

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**

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## **TOWN COUNCIL MEETING**

**APRIL 21, 2014**

### **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 WORK SESSION MEETING OF THE CLAYTON TOWN COUNCIL**

**MONDAY, APRIL 21, 2014**  
**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 April 7, 2014, regular meeting; and April 7, 2014, closed session meeting.
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
  - a. Introduction of new Town of Clayton employee(s).
  - b. Recognition of Premier Athletics.
  - c. Presentation by the Public Art Advisory Board on the Downtown Sculpture Trail.
  - d. Presentation of FY 14-15 work plan for the Downtown Development Association.
  - e. Presentation of the following community event requests:
    - HeartChase 2014 slated for Saturday, May 17, 2014
    - Clayton Harvest & Music Festival slated for September 17-21, 2014
  - f. Presentation of revision to the Façade Grant.
5. **ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**
  - a. Presentation of proclamation: May 2014 as “Older Americans Month.”
  - b. Presentation of proclamation: May 4-10, 2014, as “Municipal Clerks Week.”
  - c. Presentation of warranty acceptance for the following:
    - Asphalt pavement installed in Mitchiner Hills Subdivision, Phase 2;
    - Public water, sewer, & associated storm drainage utilities for RWAC, Phases 2D & 2F (Ravens Ridge);
    - Public water utility for Riverwood Ranch Boulevard Extension;
    - Public water, sewer, & associated storm drainage utilities for RWAC, Phases 6D-1 (Alpine Valley)
6. **ITEMS CONTINGENT FOR THE REGULAR MEETING**

7. **ITEMS FOR DISCUSSION**
8. **OLD BUSINESS**
  - a. **Status of items for the inspections department:**
    - **Restoration of position**
    - **Amending the fees**
9. **STAFF REPORTS**
  - a. **Town Manager**
  - b. **Town Attorney**
  - c. **Town Clerk**
    - **Calendar of Events**
  - d. **Other Staff**
10. **OTHER BUSINESS**
  - a. **Informal Discussion & Public Comment.**
  - b. **Council Comments.**
11. **ADJOURNMENT**

TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET

Agenda Item: 3a

Meeting Date: 4/21/14

TITLE: DRAFT MINUTES FROM THE APRIL 7, 2014, REGULAR MEETING;  
AND DRAFT MINUTES FROM THE APRIL 7, 2014, CLOSED SESSION  
MEETING.

DESCRIPTION: Minutes.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

04-21-14

Approval.

DRAFT minutes from 4/7/14.

***\*DRAFT minutes from the  
4/7/2014 closed session will  
Be Hand-Delivered.***

# **MINUTES CLAYTON TOWN APRIL 07, 2014**

The first regular meeting of the Clayton Town Council for the month of April was held on Monday, April 07, 2014, 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; Sherry Scoggins, Town Clerk; Nancy Medlin, Deputy Town Manager; David DeYoung, Planning Director; Dale Medlin, Electric System Director; Robert McKie, Finance Director; Ann Game, Customer Service Director; Bruce Naegelen, Downtown Development Coordinator; Christie Starnes, Library Director; Stacy Beard, Public Information Officer; Tommy Roy, Information Services Technician.

## **ITEM 1. CALL TO ORDER**

Mayor Jody McLeod called the meeting to order at 6:35 PM.

The cadets of the Tarheel Challenge Academy presented the colors and led in the Pledge of Allegiance.

Mayor McLeod gave the invocation.

## **ITEM 2. ADJUSTMENT OF THE AGENDA**

The following adjustments of the agenda were requested:

- Under Special Presentations: add Special Presentation to the Tarheel Challenge Academy
- Under Other Business: add closed session in accordance with NC GS 143-318.11(a) (3) in order to consult with the Town Attorney

It was the consensus of the Council to proceed with the agenda as adjusted.

## **ITEM 3. ACTION AGENDA**

Councilman Art Holder motioned to approve the action agenda as presented; Councilman Jason Thompson and Councilman Bob Satterfield simultaneously seconded the motion. The motion carried unanimously at 6:40 PM with the

following action agenda items being approved:

- Item 3a. Draft minutes from the March 17, 2014, meeting; draft minutes from the March 17, 2014 [Rescheduled March 3, 2014] minutes; draft minutes from the February 10, 2014, closed session meeting; draft minutes from the March 17, 2014, closed session meeting.
- Item 3b. The following community events:
- Clayton Road Race on May 10, 2014
  - Town Square Concert Series, multiple dates:
    - May 15 Southern Grace
    - June 19 Brickhouse Band
    - July 17 Steve Owens & Summertime
    - August 21 Mostely Crue
    - Sept 18 Nantucket
  - National Night Out on August 5, 2014
- Item 3c. Application for Library Board: Ms. Elizabeth McLaurin, completing vacated term expiring 12/31/2015
- Item 3d. Proclamation for Day of Congenital Diaphragmatic Hernia Awareness.
- Item 3e. Warranty acceptance for public sewer and water utilities to serve the Sheetz Station at Amelia Church and NC 42 West.

#### **ITEM 4. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

- Item 4. Presentation and recognition of the Tarheel Challenge Academy

Mayor Jody McLeod read the following proclamation into the record:

### **TOWN OF CLAYTON RECOGNITION OF THE TARHEEL CHALLENGE ACADEMY**

**WHEREAS**, the North Carolina National Guard sponsors the Tarheel Challenge Academy, hereafter Academy; and

**WHEREAS**, although there are no military obligations for attending the Academy, prospective cadets must volunteer for the training, must be motivated and must be committed to a fresh beginning; and

**WHEREAS**, the Academy is located in Sampson County in Salemburg, North Carolina; and

**WHEREAS**, the mission of the Academy is to redirect the efforts of young adults who have had trouble succeeding in the normal high school environment,

and give them skills and attitude to become productive citizens in their communities; and

**WHEREAS**, the Academy focus is on learning and developing the necessary life coping skills to succeed after the cadet completes the five and one-half in-residence phase; and

**WHEREAS**, the cadet will immediately follow up the in-residence phase with a 12-month post residential phase in vocational school or training; and

**WHEREAS**, approximately 90% of Academy graduates remain gainfully placed – i.e., in school, working, or in the military – 12 months after graduation.

**NOW THEREFORE**, the Honorable Mayor and Town Council of the Town of Clayton recognize the dedication and commitment of the Academy and applaud the efforts and accomplishments of the cadets and graduates.

**FURTHERMORE**, the Honorable Mayor and Town Council of the Town of Clayton express its appreciation to the Academy cadre members and cadets for the Presentation of Colors at the opening of the Monday, April 7, 2014, Clayton Town Council meeting.

Duly proclaimed this 7<sup>th</sup> day of April 2014 while in regular session.

Cadet Clark accepted the proclamation on behalf of the Tarheel Challenge Academy.

Item 4a. Presentation of proclamation proclaiming April 2014 as “Sexual Assault Awareness Month.”

Mayor Jody McLeod read the following proclamation into the record:

**TOWN OF CLAYTON  
PROCLAIMING APRIL 2014 AS SEXUAL ASSAULT AWARENESS MONTH**

**WHEREAS**, 208 registered sex offenders are living in Johnston County; and

**WHEREAS**, in North Carolina from 2011 to 2012 there were 1,950 rapes; 57 of those rapes involved a weapon (State Bureau of Investigation, 2012); and

**WHEREAS**; in 2013, Harbor, Inc. served 68 victims of sexual assault in Johnston County; and

**WHEREAS**, according to the FBI 2012 Uniform Crime Report, there is one forcible rape every six minutes; and

**WHEREAS**, 1 out of every 8 adult women or 393,000 adult women in North Carolina have been the victim of forcible rape at some point in her lifetime (Kilpatrick, D. G. & Ruggiero, K.J., Rape in NC: A report to the state, 2003); and

**WHEREAS**, fewer than half of all rapes and sexual assaults in the U.S. are reported to police (U.S. Department of Justice, 2001); and

**WHEREAS**, 16% of victims of forcible assaults, and 8% of incapacitated victims, sought help from a crisis, health, or victims' center after they were sexually assaulted (Kilpatrick, D. G. et al., "Drug-facilitated, incapacitated, and forcible rape: A national study," 2007); and

**WHEREAS**, Harbor, Inc. and Mount Vernon Christian Church are hosting an event that is open to the public on Tuesday, April 29, 2014, at 6:30 PM at the Clayton Town Center, 111 E 2<sup>nd</sup> Street. The event includes the viewing of the film, "My Masculinity Helps" to be followed by a panel discussion. The purpose of the event is to engage African American men and boys in examining gender roles, masculinity, and power; identify men and boys' roles and responsibilities in the prevention of rape and sexual assault; and support men and boys to be educators, advocates, and activists for the prevention of sexual violence.

**NOW THEREFORE**, the honorable Mayor and Town Council of the Town of Clayton do hereby proclaim the month of April 2014 as "**Sexual Assault Awareness Month**." Furthermore, the Mayor and Town Council encourage all citizens to speak out against sexual assault and support the local community's efforts to provide services to victims and survivors of sexual assault.

**DULY PROCLAIMED** by the Mayor and Town Council this 7th day of April 2014, while in regular session.

Executive Director Keri Christenson accepted the proclamation on behalf of Harbor Inc.

Item 4b. Presentation of proclamation proclaiming April 26, 2014, through May 10, 2014, as "Spring Litter Sweep."

Mayor Jody McLeod read the following proclamation into the record:

## **TOWN OF CLAYTON**

***DRAFT Minutes, 4/15/2014  
Pending Council Approval.***

**PROCLAIMING APRIL 26, 2014, THROUGH MAY 10, 2014, AS  
SPRING LITTER SWEEP**

**WHEREAS**, the North Carolina Department of Transportation organizes an annual spring statewide roadside cleanup to ensure clean and beautiful roads across our state; and

**WHEREAS**, the SPRING LITTER SWEEP roadside cleanup will take place April 26, 2014, through May 10, 2014, 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**, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Public Safety – Division of Adult Correction inmates, community service workers, and interested citizens conduct annual local cleanups during the SPRING LITTER SWEEP; 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 26, 2014, through May 10, 2014, be proclaimed as **SPRING LITTER SWEEP**. Let it also be proclaimed that all our citizens are urged to keep our roadsides clean; and to reduce and recycle solid wastes.

Duly proclaimed by the Mayor and Town Council this 7th of April 2014, while in regular session.

Ms. Judy Hoffman accepted the proclamation on behalf of the Newcomers Club of Clayton.

**Item 4c. Presentation by a representative of the Design Committee of the Downtown Development Association.**

**Mr. James Lipscomb, committee member of the Design Committee of the Downtown Development Association (DDA), stated in 2013 the DDA began reviewing the street trees along Main Street. He stated a guidance policy was drafted with the assistance of Landscape Architect Rodney Swink, former Main Street Director.**

**Councilman Bob Satterfield stated he noticed two of the street trees across from Jones' where new businesses are going in were removed and he questioned why.**

**Mr. Lipscomb stated the trees were not intended to be removed until after the procedure was approved by the Council. He stated the Design Committee met and discussed the trees of concern.**

**Planning Director David DeYoung stated the trees that were removed were in compliance with the guidelines of the Design Committee. He stated the two trees were taken down by the Town.**

**Councilman Satterfield questioned if every tree in front of a business will be coming down.**

**Planning Director DeYoung stated the tree removal was for more than being in front of the business. He stated one of the trees was dying. He stated the other tree was impacting signage for two of the business and impacting power lines.**

**Councilman Satterfield stated he sees a lot of trees coming down.**

**Planning Director DeYoung stated that is not the intention of the tree removal to take down all the trees. He stated there will be trees to go back in place of trees taken down. He stated there will be alternatives to trees such as planters.**

**Mr. Lipscomb stated with him are two other members of the Design Committee: Ms. Joyce Blackley and Ms. Margaret Lee.**

**Council was in favor of a study with design recommendations as Council prefers a consistent look for Main Street.**

**Mayor McLeod thanked the Design Committee for its work.**

## **ITEM 5. PUBLIC HEARINGS**

Item 5a. Public hearing for rezoning request RZ 2013-108, Sheetz site located on HWY 70 Business West at Rose Street.

Planning Director David DeYoung provided a PowerPoint presentation overview of the rezoning request RZ 2013-108; herewith attached:

- Submitted by Sheetz
- Seven parcels owned by five owners
- 2.46 acres
- Currently zoned R-8
- Applicant requested B-3
- Staff recommended B-3-S
  - Applicant amenable to change to staff recommendation
- Proposed use would be limited by the special use permit
- Transportation plan
  - Located at intersection of HWY 42 and US 70
  - South connector will ultimately be built from HWY 42 East at 70 Business through Cobblestone Subdivision cross the creek to connect with Dairy Road and ultimately connect with Guy Road on the other side
    - Right-of-way within Cobblestone and Creekside Commons Subdivisions has either been dedicated or built for the future connector
    - Is included in the long-range transportation plan and may be built in phases
- Consistent with Strategic Growth Plan
- Consistent with proposed land use map that shows the majority of parcels fronting US 70 Business as commercial
- Compatibility buffer is required during the special use permit process
- Applicants held neighborhood meeting that was well attended
- Staff recommending approval of rezoning request to B-3-S

Mayor Pro Tem Michael Grannis stated back in August 2010 a rezoning request came through and it was not approved. He stated he would like to know the differences between the two requests.

Planning Director David DeYoung stated the 2010 request contained different parcels and was on the west side of Rose Street. He stated the 2010 included one or two parcels. He stated in 2010 there was not a specific user for the site. He stated the 2010 request did not include a special use component.

Councilman Bob Satterfield stated the 2010 request did not go to the corner.

Mayor Pro Tem Michael Grannis stated during August 2010 meeting the staff analysis and commentary included the following:

**“STAFF ANALYSIS AND COMMENTARY:** As noted earlier, the Strategic Growth Plan indicates the future land use in this area as commercial. The ideal scenario would be for all the parcels around this intersection to be rezoned and commercially developed in a uniform planned manner. This would minimize the disruption of the current residential character and lifestyle in the area. That is not the proposal, however, and the issue becomes more one of timing than future land use. It would be the Staff’s suggestion that if approval of the request is recommended, it be to a Planned Development District (PDD) which could require site plan standards and limitations to be placed on commercial usage that would minimize negative impacts to surrounding residential uses.”

He stated he is assuming that is the intention with this recommendation.

Planning Director David DeYoung stated yes. He stated this is in the thoroughfare overlay district which has specific standards placed on development. He added had the 2010 request included a more comprehensive rezoning, such as the one presented this evening that includes seven parcels, it may have turned out differently.

Mayor Pro Tem Michael Grannis questioned the total number of lots in this specific area.

Planning Director DeYoung stated he does not have that information.

Mayor McLeod opened the public hearing at 7:12 PM. He added that a statement of opposition has been presented to the Town Council.

Mr. Gray Styers, 1101 Haynes Street Suite 101-C of Raleigh, stated he is here on behalf of the applicant, Sheetz Inc. He stated in context of the rezoning of property, it is also worth keeping in mind the owners who wish for the re-development. He stated the owners are: Don & Shirley Bunn, Roxie Thomas, Delores Tart, Myrtle & Larry Isenour, and Ralph & Bertha Crabtree. He stated these are the owners who would like to see this developed. He stated it is with their consent that he is before the Council for this request. He stated they would have to come back for the special use request to discuss the uses for the site.

Mr. Styers stated in the Town Code of Ordinances there are seven criteria for evaluating a rezoning application. He stated the first and also required by statute is the conformity with other existing land use permits. He stated the

Town has a Strategic Growth Plan which is a guide for the future development of the Town. He stated the Strategic Growth Plan displays this location along HWY 70 Business as commercial property. He stated that is one of two plans approved by the Town Council. He stated the second plan is the existing proposed transportation network. He stated it shows Rose Street being extended for the HWY 42 connector. He stated over the past three years, improvements have been made to HWY 42 north of this intersection to HWY 70 Business. He stated in speaking with NCDOT, the improvements to HWY 42 were signed off this past fall. He stated another plan adopted by the Town Council is the Thoroughfare Overlay District. He stated the Thoroughfare Overlay District calls for safe, efficient, functional development patterns adjacent to major thoroughfares. He stated the Thoroughfare Overlay District reflects commercial development at this location. He stated the next criteria is the suitability of subject property for uses permitted by current versus proposed uses. He stated the parcels are adjacent to HWY 70. He stated the current traffic count at that intersection is 22,000 vehicles per day to the east and 33,000 per day to the west [for the cars on NC 42 HWY turning right]. He stated the next criteria is evaluating whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town. He stated the Council is aware that from 1990 through 2000 the population of Clayton grew 46.6 percent, from 4,700 to 6,900. He stated that pales in comparison from 2000 to 2010 when the population grew from 6,900 to over 16,000 or 131 percent growth. He stated the Town has continued to grow even with the slowed economy. He stated in looking at the retail services, this site meets the demand for services. He stated with the growth is the physical impacts and challenges in preparing a budget. He stated another criteria is to improve the balance of uses and to look at the impact on the residents. He distributed a handout of a recent article published this past year in the Mount Airy news, herewith attached and incorporated into the record. He stated commercial rezoning areas will allow re-development for commercial uses that will impact the Town's budget by enhancing sales tax and perspective jobs. He stated another criteria is adequate public facilities and services such as schools, roads, and recreation facilities. He stated this is an intersection that has adequate infrastructure. He stated another criteria is this has been determined that the legal purposes for which zoning exists are not violated. He stated the last two criteria are addressed in that the applicant has consented to the designation of B-3-S. He stated when this comes forward at the special use permit, they will be able to address that this is not detrimental to the surrounding area and adjacent property owners. He stated this is in accordance with the Town's adopted plans. He stated the property owners would like to see this developed. He stated if this is denied, the process stops. He stated if approved, they will file a site plan application within the next 30 days. He stated he is aware concerns have been expressed by the neighbors.

Mayor Jody McLeod announced this is a public hearing at 7:27 PM. He stated those wishing to speak may come forward and state name and address for the record. He emphasized that comments are for the rezoning only.

Ms. Jennifer Mercer, 1229 Tulip Street, stated there are 45 lots in the neighborhood and over 100 people live there. She stated she has a lot of regard for the five property owners and she knows all of them. She stated there are 45 other owners. She stated her husband, Joel Mercer, sent an email to the Council.

Mayor McLeod stated the email was received and read by the Council.

Ms. Mercer stated there are very few people in the neighborhood in favor of this request. She stated she cannot imagine anyone wanting a 24 hour business outside their front door in a residential area.

Councilman Bob Satterfield stated in the conversation with Ms. Mercer, it was alluded to that if the developer was buying her property she would be OK with the request.

Ms. Mercer stated yes if the developer were to buy the whole neighborhood. She added they are not buying her property.

Councilman Satterfield stated he knows the owner east of this does not have a problem with this.

Ms. Mercer stated that owner wished to be neutral.

Councilman Satterfield stated the property on the right side of Rose Street is for sale.

Ms. Mercer stated that owner did not sign the petition.

Councilman Satterfield stated there is another owner who signed the petition, but the owner does not have a problem with the request.

Ms. Mercer stated people do not want their neighborhood to turn into commercial yet.

Councilman Satterfield Bob questioned if the opposition is to the proposed use or to the proposed rezoning request.

Ms. Mercer stated she is against the gas station period. She added she is against any commercial property as she has two small children.

Councilman Satterfield questioned if she has a home business.

Ms. Mercer stated yes and added she does not have customers coming to her home. She stated it is an on-line business.

Planning Director DeYoung stated there are 45 properties and that includes the seven properties of this request. He stated taking those out, there are 15 owner occupied lots and 24 rental lots.

Mr. Daylon Lynch, 9703 US 70 Business HWY West, stated he moved into the neighborhood when 70 was two-lane. He stated he hates to see the neighborhood split up with noise and traffic. He stated it is home to him.

Ms. Joyce Hill, 1312 Tulip Street, stated she has been a resident at this address for 53 years. She stated she does not want this rezoned to commercial. She stated the streets are narrow and there are children in the neighborhood.

Ms. Charlotte Pierce, 1308 Tulip, stated this request is beside her. She stated she is wary of a service station beside her because of what could happen, such as a gas leak. She stated there is a lot of traffic.

Mayor McLeod closed the public hearing at 7:38 PM.

Town Attorney Katherine Ross stated before the Council is a rezoning request. She stated the Council is considering a rezoning to B-3-S and that means the Council is considering all permitted uses in the B-3 district. She stated a valid protest petition was submitted and this requires a super majority vote of the Council. She stated that means four of the five voting Council members must approve the request.

Councilman Satterfield stated when he built his house in Walden Subdivision there was nothing but trees and open land. He stated since then there is a Guy C Lee, strip shopping center, and a gas station. He stated he voted for all of those uses and they are convenient. He stated he is in favor of this request.

Mayor Pro Tem Michael Grannis expressed his thanks to Mr. Mercer for the email he sent. He stated this is a difficult decision because everyone will not be satisfied. He stated this area has been identified as a commercial area. He stated the Council looked at having the area rezoned at one time. He stated the potential spur of HWY 42 going around to possibly connect with HWY 42 West in the foreseeable future and knowing this is a commercially designated area; he agrees with Councilman Satterfield. He stated he thinks this is a good project and he believes Sheetz is sensitive to concerns raised by citizens.

Councilman Butch Lawter stated he is in favor of the project. He stated it is a difficult process in that in that this is a two step process. He stated this is a rezoning request and it is not specific to any one use. He stated he believes that is the reason for the concern expressed by the neighbors. He stated at this point the Council is not considering the intended use, but the best use of the property. He sees it in the Town plans as commercial.

Councilman Jason Thompson stated this is a worthwhile project and in time it will be the right use of the property. He stated he does not believe that time is now. He stated he does not see the south connector project in the next 10 years. He stated when that does happen it would be a great time to look at the entire neighborhood and do a mass rezoning. He stated he loves Sheetz and he is excited about the one getting ready to open the end of this week. He stated if he lived in the neighborhood, he would not want commercial.

Councilman Art Holder stated he sympathizes with the residents and he understands where they are coming from. He stated as a councilman, it is his responsibility to look after the overall of what is best for the Town of Clayton. He stated the Town continues to grow and there is a need to look ahead. He stated he feels like this is the first step to get development along that stretch of US 70.

Mayor McLeod stated if this is rezoned, any request would have to have a neighborhood meeting before coming to the Town Council. He stated the Council wants to hear what the resident concerns are.

Councilman Bob Satterfield motioned to approve the rezoning request RZ 2013-108 from R-8 Residential to B-3-S Highway Business Special Use District. Councilman Butch Lawter seconded the motion. Motion carried 4-1 with Councilman Jason Thompson dissenting at 7:47 PM.

Mayor Pro Tem Michael Grannis motioned to approve the Statement of Reasonableness as included in the agenda packet. Councilman Bob Satterfield seconded the motion. Motion carried unanimously at 7:48 PM

Item 5b. Public hearing for rezoning request RZ 2013-92, Dupree property for a portion of a parcel located at 3131 Covered Bridge Road and adjacent to the Riverwood Athletic Club.

Planning Director David DeYoung provided a PowerPoint presentation overview of the rezoning request RA 2013-92; herewith attached:

- Request to rezone 46.19 acres from R-E to R-8

- If approved, there is a subsequent request to modify the Riverwood Athletic Club (RAC) master plan
- Developer and applicant is FSC IV LLC
- Parcel currently vacant agricultural land
- Request is adjacent to existing RAC
- Request is consistent with zoning in RAC
- Access to site will be through RAC
- Proposed development consistent with Strategic Growth Plan
- Proposed land use plan and Strategic Growth Plan indicate this area as residential
- Neighborhood meetings were held
- Staff recommending approval of the rezoning request from R-E to R-8

Mr. Fred Smith, 632 Marcellus Way of Clayton, stated he is the owner of FSC IV LLC. He stated the rezoning request is in best interest of RAC and the Town of Clayton. He stated the request is consistent with the Town plan; the changes will improve the balance of uses for the Town; the 156 lots will contribute to the Town; and there are adequate facilities. He stated it is not believed the rezoning will have an adverse affect.

Mayor McLeod opened the public hearing for comment at 7:54 PM.

Mr. Johnny House of Covered Bridge Road stated he is here on behalf of his family. He stated he is not in opposition of the rezoning request. He stated his family owns eight acres that is on the back side of the family property that abuts RAC; he distributed a handout depicting the parcels, herewith attached and incorporated into the record. He stated the eight acres has a creek with a very steep bank. He stated with the development of RAC, it will essentially cut them off from the back eight acres. He stated the request is for access to the eight acres.

Councilman Bob Satterfield stated he heard they want access from the Smith property to his property.

Mr. House stated correct.

Councilman Satterfield stated he hears there is access to the property now.

Mr. House stated yes they have access off of Covered Bridge Road.

Councilman Satterfield stated he does not believe that is something the Council can do. He stated there is currently access.

Mr. House stated this would eliminate a creek crossing and the streets of RAC are there.

Town Attorney Katherine Ross stated a condition cannot be included in a rezoning request.

Mr. Jim Williams, 405 Hardaway Point, stated he recently moved into RAC and this request is the area across the street from him. He stated he moved to RAC because it is quiet and there are children. He stated there is only one way into the RAC. He stated that one way is by the school. He stated he was told there would be no homes there and now there will be additional acreage for new homes. He questioned if there is a way to review the construction traffic.

Councilman Satterfield questioned who told him there would be no houses.

Mr. Williams stated when he bought his house it was either the Fred Smith Company or who he bought the house. He added he is fine with the houses being built. He stated his concern is the construction traffic.

Councilman Satterfield stated the road issue could be discussed at the next hearing.

As no else came forward to speak, Mayor McLeod closed the public hearing at 8:01 PM.

Councilman Butch Lawter motioned to approve rezoning request RZ 2013-92 as presented; Councilman Bob Satterfield seconded the motion. Motion carried unanimously at 8:02 PM.

Councilman Butch Lawter motioned to approve the Statement of Consistency and Reasonableness as included in the agenda packet. Councilman Art Holder seconded the motion. Motion carried unanimously at 8:02 PM.

Item 5c. If Item 5b is approved, then the Council will hold an evidentiary hearing for preliminary subdivision request SUB 2013-93 Dupree property for a portion of a parcel located at 3131 Covered Bridge Road and adjacent to Riverwood Athletic Club.

Mayor McLeod announced an evidentiary hearing for preliminary subdivision request SUB 2013-93 Dupree property for a portion of a parcel located at 3131 Covered Bridge Road and adjacent to Riverwood Athletic Club has been noticed for an evidentiary hearing at 8:03 PM. He called upon Town Attorney Katherine Ross to explain the rules of procedure.

Mayor Pro Tem Michael Grannis stated for the record Councilman Bob Satterfield and he had a discussion with the developer that was very indirectly related to this particular petition for the subdivision. He stated when he says indirectly that means the discussion was not about the development itself but rather some adjoining properties.

Town Attorney Katherine Ross introduced the evidentiary hearing procedures used for preliminary subdivision application SUB 2013-93. She explained that preliminary subdivision applications are different in certain respects from the capacity in which the Town Council normally functions. Ms. Ross stated the Town Council normally functions in a legislative capacity; preliminary subdivision application hearings are “quasi-judicial,” which means that the Council would act essentially as a court of law. She stated there is a burden that the applicant of the preliminary subdivision application must meet the four findings of fact as found in the UDO of the Town Code of Ordinances. She added anyone opposed to the application would have to put on evidence of a similar kind, showing the findings of fact have not been met. Ms. Ross explained that all evidence and testimony provided to the Council in such a hearing must comply with the North Carolina Rules of Evidence, which means that all such evidence and testimony must be relevant, based on personal knowledge, given under oath, and otherwise be competent and admissible. Ms. Ross also explained that her role during the hearing is to monitor all evidence and testimony to ensure that it complies with the Rules of Evidence, the Town’s procedures, and all other applicable requirements.

Mayor McLeod called all those wishing to give evidence, whether for or against the preliminary subdivision application, to come forward and be sworn in. Town Clerk Sherry Scoggins administered the oath to: Steve Biggs, Dave DeYoung, Fred Smith, Thad Avent, Keith W Heiner, Jamie B Guerrero, James Lipscomb, and Donald C Adams Jr.

Planning Director David DeYoung provided a PowerPoint presentation overview of preliminary subdivision request SUB 2013-93; herewith attached:

- Master plan revision to RAC to include 46.19 acres
- Addition of the 46.19 acres from the DuPree lot will provide 156 new single-family lots
- Applicant will be required to annex the 46.19 acres into the corporate limits
- Applicant and owner is FSC IV LLC
- Current size of project is 537 acres; increase to 583.19 with the expansion
- Total lots with the expansion is 1297 lots plus townhomes and apartments
- RAC originally approved in April 1999 and built in phases
- Applicant signed an agreement with the Town in 2010 for the street paving within the RAC

- Phases 8A-8E and Phase 9 are part of the 46.19 acres and are for an open space subdivision that will include 156 single family residences
- Wastewater allocation requested for 39,000 gpd
- Greenway network and open space which is consistent with what is in RAC
  - Extensive greenway system
- Phases 8A-8E and Phase 9 are adjacent to the existing RAC
- Total single family lots planned are 1,141; currently 974 are platted with 167 not platted
- Overall site density approved at 4.7 units per acre and it is currently building out at 2.8 units per acre
- Phases 8A – 8E and Phase 9 does not require a buffer
  - Applicant has agreed to tree buffering
- Street trees are required at one per lot for every 40 linear feet
- Open space required is 12.5 percent;
  - RAC has an excess of open space
  - Applicant will dedicate 2.14 acres adjacent to the Neuse River which is consistent with the other phases adjacent to the Neuse River
- Greenway system will be built consistent with the existing greenway system of RAC
- Resource conservation areas which includes an undisturbed buffer along the stream
- Access to new phase will be from Hardaway Point and Kramer Path
- Three points of access into RAC off of Pritchard Road
- Waiver requested for alternative street cross section
  - To remain consistent with existing sections, requesting use of swales
- Waiver requested from sidewalk
  - To use trails
- Both waiver requests are consistent with the existing RAC development
- Lots are consistent with existing uses within RAC
- Consistent with the Strategic Development Plan
- Consistent with the Town's UDO
- Consistent with the rezoning request RZ 2013-92 [approved as Item 5b]
- Applicant addressed the findings of fact and included in the application
- Neighborhood meetings held
- Applicant will provide construction access to the subdivision from Covered Bridge Road
- Applicant will address the additional buffering
- Request an additional staff condition that prior to recordation of the final plat that any lots within Phases 8A – 8E and Phase 9, that all property associated with those phases shall be annexed into the Town limits be annexed into the Town
- Staff recommending approval of the master plan modifications – preliminary subdivision plan with conditions of approval as outlined in the staff report and the additional condition and the waiver requests

Mr. Fred Smith, 632 Marcellus Way of Clayton, stated he is passionate about RAC and RAC did not happen by accident. He stated in June 1998 he attended an urban seminar in Virginia. He stated while there he had three intense days of studying and an opportunity to visit Kentlands, which is an outstanding PUD community in Virginia. He stated as a result of that, he came back and tried to work hard to design a community that had the best of what he learned about for Johnston County and make it a walking community. He stated his first action was discussion with the school board and a donation of 46 acres of land for two schools to be the center of RAC. He stated businesses are included in the core so children can buy an ice cream cone. He stated an art feature was included to create a sense of community. He stated a 15,000 square foot athletic club was included. He stated all these things were done to create a quality place within Clayton. He stated one of the issues in developing RAC was the streets. He stated the streets are the most important and the most used common areas. He stated during the seminar it was suggested to use narrow streets and swales. He distributed an article, "Street Design" as found at [http://www.lgc.org/issues/community\\_design/street\\_design.html](http://www.lgc.org/issues/community_design/street_design.html) on 4/7/2014; herewith attached and incorporated into the record. He read the following into the record:

"The United States is experiencing a paradigm shift in neighborhood design. Individuals and groups are developing innovative strategies by which to make new or existing neighborhoods more walkable, enjoyable and livable. ....people want to live on streets where there is low traffic volumes, slow speeds and minimal noise. Residents also see proximity to parks, schools.... However, the streets and neighborhoods built since the 1950s have often been created the opposite conditions: wide streets full of fast, noisy traffic and subdivisions that encourage automobile dependence."

He summarized the article by stating that wider streets have a correlation between speeding and accident rates. He stated wider streets have increase in the number of accidents per year. He stated in traditional neighborhoods, narrow streets calm traffic. He stated in RAC there are over 2,000 people residing and to the best of his knowledge there have not been a traffic accident and not one child injured on the streets in RAC. He stated that is commendable record. He stated he believes that is evidence of why the streets in RAC are safe for the children and everyone. He stated in addition to narrow streets, RAC has swale sections. He distributed an article, "Storm Water Technology Fact Sheet Vegetated Swales," available from the EPA [United States Environmental Protection Agency; September 1999]. He read the following into the record:

"A vegetated swale is a broad, shallow channel with a dense stand of vegetation covering the side slopes and bottom. ....designed to trap particulate pollutants, promote infiltration, and reduce the flow

velocity of storm water runoff. Vegetated swales can serve as part of a storm water drainage system and can replace curbs, gutters, and storm sewer systems.”

He referred to the chart and cited 81% of total suspended solids were removed, 38% of nitrates were removed, 62% of hydrocarbons were removed, 67% of lead were removed, and 71% of zinc were removed. He stated this is beside the Neuse River. He stated because of the swales in RAC, those pollutants are being kept out of the Neuse River. He stated the request is continue the swale sections. He stated he feels that this community is worthy of expansion. He stated the Town nominated RAC and it won the statewide recognition of being a child friendly community. He stated RAC is leading in home sales in the community. He stated to the best of his knowledge, there have not been traffic accidents in RAC and no children injured on the street. He stated the tax base of RAC for the Town is close to close to three quarters of a million dollars. He stated this expansion will increase the tax base. He stated RAC places a small burden on the Town of Clayton. He stated RAC is a credit to the Town of Clayton. He stated there will be a construction traffic road. He stated they have agreed to a tree buffer. He stated when the project is completed, there will be three ways in and out of RAC – one through Ravens Ridge, one through Badger’s Pass, and the stub out that will eventually come out to Covered Bridge Road. He called upon Donnie Adams, engineer.

Mr. Smith asked Mr. Adams to state his name for the record.

Mr. Donnie Adams stated he is a professional engineer of DC Adams Engineering.

Mr. Smith questioned if he is familiar with the site plan.

Mr. Adams stated yes.

Mr. Smith questioned if to the best of his knowledge if the subdivision meets all the specific requirements of the Town of Clayton and the UDO.

Mr. Adams stated yes. He added it is consistent with the UDO.

Mr. Smith questioned if the subdivision will provide for the distribution of traffic in a manner that will avoid or mitigate congestion, provide for the unified and orderly use of the public infrastructure and will not materially endanger the environment, public health, safety or general welfare.

Mr. Adams stated yes. He stated as mentioned, the traffic will be dispersed throughout the existing neighborhood. He stated the development of the property would be an extension of the existing subdivision.

Mr. Smith questioned if the subdivision will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the policies of the town.

Mr. Adams stated he believes it is consistent.

Mr. Smith called upon Mr. Avent.

Mr. Thad Avent stated he is a residential appraiser located at 338 East Main Street of Clayton.

Mr. Smith questioned if Mr. Avent is familiar with RAC.

Mr. Avent stated yes.

Mr. Smith questioned if Mr. Avent had a chance to determine whether this subdivision would be detrimental to the value of the abutting properties and not violate the characters and standards of development.

Mr. Avent stated his understanding is this will be similar floor plans as found in Ravens Ridge.

Mr. Smith called upon Keith Heiner.

Mr. Keith Heiner stated he is the RAC Community Manager.

Mr. Smith questioned if there are on street parking restrictions in RAC.

Mr. Heiner stated yes there are restrictions for parking on the street.

Mr. Smith questioned if that restriction is enforced.

Mr. Heiner stated it is. He stated the parking restriction issue is first approached with dialogue or a letter. He stated if need be a violation is issued. He stated for 2014, to date there have been 25 violations.

Mr. Smith called upon Mr. Jamie Guerrero.

Mr. Jamie Guerrero stated he is a development engineer and environmental storm water manager for Johnston County. He stated he is not here to speak specifically on Mr. Smith's development. He stated he is here to address the storm water environmental advantages that swales provide. He stated they reduce the width of the streets and it reduces the surface impervious area. He

stated the swales receive the discharge of rooftop and lawn areas instead of running into the driveway and then into the sewer system in the street that would be discharged downhill. He stated over the years, this dramatically changes the hydraulics of a watershed. He stated the State has recently drafted low impact development guidelines. He stated what Mr. Smith is proposing meets those guidelines. He stated Mr. Smith's plan would go to his office for review and approval. He stated the State has developed a worksheet to determine if this meets development guidelines. He stated this means the hydraulics of the preconstruction are preserved post-construction. He stated he will switch to his NCDOT hat to discuss reduced street width. He stated there are a lot of children in RAC. He stated his children play soccer in RAC. He stated as a former NCDOT engineer, the concept is when people drive they drive the speed limit in which they feel most safe and most in control. He stated the street width has a large impact on the comfort of a driver.

As no one came forward to speak in opposition, Mayor McLeod turned this item over to Council for inquiry at 8:37 PM.

Mayor Pro Tem Michael Grannis stated he has questions pertaining to the neighborhood meeting. He stated there was a resident that asked the question if the greenway area next to the river would be clear cut. He stated the response was the greenway area would remain undisturbed except for minimum clearing to connect the public sewer. He requested clarification.

Mr. Donnie Adams stated there are two items for connection that would require clearing. He stated the clearing would be for the walking trail connection and for the sewer connection. He stated in looking at the plan, on the west side of the cul-de-sac, there is an easement and that is where the sewer and walking trail would connect. He stated it is shown as a 20 foot easement. He stated five feet on each side of the easement would be cleared.

Mayor Pro Tem Grannis stated another resident questioned the existing trees along the walking trail at the property line be protected for screening. He stated the applicant stated the specific areas would determine what could be preserved. He questioned if that has been done.

Mr. Fred Smith stated yes.

Mayor Pro Tem Michael Grannis stated it was made clear that Mr. Smith believes in swales and narrow roads.

Councilman Bob Satterfield requested clarification for the use of the temporary – construction entrance. He stated his appreciation for including this item.

Mr. Fred Smith stated it is his hope that all subcontractors will use the construction road. He stated he cannot control the subcontractors. He stated all the “heavy” contractors will use that road.

Councilman Bob Satterfield stated the temporary road will be used for construction of the road.

Mr. Smith stated it would also be used for vertical construction.

Councilman Butch Lawter stated he heard three ways in and out and requested the names of the streets.

Mr. Fred Smith pointed out Ravens Ridge, Badger Pass, and the 46 acres that is before the Council this evening.

Councilman Butch Lawter questioned if there is any plan to open up Manning Drive to Covered Bridge.

Mr. Fred Smith stated not that he is aware.

Mayor Pro Tem Michael Grannis stated earlier this evening Mr. House made a comment and presented a document to the Council. He requested the Town Attorney to elaborate on his request.

Town Attorney Katherine Ross stated any exaction of a subdivision approval must be connected to promoting flow and connection of roads and not necessarily affording adjacent property owners access to their property. She stated any requirement on the developer has be related to public welfare and the criteria by which the Council makes its decision.

Mayor Pro Tem Michael Grannis stated what he heard is that Mr. House has property adjacent to this property. He questioned if that is a request.

Town Attorney Katherine Ross stated the Council is considering does this promote public welfare versus individual rights.

Mr. Fred Smith stated they are not cutting off any access or depriving him of access.

Councilman Butch Lawter stated he does not see a need to intervene as Mr. House will continue to have access to the property.

As there was no further inquiry, Mayor McLeod called the Council into deliberation at 8:46 PM. He stated while in deliberation the Council may ask no questions of the public.

Mayor Pro Tem Michael Grannis motioned to approve the wastewater allocation of 39,000 gpd for SUB 2013-93. Councilman Bob Satterfield and Councilman Art Holder simultaneously seconded the motion. Motion carried unanimously at 8:46 PM

Mayor Pro Tem Michael Grannis motioned to approve the waivers as described in the letter dated 2/18/2014, in which the applicant is requesting a waiver for a typical street section to be grass swales instead of curb and gutter and a waiver for interconnected greenway trail system instead of sidewalks. Councilman Butch Lawter seconded the motion. Motion carried unanimously at 8:47 PM.

**Mayor Pro Tem Michael Grannis motioned:**

Based on the substantial and competent evidence and testimony presented to the Town Council on this matter, the Council finds and concludes that Subdivision Application **SUB 2013-93**, subject to the conditions recommended by the Planning Board and Planning Staff:

*Existing Conditions associated with the original approval (case # 99-05):*

1. ~~No final plats may be recorded unless the Town Council approves the requested variance to the standard street design. [Condition deleted because it has been fulfilled.]~~
2. ~~No final plat for the section indicated on the plan as Phase 2H may be recorded unless the Town Council approves the requested variance for the length of the cul de sac (1100 feet proposed – 700 feet permitted). [Condition deleted because it has been fulfilled.]~~
3. ~~Utility extension plans and agreement for funding of same shall be approved by all involved parties prior to recording any lots for development. [Condition deleted because it has been fulfilled.]~~
4. Prior the recording of any final plat, the Town Attorney shall review and make a report to Town Council concerning the means of ensuring and enforcing the developer's and homeowner's compliance with their respective responsibilities for maintaining all of the common open spaces, swale sections within street right-of-way, pedestrian trails and any other common facilities within the subdivision.
5. All street names shall be approved by the Planning Department prior to recording plats.
6. ~~Final plats shall reflect a 20 foot right of way dedication on each side of Pritchard Road. [Condition deleted because it has been fulfilled.]~~

7. All wetlands and riparian buffers shall be identified in the field prior to initiating grading activity and shown on all recorded plats.
8. The number of recorded single-family lots must equal or exceed the number of attached residential units at all time during construction of the project. Also, recorded open space (public or private) shall equal at least 12.5 percent of the total acreage recorded at all times.
9. ~~The greenway dedication adjacent to the Neuse River shall be recorded at the same time or prior to the recording of the first phase of development.~~  
[Condition deleted because it has been fulfilled.]
10. Acreage fees (~~\$1000 per acre~~) shall be paid to the Town of Clayton prior to recording final plats. [Condition revised to remove fee amount to allow for fees to increase if the Town's fees increase over time.]
11. All public improvements shall be installed in accordance with the standards of the Town of Clayton and/or State of North Carolina, whichever applies, or financially secured prior to recording final plats.

***New Conditions:***

12. Development shall occur in accordance with the design specifications as indicated on the approved subdivision master plan. Modifications shall require review and approval in accordance with Section 155.706 of the UDC.
13. Greenway sections shall be constructed prior to the issuance of a Certificate of Occupancy within each phase they are located in.
14. Fee-in-lieu for sidewalks associated with the alternative cross-section shall be paid prior to plat recordation for each phase.
15. Resource conservation areas shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument for permanent protection shall include clear restrictions on the use of the resource conservation area as described in Section 155.500(F) of the UDC.
16. Prior to recordation of the final plat for any lots within phases 8 A-E and 9, all property associated with phases 8 A-E and 9 shall be annexed into Town Limits.

And with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representatives:

- (1) That the subdivision meets all required specifications of the Town Unified Development Ordinance;
- (2) That the subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area;
- (3) That the subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area,

- will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare; and
- (4) That the subdivision will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council.

Councilman Art Holder seconded the motion. Motion carried unanimously at 8:49 PM.

**Mayor Pro Tem Michael Grannis motioned to approve:**

Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein I move to approve Subdivision Application SUB 2013-93.

Councilman Bob Satterfield seconded the motion. Motion carried unanimously at 8:50 PM.

#### **ITEM 6. OLD BUSINESS**

Item 6a. Amendment to the Customer Service Policy.

Councilman Jason Thompson motioned to approve the amendment to the Customer Service Policy as presented; Councilman Bob Satterfield seconded the motion. Motion carried unanimously at 8:52 PM.

#### **ITEM 7. NEW BUSINESS**

Item 7a. Resolution providing for application to the Local Government Commission for approval of electric system revenue bonds; requesting Local Government Commission approval of such electric system revenue bonds; and certain related matters and findings.

Finance Director Robert McKie provided an overview of the resolution included in the agenda packet.

Councilman Jason Thompson motioned to approve the resolution as presented; Councilman Bob Satterfield seconded the motion. Motion carried unanimously at 8:53 PM.

#### **ITEM 8. STAFF REPORTS**

Item 8a. Town Manager

Town Manager Steve Biggs stated this is a preliminary item related to the upcoming budget and related to the recent retreat. He stated one of the items from the retreat is the staff review of re-organization of the code enforcement program. He stated some of the elements being reviewed are the addition of minimum housing. He stated another item under review is exploring through Johnston County the animal control services. He stated the Town currently provides animal control services as part of the code enforcement program. He stated that duty is shared among other code enforcement duties. He stated it is worthwhile to explore with Johnston County a contractual relationship where the Town would provide some level of compensation.

Item 8b. Town Attorney

Town Attorney Katherine Ross stated no additional report.

Item 8c. Town Clerk

Town Clerk Sherry Scoggins stated North Carolina League of Municipalities has sent an invitation to Town Hall Day in Raleigh on Wednesday, June 4, 2014.

Item 8d. Other Staff

No other staff presented a report.

## **ITEM 9. OTHER BUSINESS**

Item 9a. Informal Discussion and Public Comment.

Ms. Amy Wilkins of Clayton stated she is with Kidsville publications. She stated her request is add the Clayton Town Council voice to promote the publication as an educational tool in Johnston County. She added this is a free publication.

Item 9b. Council Comments.

No Council comments were presented.

Item 9c. Closed session in accordance with NC GS 143-318.11(a) (3) in order to consult with the Town Attorney.

Council Bob Satterfield motioned to go into closed session as stated. Councilman Art Holder seconded the motion. Motion carried unanimously at 9:01 PM.

Councilman Jason Thompson motioned to return to open session. Councilman Bob Satterfield seconded the motion. Motion carried unanimously at 9:12 PM.

**ITEM 10. ADJOURNMENT**

Mayor Pro Tem Grannis motioned to adjourn; Councilman Bob Satterfield seconded the motion. Motion carried unanimously at 9:13 PM.

Duly adopted by the Clayton Town Council this [REDACTED] day of April 2014, while in regular session.

ATTEST:

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Jody L. McLeod  
Mayor

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Sherry L. Scoggins, MMC  
Town Clerk

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

Agenda Item: 4a

Meeting Date: 4/21/14

**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>
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04-21-14	Introduction(s).	N/A.
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**TOWN OF CLAYTON  
TOWN COUNCIL  
AGENDA COVER SHEET**

Agenda Item: 4b

Meeting Date: 4/21/14

**TITLE: RECOGNITION OF PREMIER ATHLETICS.**

**DESCRIPTION: Presentation of proclamation to representative(s) of Premier Athletics.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-21-14	Recognition.	Proclamation.

**TOWN OF CLAYTON  
RECOGNITION OF PREMIER ATHLETICS**

**WHEREAS**, Premier Athletics began as a class project concept for two MBA program students at the University of Tennessee in the early 1990's; and

**WHEREAS**, the first "Premier Cheerleading" gym opened in Knoxville, Tennessee in 1994; and

**WHEREAS**, Premier Athletics expanded its operations and opened a gym in Clayton, North Carolina in June 2001; and

**WHEREAS**, from the humble beginnings of its first season of a few class students and three all star teams, Clayton Premier Athletics is celebrating its 13<sup>th</sup> season with 28 teams in both Cheer and Dance; and

**WHEREAS**, growth necessitated a second location in Clayton and in 2012 the Little Explorers Program for pre-school aged participants to learn tumbling and gymnastics opened; and

**WHEREAS**, Clayton Premier Athletics sent its first cheer team to Cheerleading Worlds in 2008 and its first dance team to Dance Worlds in 2010; and

**WHEREAS**, over 200 national titles have been won; and.

**WHEREAS**, April 25-28, 2014, five dance teams will participate in the Dance Worlds, and May 2-5, 2014, one cheer team will participate in the Cheer Summit.

**NOW THEREFORE**, the Honorable Mayor and Town Council of the Town of Clayton recognize the dedication and commitment of Premier Athletics in its mission of teaching self confidence, promoting athletes to do their best, and encouraging athletes to have fun and applaud the efforts and accomplishments of the athletic participants.

**FURTHERMORE**, the Honorable Mayor and Town Council of the Town of Clayton wish the athletes the best while participating in Dance Worlds and Cheer Summit.

Duly proclaimed this 21<sup>st</sup> of April 2014, while in regular session.

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Jody L. McLeod,  
Mayor

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

**Agenda Item: 4c**

**Meeting Date: 4/21/14**

**TITLE: PRESENTATION BY THE PUBLIC ART ADVISORY BOARD ON THE DOWNTOWN SCULPTURE TRAIL.**

**DESCRIPTION: A representative of the Public Art Advisory Board will provide a brief presentation showing the selections for the 2014 Downtown Sculpture Trail. The PAAB received 22 artwork submissions from 13 artists and selected up to nine for potential installation.**

**This is being presented as information and does not require Council action.**

**RELATED GOAL: Cultural & Recreational.**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-21-14	Presentation.	Spreadsheet.

**Inventory Downtown Clayton Sculpture Trail 2014**

SUBMISSIONS & SELECTIONS 4/11/14							Proposed		
ARTIST	WORK TITLE	MATERIALS	WIDTH	HEIGHT	DEPTH	WEIGHT	LOCATION	PUBLIC	APPRAISED
								SELLING PRICE	VALUE
Amante, Matt	Semi-Circle Balance Study #14	Stainless steel & river rocks	22"	6'	16"	75 lbs		\$ 2,200.00	
Brouwer, Charlie	He Stooped & Turned To See & Listen	Locust wood	30"	10.5'	30"	250 lbs		\$ 5,000.00	
Coon, Robert	Quetzacoatl's Declination	Aluminum (fabricated/weld)	24"	12'	37"	100 lbs		\$ 30,000.00	
Denton, Andrew	Love Arch	Aluminum & steel	10'	8'	3'	500 lbs		\$ 12,500.00	
Gresko, Gary	Silent Sounds of Service	Aluminum - kinetic mobile	3'	10'	2'	80 lbs		\$ 3,500.00	
Jubran, Hanna	Life Cycle	Stainless steel	4'	10'	2'	600 lbs		\$ 20,000.00	
Moffatt, Susan	Sinuosity	Marble on granite base	37"	4'	20"	1500 lbs		\$ 12,500.00	
Smith, Nelson	Vortex	Stainless steel & concrete	5'	7'	5'	80 lbs		\$ 4,500.00	
Walls, Adam	Windchimes	steel	35"	11'	35"	800 lbs		\$ 4,000.00	
							<b>TOTAL</b>	<b>\$ 94,200.00</b>	<b>\$ -</b>

**NOT SELECTED**

Jubran, Hanna	Earth, Water, Fire, Wind Image	Steel and paint	7'	16'	4'	1200 lbs		\$ 30,000.00	
Krutsch, Jordan	Entrapped Imagination	Oiled steel, red ball	2'	7'	2'	350 lbs		\$ 3,500.00	
Lynch, Casey	Future Ghosts	Steel, LED lights, solar panels	48"	96"	144"	500 lbs		\$ 5,000.00	
Trapp, Wayne	Whimsical Whirlygig	Steel & stainless powder/painted	5'	12'	5'	400 lbs		\$ 18,000.00	
Trapp, Wayne	Double Half in Balance	Steel powder coated	4'	11'	5'	400 lbs		\$ 20,000.00	
Walls, Adam	Core IV	Steel	3'	7'	3'	370 lbs		\$ 5,000.00	
Walls, Adam	Core V	Steel	3'	4'	5'	370 lbs		\$ 5,000.00	
Alexander, Paris	Portal VIII	Carved limestone on marble	22"	48"/78"	15"	750 lbs		\$ 10,500.00	
Amante, Matt	Linear Form #2	Stainless steel	18"	96"	14"	75 lbs		\$ 2,000.00	
Denton, Andrew	Transromation Revisited	Aluminum (fabricated/weld)	5' 5"	10'	5' 5"	200 lbs		\$ 3,000.00	
Denton, Andrew	Ghost Queen	Painted steel, ceramic, plexiglass	10'	8'	3'	500 lbs		\$ 12,500.00	
Gresko, Gary	Red Right Returning	Steel & fiberglass	9'	8'	8'	200 lbs		\$ 3,500.00	
Gresko, Gary	Seahorse	Aluminum	5'	6'	1'	150 lbs		\$ 3,000.00	
							<b>TOTAL</b>	<b>\$ 121,000.00</b>	

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

**Agenda Item: 4d**

**Meeting Date: 4/21/14**

**TITLE: PRESENTATION OF FY 14-15 WORK PLAN FOR THE DOWNTOWN DEVELOPMENT ASSOCIATION.**

**DESCRIPTION:** Each year the Downtown Development Association prepares a work plan for the coming year. As much as possible the goals adopted by the Town Council for the Town of Clayton are incorporated into the work plan. A representative of the Downtown Development Association will provide a brief presentation outlining the goals and work plan for FY 14-15.

This is being presented as information and does not require Council action.

**RELATED GOAL:** Cultural & Recreational.

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-21-14	Presentation.	Spreadsheet.

## Clayton Downtown Development Association Plan of Work -2014-2015

**Vision:** Downtown Clayton is a regional center for artistic expression and a destination where people, business and the arts thrive

**Mission:** Clayton Downtown Development Association is the lead advocate for downtown Clayton

**Implementation Strategy:** Clayton is a designated NC Main Street community that uses the National Trust for Historic Preservation's Main Street Four-Point Approach® which includes: organization, promotion, design and economic restructuring to implement a downtown revitalization initiative.

ORGANIZATION	PROMOTION	DESIGN	ECONOMIC RESTRUCTURING
I. Goal To be the lead agency in the redevelopment of downtown Clayton.	II. Goal To create a positive image of downtown Clayton in order to attract customers and investors and develop community pride.	III. Goal: To build visual harmony and connectivity of existing, new & future spaces in downtown Clayton.	IV. Goal: To retain and expand existing downtown businesses and recruit new business to enhance and balance the economic mix
Objective - <i>Establish procedures, activities and partnerships to achieve the goals of the organization</i>	Objective - <i>To increase public awareness of downtown Clayton through advertising, retail &amp; special events &amp; marketing.</i>	Objective – <i>To provide pedestrian-friendly access to buildings and public spaces</i>	Objective – <i>To expand downtown Clayton's sphere of influence and increase foot traffic and employment base</i>
Strategies –  1. Develop Presentations for Meetings, Expos and other Outreach Opportunities  2. Implement Fundraising Plan  3. Assess and Implement Annual Awards Dinner	Strategies –  1. Initiate "Downtown Bucks" Program  2. Develop "Shop Downtown" Campaign  3. Develop Plan for Seasonal / Event Decorations for Downtown  4. Create Opportunities to Recognize Multi-Cultural Populations	Strategies –  1. Main Street Parking Project  2. Sidewalk Bench Program – Phase 2  3. Sidewalk Planter Program  4. Encourage Property Owners to Develop Upper Floor Residential – Phase 2  5. Create Opportunities for Nightlife - Amenities	Strategies –  1. Develop Robust Business Mix to Reverse 60/40 Service to Retail Ratio  2. Develop & Implement Downtown Business Recruitment Strategy & Materials  3. Strengthen & Expand Existing Businesses

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

Agenda Item: 4e

Meeting Date: 4/21/14

**TITLE: PRESENTATION OF THE FOLLOWING COMMUNITY EVENT REQUESTS:**

- HEARTCHASE 2014 SLATED FOR SATURDAY, MAY 17, 2014;  
AND
- CLAYTON HARVEST & MUSIC FESTIVAL SLATED FOR SEPTEMBER 17-21, 2014.

**DESCRIPTION: HeartChase:**

- Temporary road closure request for Fayetteville Street between Main Street and Second Street
  - Use of Town Square
- This event is for Council review and instruction.

**Clayton Harvest & Music Festival:**

- Temporary road closure of Main Street between O'Neil Street to **Second Street** on 9/20/2014 [NCDOT]
  - Temporary road closure of Lombard Street from Main Street to Second Street on 9/20/2014 [NCDOT]
  - Temporary road closure of Fayetteville Street from Main Street to Second Street from 9/19/2014 to 9/21/2014 [town]
  - Temporary closure of Horne Square and parking lot from 9/14/2014 to 9/22/2014 [town]
  - Temporary closure of Town Square on the following dates: 9/17, and 9/19 – 9/21 [town]
  - Temporary closure of Town Square parking lot on the following dates: 9/16, 9/17, 9/19, 9/20 [town]
- This event is for Council review and instruction.

**RELATED GOAL: Cultural & Recreational**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-21-14	Presentation.	Staff reports (2).



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

**Permit Application Number:** 2014-6  
**Event Name:** HeartChase 2014  
**Event Date(s):** May 17, 2014  
**Location:** Town Square & Downtown Sidewalks

**Downtown/Town Limits/ETJ:** Downtown

**Applicant:** American Heart Association  
**Contact:** James Lipscomb, (919) 422-4704 (cell) [james@myhtr.com](mailto:james@myhtr.com)

**Committee Meeting:** March 27, 2014

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### ORGANIZATION INFO:

**Name of Organization:** American Heart Association  
**Organization Address:** 3131 RDU Center Drive, Suite 100, Morrisville NC 27560  
**Organization Contact:** Michelle Gray **Phone:** (919) 819-2949 [michelle.gray@heart.org](mailto:michelle.gray@heart.org)

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### EVENT INFORMATION

**Location:** Town Square  
**Event Address:** 110 W Main Street  
**Event Start Time:** 8:00 am **Event End Time:** 2:00 pm

**Road Closures:** Yes

**Set Up Time:** 7:00 am **Clean Up Ends:** 3:00 pm **Estimated Attendance:** 300 people

### Description of Event:

Fundraising event for the American Heart Association. 3<sup>rd</sup> year of the event. Town Square will be the start/end point of the event, but participants will “race” to sponsored check-points along downtown sidewalks to partake in heart-healthy activities. The final leg will be a “run” along Fayetteville Street from Four Oaks Bank/HTR Commercial to Wilson Street and back. (see full route description on 3<sup>rd</sup> page of report and on map. (3.1 miles)

A “Fitness Challenge” will take place on Town Square & Fayetteville Street between Main & Second.

1.25 Mile HeartWalk (route description also on 3<sup>rd</sup> page and on map)

The following information is a summary from the Special Event Permit Application. Additional detail may be found on the application.

**YES/NO**

**Tents & Membrane Structures**

Yes Tents? Size(s): 10' x 10'  
 ? Membrane Structures?

**Power Sources**

No Generators:  
 Yes TOC power source(s): Town Square

**Voice/Music Amplification**

Musical Entertainment: # of Bands:  
 Temporary Stage # of Stages:  
 Yes Amplified Sound Start Time: 8:00 am End Time: 2:00 pm

n/a **Hazardous Materials**

Propane, butane, gasoline, diesel tanks, helium cylinders:  
 Portable Heaters  
 Deep fat fryers  
 Fireworks, lasers, torches, candles or other pyrotechnics

n/a **ALCOHOL**

Sold/Served Type:  
 Name of person/organization responsible:  
 Times of Alcohol Sales:  
 Permit Received

n/a **VENDORS**

Mechanical rides Type:  
 Food Vendors  
 Temporary Food Event Sponsor Form received?

**TOWN SERVICES**

**Trash**

3 # Trash Roll-Out Carts  
 3 # Recycled Roll-Out Carts  
 Delivery Location(s): Town Square  
 Delivery date: Friday, May 16 Pickup Date: Monday, May 19

**Cleanup**

n/a Portable Toilets  
 Delivery date: Pickup date:  
 Yes Event Area Cleanup: Organization is responsible for cleanup

n/a **Safety & Security**

Security required for:  
 # off-duty Hours/Dates required:  
 Overnight Security Hours/Dates required:

yes **Site Plan**

**EVENT BOUNDARY & ROAD TRAFFIC PLAN**

Yes Using Public Streets  
Yes Parade, March/Walk, Vehicles, Vendors, Foot/Bike Race, Other  
300 # of expected participants  
# vehicles participating  
# of animals participating in the event  
Type of animals –

**Boundary** – W Main from O’Neil to Fayetteville; Fayetteville to Second; Second to O’Neil and O’Neil to W Main. (Town Square, parking lot and Fayetteville Street)

**ROAD CLOSURE REQUEST**

Fayetteville Street from Main to Second Street 6:00 am – 2:00 pm

300 # of participants expected

**Event Route – Heart Chase (3.1 miles)**

Refer to map

Start on Fayetteville Street at Second Street intersection:  
Run down Fayetteville Street to 1st CHS drive way and turn into their parking lot (Possible 1st Stop)  
Run across parking lot turning at the baseball field and head up hill towards the Fire Department.  
Run thru / around the Fire Department (Possible 2nd Stop) to Horne Street turning right to go towards Ellington Street  
Turn left on Ellington and go to Clayton News Star parking lot (Possible 3rd Stop)  
Leave CNS heading up Second Street to Parking Lot of Town Square (Possible 4th Stop Woodall’s Fitness)  
Leave Town Square Parking Lot continuing east on Second Street to Hocutt Ellington Library (Possible 5th stop)  
Leave Library continuing on Second Street to Annie V’s / Clayton PD (Possible 6th Stop)  
Continue on Second Street towards Super 10 Parking Lot (Possible 7th Stop)  
Continue on Second Street towards DPM studios (Possible 8th Stop)  
Continue on Second Street towards City Florist (Possible 9th Stop)  
Cross over to North Side of Main Street turning left to head West continue to First Federal Bank (Possible 10th Stop)  
Continue on Main Street to HTR Parking Lot (Possible 11th Stop)  
Continue on Main Street to Clayton Mart Parking Lot (Clayton Chiropractic Stop) (Possible 12th Stop)  
Continue on Main Street to Four Oaks Bank parking lot (Possible 13th stop)  
Turn right from Main Street to North Fayetteville running to Wilson Street where the Participants will turn around and run back down Fayetteville Street to Finish Line at HTR Commercial / Four Oaks Bank driveways.

**Event Route – Heart Walk (1.25 miles)**

Refer to map

Start at Town Square go down 2nd Street to City Florist then turn and follow Main back down to the finish line at Fayetteville Street.

## Road Closure/Detour Plan

*Refer to maps*

## USE OF TOWN OWNED PROPERTIES

Signed Use Policy & Procedures received for:

Pending    *Town Square*  
n/a        *Horne Square*  
            *Other*

---

## COMMITTEE DISCUSSION & COMMENTS

- Discussion about participants crossing streets
  - Volunteers will assist participants at cross streets

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## COMMITTEE CONDITIONS

- Copy of permission letter from Clayton High School

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## COMMITTEE ACTIONS:

- **Committee recommends: APPROVAL**
- Committee report will be submitted to Town Clerk by April 11, 2014 for road closure presentation on the April 21 2014 Town Council Work Session Agenda
- Council may approve road closure request during Regular Session on May 5, 2014
- Special Event Permit will be issued by Planning Department upon
  - Town Council approval of requests
  - Proof of all conditions being met

---

## TOWN COUNCIL CONSIDERATIONS

Fayetteville Street from Main Street to Second Street	5/17/14	5:00 am – 2:00 pm
Closure of Town Square Parking Lot	5/17/14	5:00 am – 2:00 pm

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## TOWN COUNCIL ACTION/COMMENTS

- April 21, 2014:
- May 5, 2014:

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## DOCUMENTATION TO BE RECEIVED

- Permission letter from Clayton High School
- Town Square Rules of Use

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## POST EVENT REVIEW

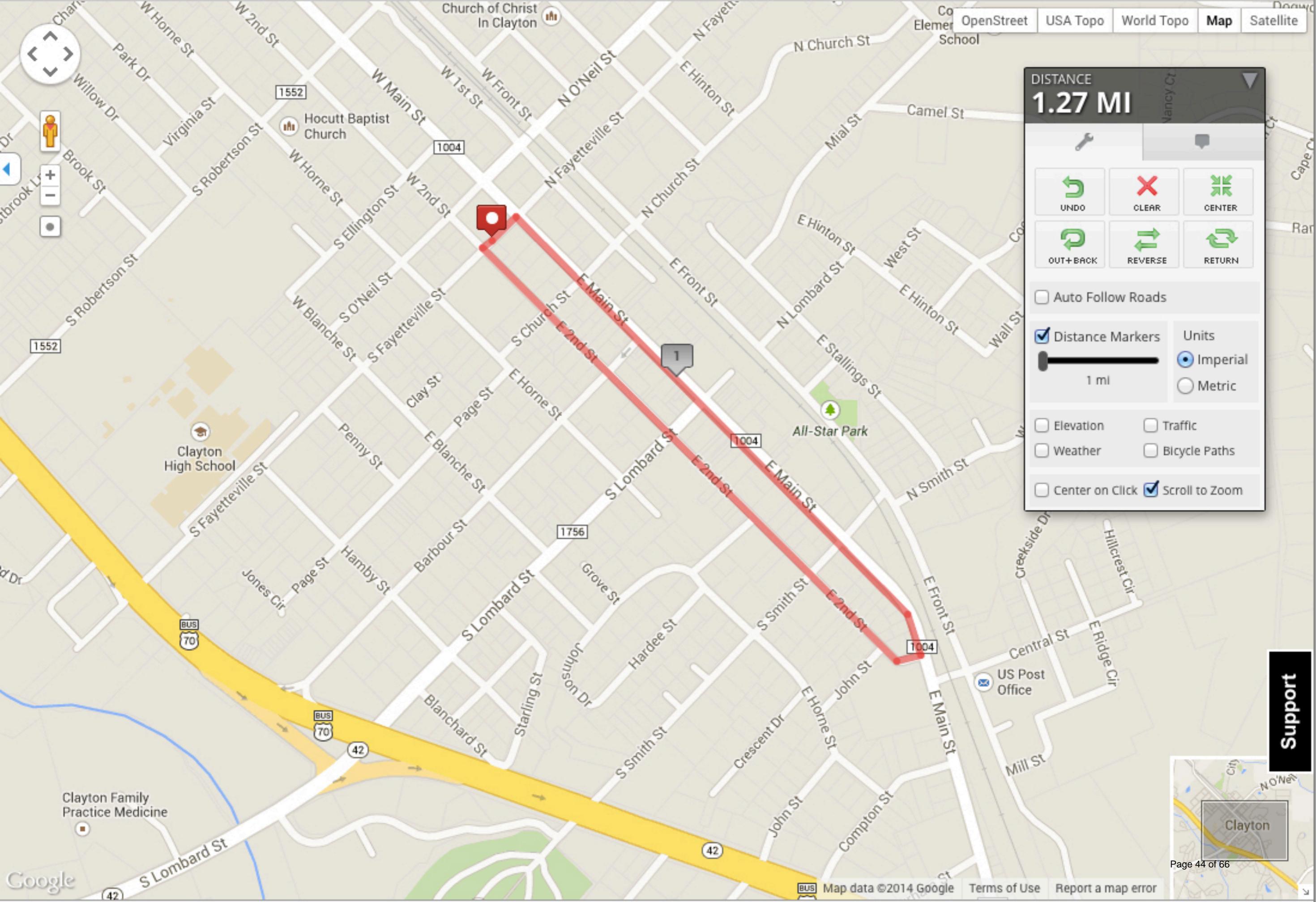
**Scheduled:** May 29, 2014

-

○

**SUBMIT SPECIAL EVENT PERMIT APPLICATION by February 7, 2015**





DISTANCE  
**1.27 MI**

UNDO CLEAR CENTER

OUT+BACK REVERSE RETURN

Auto Follow Roads

Distance Markers Units  
 Imperial  
 Metric

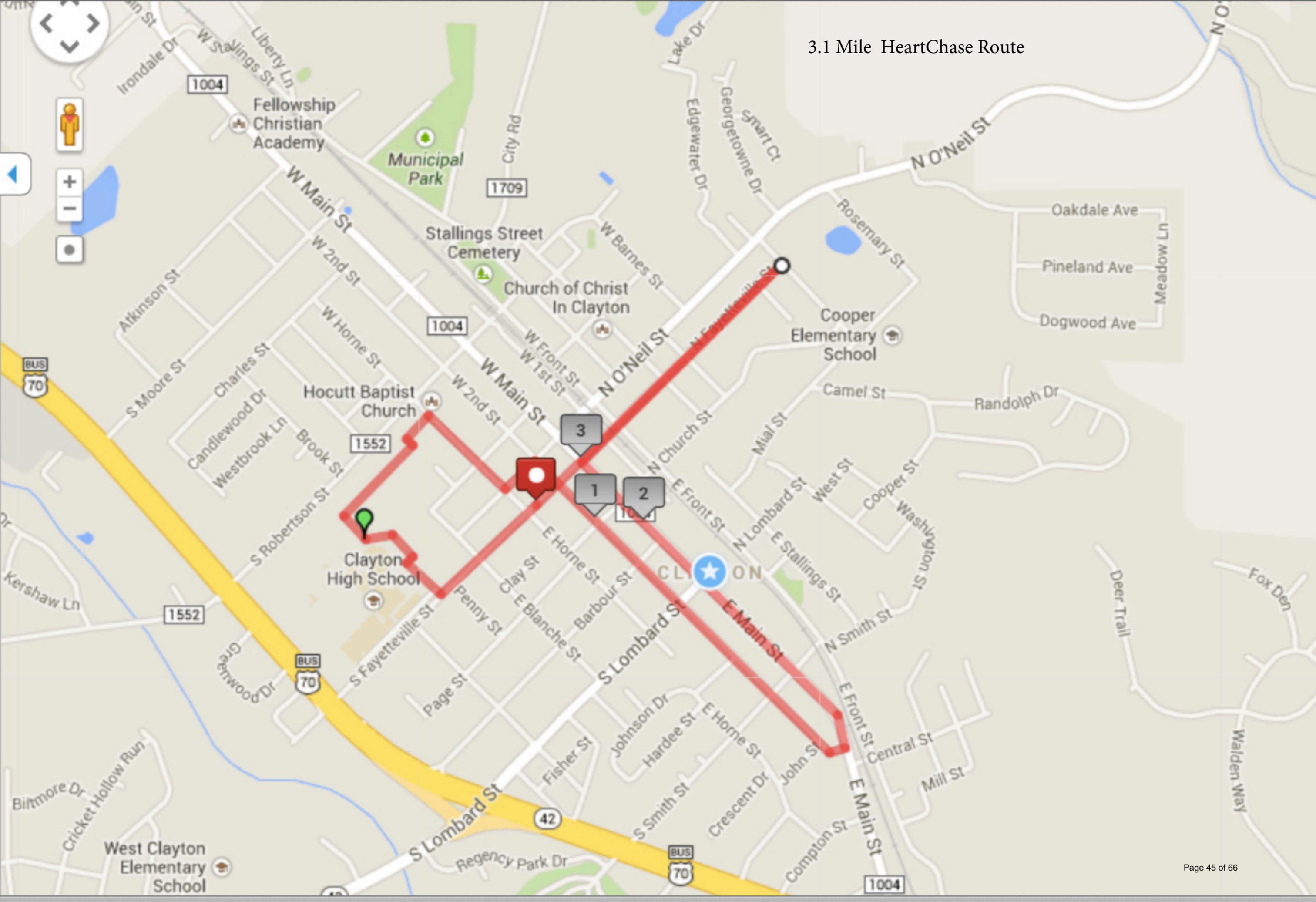
Elevation  Traffic  
 Weather  Bicycle Paths

Center on Click  Scroll to Zoom

Support



3.1 Mile HeartChase Route





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

**Permit Application Number:** 2014-8  
**Event Name:** Clayton Harvest & Music Festival  
**Event Date(s):** September 17 – September 21, 2014  
**Location:** Main Street (from Second Street to O'Neil Street)

**Downtown/Town Limits/ETJ:** Downtown

**Applicant:** Clayton Chamber of Commerce  
**Contact:** Hannah Pellas (919) 553-6352 (office) (919) 628-9271 (cell)  
[Hannah@claytonchamber.com](mailto:Hannah@claytonchamber.com)

**Committee Meeting:** March 27, 2014

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### ORGANIZATION INFO:

**Name of Organization:** Clayton Chamber of Commerce  
**Organization Address:** 301 E Main Street PO Box 246 Clayton, NC 27520  
**Organization Contact:** Jim Godfrey, Executive Director **Phone:** (919) 553-635

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### EVENT INFORMATION

**Location:** Main Street area from Smith St to O'Neil St, including Horne Square, Town Square  
**Event Address:** Downtown area along Main Street  
**Event Start Time:** Various around 5:00 pm **Event End Time:** Various around 11:00 pm

**Road Closures:** Yes, Saturday only

**Set Up Time:** Tuesday, Sept. 16 **Clean Up Ends:** Monday, Sept. 22  
**Estimated Attendance:** 20,000 people primarily on Saturday

### Description of Event:

- The 2014 Clayton Harvest & Music Festival is the premier annual event in Clayton.
- Includes, but not limited to: carnival rides, food vendors, vendor booths selling various items, concerts and community talent showcases and contests
- The festival takes place in various locations in downtown Clayton: Horne Square, Town Square and the length of East Main Street.
- This is a fund-raising event for the Clayton Chamber of Commerce
- This is an annual event the Town of Clayton has partnered with for many years
- Clayton Idol on Wednesday, 9/17 at Town Square
- Zaxby's Movie Night on Friday, 9/19 at Town Square
- Possible Food Truck Rodeo on Fayetteville (between Main & Second) on Saturday 9/20

The following information is a summary from the Special Event Permit Application. Additional detail may be found on the application.

**YES/NO**

**Tents & Membrane Structures**

Yes Tents? Size(s): 10' x 10'  
? Membrane Structures?

**Power Sources**

Yes Generators: used by vendors  
Yes TOC power source(s): Town Square, Horne Square, Library, and Community Garden

**Voice/Music Amplification**

Yes Musical Entertainment: # of Bands: 2  
Yes Temporary Stage # of Stages: 2  
Yes Amplified Sound Start Time: 7:00 pm End Time: 10:30 pm (Saturday)

**Hazardous Materials**

No Propane, butane, gasoline, diesel tanks, helium cylinders:  
No Portable Heaters  
Yes Deep fat fryers  
No Fireworks, lasers, torches, candles or other pyrotechnics

**ALCOHOL**

Yes Sold/Served Type: beer/wine  
Name of person/organization responsible: pending at this time (permit required)  
Yes Times of Alcohol Sales: 7:00 pm – 10:30 pm  
**NO** Permit Received

**VENDORS**

Yes Mechanical rides Type: Carnival rides  
Yes Food Vendors  
**NO** Temporary Food Event Sponsor Form received?

**TOWN SERVICES**

**Trash**

? # Trash Roll-Out Carts  
? # Recycled Roll-Out Carts  
Delivery Location(s): Various  
Delivery date: Wed. Sept 17 Pickup Date: Monday, Sept 22

**Cleanup**

Yes Portable Toilets  
Delivery date: Wed. Sept 17 Pickup date: Monday, Sept 22  
Event Area Cleanup: Organization is responsible for cleanup  
Pending Solid Waste Plan – Chamber will purchase small trash cans for easier trash disposal

**Safety & Security**

Yes Security required for: alcohol, stage security (volunteers)  
? # off-duty Hours/Dates required: unknown at this time  
Yes Overnight Security Hours/Dates required: unknown at this time

Yes **Emergency Services Plan** (see Committee Discussion)

Yes **Site Plan**

**EVENT BOUNDARY & ROAD TRAFFIC PLAN**

Yes Using Public Streets  
Vendors Parade, March/Walk, Vehicles, Vendors, Foot/Bike Race, Other  
200+ # of expected participants  
200 # vehicles participating Car Show – *Cars will face west from Second Street to Lombard*  
- Cars will exit S Lombard Street – Cars east of Smith Street will exit to US 70 Business. Car show organizers will control pedestrians from accessing east of Lombard while cars are exiting.  
? # of animals participating in the event  
Type of animals – dogs/cats will be at vendor booths

**Boundary** – Main Street from O’Neil Street to Second Street including Horne Square and Town Square

**ROAD CLOSURE REQUEST**

Main Street from O’Neil Street to Second Street 5:00 am – 6:00 pm 9/20/14  
Lombard Street from Main Street to Second Street 5:00 am – 6:00 pm 9/20/14  
Fayetteville Street from Main Street to Second Street 5:00 am 9/19 – 6:00 pm 9/21/14  
Town Square **9/17** 5:00 am – 10:00 pm; 5:00 am **9/19** to 6:00 pm **9/21/14**  
20,000 # of participants expected

**Event Route**  
*Same as above*

**Road Closure /Detour Plan**  
*Refer to map*  
pending Traffic Control Plan – barricades will be coordinated by PD

**USE OF TOWN OWNED PROPERTIES**  
Signed Use Policy & Procedures received for:  
Pending *Town Square*  
pending *Horne Square*  
*Other*

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**COMMITTEE DISCUSSION & COMMENTS**

- Emergency Access
  - Space will be open for emergency vehicle access to Main Street at
    - N Church Street
    - S Lombard Street
    - North & South O’Neil Street
  - Jason Dean (CFD) will prepare and distribute EMS map
- Command Post
  - Located at N Lombard & dead end
- Temporary Water access
  - Public Works needs Locations
  - Waste handling one-time drop
- NCDOT Message Board
  - Jeffra noted an opportunity for use of additional message boards
  - She will send contact info to Bruce for coordination with boards on US 70

- Electric & water costs for carnival rides will be charged to the Chamber of Commerce
  - Account to be set up by Chamber
- **Committee will meet with event organizers again in APRIL 2014 for continued communications**

## COMMITTEE CONDITIONS

Committee members recommend approval of the event with the following conditions:

- Damage deposit \$250.00 will be required from carnival/rides vendor
- Ride vendor needs to locate rides away from emergency access areas on First St Extension
- Chamber will provide Ride Layout Plan to committee
- Copies of all permits issued by State, County or Town need to be submitted to TOC Planning Department prior to August 22, 2014

## COMMITTEE ACTIONS:

- **COMMITTEE RECOMMENDS APPROVAL**
- Committee report will be submitted to Town Clerk by April 11, 2014 for road closure presentation on the April 21 2014 Town Council Work Session Agenda
- Council may approve road closure request during Regular Session on May 5, 2014
- Special Event Permit will be issued by Planning Department upon
  - Town Council approval of requests
  - Receipt of NCDOT Letter of Approval for road closures
  - Proof of all conditions being met

## TOWN COUNCIL CONSIDERATIONS

Closure of Main Street from O'Neil Street to Second Street	9/20/14	5:00 am – 6:00 pm
Lombard Street from Main Street to Second Street	9/20/14	5:00 am – 6:00 pm
Fayetteville Street from Main Street to Second Street	9/20/14	5:00 am – 11:00 pm
Closure of Horne Square & Parking Lot	9/14/14 – 9/22/14	all day and night
Closure of Town Square Parking Lot	9/16, 9/17, 9/19 & 9/20	5:00 am – 11:00 pm

## TOWN COUNCIL ACTION/COMMENTS

- April 21, 2014:
- May 5, 2014:

## DOCUMENTATION TO BE RECEIVED

- Ride Layout Plan
- Fire Access Map
- Solid Waste Plan
- Street Closure Plan with who's responsible for barricade placement and pickup

## POST EVENT REVIEW

**Scheduled:** September 25, 2014

•

**SUBMIT SPECIAL EVENT PERMIT APPLICATION by April 10, 2015**

**Space Assignments:**

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# Clayton Harvest Festival

## Vendor space layout

Main Street from  
O'neil to Church Streets

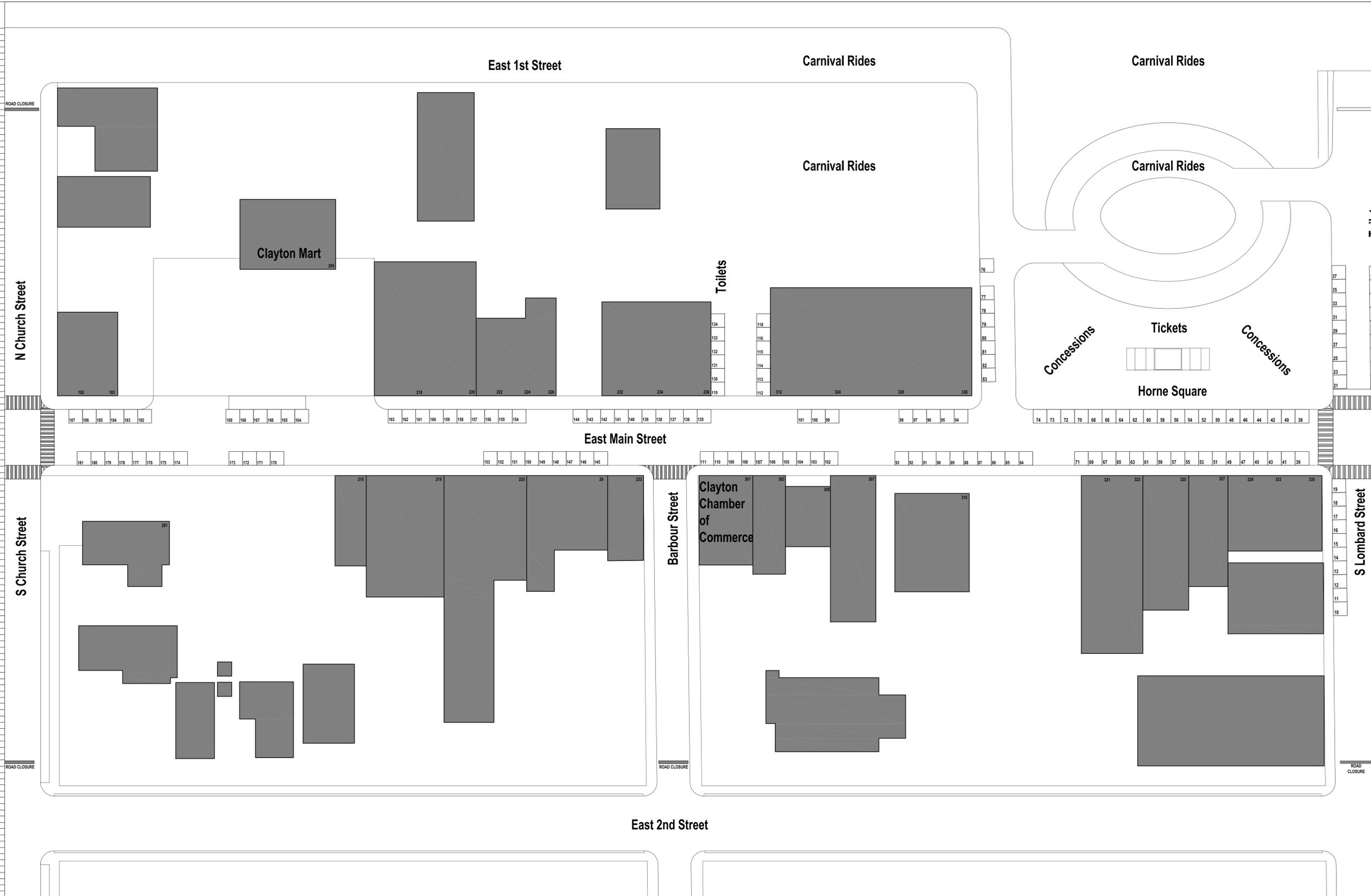
**A**  
19 June 2013



prepared by:  
**McClentics Architectural Design**  
P.O. Box 763 Clayton, NC 27528  
ph: 339-987-0437 www.mccleinticsdesign.com

Space Assignments continued:

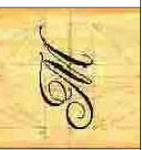
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# Clayton Harvest Festival Vendor space layout

Main Street from  
Church to Lombard Streets

**B**  
19 June 2013



prepared by:  
**McClentlic Architectural Design**  
P.O. Box 763 Clayton, NC 27528  
ph: 339-987-0437 www.mcclentlicdesign.com



S Smith Street

S Smith Street

# Clayton Harvest Festival Vendor space layout

Main Street from  
Lombard to Smith Streets



prepared by:  
**McClentick Architectural Design**  
P.O. Box 763 Clayton, NC 27528  
ph: 339-987-0437 www.mccleintickdesign.com

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

**Agenda Item: 4f**

**Meeting Date: 4/21/14**

**TITLE: PRESENTATION OF REVISION TO THE FAÇADE GRANT.**

**DESCRIPTION:** The request is to increase the reimbursement on a flexible percentage rate between 50% and 75% on a case by case basis.

This request is for Council review and instruction.

**RELATED GOAL:** Administration.

**ITEM SUMMARY:**

Date:

Action:

Info. Provided:

04-21-14

Presentation.



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

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TO: Town Council Members, Mayor Jody McLeod  
FROM: David DeYoung, Planning Director  
Bruce Naegelen, Downtown Development Coordinator

DATE: April 21, 2014

SUBJECT: Request for Revision of Downtown Façade Improvement Grant Formula

### **Background**

The Downtown Façade Improvement Grant was initiated in FY07/08. The program provides a 50% reimbursement of eligible expenses in façade improvements for commercial buildings in the downtown district.

Twenty-two (22) façade projects have been completed as of June 30, 2013. A total of \$55,810 in public funds has been invested in the program spurring private investment of \$307,523 in façade and other associated improvements. The program has returned \$5.51 in private investment for every \$1.00 invested by the Town of Clayton.

Of the approximately 70 buildings/storefronts from Robertson Street to Mosaic Community Garden, there are approximately 20 storefronts/buildings remaining that could stand some level of façade improvement. 52% of the Main Street facades have been improved (*22 past FIG projects + 20 potential projects = 42 facades*). There has been an average of 3.6 projects per year. One year with 6 projects, two with 5, one with 3 and two with 1.

### **Consideration**

Some of the remaining projects could require extensive facade improvements and others have owners who may not be generating enough revenue to afford improvements at the 50% shared level. A greater reimbursement level could make a difference with some of the potential projects.

### **Conclusion**

In an effort to achieve the façade improvements desired to improve the appearance in downtown Clayton we are requesting that the reimbursement formula in the Downtown Façade Improvement Grant Program rate be made variable from not lower than 50% to no higher than 75%. The change would take effect upon approval from Town Council for the balance of the current fiscal year and forward.

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

**Agenda Item: 5a**

**Meeting Date: 4/21/14**

**TITLE: PRESENTATION OF PROCLAMATION: MAY 2014 AS “OLDER AMERICANS MONTH.”**

**DESCRIPTION: May 2014 is “Older Americans Month.”**

Friday, May 16, 2014, the Town of Clayton Recreation Department and the Community and Senior Services of Johnston County will co-host activities in the Council Chambers at the Clayton Town Hall from 10:00 AM to 12:00 noon.

This request is for Council review and instruction.

**RELATED GOAL: Cultural & Recreational.**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-21-14	Presentation.	Proclamation.

**TOWN OF CLAYTON  
PROCLAIMING MAY 2014 AS OLDER AMERICANS MONTH**

**WHEREAS**, the Town of Clayton joins the State of North Carolina and the Nation in declaring May as Older Americans Month; and

**WHEREAS**, in 1963 the “Older Americans Act” was adopted by the United States Congress; and

**WHEREAS**, America’s aging population reached a turning point in 2006 as one of our nation’s largest generations, the baby boomers, started turning 60 – becoming eligible for programs under the Older Americans Act; and

**WHEREAS**, May has traditionally been celebrated with tributes to older persons through ceremonies, events, fairs, and other activities at Senior Centers and other locations; and

**WHEREAS**, the Administration for Community Living has announced that the theme for Older Americans Month 2014 is “*Safe Today, Healthy Tomorrow*,” and

**WHEREAS**, older Americans are productive, active, and influential members of society, sharing essential talents, wisdom, and life experience with their families, friends, and neighbors; and

**WHEREAS**, in recognition of Older Americans Month, the Town of Clayton and the Community and Senior Services of Johnston County will co-host activities in the Council Chambers at the Clayton Town Hall on Friday, May 16th, 2014, from 10:00 AM until 12:00 PM, for the young at heart aged 55 and older.

Now, therefore, let it be proclaimed by the Honorable Mayor and Town Council of the Town of Clayton that the month of May is recognized as “**Older Americans Month.**” Let it also be proclaimed that all citizens in the Clayton area are encouraged to join in this celebration.

Duly proclaimed this \_\_\_\_\_ day of May 2014, while in regular session.

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Jody L. McLeod,  
Mayor

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

**Agenda Item: 5b**

**Meeting Date: 4/21/14**

**TITLE: PRESENTATION OF PROCLAMATION: MAY 4-10, 2014 AS  
“MUNICIPAL CLERKS WEEK.”**

**DESCRIPTION: Proclamation.**

**This request is for Council review and instruction.**

**RELATED GOAL: Administration.**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-21-14	Presentation.	Proclamation.

**Town of Clayton**  
**Proclaiming May 4-10, 2014, as Municipal Clerks Week**

**Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and**

**Whereas, The Office of the Municipal Clerk is the oldest among public servants, and**

**Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and**

**Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and**

**Whereas, The Municipal Clerk serves as the information center on functions of local government and community, and**

**Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations, and**

**Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.**

**Now, Therefore, the honorable Mayor and Town Council of the Town of Clayton recognize the week of May 4 through May 10, 2014, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Sherry L. Scoggins, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.**

**Duly adopted this            day of May 2014, while in regular session.**

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

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

**Agenda Item: 5c**

**Meeting Date: 4/21/14**

**TITLE: PRESENTATION OF WARRANTY ACCEPTANCES FOR THE FOLLOWING:**

- **ASPHALT PAVEMENT INSTALLED IN MITCHINER HILLS SUBDIVISION, PHASE 2;**
- **PUBLIC WATER, SEWER, & ASSOCIATED STORM DRAINAGE UTILITIES FOR RWAC, PHASES 2D & 2F (RAVENS RIDGE);**
- **PUBLIC WATER UTILITY FOR RIVERWOOD RANCH BOULEVARD EXTENSION;**
- **PUBLIC WATER, SEWER, & ASSOCIATED STORM DRAINAGE UTILITIES FOR RWAC, PHASES 6D-1 (ALPINE VALLEY)**

**DESCRIPTION: Warranty acceptances - attached.**

**This request is for Council review and instruction.**

**RELATED GOAL: Administration.**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
04-21-14	Presentation.	Proclamation.

# TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE  
(919) 553-1530

VEHICLE MAINTENANCE  
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS  
(919) 553-1530

WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector 

Date: March 20, 2014

Cc: Dave DeYoung, Planning Director  
Jerry Sauls, Poole Paving

Subject: Mitchiner Hills Subdivision, Phase 2

The asphalt pavement has been installed within the subject development. Please schedule Council action for the acceptance of this work, subject to a one-year warranty period. Following the warranty period, pavement and base course conditions will be evaluated and any identifiable faults corrected by the developer prior to final acceptance.

# TOWN OF CLAYTON OPERATIONS CENTER

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(919) 553-1530

WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector 

Copy: Donnie Adams, DC Adams Engineering  
David DeYoung, Planning Director

Date: April 10, 2014

Subject: RWAC, Phases 2D & 2F (Ravens Ridge)

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

Rec'd 14-14

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WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector 

Copy: Donnie Adams, DC Adams Engineering  
David DeYoung, Planning Director

Date: April 10, 2014

Subject: Riverwood Ranch Boulevard Extension

Please place a warranty acceptance request for the subject public water utility on the next available agenda. Record drawings have been reviewed and accepted. Following acceptance, the utility will be subject to a one-year warranty period. Following expiration of said warranty, a final inspection will be done and all deficient items corrected prior to final acceptance.

# TOWN OF CLAYTON OPERATIONS CENTER

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(919) 553-1530

WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector *CR*

Copy: Donnie Adams, DC Adams Engineering  
David DeYoung, Planning Director

Date: April 10, 2014

Subject: RWAC, Phases 6D-1 (Alpine Valley)

Please place a warranty acceptance request for the subject public water, sewer, & associated storm drainage utilities on the next available agenda. Record drawings have been reviewed and accepted. Following acceptance, the utilities will be subject to a one-year warranty period. Following expiration of said warranty, 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: 4/21/2014**

**TITLE: STATUS OF THE ITEMS FOR THE INSPECTIONS DEPARTMENT:**  
▪ RESTORATION OF POSITION  
▪ AMENDING THE FEES

**DESCRIPTION:** This was a verbal report by the Town Manager at the February 17, 2014, Council meeting.

**RELATED GOAL:** Administration.

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
02-17-14	Discussion.	
03-03-14	Discussion.	
04-21-14	Discussion.	

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

Agenda Item: 9c

Meeting Date: 04/21/14

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events

- ~~Board of Adjustment Mtg – Wednesday, April 16, 2014 @ 6 PM~~ – Cancelled
- Good Friday Holiday – Friday, April 18, 2014
- Council Mtg – Monday, April 21, 2014 @ 6:30 PM
- Planning Board Mtg – Monday, April 28, 2014 @ 6 PM
- Zaxby's Movie Night – Saturday, May 3, 2014 from 6 PM to 10 PM at Town Square
- Council Mtg – Monday, May 5, 2014 @ 6:30 PM
- Clayton Road Race – Saturday, May 10, 2014, from 8 AM to 11 AM, Downtown Clayton beginning at the Clayton Town Hall, 111 E 2<sup>nd</sup> Street
- Ethics Webinar 2014 – Wednesday, May 14, 2014, from 10 AM to 12 noon, Four Oaks Room
- 2014 Legislative Session [the Short Session] – Wednesday, May 14, 2014 at 12 noon
- Town Square Concert Series – Southern Grace – Thursday, May 15, 2014 from 6 PM to 9 PM at Town Square
- Council Mtg – Monday, May 19, 2014 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, May 21, 2014 @ 6 PM
- Fire Advisory Board Mtg – Thursday, May 22, 2014 @ 7 PM at Fire Station 1, 325 West Horne Street
- Memorial Day Holiday – Monday, May 26, 2014
- Planning Board Mtg – **TUESDAY**, May 27, 2014 @ 6 PM
- Council Mtg – Monday, June 2, 2014 @ 6:30 PM
- NCLM Town Hall Day – Wednesday, June 4, 2014
- MillStock Music & Art Faire – Saturday, June 7, 2014, from 10 AM to 4 PM at Horne Square
- Downtown Development Association Mtg – Monday, June 9, 2014 @ 6:30 PM in room GS 223
- Council Mtg – Monday, June 16, 2014 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, June 18, 2014 @ 6 PM
- Town Square Concert Series – Brickhouse Band – Thursday, June 19, 2014 from 6 PM to 9 PM at Town Square
- Planning Board Mtg – Monday, June 23, 2014 @ 6 PM
- Independence Day Holiday – Friday, July 4, 2014
- Council Mtg – Monday, July 7, 2014 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, July 16, 2014 @ 6 PM
- Town Square Concert Series – Steve Owens & Summertime – Thursday, July 17, 2014 from 6 PM to 9 PM at Town Square

- Council Mtg – Monday, July 21, 2014 @ 6:0 PM
- Fire Advisory Board Mtg – Thursday, July 24, 2014 @ 7 PM at Fire Station 1, 325 West Horne Street
- Planning Board Mtg – Monday, July 28, 2014 @ 6 PM
- Council Mtg – August 4, 2014 @ 6:30 PM
- National Night Out – Tuesday, August 5, 2014, from 5:30 PM to 8:30 PM at Town Square
- Council Mtg – August 18, 2014 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, August 20, 2014 @ 6:00 PM
- Town Square Concert Series – Mostly Crue – Thursday, August 21, 2014 from 6 PM to 9 PM at Town Square
- Planning Board Mtg – Monday, August 25, 2014 @ 6:00 PM
- Labor Day Holiday – Monday, September 1, 2014
- Council Mtg – **TUESDAY**, September 2, 2014 @ 6:30 PM
- Zaxby’s Movie Night – Saturday, September 13, 2014 from 6 PM to 10 PM at Town Square
- Council Mtg- Monday, September 15, 2014 @ 6:30 PM
- Board of Adjustment Mtg –Wednesday, September 17, 2014 @ 6:00 PM
- Town Square Concert Series – Nantucket – Thursday, September 18, 2014 from 6 PM to 9 PM at Town Square
- Planning Board Mtg – Monday, September 22, 2014 @ 6:00 PM
- Council Mtg – Monday, October 6, 2104 @ 6:30 PM
- NCLM Annual Conference – October 12-14, 2014; Greensboro, NC
- Board of Adjustment Mtg – Wednesday, October 15 2014 @ 6:00 PM
- Council Mtg – Monday, October 20, 2014 @ 6:30 PM
- Planning Board Mtg – Monday, October 27, 2014 @ 6:00 PM
- Fall Back: 2014 Daylight Saving Time ends – Sunday, November 2, 2014, at 2 AM
- Council Mtg – Monday, November 3, 2014 @ 6:30 PM
- Veteran’s Day Holiday – Tuesday, November 11, 2014
- Council Mtg – Monday, November 17, 2014 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, November 19, 2014 @ 6:00 PM
- Planning Board Mtg – Monday, November 24, 2014
- Thanksgiving Day Holiday – Thursday, November 27, 2014 & Friday, November 28, 2014
- Council Mtg – Monday, December 1, 2014 @ 6:30 PM
- Council Mtg – Monday, December 15, 2014 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, December 17, 2104 @ 6:00 PM
- Christmas Holiday – Wednesday, December 24, 2014; Thursday, December 25, 2014; & Friday, December 26, 2014

Date:  
04-21-14

Action:  
N/A

Info. Provided:  
Calendar of Events