



**The Town Of Clayton
Regular Town Council Meeting Agenda
Monday, May 2, 2016 @ 6:30 PM
Council Chambers**

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

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

- a. Draft Minutes - April 18, 2016
[Cover - Draft Minutes](#)
[April 18 2016 DRAFT Minutes](#)
- b. Warranty Acceptance - Summerlyn, The Meadows, Phase 5, 6, & 7
[Cover - Warranty Acceptance - Summerlyn, The Meadows Phases 5 6 & 7](#)
[Warranty Acceptance - Summerlyn](#)
- c. National Police Week 2016 Proclamation
[Cover - National Police Week Proclamation](#)
- d. Proclamation - National Day of Prayer
[Cover - Proclamation - National Day of Prayer](#)

POTENTIAL ACTION: Approval of Consent Agenda as Presented

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Presentation of 2016 Police Week Proclamation
Presenter: Jody McLeod, Mayor
[2016 Police Week Proclamation](#)
- b. Presentation of National Day of Prayer Proclamation
Presenter: Jody McLeod, Mayor
[National Day of Prayer Proclamation](#)
- c. Recognition of Citizens Involved with Clayton Roadside/Litter Cleanup
[Cover - Clayton Cleanup Recognition](#)

5. ADMINISTRATIVE ITEMS

- a. Resolutions Authorizing Johnston & Wake Counties to Collect Taxes
[Cover - Resolutions Authorizing Collection of Taxes](#)
[Resolution Authorizing Johnston County to Collect Taxes 2016](#)
[Resolution Authorizing Wake County to Collect Taxes 2016](#)

POTENTIAL ACTION: Place on May 16, 2016 Consent Agenda

6. PUBLIC HEARINGS

- a. Special Use Permit - 222 E Main Lounge - Proposed Cocktail Lounge -2016-38-SUP

Presenter: Planning Department

[Cover - Special Use Permit - 222 E. Main Lounge - 2016-38-SUP](#)

[Application - 2016-38-SUP](#)

[Staff Report - 2016-38-SUP](#)

[Staff Report Map - 2016-38-SUP](#)

[Site Plan - 2016-38-SUP](#)

[Neighborhood Meeting - 2016-38-SUP](#)

[Neighborhood Meeting Minutes - 2016-38-SUP](#)

[Newspaper Ad - 2016-38-SUP](#)

[Approval - 2016-38-SUP](#)

[Motion Form - 2016-38-SUP](#)

POTENTIAL ACTION: Approval/Disapproval 2016-38-SUP

7. OLD BUSINESS

- a. Resolution - Malt Beverage Referendum
[Cover - Malt Beverage Referendum](#)
[Resolution - Malt Beverage Referendum](#)

POTENTIAL ACTION: Approval/Disapproval

- b. Resolution - Declaring Annex Building as Surplus Property
Presenter: Steve Biggs, Town Manager
[Cover - Declare Annex Building as Surplus Property](#)
[Resolution Declaring Annex Building as Surplus Property](#)

POTENTIAL ACTION: Approval/Disapproval Resolution #2016-15

8. NEW BUSINESS

- a. Economic Infrastructure Grant
Presenter: Steve Biggs, Town Manager
[Cover - Economic Infrastructure Grant](#)
[Resolution - Economic Infrastructure Grant](#)

POTENTIAL ACTION:

Approval/Disapproval Resolution #2016-16

9. STAFF REPORTS

- a. Town Manager
- b. Town Attorney
- c. Town Clerk
- 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 LOCATION:

Consent

Meeting Date:

May 2, 2016

ITEM TITLE:

Draft Minutes - April 18, 2016

DESCRIPTION:

Draft minutes from the April 18, 2016 Town Council meeting are presented for consideration of approval.

POTENTIAL ACTION:

DEPARTMENT:

Administration

PRESENTER:

Kimberly A. Moffett Town Clerk

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:



**The Town Of Clayton
Town Council Work Session Meeting Minutes
Monday, April 18, 2016 @ 6:30 PM
Council Chambers**

COUNCIL PRESENT:

Mayor McLeod
Mayor Pro Tem Grannis
Council Member Satterfield
Council Member Lawter
Council Member Holder
Council Member Thompson

STAFF PRESENT:

Steve Biggs, Town Manager
Nancy Medlin, D/Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
David DeYoung, Planning Director
Robert McKie, Finance Director
Stacy Beard, Public Information Officer
Jay McLeod, Planner
R.W. Bridges, Police Chief
Catherine Whitley, HR Director
John Hamlin, A/Public Information Officer

COUNCIL ABSENT:

1 CALL TO ORDER

- a) Pledge of Allegiance and Invocation

The meeting was called to order at 6:34 p.m. Mayor McLeod led everyone in the Pledge of Allegiance as well as offering the Invocation.

- b) Special Performance of the National Anthem by Clayton High School Members of the North Carolina All-State Choir

Members of the North Carolina All-State Choir performed a beautiful version of the National Anthem.

2 ADJUSTMENT OF THE AGENDA

3 CONSENT AGENDA

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

- a) Draft Minutes - March 21, 2016 and April 4, 2016

ACTION: Approval of Consent Agenda as Presented

Motion: Council Member Holder
Second: Council Member Thompson
Vote: Unanimous

4 ADMINISTRATIVE ITEMS

- a) Warrantly Acceptance - Summerlyn, The Meadows, Phase 5, 6, & 7

ACTION: Placed on May 2, 2016 Consent Agenda

- b) National Police Week 2016 Proclamation

ACTION: Placed on May 2, 2016 Consent Agenda

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) North Carolina All-State Choir

Stacy Beard, Public Information Officer, shared information regarding the Clayton HS students who are part of the North Carolina All State Choir. She provided background information regarding the audition process. She stated there are a total of 900 students across the state that are part of the All State Choir. The choir will be performing at the Raleigh Memorial Auditorium. Certificates of Appreciation were presented to each student by Mayor McLeod. All members of the Council offered their support and acknowledged the amazing talent of these students.

- b) Arthritis Study - UNC

Presenter(s): Larry Bailey, Parks & Recreation Director and Chris Mygrant, WE-CAN Osteoarthritis Study

Mr. Larry Bailey, Parks & Recreation Director introduced Chris Mygrant. Background information about the UNC Osteoarthritis Study known as WE-CAN, Weight Loss and Exercise for Communities, was provided.. The Clayton Community Center will serve as a site for study groups in Johnston County. This study will be for those folks who are experiencing arthritic pain as well as desiring a weight loss. Previous study groups indicated improvement in areas of decreased joint loads, lowering of inflammation and pain. Recruitment will begin shortly for participants. Each participant will receive a clinical exam as well and nutritional and exercise classes. Each study group will last for a total of 18 months. All study groups will remain small and it anticipated that there will be numerous study groups that will have staggered start dates. Follow up study information will be provided.

- c) Public Art Advisory Board - Sculpture Tour

Presenter: Jason Hardy, Public Arts Advisory Board Chair

Jason Hardy, who serves as Chair of the Public Arts Advisory Board was present and shared upcoming 2016 2017 sculpture trail selections. They are as follows:

Life by Adam Walls will be placed at the Front Street Roundabout
Tree by Adam Wall will be placed at the Spring Branch Medical Park
Oasis by Cathy Perry will be placed in Horne Square - Lombard Street Side
Bare Bones by Christina Vagn Hansen will be placed in Horne Square West Side

Harlequin by Christina Vagn Hansen will be placed in Horne Square
In Motion by Hanna Jubran will be placed in Town Square - Fayetteville Street Side
Last Dance by Hanna Jubran will be placed in Town Square - O'Neil Street Side
Motion #3 by Hanna Jubran will be placed at the Clayton Community Center
Fly Me To The Moon by Jordan Parah will be placed at the Hocutt Ellington Memorial Library
Harmonious Balance by Jordan Parah will be placed in Horne Square Center

Additionally two alternatives were selected; Twisting Tree by Michael Russell and Farmstead by Rudy Rudisill.

Mr. Hardy reminded everyone there will be a Spring Art Walk that will take place on Saturday, April 30, 2016 from 1-4 p.m.

The bird art project along the greenway will be taken down and some the art pieces will be available for sale. Replacing the bird art project will be the fish art project. There are a total of 130 art pieces that will be placed. Most pieces will be placed along the greenway trails, however, some of the art pieces will be placed downtown. Mr. Hardy offered his appreciation and thanks to Jane Roberts who served as the coordinator for these projects. He stated her assistance was invaluable.

Council Members all offered their thanks and appreciation for all amazing work that has been done by the Public Arts Advisory Board. Clayton is unique and now recognized as an arts community in part to all the dedication of this board. Mr. Biggs gave brief history of desire for Clayton and the arts. He offered his sincere appreciation for the assistance provided in making this vision become a reality.

Mr. Hardy also shared information regarding the upcoming Clayton Center Window Public Art project where artists will repurpose some of windows recently removed the Clayton Center. The theme will be a view into the past and the future of Clayton. It is anticipated these pieces will be located all around the town.

- d) Proclamation Request - National Day of Prayer
Presenter: Angela Williams, Interstate Ministries of Clayton

Ms. Angela Williams of Interstate Ministries in Clayton was present and requested a Proclamation be issued recognizing May 5, 2016 as National Day of Prayer.

ACTION: Placed on May 2, 2016 Consent Agenda

- e) Pay and Classification Study
Presenter: Becky Veazey, MAPS Group

Mr. Biggs introduced Becky Beazey and shared the twenty year history and

background between MAPS and the Town of Clayton. The purpose of these studies to evaluate that Town of Clayton employment grades are relative to the current market. Ms. Veazey stated this was the second phase of the study that began last year. She emphasized the study is about jobs and duties and comparing them to the current market and making recommendations for adjustments. She also shared information that those positions indicating recommendation for increase in classification are currently considered behind market. These recommendations in essence would be catching up to the current market and not be considered an increase.. A total of 61 positions were evaluated with 41 positions recommended for an upgrade, 16 positions remained the same and 4 were recommended to be lowered. The largest adjustment is 4 pay grades. Should all recommendations be implemented total salary dollars would equal \$95,339.

Mr. Biggs advised Council this information would be incorporated into the budget for Council review and consideration, with no need for any action to be taken at this time.

- f) Clayton Police Department Annual Report
Presenter: Chief R.W. Bridges, Clayton Police Department

Chief Bridges shared offered an annual report for the Clayton Police Department. Some of the highlights included a overall decrease of 5.61% in crime index, hiring of two new Police Officers, hiring of one new civilian staff member, attainment of numerous professional certificate awards as well as numerous departmental awards and recognitions. Additionally Clayton Police Department received Gold Standard Re-Accreditation Award with Excellence from CALEA. Two officers were promoted to the rank of Sergeant. In 2015 the Clayton Police Department investigated a total of 734 traffic accidents, while the total number was increased from the previous year there was a slight decreased in injuries resulting from the accidents. There was a total of 6 pursuits reported in 2015. It is Department policy that all pursuits are documented and reviewed. There was a total of 31,364 calls for service in 2015 which is 4,418 more calls than handled in 2014. In 2015 a total of 11 complaints were received, this number represents those received from citizens as well as those initiated internally. Chief Bridges briefly discussed the constant check kept on bias based policing. All internal, FBI and CALEA checks indicated our Police Department is in a very good place.

Mayor Pro Tem Grannis thanked Chief Bridges for the informative report and stated how pleased he was with all the progress. Council Member Lawter offered his thanks and appreciation for all the hard work and dedication offered by on a daily basis by all members of the Police Department.

- g) Community Development/Planning Annual Report
Presenter: David DeYoung, Planning Director

Mr. DeYoung provided a copy of the annual report for 2015. He reported on the many changes seen in the Community Development Section to include the creation of new office spaces. Mr. DeYoung stated the Code Enforcement Section to include zoning and nuisance enforcement is doing extremely well.

He stated that Downtown Development has seen many changes during the past year and continues to be extremely busy with special events, economic development and maintenance of the Main Street Program. There were discussion regarding census and projected figures as below.

2010 Census - 16,193
2014 Census - 18,000
2016 Approximate Population - 18,500
2020 Projected Population - 21,573
2030 Projected Population - 28,992
2040 Projected Population - 39,118

Planning Department has seen increase in applications over the past 5 years with a small decrease seen in 2013. Several large projects were completed in 2015 and include the 2040 Comprehensive Plan, LAPP plans to include Pedestrian Connector and Sam's Branch Greenway Phase 2. We have been approved by CAMPO, NCDOT and Federal Government for the construction for Phase 2. Additional grant applied for is the Johnston County Tourism Grant for bicycle station. Another project underway is the Neighborhood Planning Effort and draft report for Cooper neighborhood will be available in the next couple of months. Discussed increase of zoning compliance permits and zoning enforcement. With regarding to nuisance enforcement there was approximately a 300% increase in request for service. Our officers are working with residents and business owners to come into compliance without fining for violations.

Downtown Development is focused on special events and wayfinding signage. Several special projects that took place were bike racks at the Library, Town Hall and All Star Park. Also discussed was the shared parking lot project between Clayton Center and Horne Memorial. There will be a total of 18 additional spaces that can be shared. Construction will begin shortly, following completion of the current window project taking place.

Mr. Grannis thanked Mr. DeYoung for this excellent report.

- h) 540 Route Selection Update
Presenter: David DeYoung, Planning Director

Mr. DeYoung provided an update and stated after the completion of second round of studies the orange, green and mint green routes have been selected. These routes were chosen as they were supported by numerous local governments, had the minimal impact on relocation of homes, and avoided impact to Swift Creek and Clemmons Educational State Forest. Mr. DeYoung stated he believed this was the most advantageous route for the Town of Clayton.

Mayor McLeod stated he was excited about the opportunity and convenience. It will offer additional options to allow folks to get to Clayton as well as getting from Clayton to other local areas.

6 PUBLIC HEARINGS

7 ITEMS SCHEDULED FOR THE REGULAR MEETING

- a) Malt Beverage Committee Report
Presenters: Nancy Medlin, Deputy Town Manager and Ruth Anderson, Committee Member

Nancy Medlin shared information regarding the committee and history. This committee was formed based on resident request that Council look at current malt beverage regulations. Members of committee were Nancy Medlin, Michael Grannis, Chief Bridges, Haley Hogg and Ruth Anderson. Committee members looked at the history of malt beverage referendum, weighed merits of request, zoning issues, law enforcement concerns, administrative cost and community impact.

In March of 1997 Clayton residents approved the sale of malt beverage in Class "A" restaurants, In May of the same year, Johnston County held a referendum regarding liquor by the drink which passed and sale of malt beverage "off" premises, but this did not pass.

It was noted that there is no conflict with our UDC and there are no additional requirements with law enforcement. The administrative portion would include providing a written request to the Board of Elections. The cost to place such a referendum on the ballot would be minimal, approximately \$500.

Committee member Ruth Anderson who served on the committee stated the committee felt we were on the cusp on developing into a destination location. She felt was important that the malt beverage would close the loop for us to keep our downtown vibrant and growing.

It is the recommendation of the committee that a question be added to ballot that would allow both "on" and "off" premises sale of malt beverages.

Mayor McLeod thanked the committee.

ACTION: Placed on May 2, 2016 Agenda

- b) Special Events Policy
Presenter: Nancy Medlin, Deputy Town Manager

Ms. Medlin provided background regarding the Special Events Policy. At the 2015 retreat, this item was identified as one that needed additional review. The specific request was to look at the programming for outside agencies and use of town facilities and town staff. A copy of the proposed policy was provided. The intent of the policy is to provide uniformity and consistency. While all proposed events were presented to a Special Events Committee, an adopted policy has not been in place. An in depth discussion took place regarding the proposed policy. It was stated that events that are to be held at the Clayton Center, Library, Parks & Recreation Programs, small birthday parties, etc., were not made part of the policy. Policies from neighboring

municipalities were researched to help in the development. Discussed was the current impact to town resources. Currently special event support consumes over 3,300 of staff time on an annual basis. This policy is not intended as a revenue source or even to recover all town costs, but rather to defray a portion of the staff support provided to numerous events. Discussed was staff support offered for different type and class of events, limiting number of types of events held on an annual basis and costs for each type of event. It was stated there would be different costs for in town and out of town residents, which is a direct value tie in to tax dollars. It was also stated that the proposed fees are in line with other municipalities.

Mr. Biggs stated that no council action was requested but rather to bring this item back to the next work session for additional conversation. Mr. Biggs addressed the fact that a good portion of staff time devoted to events are the property maintenance folks. The goal of the town is to maintain the excellent job this team done with regard to cleanliness of our town. We are finding that with so many events there are times we are competing with our goals.

Council Member Satterfield asked that additional information be provided for what actual cost might be for 2 or 3 different type of events or in town versus out of town residents. There was brief discussion about possible issue of having someone in town apply for permit to save money. It was stated the person that applies for the permit agrees to be completely liable and responsible for the event. Council Member Holder stated he felt we needed to be slow in any changes and give much thought to any changes. Council Member Lawter agreed and stated he believed it was prudent to obtain input from those who currently sponsor/hold larger events in town. Mayor Pro Tem Grannis stated he felt it was important to take into account the events that bring folks to town but also felt it was not unreasonable to charge for events that are not town sponsored, especially when we are simply recouping costs.

ACTION: Placed on May 16, 2016 Agenda

- c) Special Use Permit - 222 E Main Street - Proposed Cocktail Lounge - 2016-38-SUP

Presenter: Planning Department

Jay McLeod, Planner, stated the request for Special Use Permit for a cocktail lounge to be located at 222 & 224 East Main Street. The applicant is James Lipscomb and owner is J&B Real Estate. Currently location is vacant and being remodeled. Floor plan was provided. Additional outdoor seating will be available in the rear of the building. The project is consistent with the UDC. The applicant has addressed all Findings of Fact.

Planning Board and Staff have recommended approval with conditions as listed in staff report.

Mayor Pro Tem Grannis asked that applicant be prepared to address whether or not they intend to offer food of any type, whether it be on site or food trucks.

ACTION: Set Public Hearing for May 2, 2016

8 ITEMS CONTINGENT FOR THE REGULAR MEETING

- a) Declare Annex Building (231 E. Second Street) as Surplus Property
Presenter: Steve Biggs, Town Manager

Mr. Biggs shared information regarding the vacant old town hall, also known as the Annex Building. Currently the building is sitting vacant with no use and there has been recent interest in the building from private sector. Declaring this property as surplus is the first step in being able to move forward. Next step would be for appraisal followed by ability to solicit bids for purchase of property.

ACTION: Placed on May 2, 2016 Agenda

9 ITEMS FOR DISCUSSION

10 OLD BUSINESS

11 ITEMS REQUIRING ACTION

(In order for any action to be taken during a Work Session, a motion must be made and seconded to suspend the rule that will allow action to be taken.)

- a) Motion to Suspend Rule in Order to Take Action at Work Session

ACTION: Motion to Suspend Rule

Motion: Council Member Holder
Second: Council Member Thompson
Vote: Unanimous

- b) Resolution - Issuance and Sale of Water & Sewer Revenue Bond Anticipation Notes

Presenter: Robert McKie, Finance Director

Mr. McKie presented information. He provided information regarding several minor technical corrections that were made to Resolution previously included in the agenda packet.

ACTION: Approval/Disapproval of Resolution #2016-13

Motion: Council Member Holder
Second: Mayor Pro Tem Grannis
Vote: Unanimous

12 STAFF REPORTS

- a) Town Manager
- Update - April 2, 2016 Front Street Accident

Mr. Biggs provided follow up information regarding citizen complaint of speed issues and recent accident on Front Street. The vehicle was not traveling down Front Street but rather turning out of park. Vehicle was driven by 15 year old with a learns permit. Passengers included a 16 year old as well as 5 year old child. Speed of vehicle at time was estimated to be 10 mph. Car rolled and there were no serious injuries. Accident was not related to speed but rather poor driving and decision making. Additionally, a radar trailer was placed on Front Street where speed limit is 35 MPH, average speed measured was 27.6 MPH.

- b) Town Attorney
- c) Town Clerk
- d) Other Staff
 - Planning Department
 - SUD Zoning Status Update

Jay McLeod provided update regarding request for additional information of distribution of Special Use District zoning. Mr. McLeod stated that less than 1% have this designation. Some of those who have the Special Use District include; Walmart, Caterpillar, Ashley's Furniture (old), Club House @ Riverwood Golf Course, Red Barn, Gateway Office Park, Cameron Way (2 remaining parcels), Hocutt Church Parking Lot, Lawyer Office on Lombard, Radio Tower and Sheetz. It was further stated that on some of these properties the zoning does not cover the entire parcel.

It is the opinion of the Planning Department that each parcel be determined on a case by basis rather than a universal change as there is not a commonality among the designation.

13 OTHER BUSINESS

- a) Informal Discussion & Public Comment

Mr. Dave Brown addressed the Council regarding the proposed Special Events Policy. He asked if possible to provide special considerations for non-profits. He spoke about the fact that majority of folks that attend events such as Shindig are from out of town. He also stated that these types of events could take place many other locations, but it is the desire to showcase Clayton.

Mr. James Lipscomb stated he understood the need to recoup some of the expenses attributed to the support of special events and requested that should the goals of the events meet the needs of the town that perhaps exemptions be granted. He stated that many of the events provide a good vibe for residents as well as giving back to the town.

Mayor McLeod stated he was not sure about the word exemption but agreed that consideration should be offered to events of these types. The Mayor further stated that it is important to make folks aware of the cost to the town in relation to the many special events. It is not the intent to deter folks, however, the town needs to be able to handle the costs associated with events.

b) Council Comments

Council Member Lawter offered his thanks and appreciation to the Clayton Visual Arts bringing so much diversity by bringing Mondo Roots Festival to Clayton.

14 ADJOURNMENT

a)

With there being nothing further the meeting was adjourned at 8:45 p.m.

ACTION: Motion to Adjourn

Motion: Council Member Thompson

Second: Council Member Holder

Vote: Unanimous

Jody L. McLeod
Mayor

Attest:

Kimberly A. Moffett CMC,
Town Clerk



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

AGENDA LOCATION:

Administrative Items

Meeting Date:

May 2, 2016

ITEM TITLE:

Warranty Acceptance - Summerlyn, The Meadows, Phase 5, 6, & 7

DESCRIPTION:

Final lift of asphalt pavement has been installed within the reference roadway. Acceptance is requested with one-year warranty and upon expiration of warranty period, pavement and base course condition will be inspected and any identified faults corrected by the developer prior to final acceptance.

POTENTIAL ACTION:

DEPARTMENT:

Engineers/Inspection

PRESENTER:

Chris Rowland, Construction Project Administrator

ITEM HISTORY:

Date:

April 18, 2016

Action Taken:

Placed on May 2, 2016 Consent Agenda

Information Provided:

Date:

Action Taken:

Information Provided:

TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE
(919) 553-1530

VEHICLE MAINTENANCE
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Project Administrator 

Copy: David DeYoung, Planning Director
Stewart Marlowe, Granite Land & Timber

Date: February 25, 2016

Re: Summerlyn, The Meadows Phases 5, 6 & 7

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



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

AGENDA LOCATION:

Consent

Meeting Date:

May 2, 2016

ITEM TITLE:

National Police Week 2016 Proclamation

DESCRIPTION:

The Town of Clayton wishes to recognize National Police week and to honor the service and sacrifice of law enforcement officers killed in the line of duty while protecting our communities.

POTENTIAL ACTION:

DEPARTMENT:

Administration

PRESENTER:

Kimberly A. Moffett, Town Clerk

ITEM HISTORY:

Date:

April 18, 2016

Action Taken:

Placed on May 2, 2016 Consent Agenda

Information Provided:

Proclamation

Date:

Action Taken:

Information Provided:



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

AGENDA LOCATION:

Consent

Meeting Date:

May 2, 2016

ITEM TITLE:

Proclamation - National Day of Prayer

DESCRIPTION:

Ms. Angela Williams of Interstate Ministries of Clayton requested a Proclamation in recognition May 5, 2016 as National Day of Prayer

POTENTIAL ACTION:

DEPARTMENT:

Administration

PRESENTER:

Kimberly A. Moffett, Town Clerk

ITEM HISTORY:

Date:

April 18, 2016

Action Taken:

Placed on May 2, 2016 Consent Agenda

Information Provided:

Presentation & Proclamation

Date:

Action Taken:

Information Provided:

*P*roclamation

National Police Week 2016

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Clayton Police Department;

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including Patrol Officer Charles Lee, Patrol Officer Ray Gilmore and Lieutenant Monica Carey of the Clayton Police Department;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, 252 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

THEREFORE, BE IT RESOLVED that the Town of Clayton formally designates May 15-21, 2016, as Police Week in Clayton, North Carolina, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Duly adopted this 2nd day of May, 2016 while in regular session.

**Jody L. McLeod
Mayor**

ATTEST:

**Kimberly A. Moffett, CMC, NCCMC
Town Clerk**

1869



2016 National Day of Prayer

WHEREAS, the 65th observance of the National Day of Prayer will be held on Thursday, May 5, 2016, with the theme "Wake Up America"; and

WHEREAS, A National Day of Prayer has been part of our heritage since it was declared by the First Continental Congress in 1775 and the United States Congress in 1952 approved a Joint Resolution setting aside a day each year to pray in our nation; and

WHEREAS, The United States Congress, by Public Law 100-307, in 1988, as amended, affirms that it is essential for us as a nation to pray and directs the President of the United States to set aside and proclaim the first Thursday of May annually as a National Day of Prayer; and

WHEREAS, leaders and citizens of our nation are afforded the privilege of prayer, affirming our spiritual heritage and the principles upon which our nation was founded; and

WHEREAS, recognizing the love and power of God, we unite with fellow citizens to exercise the freedom we have to gather in prayer with thankfulness while seeking guidance, provision, protection and purpose for the benefit of every individual and our state as a whole; and

WHEREAS, we specifically thank God for those who defend our freedoms and ask for peace throughout our state, nation and world.

NOW, THEREFORE, The Clayton Town Council does hereby proclaim, May 5, 2016, be recognized as the National Day of Prayer.

Duly adopted this 2nd day of May, 2016 while in regular session

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



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

AGENDA LOCATION:

Introductions & Special Presentations

Meeting Date:

May 2, 2016

ITEM TITLE:

Recognition of Citizens Involved with Clayton Roadside/Litter Cleanup

DESCRIPTION:

Ms. Beard will recognize the many residents who through church groups, school groups, neighborhoods and newcomers have participated in the recent roadside litter cleanup. These folks work very hard to help to maintain the beauty of Clayton.

POTENTIAL ACTION:

DEPARTMENT:

Administration

PRESENTER:

Stacy Beard, Public Information Officer

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:



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

AGENDA LOCATION:

Administrative Items

Meeting Date:

May 2, 2016

ITEM TITLE:

Resolutions Authorizing Johnston & Wake Counties to Collect Taxes

DESCRIPTION:

Two Resolutions will authorize the County Tax Administrators of both Johnston and Wake to levy and collect property taxes for the Town of Clayton.

POTENTIAL ACTION:

Place on Consent Agenda

DEPARTMENT:

Administration

PRESENTER:

Kimberly A. Moffett, Town Clerk

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:

**TOWN OF CLAYTON
RESOLUTION AUTHORIZING THE JOHNSTON COUNTY REVENUE ADMINISTRATOR TO
LEVY AND COLLECT PROPERTY TAXES FOR THE
TOWN OF CLAYTON**

BE IT RESOLVED by the Town Council of the Town of Clayton, North Carolina, as follows:

The Johnston County Revenue Administrator is hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the Office of the Johnston County Revenue Administrator in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Clayton, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with the law.

Duly adopted this 16th day of May, 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

**TOWN OF CLAYTON
RESOLUTION AUTHORIZING THE WAKE COUNTY REVENUE ADMINISTRATOR TO
LEVY AND COLLECT PROPERTY TAXES FOR THE
TOWN OF CLAYTON**

BE IT RESOLVED by the Town Council of the Town of Clayton, North Carolina, as follows:

The Wake County Revenue Administrator is hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the Office of the Wake County Revenue Administrator in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Clayton, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with the law.

Duly adopted this 16th day of May, 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



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

AGENDA LOCATION:

Public Hearings

Meeting Date:

May 2, 2016

ITEM TITLE:

Special Use Permit - 222 E Main Lounge - 2016-38-SUP

DESCRIPTION:

Applicant is requesting Special Use Permit for a cocktail lounge to be located at 222 E. Main Street.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Planning + Zoning

PRESENTER:

David DeYoung, Planning Director

ITEM HISTORY:

Date:

April 18, 2016

Action Taken:

Public Hearing Set for May 2, 2016

Information Provided:

Application/Staff Report/Map/Site Plan/Neighborhood Meeting Info/Advertisement

Date:

Action Taken:

Information Provided:



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

SPECIAL USE APPLICATION

Pursuant to Article 7, Section 155.711 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but have the potential to create incompatibilities with adjacent uses.

*Fee: The application fee is \$400.00. All fees are due when the application is submitted.
A Site Plan application (major or minor, as applicable) and fee is required for all new / modified development.*

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

APPLICATION TYPE

☒ New Special Use Permit

☐ Major Modification to an approved SUP

Permit Modified: _____

SITE INFORMATION

Name of Project: 222 & 224 East Main Acreage of Property: .1
Parcel ID Number: 166913-12-0660 Tax ID: 05015075
Deed Book: 4692 Deed Page(s): 749
Address/Location: 222 and 224 East Main Street Clayton NC 27520

Existing Use: vacant office Proposed Use: lounge / high end bar

Is project within a Planned Development? ☒ No ☐ Yes

Planned Development District (if applicable): _____

Is project within an Overlay District: ☐ No ☒ Yes

Overlay District (if applicable): Down Town overlay

OFFICE USE ONLY

Date Received: <u>FEB 08 2016</u>	Amount Paid: <u>\$400.00 + \$100 Ad Fee</u>	Permit Number: <u>2016-38-SUP</u>
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PROPERTY OWNER INFORMATION

Name: J & B Real Estate

Mailing Address: 328 East Main Street Clayton NC 27520

Phone Number: 919.422.4704

Fax:

Email Address: James@myHTR.com

APPLICANT INFORMATION

Applicant: J & B Real Estate

Mailing Address: 328 East Main Street Clayton NC 27520

Phone Number: 919.422.4704

Fax:

Contact Person: James Lipscomb

Email Address: James@myHTR.com

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Special Use Permit (CUP) application.

To be completed by the applicant:			To be completed by staff:		
	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: _____	☒	☐			
2. Review Fee (\$400)	☒	☐			
3. Completed application (9 copies)	☒	☐			
4. Owner's Consent Form (9 copies)	☒	☐			
5. Adjacent property owners list (9 copies)	☒	☐			
6. Wastewater allocation request OR verification of wastewater allocation (9 copies)	☐	☐			
7. Signed and sealed traffic impact analysis (2 copies)	☐	☒			
8. If applicant is concurrently applying for site plan approval, a copy of the proposed site plan.	☐	☒			
9. Neighborhood meeting notice letter (9 copies) <i>See sample letter and meeting requirements included in this packet</i>	May be provided at time of submittal if meeting date is known – otherwise must be submitted by email or mail on date the letter is mailed out.				
10. Set of stamped, addressed envelopes using the adjacent property owners list	May be provided at time of submittal OR no later than 25 days prior to the Town Council meeting.				
11. Neighborhood meeting summary form (9 copies) <i>Form is included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				

Note: More information may be requested by the Planning Department depending on the project

REQUIRED FINDINGS OF FACT

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

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

Proposed use is a lounge / high end bar. The location is in the central business district of Down Town Clayton and is well buffered from single family residential uses. The proposed use will help to continue to build on the momentum of bringing more entertainment venues to Down Town. There will be no material endangerment to the public health or safety.

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

The proposed lounge / high end bar use meets all specs of The Town of Clayton and will be a positive addition to the mix of businesses that is needed to help Down Town Clayton grow into a destination for arts, entertainment, high end retail and culinary offerings. The hours of operation of the bar will help keep Down Town an active area after 9 to 5 business hours which is desperately needed for the future growth of Down Town. The bar will also be offered for private parties and meetings on an as requested basis.

3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The approval of the requested special use permit will allow for the complete renovation of both store fronts and a complete interior renovation of both structures. There will be over \$100,000.00 spent on the remodeling process resulting in a positive impact on the values of the surrounding properties and Down Town Clayton as a whole.

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

The use as proposed is in keeping with the adopted plans and policies of the Town of Clayton and will not violate any existing standard of development of the adjacent properties.

EXPLANATION OF PROJECT

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

The approval of the Special Use Permit for operation of a lounge / upscale bar will spark the complete renovation of the structures at 222 and 224 East Main Street Clayton NC 27520. The renovations will include development of the alley way to the west of the property to include a concrete walking surface with landscaping and area lighting and the renovations of the currently boarded up window on the front and back of the building. There will be a 16 foot x 24 foot covered patio added onto the back of the building and new water and sewer connections made to the building. The store fronts will be completely re-imagined in an effort to develop a historic look opening up the transom windows and hopefully incorporating operable windows in the store front. The interiors of the structures will be completely renovated including new heat and air units, new plumbing, lighting and exposing the original interior features of the building that include exposed brick wall in 222 East Main and exposing original plaster and stamped tin ceiling in 224 East Main. We plan on using the entire lot, buildings and alleyway as space available to the bar patrons, we hope that we can develop outdoor sidewalk seating in conjunction with the Town of Clayton and NCDOT. We sincerely hope that this facility will be a catalyst for other redevelopment projects in Down Town and will help Main Street continue to grow into a eclectic, active, accepting and supportive business environment that serves the need of the entire Clayton area.

APPLICANT AFFIDAVIT

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

James Lipscomb

Print Name

Signature of Applicant

1.29.2016

Date



**TOWN OF CLAYTON
Planning Department**

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

Project Name: 222 & 224 E Main Lane Address or PIN #: _____

AGENT/APPLICANT INFORMATION:

J & B REAL ESTATE LLC
BY JAMES LIPSUMBS
(Name - type, print clearly)

328 EAST MAIN STREET
(Address)
CLAYTON NC 27520
(City, State, Zip)

I hereby give **CONSENT** to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (list applicable requests):

SPECIAL USE PERMIT

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

J & B REAL ESTATE LLC
OWNER AUTHORIZATION:

BY James Lipsumbs
(Name - type, print clearly)

(Owner's Signature)

328 EAST MAIN STREET
(Address)
CLAYTON NC 27520
(City, State, Zip)

STATE OF
COUNTY OF

North Carolina
Perquimans

Sworn and subscribed before me James Lipsumbs, a Notary Public for the above State and County, this the 28th day of February, 2011.

SEAL

Notary Public

My Commission Expires: 11-28-11

October 2013



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

*Planning Board
March 28, 2016*

STAFF REPORT

Application Number: 2016-38-SUP (Special Use Permit)
Project Name: 222 & 224 E Main Street Lounge

NC PIN/ Tag#: 166913-12-0660 / 05015075
Town Limits/ETJ: Town Limits
Overlay: Downtown
Applicant: James Lipscomb c/o J&B Real Estate
Owners: James Lipscomb c/o J&B Real Estate

Neighborhood Meeting: Held March 10, 2016
Public Noticing: Property posted March 18, 2016

PROJECT LOCATION: The project is located at 222 and 224 East Main Street, between the old ABC Plumbing building and Primo's Pizza.

REQUEST: The applicant is requesting special use permit approval for a Cocktail Lounge.



SITE DATA:

Acreage: ±0.1 acres
Zoning: Central Business (B-1)
Existing Use: Commercial/vacant

DEVELOPMENT DATA:

Proposed Uses: Cocktail Lounge
Buildings: Two buildings, 1,584 square feet
Number of Stories: One story (max height of 15'4")
Impervious Surface: ±3,300 square feet (approx. 77%)
Required Parking: 17 spaces (1 space per 3 seats)
Capacity/seating: 49 seats
Proposed Parking: Common downtown parking areas will be utilized
Fire Protection: Town of Clayton Fire Department.
Access/Streets: The main entrance to the building will be on Main St. There is no parking lot or driveway associated with this project.

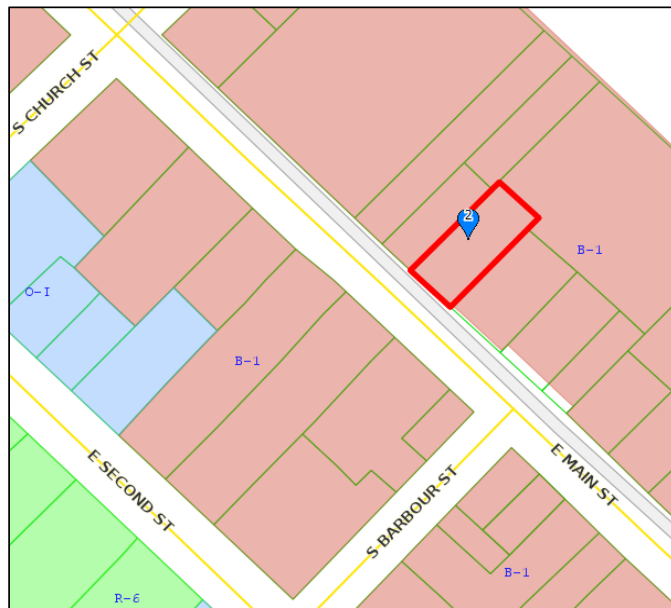
ADJACENT ZONING AND LAND USES:

North: Zoning: Central Business (B-1)
Use: Vacant (planned parking)

South: Zoning: B-1
Use: Commercial

East: Zoning: B-1
Use: Commercial, Restaurant

West: Zoning: B-1
Use: Vacant (Commercial)

**STAFF ANALYSIS AND COMMENTARY:**

Overview

The applicant is requesting site plan approval for a 49 seat, 1,584 square foot cocktail lounge. The project represents an investment of approximately \$100,000 in an existing historic downtown building on Main Street in the heart of the central business district. In addition to full interior renovation, there will be a façade upgrades to the building and an outdoor patio installed in the rear.

Associated Site Plan

Pursuant to §155.711(D)(1), concurrent with request for a special use permit, an applicant shall submit a site plan for review and approval. The site plan layout (as an in-line building on Main Street) is provided as an attachment to this staff report; highlights include façade enhancement, interior renovation, opening previously bricked-in side windows, and addition of a rear patio.

Consistency with the Comprehensive Plan

The proposed development is consistent with the Comprehensive Plan, which encourages these uses and intensities in the downtown.

Consistency with the Unified Development Code

The proposed development is consistent with and meets the applicable requirements of the Unified Development Code (UDC).

Landscaping and Buffering

B-1 zoning district allows 100% impervious surface. Buffering is not needed based on surrounding zoning.

Signs

Signage will be governed by the Downtown Overlay District and shall require separate sign process and permits.

Site Design

The site is on Main Street. No major exterior renovations are proposed, except for the patio area in the rear. Setbacks and impervious area restrictions in the B-1 zoning district are very forgiving, and this development stays within those requirements.

Multi-Modal Access

The building will meet handicapped accessibility requirements and a bicycle rack is required for bicycle parking.

Architecture

The building interior and exterior are undergoing substantial renovation, including restoring some historical architectural features that have been uncovered. The proposed changes will fit well with surrounding buildings.



Waivers/Deviations/Variations from Code Requirements

None.

FINDINGS

When considering a Special Use Permit application, The Town Council shall consider specific Findings of Fact. A Special Use which fails to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has addressed the Findings expressly established by Chapter 155.711 (I) of the UDC. The applicant's Findings of Fact are incorporated into the record as an attachment to the Staff Report.

CONSIDERATIONS

- The Town Council approves Special Use Permits.

RECOMMENDATION:

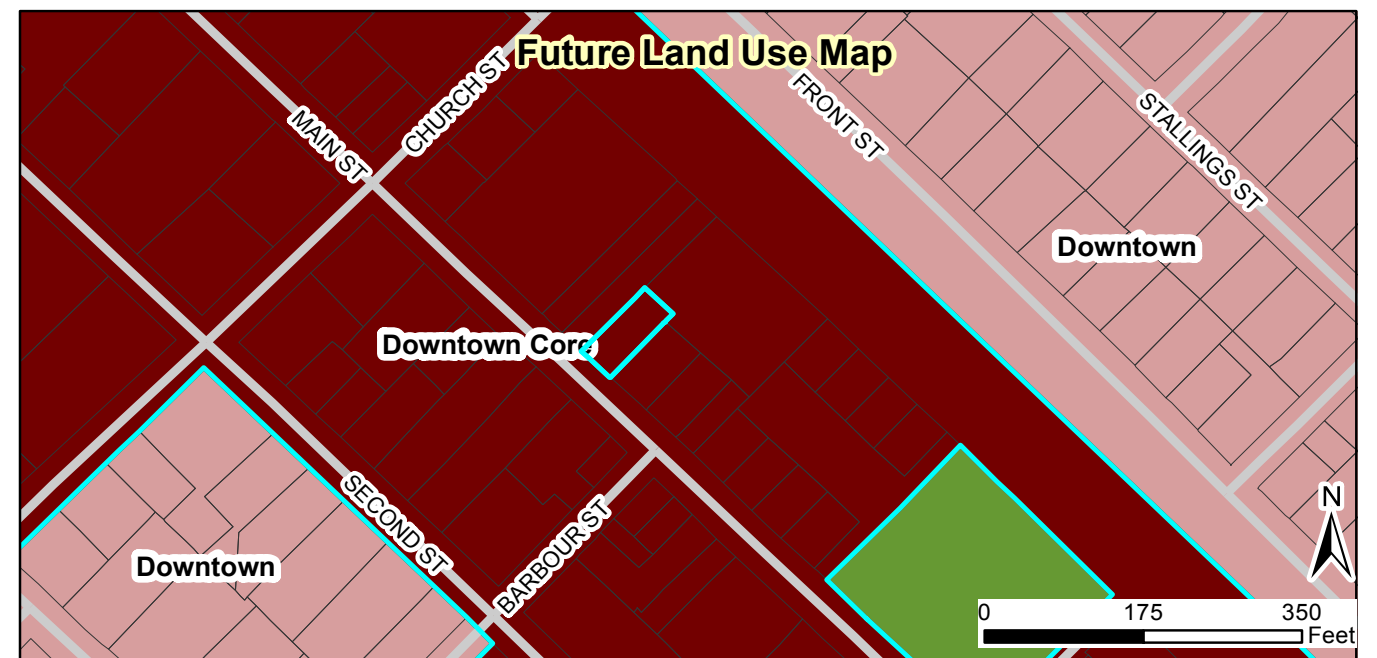
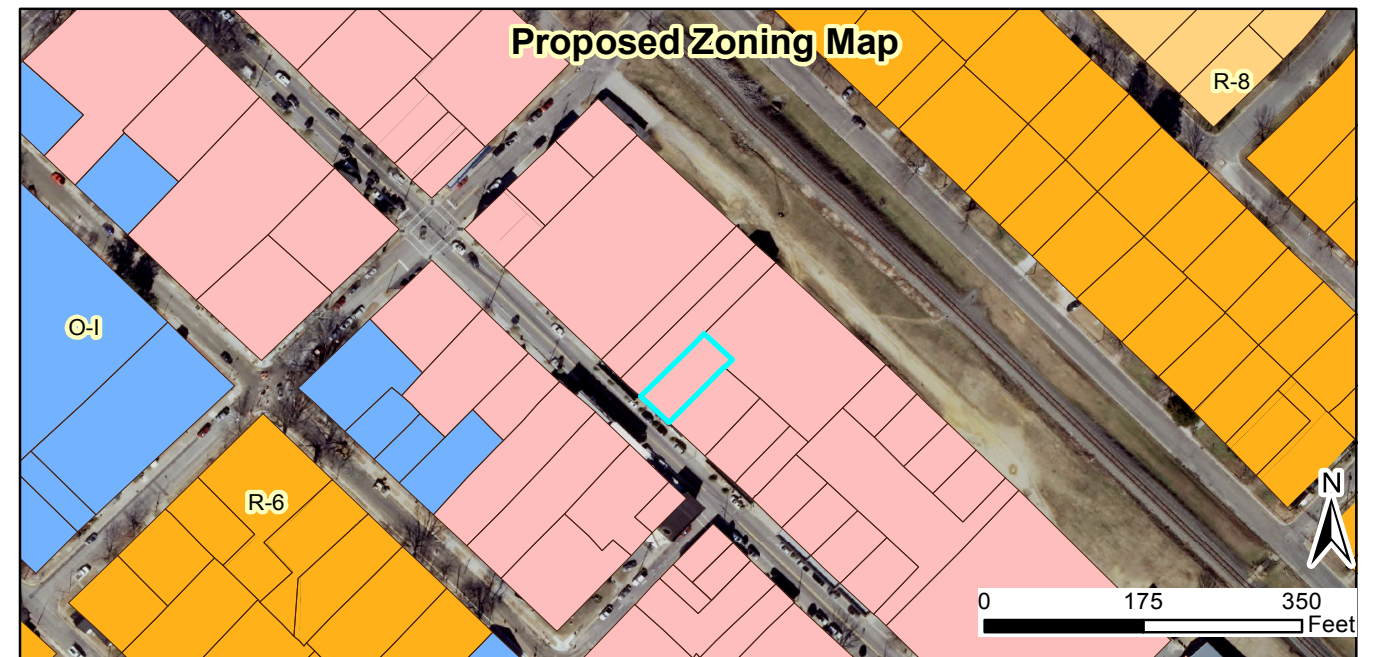
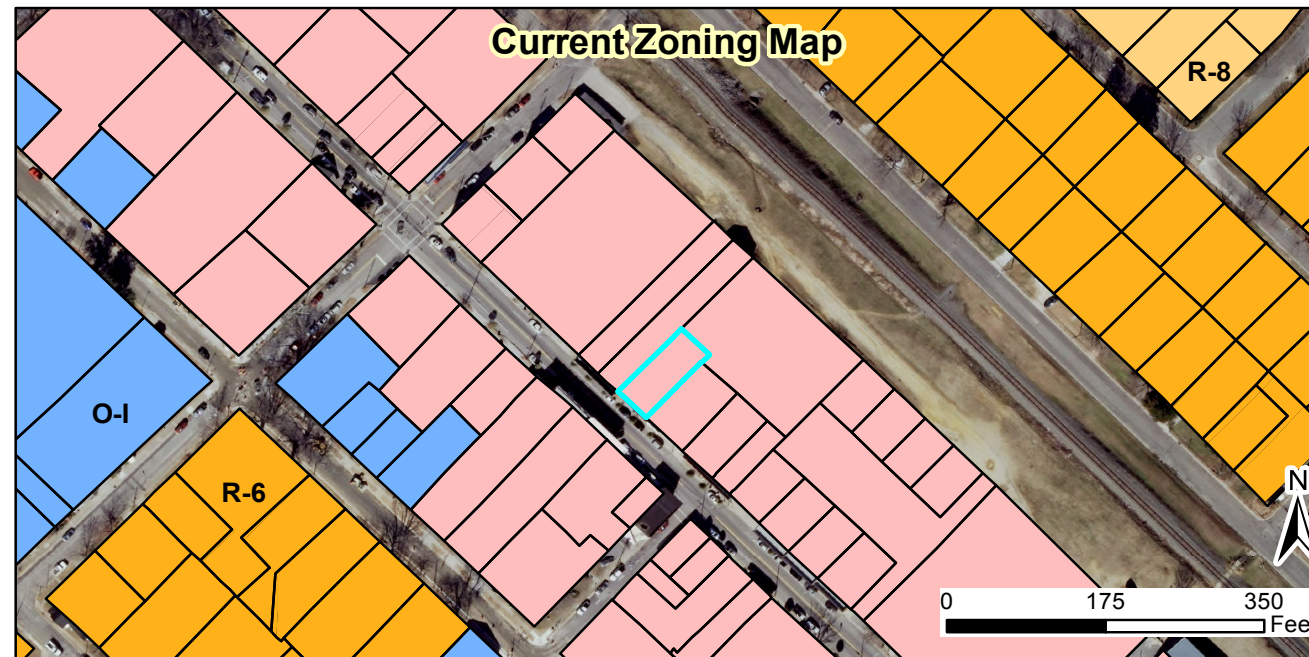
Staff is recommending approval of the Special Use Permit with the following conditions:

1. The development of the site is limited to the site design and uses approved by the Planning Board. Modifications to the approved site plan shall require review and approval in accordance with Section 155.707 of the Unified Development Code.

2. Following Board approvals, three copies of the Final Site Plan, Landscape Plan and Architectural Elevations meeting the requirements of the Conditions of Approval and displaying the Conditions of Approval shall be submitted to Planning Department for final approval.
3. All roof mounted and ground mechanic equipment must be completely screened from view.
4. Utility fees shall be paid to the Town prior to issuance of any building permits.
5. A final landscape/site inspection shall be performed by the Planning Department prior to the issuance of a Certificate of Occupancy.

ATTACHMENTS

- 1) Findings of Fact
- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Associated Site Plan and Elevations



2016-38-SUP: 222 and 224 E Main St Cocktail Lounge

Applicant: J & B Real Estate c/o James Lipscomb
 Property Owners: J & B Real Estate
 Parcel ID: 166913-12-0660
 Tag #: 05015075

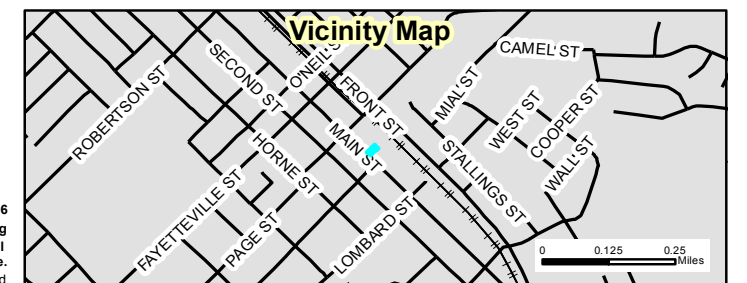


- Site
- Special Use District
- Thorough Fare Overlay
- Scenic Highway Overlay

03/22/2016

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

Document Path: O:\PLANNING\SPECIAL USE\2016\2016-38-SUP 222 & 224 E. Main Lounge\Maps\StaffReportMap- 222 E Main Cocktail Lounge.mxd





VINSON BUILDING

222-226 WEST MAIN STREET



A hand-drawn floor plan of a building. The plan shows several rooms and corridors. A large room at the bottom is labeled "PRIMO'S" in blue ink. Above this room is a long corridor with several doors. To the right of the corridor is a bathroom with a toilet and a sink. Above the bathroom is another room with a desk and a chair. The plan also shows several other rooms and corridors, some with doors. The drawing is done in black ink on a white background. The word "PRIMO'S" is written in a stylized, cursive font. The overall layout suggests a small business or office space.

PRIMO'S

**not for
construction**

A-3

12-23-2016



**TONY
JOHNSON**
ARCHITECT

919-550-7717
FLANCON@AOL.COM

2008 BLAINEBETH COURT
CLAYTON, NC 27520

FORD CHEVROLET

VINSON BUILDING
222-226 WEST MAIN STREET
CLAYTON, NORTH CAROLINA

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Date of Mailing: February 18th, 2016

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached):

Printed Name: James Lipscomb

Signature:

Date of Meeting: March 10th, 2016

Time of Meeting: 6:00 pm

Location of Meeting: HomeTowne Realty Meeting Room 328 E. Main St. Clayton NC 27520

Meeting Summary/Minutes: *provide a summary of the discussion held at the meeting, including issues raised and any changes made by the applicant as a result of the meeting.*

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Please write clearly (or submit a typed summary), and use additional sheets if necessary.

ADJACENT PROPERTY OWNERS LIST

Project Name: 222 and 224 East Main

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
see attached list		

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

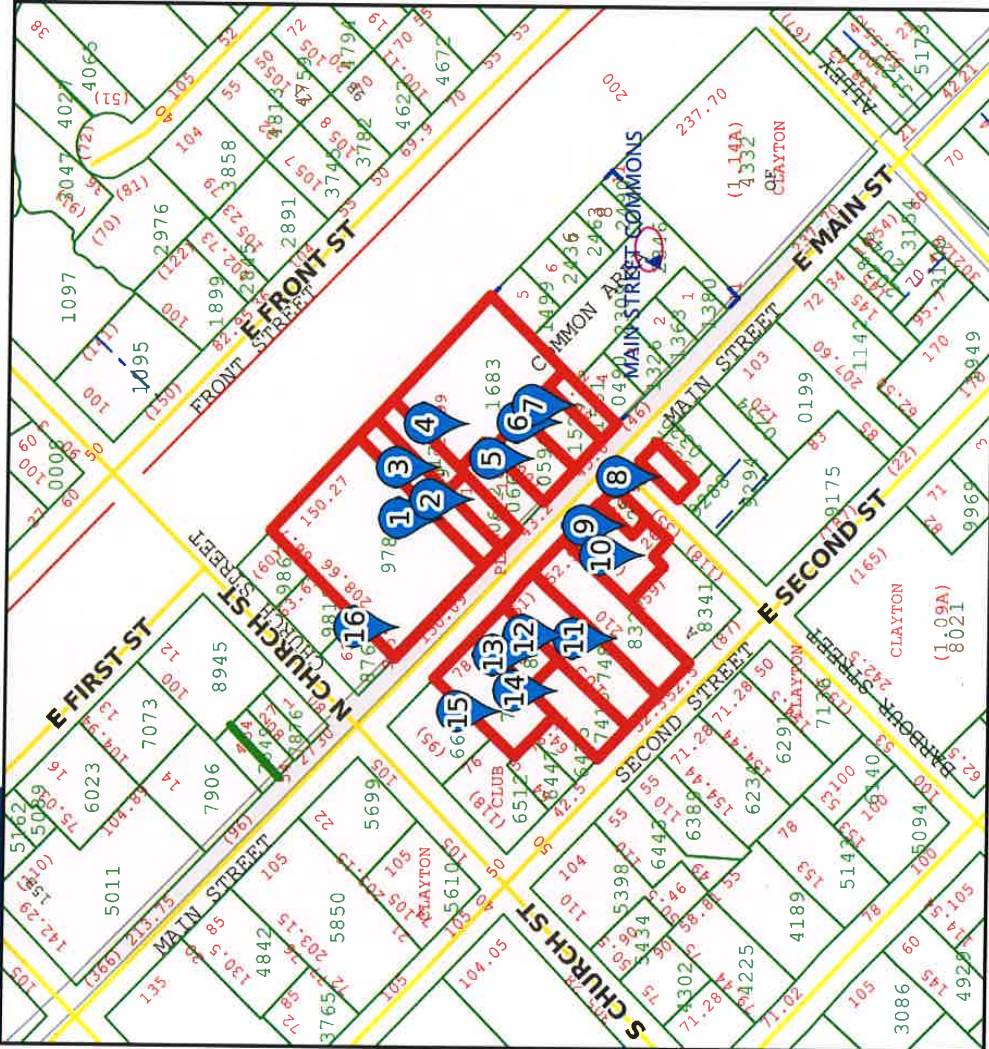
Applicant: J & B Real Estate
Location/Date: HomeTowne Realty Meeting Room 328 E. Main St. Clayton NC 27520

	NAME	ADDRESS
1		
2		
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5		
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*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.



Result 1

id: 05015005
Tag: 05015005
Tax Unique Id: 4335876
NCPin: 166913-12-0659
Mapsheet No: 166913
Owner Name 1: LEE BROTHERS RENTAL
Owner Name 2:
Mail Address 1: 400 W MAIN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 00948
Page: 0781
Market Value: 140430
Assessed Acreage: 1
Calc. Acreage: 0.15
Sales Price: 0
Sale Date: 1984-01-24



Scale: 1:2236 - 1 in. = 186.3 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS
February 3, 2016



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Result 2

id: 05015004
Tag: 05015004
Tax Unique Id: 4427553
NCPin: 166913-12-0632
Mapsheet No: 166913
Owner Name 1: TOWN OF CLAYTON
Owner Name 2:
Mail Address 1:
Mail Address 2: P O BOX 879
Mail Address 3: CLAYTON, NC 27528-0000
Site Address 1:
Site Address 2:
Book: 04555
Page: 0046
Market Value: 96730
Assessed Acreage: 0.06
Calc. Acreage: 0.06
Sales Price: 150000
Sale Date: 2015-02-06

Result 3

id: 05015004A
Tag: 05015004A
Tax Unique Id: 4427563
NCPin: 166913-12-1700
Mapsheet No: 166913
Owner Name 1: TOWN OF CLAYTON
Owner Name 2:
Mail Address 1:
Mail Address 2: P O BOX 879
Mail Address 3: CLAYTON, NC 27528-0000
Site Address 1:
Site Address 2:
Book: 04555
Page: 0046
Market Value: 19610
Assessed Acreage: 0.08
Calc. Acreage: 0.08
Sales Price: 150000
Sale Date: 2015-02-06

Result 4

id: 05015003
Tag: 05015003
Tax Unique Id: 4335897
NCPin: 166913-12-1683
Mapsheet No: 166913
Owner Name 1: CANADY, JOYCE LIPSCOMB
Owner Name 2:
Mail Address 1: 315 CRESCENT DRIVE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book:
Page:
Market Value: 133190
Assessed Acreage: 1
Calc. Acreage: 0.47
Sales Price: 0
Sale Date:

Result 5

id: 05015003A
Tag: 05015003A
Tax Unique Id: 4288673
NCPin: 166913-12-0596
Mapsheet No: 166913
Owner Name 1: MCADAMS, LINDA M
Owner Name 2:
Mail Address 1: 611 BARBOUR ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2713
Site Address 1: 226 E MAIN ST
Site Address 2: CLAYTON, NC 27520-
Book: 04596
Page: 0829
Market Value: 72300
Assessed Acreage: 0.11
Calc. Acreage: 0.11
Sales Price: 0
Sale Date: 2015-05-14



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Result 6

id: 05015003C
Tag: 05015003C
Tax Unique Id: 4354593
NCPin: 166913-12-1523
Mapsheets No: 166913
Owner Name 1: LIPSCOMB, JAMES H
Owner Name 2: LIPSCOMB, JOHN V
Mail Address 1: 107 STONE LANE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02311
Page: 0150
Market Value: 86020
Assessed Acreage: 0.09
Calc. Acreage: 0.09
Sales Price: 0
Sale Date: 2002-10-17

Result 7

id: 05015003B
Tag: 05015003B
Tax Unique Id: 4377019
NCPin: 166913-12-1551
Mapsheets No: 166913
Owner Name 1: AUSTERMUEHLE, EDWARD W
III
Owner Name 2: AUSTERMUEHLE, DEBRA
JEANETTE
Mail Address 1: 139 LAKE POINT DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-5217
Site Address 1:
Site Address 2:
Book: 03063
Page: 0756
Market Value: 82260
Assessed Acreage: 0.05
Calc. Acreage: 0.05
Sales Price: 0
Sale Date: 2006-02-09

Result 8

id: 05015035
Tag: 05015035
Tax Unique Id: 4373639
NCPin: 166917-02-9392
Mapsheets No: 166917
Owner Name 1: CHAMBER OF COMMERCE
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 246
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 01435
Page: 0041
Market Value: 184730
Assessed Acreage: 1
Calc. Acreage: 0.044
Sales Price: 0
Sale Date: 1995-03-30

Result 9

id: 05015034
Tag: 05015034
Tax Unique Id: 4335898
NCPin: 166917-02-9358
Mapsheets No: 166917
Owner Name 1: WHITE, GLORIA BROWN
Owner Name 2:
Mail Address 1: 1413 WESTCHESTER RD
Mail Address 2:
Mail Address 3: RALEIGH, NC 27610-0000
Site Address 1:
Site Address 2:
Book: 02211
Page: 0861
Market Value: 86860
Assessed Acreage: 1
Calc. Acreage: 0.033
Sales Price: 0
Sale Date: 2002-04-04



*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.

Result 10

id: 05015033
Tag: 05015033
Tax Unique Id: 4335845
NCPin: 166917-02-9309
Mapsheet No: 166917
Owner Name 1: BLACKLEY, ERNEST L
Owner Name 2: BLACKLEY, JOYCE L
Mail Address 1: 229 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2449
Site Address 1:
Site Address 2:
Book: 01043
Page: 0573
Market Value: 208990
Assessed Acreage: 1
Calc. Acreage: 0.167
Sales Price: 54500
Sale Date: 1987-02-01

Result 11

id: 05015031
Tag: 05015031
Tax Unique Id: 4335899
NCPin: 166917-02-8329
Mapsheet No: 166917
Owner Name 1: ELMORE'S OF DUNN INC
Owner Name 2:
Mail Address 1: 225 E MAIN ST CLAYTON NC
Mail Address 2: P O BOX 668
Mail Address 3: DUNN, NC 28334-0000
Site Address 1:
Site Address 2:
Book: 01227
Page: 0205
Market Value: 270870
Assessed Acreage: 1
Calc. Acreage: 0.25
Sales Price: 75000
Sale Date: 1991-10-22

Result 12

id: 05015030
Tag: 05015030
Tax Unique Id: 4373607
NCPin: 166917-02-7482
Mapsheet No: 166917
Owner Name 1: WAKE DEVELOPMENT GROUP
LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 495
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1: 217 E MAIN ST
Site Address 2: CLAYTON, NC 27520-
Book: 02235
Page: 0303
Market Value: 515230
Assessed Acreage: 0.24
Calc. Acreage: 0.249
Sales Price: 95000
Sale Date: 2002-05-24

Result 13

id: 05015029
Tag: 05015029
Tax Unique Id: 4335867
NCPin: 166913-02-8501
Mapsheet No: 166913
Owner Name 1: WAKE DEVELOPMENT GROUP
LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: P O BOX 495
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02409
Page: 0282
Market Value: 112930
Assessed Acreage: 1
Calc. Acreage: 0.099
Sales Price: 0
Sale Date: 2003-03-21



*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.

Result 14

id: 05015028
Tag: 05015028
Tax Unique Id: 4330762
NCPin: 166917-02-7413
Mapsheets No: 166917
Owner Name 1: BARBOUR, LINWOOD O
Owner Name 2: BARBOUR, VIOLET
Mail Address 1: 787 COOPER BRANCH RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 00969
Page: 0423
Market Value: 97020
Assessed Acreage: 1
Calc. Acreage: 0.132
Sales Price: 0
Sale Date: 1984-01-01

Result 15

id: 05015026
Tag: 05015026
Tax Unique Id: 4335871
NCPin: 166913-02-7544
Mapsheets No: 166913
Owner Name 1: WAKE DEVELOPMENT GROUP
LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: P O BOX 495
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02584
Page: 0788
Market Value: 101340
Assessed Acreage: 0.22
Calc. Acreage: 0.209
Sales Price: 0
Sale Date: 2003-11-12

Result 16

id: 05015006
Tag: 05015006
Tax Unique Id: 4428452
NCPin: 166913-02-9785
Mapsheets No: 166913
Owner Name 1: HOMETOWNE INVESTMENTS
LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 133
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 03302
Page: 0500
Market Value: 373610
Assessed Acreage: 1
Calc. Acreage: 0.73
Sales Price: 210000
Sale Date: 2007-03-12

J and B Real Estate LLC
328 East Main Street
Clayton NC 27520

February 18th, 2016

Dear Clayton Area Property Owner:

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

Meeting Date: Thursday March 10th, 2016

Location: HomeTowne Realty Meeting Room
328 East Main Street Clayton NC 27520

Time: 6:00 pm

Type of Application: Special Use Permit

General Description:

Complete remodeling of the structures located at 222 and 224 East Main Street to include development of alley way on the right side of the building to include concrete sidewalk with landscaping and lighting to provide an outside entertaining area to be used in conjunction with the Lounge High End Bar and to provide access to Main Street from the open area located behind the building. The remodeling of the building will include new storefronts, replacing the currently boarded windows on the side and rear of the building with operable windows, new heating and air conditioning, covered patio on rear of building, new awnings, new plumbing and complete remodeling of the interiors in an attempt to uncover the historical significant features that have been covered up in previous remodels of the buildings.

If you have any questions prior to or after this meeting, you may contact James Lipscomb at **919.422.4704**

Sincerely,

James Lipscomb, Partner

J & B Real Estate

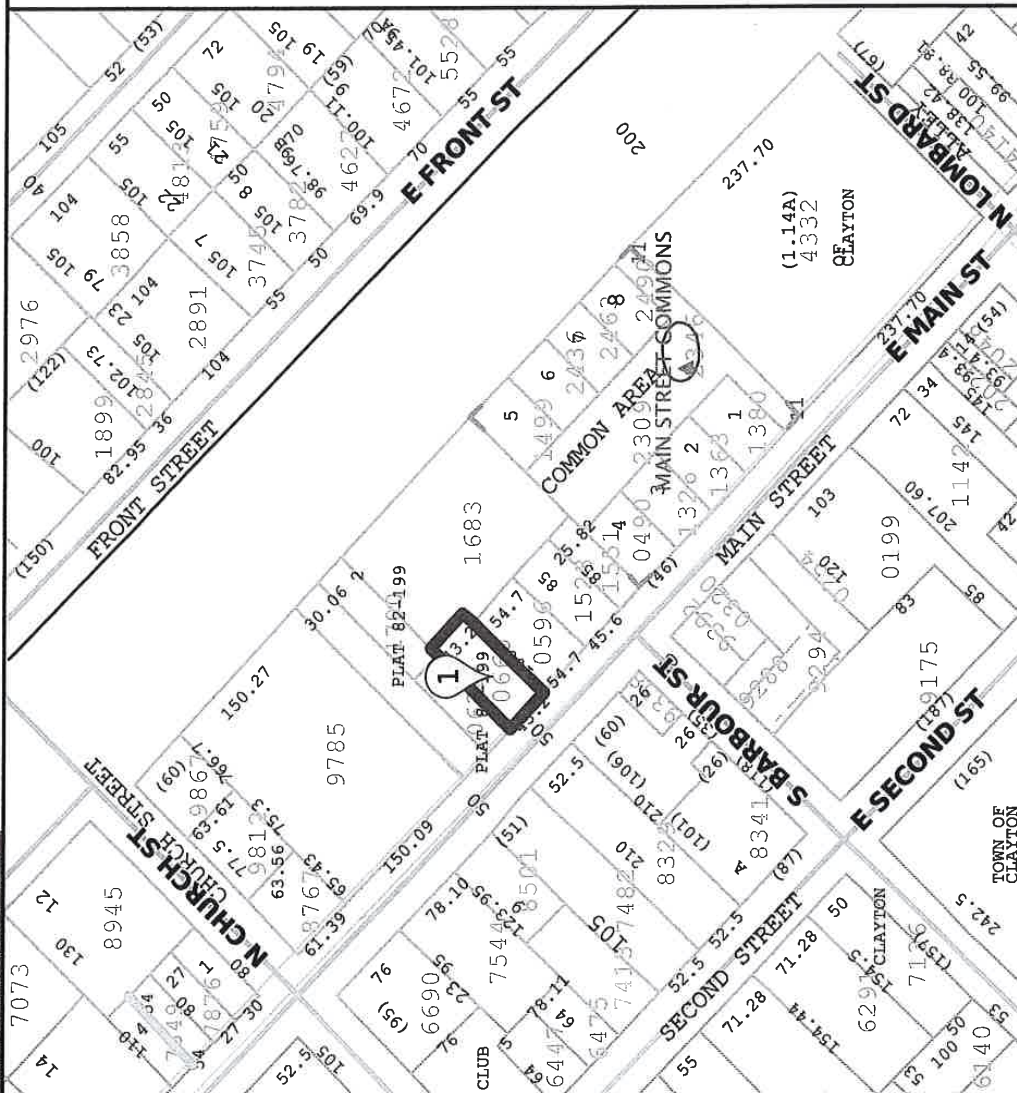
cc: Clayton Planning Dept.

Proposed Location



*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.



Result 1

Id: 05015075
Tag: 05015075
Tax Unique Id: 4421969
NCPin: 166913-12-0660
Mapsheet No: 166913
Owner Name 1: J AND B REAL ESTATE LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1: 222 E MAIN ST
Site Address 2: CLAYTON, NC 27520-
Book: 04692
Page: 0749
Market Value: 80430
Assessed Acreage: 0.1
Calc. Acreage: 0.1
Sales Price: 76000
Sale Date: 2015-12-09

Scale: 1:1744 - 1 in. = 145.34 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)



Johnston County GIS
February 7, 2016

Thursday, March 10, 2016

Neighborhood Meeting

Special Use Permit for 222 and 224 East Main St

- Location of meeting was moved from 328 East Main Street to 222 East Main Street.
- Meeting began at 6:00 pm. Three people were present: Mr. and Mrs. Elmore and Reid Smith.
- Representative James Lipscomb was present to discuss the plans to convert the two buildings into a Martini Bar. Topics covered included renovations to the buildings, the alley way, addition of a covered back patio, landscaping, lighting, and parking improvements.
- Everyone supported the project and were excited about the positive impact it can bring to the downtown community.
- There was no opposition from anyone present.
- Meeting adjourned at 7:00 pm

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Monday, May 2, 2016, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following special use application:

- 222 E Main Lounge Special Use Permit, 2016-38-SUP. The request is to obtain special use approval to operate a cocktail lounge at a property located within the B-1 zoning district. Per Unified Development Code, the use of cocktail/lounge in a B-1 zoning district requires a Special Use Permit. Parcel number 166913-12-0660; TAG ID 05015075.

During an evidentiary hearing, the Clayton Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

This is an open meeting and the public is invited to attend.

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:

April 20, 2016

April 27, 2016

Affidavit of publication required.

**TOWN OF CLAYTON
SPECIAL USE PERMIT
#2016-38-SUP
GRANTED**

On the date listed below, the Town Council for the Town of Clayton met and held an evidentiary hearing to consider the following application:

Applicant:	J&B Real Estate
Property Owner:	J&B Real Estate
Property Location:	222 & 224 East Main Street, Clayton, NC 27520
Brief Property Description:	.1 acres
Tax Parcel Number:	166913-12-0660
Proposed Use of Property:	Lounge / High End Bar
Hearing Date:	May 2, 2016

Having heard all the evidence and argument presented at the hearing, the Town Council makes the following findings:

- (1) That the application will not materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.
- (2) That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations.

(3) That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

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

The Town Council also finds the Special Use Permit is subject to the following conditions:

1. The development of the site is limited to the site design and uses approved by the Planning board. Modifications to the approved site plan shall require review and approval in accordance with Section 155.707 of the Unified Development Code.
2. Following Board approvals, three copies of the Final Site Plan, Landscape Plan and Architectural Elevations meeting the requirements of the Conditions of Approval and displaying the Conditions of Approval shall be submitted to Planning Department for final approval.
3. All roof mounted and ground mechanic equipment must be completely screened from view.
4. Utility fees shall be paid to the Town prior to issuance of any building permits
5. A final landscape/site inspection shall be performed by the Planning Department prior to the issuance of a Certificate of Occupancy.

TOWN OF CLAYTON

BY: _____ Mayor

DATE: _____
[Note: within 14 days of decision per Code Section 155.702(G)]

ATTEST:

_____(SEAL)
Kimberly A. Moffett, CMC, NCCMC

Town Clerk

**Town of Clayton
Town Council
SUP Motion Sheet**

After considering the competent, material, and substantial evidence presented, including the application and materials of record, I move to (PICK ONE):

- ☐ Approve
- ☐ Deny
- ☐ Approve with Conditions

SUP Application **2016-38-SUP**

This motion is based on the following findings:

1. The application **will not** materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.

OR

The application **will** materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved. (State evidence supporting finding.)

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

OR

The application **does not meet all** required specifications and **does not** conform to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations. (State evidence supporting finding.)

**SUP Motion Form
Page 1 of 2**

PPAB 2652471v1

3. The application **will not** substantially injure the value of adjoining or abutting property, and **will not** be detrimental to the use or development of adjacent properties or other neighborhood uses.

OR

The application **will** substantially injure the value of adjoining or abutting property, and **will** be detrimental to the use or development of adjacent properties or other neighborhood uses. (State evidence supporting finding).

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

OR

The application **will** adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties. (State evidence supporting finding.)

[If approved with conditions] The applicant meets the above findings subject to the following conditions:



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

AGENDA LOCATION:

Old Business

Meeting Date:

April 18, 2016

ITEM TITLE:

Resolution - Malt Beverage Referendum

DESCRIPTION:

Resolution presented for consideration of placing referendum on November 8, 2016 ballot. Referendum would allow sale of malt beverages both "on" and "off" premises.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Administration

PRESENTER:

Nancy Medlin, Deputy Town Manager

ITEM HISTORY:

Date:

April 18, 2016

Action Taken:

Place on May 2, 2016 Agenda

Information Provided:

Report provided

Date:

Action Taken:

Information Provided:

**RESOLUTION REQUESTING THE JOHNSTON COUNTY BOARD OF ELECTIONS TO
HOLD AN ELECTION ON THE SALE OF MALT BEVERAGES**

WHEREAS, certain citizens have requested that the Town of Clayton (the "Town") review the alcoholic beverage regulations affecting the Town; and

WHEREAS, a committee of Town citizens and Town staff have reviewed the regulations and recommend holding an election on the matter; and

WHEREAS, the Town Council believes that this matter should be determined by the qualified voters of the Town; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Clayton hereby requests, pursuant to NCGS § 18B-601(c), that the Johnston County Board of Elections hold an election on the matter and place a proposition on the sale of malt beverages in the Town of Clayton on the November 8, 2016 ballot.

The proposition shall read as follows:

(1) To permit the "on-premises" and "off-premises" sale of malt beverages.

☐ FOR
☐ AGAINST

Duly adopted this the 2nd day of May, 2016, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly Moffett, CMC, NCCMC
Town Clerk



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

AGENDA LOCATION:

Old Business

Meeting Date:

May 2, 2016

ITEM TITLE:

Resolution - Delcaring Annex Building as Surplus Property

DESCRIPTION:

Resolution will declare the Annex Building located at 231 E. Second Street to be recognized as Surplus Property

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Administration

PRESENTER:

Steve Biggs, Town Manager

ITEM HISTORY:

Date:

May 2, 2016

Action Taken:

Place on May 2, 2016 Agenda

Information Provided:

Report

Date:

Action Taken:

Information Provided:

RESOLUTION DECLARING CERTAIN REAL PROPERTY SURPLUS

WHEREAS, the below described property is longer necessary, useful or suitable for municipal purposes.

NOW THEREFORE, BE IT RESOLVED that the follow property be declared surplus and disposed of according to North Carolina State Statutes, including disposal and or sale:

Old Town Hall /Annex Building
231 East Second Street
Clayton, NC

BE IT FURTHER RESOLVED that the Mayor, Town Manager and Finance Officer may do all acts necessary to dispose of said property according to the North Carolina Law.

Duly adopted this the 2nd day of May, 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



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

AGENDA LOCATION:

New Business

Meeting Date:

May 2, 2016

ITEM TITLE:

Economic Infrastructure Grant

DESCRIPTION:

Town of Clayton intends to request grant assistance from the Economic Infrastructure Grant Program with reference to the East Clayton Industrial Area/Novo Nordisk Diabetes Active Pharmaceutical Ingredients Production Sewer Improvement.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Administration

PRESENTER:

Steve Biggs, Town Manager

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:

AUTHORIZING RESOLUTION BY GOVERNING BODY OF THE APPLICANT

Economic Infrastructure Grants Program

WHEREAS, the North Carolina Rural Infrastructure Authority (RIA) has authorized the awarding of grants from appropriated funds to aid eligible units of government in financing the cost of infrastructure activities needed to create jobs; and

WHEREAS, the Town of Clayton needs assistance in financing an infrastructure project that may qualify for Rural Grants/Programs funding; and

WHEREAS, the Town of Clayton intends to request grant assistance for the East Clayton Industrial Area/Novo Nordisk Diabetes Active Pharmaceutical Ingredients (DAPI) Production Sewer Improvements from the Economic Infrastructure Grants Program;

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF CLAYTON:

That the Town of Clayton will arrange financing for all remaining costs of the project, if approved for a grant.

That Jody L. McLeod, Mayor and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Clayton with the Rural Grants/Programs Section for a grant to assist in the above-named infrastructure project.

That Jody L. McLeod, Mayor, and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Clayton with the Rural Grants/Programs Section for a grant to assist in the above named infrastructure project.

That Steve Biggs, Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as Rural Grants/Programs Section may request in connection with an application or with the project proposed; to make assurances as contained in the application; and to execute such other documents as may be required in connection with the application.

That the Town of Clayton has substantially complied or will substantially comply with all federal, state, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Duly adopted this 2nd day of May, 2016 while in regular session.

Jody L. McLeod, Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk