7H, & 7I

Please place a warranty acceptance request for the referenced public water, sewer, & associated storm drainage utilities on the next available agenda. Record drawings have been reviewed and accepted. Following Council acceptance, the utilities will be subject to a one-year warranty period. Following the warranty period, a final inspection will be done and all deficient items corrected prior to final acceptance.

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

Agenda Item: 8a Meeting Date: 2/18/13

TITLE: STATUS OF NOISE ORDINANCE.

DESCRIPTION: At its May 7, 2012, Council meeting, a spreadsheet comparing noise ordinances was presented to the Town Council. The purpose of the discussion is to receive Council feedback and direction on this item. At the September 17, 2012, Council meeting, Town Manager Biggs stated he spoke with personnel at Caterpillar and requested they obtain noise readings from around Town and to include Horne Square, neighborhoods, and the vicinity of Clayton High School in the evening hours. On October 15, 2012, the Council held a special meeting on the Town Square for the purpose of a noise measurement demonstration. During the October 15, 2012, work session, it was the consensus of the Council to receive information on the number of citations for noise complaints. Police Chief Glen Allen submitted the following: **From October 1, 2011 through September 30, 2012 there were two (2) people cited for noise ordinance violations. During that span there were 236 calls for service related to noise, but that includes all sources (cars, explosions, music, parties, dogs barking, heavy equipment, etc.) .**

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
5-21-12	Discussion.	Spreadsheet.
6-04-12	Tracking.	None.
7-19-12	Discussion.	
8-06-12	Discussion.	N/A.
8-20-12	Discussion.	
9-04-12	Discussion.	
9-17-12	Discussion.	
10-01-12	Discussion.	
10-15-12	Discussion.	
11-05-12	Discussion.	
11-19-12	TRACKING PURPOSES.	N/A.
12-03-12	TRACKING PURPOSES.	N/A.
1-23-13	TRACKING PURPOSES.	N/A.
2-4-13	TRACKING PURPOSES.	N/A.
2-18-13		

Town of Clayton
Code of Ordinances – Chapter 98

Section

- 98.01 Unreasonably loud or disturbing sound levels
- 98.02 Prohibited activities
- 98.03 Presumption in prosecution

- 98.99 Penalty

Statutory reference:

Authority to regulate noise, see G.S. § 160A-184

§ 98.01 UNREASONABLY LOUD OR DISTURBING SOUND LEVELS.

It shall be unlawful for any person, firm or corporation to create or assist in creating any unreasonably loud, disturbing sound levels within the corporate limits of the town, taking into consideration volume, duration, frequency and other characteristics of the sound.

DEFINITIONS

Ambient noise level means the dB(A) L(90) measured over a five minute duration made at the location where a complainant claims to be disturbed by an alleged violation but at a time when no noise is then being alleged to violation this ordinance and made at a point no closer than outside the property line of the property from where the noise is generated.

ANSI refers to the American National Standards Institute or any successor to such organization.

A-weighted sound level means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network measured by a sound level meter, following the criteria approved by ANSI.

Decibel is a unit of measuring the amplitude of sound equal to 20 times the logarithm to the base ten of the ratio between the pressure of sound measured to the reference pressure, which is 20 micronewtons per square meter, as approved by ANSI

Sound level meter means an instrument which measures sound levels in decibels, which either meets the standard of ASAS 1.4-1983 or other ANSI approved minimum requirements and provided further that such instrument shall be serviced, calibrated, and operated as recommended by the manufacturer, operated by a person or persons trained to operate the same, as approved by the Chief of Police or his designee.

(Ord. passed 9-6-94)

§ 98.02 PROHIBITED ACTIVITIES.

The following activities, among others, are declared to be unreasonably loud, disturbing sound levels; however, such enumeration shall not be deemed exclusive. For any of the below illustrated or similar activities to be considered a violation the complaints of two or more persons, at least one of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons when combined with the complaint of a duly authorized law enforcement officer that the sound is loud, annoying, disturbing, unnecessary, and unreasonably loud shall be necessary.

(A) The playing of any musical instrument, radio, phonograph, television, sound reproduction instrument, or amplifier in such a manner or with such volume, at any time of day or night, that a reasonably prudent person would recognize the same as likely to unreasonably disturb persons in the vicinity.

(B) The operation of any motor or motorized equipment, except for emergency purposes, at any time between 9:00 p.m. and 7:00 a.m. on any day of the week which unreasonably or unnecessarily annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others within the town.

(C) The keeping of any animal, including birds, which makes frequent or long continued sounds, such that a reasonably prudent person would recognize the same as likely to unreasonably disturb persons in the vicinity.

(D) The use of any automobile, motorcycle or vehicle so out of repair, so equipped or operated in such a manner as to create unreasonably loud, disturbing sounds.

(E) The operation of any nonconforming use in any zoning district within the town so as to cause any unreasonably loud, disturbing sounds to be emitted.

(F) The sounding of any horn, siren or signal device on any motor vehicle, except as a danger signal to the public. Police, fire, ambulance or other emergency vehicles are exempted.

(G) The creation of unreasonably loud, disturbing sound adjacent to any school, educational facility, church or court during normal operating hours, which a reasonably prudent person would recognize as likely to unreasonably interfere with the working of such institutions.

(H) The erection (including excavation), demolition, alteration or repair of any building in a residential or business district other than between the hours of 7:00 a.m. and 9:00 p.m. on any day, except in the case of urgent necessity in the interest of the public safety, and then only under the direction of the appropriate town official.

(I) The use of any electronic sound amplification equipment for advertising or solicitation purposes, except with a permit lawfully issued by the town.

(J) The firing or discharging of firearms anywhere within the town for the purpose of making noise or creating a disturbance.

(K) The shouting and crying out of any person, including but not limited to peddlers, barkers, hawkers, or vendors, which disturbs the quiet and peace of the neighborhood.

(Ord. passed 9-6-94)

§ 98.03 PRESUMPTION IN PROSECUTION.

~~The complaints of two or more persons, at least one of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons when combined with the complaint of a duly authorized law enforcement officer shall be prima facie evidence that the sound is loud and annoying, disturbing, unnecessary and unreasonably loud.~~

In order to document and prove a prima facie violation of this noise ordinance:

(A) The ambient noise level shall be determined, if it is reasonably practicable to do so in the discretion of the law enforcement officer or code enforcement officer responding to the noise complaint. The alleged violation noise shall be measured at the same location as the ambient noise reading and using the same device and procedure. A violation shall have occurred if the alleged violation noise level as measured in dB(A) LAeq exceeds the ambient noise level:

	<u>Residential Area</u>	<u>Highway, Business or Mixed Use Area</u>
<u>7am to 9 pm</u>	<u>+20</u>	<u>+22</u>
<u>9 pm to 7 am</u>	<u>+10</u>	<u>+12</u>

(B) If no decibel readings or comparison between ambient noise levels and alleged violation noise levels are practicable in the discretion of the law enforcement officer or officers, or code enforcement officer or officers responding to the noise complaint, the alleged violation is listed in section 98.02, and the violator does not voluntarily and promptly reduce the noise level when requested to do so by a law enforcement officer or code enforcement officer, so as to comply with the definitions in section 98.01, or if, having reduced the noise level to comply therewith but then within a 24-hour period again produces or allows to be produced noise at a level not in compliance with the definitions in section 98.01, the noise shall be a violation of the ordinance.

(Ord. passed 8-1-83; Am. Ord. passed 9-6-94)

§ 98.99 PENALTY.

A violation of any section of this chapter by any person shall be a misdemeanor and shall subject the offender to a fine of up to \$50 and/or imprisonment not to exceed 30 days. Each day of a continuing violation shall constitute a separate violation.

(Ord. passed 8-1-83; Am. Ord. passed 9-6-94)

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

Agenda Item: 8b **Meeting Date:** 2/18/13
TITLE: STATUS OF 110 WEST FRONT STREET, FORMER RED AND WHITE STORE.

DESCRIPTION: Discussion.
 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.	

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

Agenda Item: 8c

Meeting Date: 2/18/13

TITLE: STATUS OF JOHN STREET SEWER IMPROVEMENT PROJECT.

DESCRIPTION: Public notice in accordance with NC GS 160A-224.
This item is slated for public hearing on Monday, June 4, 2012, at 6:30 PM.
Letters were mailed to the 16 property owners on May 16, 2012.
Public notice ran in the Clayton News-Star May 20 and May 23.
Letters were mailed to the 16 property owners on June 13, 2012, that included an amended draft of the assessment resolution.
Each property owner was mailed a temporary easement for construction on October 9, 2012. To date, all but three have been fully executed. On November 9, 2012, a permanent easement was mailed to the Clayton Townhomes HOA and it was returned as undeliverable.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
2-20-12	Discussion.	PowerPoint presentation.
3-19-12	Discussion.	
4-02-12	Discussion.	Spreadsheet with four options.
4-16-12	Presentation.	Preliminary Resolution.
5-07-12	Approval.	Preliminary Resolution.
5-21-12	Public notice.	N/A.
6-04-12	Public hearing.	Resolution.
6-18-12	Adoption.	Amended Resolution.
12-17-12	Adoption.	Resolutions (3).
1-7-13	Discussion.	
1-23-13	Discussion.	N/A.
2-4-13	Discussion.	
2-18-13	Discussion.	

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

Agenda Item: 9a

Meeting Date: 2/18/13

TITLE: TOWN MANAGER

DESCRIPTION: NCDOT response to Town request for Vinson Road.

At its December 3, 2012, Council meeting, the Council approved a resolution requesting a speed limit reduction on Vinson Road.

Attached is the NCDOT response to the Tow of Clayton's request.

Date:

Action:

Info. Provided:

2-18-13

Discussion.

**Resolution & Letter from
NCDOT.**

**TOWN OF CLAYTON
RESOLUTION REQUESTING A
SPEED LIMIT REDUCTION ON VINSON ROAD**

WHEREAS, at its November 19, 2012, Council meeting, the Clayton Town Council was of the consensus that the speed posting on Vinson Road should be reduced; and

WHEREAS, the speed limit on Vinson Road is presently 45 miles per hour; and

WHEREAS, significant residential and institutional development has occurred along Vinson Road and a reduced speed limit is necessary to ensure safe travel; and

WHEREAS, the requested speed limit is 35 miles per hour on the portion of Vinson Road beginning at the intersection with Glen Laurel Road proceeding east for approximately one mile; and

WHEREAS, the request includes a school zone designation of 25 miles per hour within the portion of Vinson Road beginning at the intersection with Glen Laurel Road proceeding east for approximately one mile for Powhatan Elementary School and a proposed middle school on one side of Vinson Road with a proposed daycare immediately across the street from Powhatan Elementary School.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Clayton that the North Carolina Department of Transportation be requested to reduce the speed limit on Vinson Road.

Duly adopted this 3rd day of December 2012, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk

Steve Biggs



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

February 4, 2013

Ms. Sherry Scoggins, Town Clerk
Town of Clayton
P. O. Box 879
Clayton, North Carolina 27528

Dear Ms. Scoggins:

This is in reference to the resolution passed by the Town of Clayton requesting a reduction in the speed limit from 45 mph to 35 mph on SR 1903 (Vinson Road) beginning at SR 1902 (Glen Laurel Road) and proceeding east for approximately one mile. Included in this request was to reduce the school speed limit from 35 mph to 25 mph in Johnston County.

The operating speed on highways is based on roadside development along with the alignment of the roadway, the condition of the pavement, shoulder widths, etc.

Due to your request, we conducted a field investigation on January 24, 2013. As a result of this investigation we determined that this area is generally rural in nature. The existing speed limit is 45 mph with a school speed zone of 35 mph. "Winding Road" warning signs with "35 mph advisory speed" plates are in place. The shoulders, pavement and markings are in good condition.

Based on our field investigation, we believe the 45 mph speed zone could be reduced to 35 mph from Glen Laurel Road to a point just east of the school zone. A reduction in the school speed limit is not warranted. Therefore, the school speed zone of 35 mph would be removed once the full time 35 mph speed limit is installed. Once this goes into effect, motorists will not have to question what the speed limit is in front of the school because it will always be 35 mph.

We request that the Town provide us with comments prior to us pursuing this revision. If we can provide you with any additional information concerning this matter, please let me know. We look forward to hearing from you.

Sincerely,

A. H. Brown, P. E.
DIVISION TRAFFIC ENGINEER

AHB/s
c ✓ Mr. Steve Biggs, Town Manager
Mr. C. Pendergraph, PE
Mr. J. Hawley

Mr. T. M. Little, PE
Mr. P. H. Daughtry, III, PE
file

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

Agenda Item: 9c

Meeting Date: 2/18/13

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events

- Council Mtg – Monday, February 18, 2013 @ 6:30 PM
- ~~Board of Adjustment Mtg – Wednesday, February 20, 2013 @ 6 PM –~~
Cancelled
- Planning Board Mtg – Monday, February 25, 2013 @ 6 PM
- **Household Hazardous Waste Collection Day 2013** – Saturday, March 2, 2013, 8 AM to 1 PM at the Johnston County Livestock Arena located at 520 County Home Road, Smithfield (919-938-4750)
- 5k Run for the Rockets – Saturday, March 2, 2013 @ Cooper Elementary from 9 AM to 12 noon
- Council Mtg – Monday, March 4, 2013 @ 6:30 PM
- Sunshine Week – March 10-16, 2013
- Local Bill deadline for Senate – March 13, 2013
- Council Mtg – Monday, March 18, 2013 @ 6:30 PM
- Board of Adjustment Mtg – March 20, 2013 @ 6 PM
- Arbor Day – March 22, 2013
- Planning Board Mtg – Monday, March 25, 2013 @ 6 PM
- Town Hall Day – Wednesday, March 27, 2013
- Good Friday Holiday – Friday, March 29, 2013
- Council Mtg – Monday, April 1, 2013 @ 6:30 PM
- Local Bill deadline for House – April 3, 2013
- Council Mtg – Monday, April 15, 2013 @ 6:30 PM
- Board of Adjustment Mtg – Monday, April 17, 2013 @ 6:30 PM
- Planning Board Mtg – Monday, April 22, 2013 @ 6 PM
- Derby Day (sponsored by Clayton Morning Rotary Club) – Saturday, May 4, 2013, at Portofino, time to be announced
- HeartChase – Saturday, May 18, 2013 @ Town Square and in Downtown Clayton from 10 AM to 12 noon; registration begins at 9 AM.
- Memorial Day Holiday – Monday, May 27, 2013
- Independence Day Holiday – Thursday, July 4, 2013
- Labor Day Holiday – Monday, September 2, 2013
- 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:
2-18-13

Action:
N/A

Info. Provided:
Calendar of Events

HOUSEHOLD Hazardous Waste

Pesticide Disposal
Assistance Program



COLLECTION Day 2013

Date and Time: Saturday, March 2nd, 2013 from 8:00 AM until 1:00 PM.

Location: The Johnston County Livestock Arena, 520 County Home Rd., Smithfield, NC 27577 (Next to the Landfill)

ITEMS THAT WILL BE ACCEPTED:

Oil-Based Paints and Stains** Aerosols** Lubricants **
Solvents** Strippers** Polishes** Waxes** **Garden and Agricultural
Chemicals from Home and Farm**** Fluorescent Lamps & Bulbs**
Home Thermostats** Swimming Pool Chemicals** General Interior
& Exterior Cleaning Chemicals** Automotive Fluids: Brake,
Transmission, Gear Oil & Windshield Washer** Fuels: Gasoline,
Diesel, Kerosene, Charcoal Lighter and LPG Tanks** Household
Batteries of All Types** Home Pharmaceuticals.

ITEMS THAT WILL NOT BE ACCEPTED:

Latex Paint (Please use absorbent to solidify and dispose in the
landfill.)** PCB Waste** Commercial, Institutional or Industrial
chemicals of any type** Radioactive Materials (including smoke
detectors.)** Medical, Biological, Infectious or Septic Wastes**
Explosives, Ammunition and Shock Sensitive chemicals**
Cooking Oil and Grease** Fire Extinguishers** Any materials
currently collected for recycling at the Convenience Sites and/or
Landfill.

Co-sponsors for the event will be the Johnston County Cooperative Extension Service, the NCDA & CS Pesticide Disposal Assistance Program and the Johnston County Sheriff's Office.

For more details please view our "Frequently Asked Questions" document at www.johnstonnc.com/recycling/dispose.cfm#hazhouse. Or, contact the Johnston County Landfill at (919) 938-4750.