



The Town of Clayton
Town Council Work Session Meeting Agenda
Monday, February 20, 2017 @ 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

- January 3, 2017
- January 17, 2017

[January 3 2017 DRAFT Minutes](#)

[January 17 2017 DRAFT Minutes](#)

b. Budget Amendments

General Fund & Police Special Revenue Fund - Ordinance #2017-02-03

General Fund Debt Service - Ordinance #2017-02-04

Capital Project Northside Substation - Ordinance #2017-02-05

[General Fund Police Special Revenue Fund-Budget Amendment](#)

[General Fund Debt Service Budget Amendment](#)

[Capital Project Budget Ordinance Northside Substation](#)

POTENTIAL ACTION: Approval of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

a. Warranty Acceptance(s)

Public Water, Sewer & Pertinent Easements:

- Parkview - Phase 15
- Amelia Station Medical Building

FINAL Acceptance(s):

- RWAC, Ravens Ridge, Phase 8B1 & 8B2
- RWAC, Alpine Valley, Phase 6D-2
- RWAC, Ravens Ridge, Phase 2D & 2F

[Cover - Warranty Acceptance](#)

[Warranty Acceptance - Parkview Subdivision, Phase 15](#)

[Warranty Acceptance - Amelia Station Medical Building](#)

[Final Acceptance - RWAC Ravens Ridge 8B-1 & 8B-2](#)

[Final Acceptance - Alpine Valley Phase 6D-2](#)

[Final Acceptance - RWAC Ravens Ridge Phase 2D & 2F](#)

POTENTIAL ACTION: Place on March 6, 2017 Consent Agenda

- b. Arbor Day Proclamation

[Cover - Arbor Day Proclamation Request 2017](#)

[Proclamation - Arbor Day 2017](#)

POTENTIAL ACTION: Place on March 6, 2017 Consent Agenda

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. New Employee Introduction

Presenter: Michael Tutwiler, GIS Coordinator

- Michael Riter - GIS Technician

- b. Pavement Condition Survey Presentation

Presenter: John Fersner, PE - US Infrastructure

[Cover - Pavement Condition Survey](#)

[Pavement Condition Survey](#)

- c. Planning Board Appointment Recommendations

Presenters: David DeYoung, Planning Director & Kimberly Moffett, Town Clerk

[Cover - Recommendation for Appointments to Planning Board](#)

[Application - Randy Wilkins - In Town](#)

[Application - Ross Benson - ETJ](#)

POTENTIAL ACTION: Place on March 6, 2017 Consent Agenda

6. ITEMS SCHEDULED FOR THE REGULAR MEETING

- a. Sewer Ordinance Regulations Revisions

Presenter: Adam Lindsay, Town Manager

[Cover - Sewer Ordinance Amendments](#)

[Sewer Regulations Revisions 2.14.17](#)

POTENTIAL ACTION: Place on March 6, 2017 Consent Agenda

7. ITEMS CONTINGENT FOR THE REGULAR MEETING

8. ITEMS FOR DISCUSSION

9. 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 to allow action to be taken.)

10. OLD BUSINESS

11. STAFF REPORTS

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

12. OTHER BUSINESS

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

13. ADJOURNMENT



**The Town of Clayton
Regular Town Council Meeting Minutes
Tuesday, January 3, 2017 @ 6:30 PM
Council Chambers**

COUNCIL PRESENT:

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

STAFF PRESENT:

Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
David DeYoung, Planning Director
Jay McLeod, Senior Planner
Robert McKie, Finance Director
Stacy Beard, Public Information Officer

COUNCIL ABSENT:

Council Member Lawter

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order at 6:34 p.m. He led everyone in the Pledge of Allegiance as well as offering the 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 - December 19, 2016
- b) Warranty Acceptance - Public Water, Sewer Drainage, All Pertinent Easements & Asphalt Pavement
- Stone Ridge Subdivision Phases 3& 4
 - Lionsgate, Phases 1A & 1B
- c) Proclamation - Student Art Month - January 2017
- d) Confirmation of Re-Appointments - Triangle J Council of Governments
- Delegate - Council Member Butch Lawter
 - Alternate - Council Member Jason Thompson
- e) Resolution Directing Clerk to Investigate Sufficiency of Annexation Petition #2016-223-ANX
- Gordon Property
- f) Appointment to Parks & Recreation Advisory Board
- Emily Beddingfield - Term Expiration - 12/31/2019
 - Richard Champion - Term Expiration - 12/31/2019

ACTION: Approval of Consent Agenda as Presented

Motion: Council Member Thompson

Second: Council Member Holder

Vote: Unanimous

4 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) Student Art Month Proclamation
Presenter: Stacy Beard, Public Information Officer

Ms. Beard provided a presentation and shared additional information about this annual Proclamation. The Women's Club of Clayton sponsors an annual event highlighting the art and talent of local students. The 2017 event will be held on Thursday, January 5, 2017 at the Clayton Center. Mayor McLeod will be in attendance to announce the names of award recipients. The official Proclamation was presented to Brenda Hill and Betsy Grannis. There was a photo opportunity with the Mayor.

- b) 2016 Financial Benchmark Report
Presenter: Robert McKie, Finance Director

Mr. McKie shared information regarding key growth rates and policy compliance to include benchmarks, Key Growth Rates - General Fund, Fund Balance Ratio - General Fund, Debt Ratios - General Fund, Debt Service Coverage Ratio - Enterprise Funds and Operating Days Cash on Hand - Enterprise Funds.

Mr., McKie stated the town had an excellent year. The Mayor stated this was outstanding information and news. Council offered their thanks and appreciation to Mr. McKie for all his hard work and dedication.

5 PUBLIC HEARINGS

- a) Major Subdivision - Warrick Tract - 2016-163-SD
Presenter: Jay McLeod, Senior Planner

Town Attorney provided additional information regarding type of evidence that can be considered during a quasi-judicial hearing meaning evidence must be given under oath or affirmation, be competent, relative to the case and no hearsay can be considered. The Town Clerk affirmed all those wishing to offer testimony. Mayor McLeod opened the public hearing.

Mr. McLeod provided information on this project and applicant request to develop 26 single-family lots on 25.3 acres located north of Old US 70 West and east of Fieldstone Drive. Development would use public water and private septic. Proposed lot size is minimum of 25,000 square feet, which is less than what is typically permitted in the R-E zoning district for lots on public water and septic. The applicant obtained a variance, 2016-210-VAR with regard to minimum lot size on November 16, 2016.

Request is compatible with surrounding land uses and meets the criteria of the Unified Development Code with exception of following waivers. The applicant has addressed the four Findings of Fact. Staff has outlined suggested conditions of approval within staff report.

The applicant is requesting waivers from the following:

1. Providing curb and gutter streets
2. Providing Sidewalks
3. Connectivity to adjacent parcels

Staff stated waiver requests #1 and #2 have been resolved as follows:

1. Installation of town approved 20' wide pavement with ditch on either side
2. Payment of fee-in-lieu for any sidewalk not installed

Waiver request #3 remains unresolved and it is the recommendation of both the Planning Board and staff that this waiver be denied, as it does not meet requirements of Unified Development Code.

There was mention of inability to connect due to applicant's belief of a possible stream at this location and hardship created to developer to cross it. Mr. McLeod stated preliminary information obtained from County Storm Water Manager indicates there is mostly like no stream crossing at this location.

There was lengthy discussion regarding the need and importance of connectivity in general and specifically to property to the north of this project.

Mr. McLeod provided detailed information regarding requirements in the code with regard to use of a cul-de-sac. Staff feels strongly that having a paved stub out to the edge is vital for future connectivity.

It is the recommendation of staff and Planning Board that project be approved with conditions as noted in staff report and that waiver regarding connectivity be denied.

Questions raised and discussed included possible connectivity at an additional location on the west side of the property near the Fieldstone Subdivision. This property is a NCDOT Right of Way. Mr. DeYoung joined the discussion and stated it was his belief that NCDOT would not take ownership of any road that does not have at least four driveways and in order to have connectivity at this location NCDOT would need to deed this Right of Way to the Town of Clayton in order for a road to be built. Mr. DeYoung further stated he believed it is much better to connect town roads to town roads.

With no further questions of staff, the applicant, Reid Smith of 114 West Main Street, Clayton addressed council. Mr. Smith stated the issue regarding possible stream was invalid and requested this concern be pulled from any further discussion. He stated he was there to discuss connectivity issues. Mr.

Smith provided a written affidavit from Kathryn Creasy, who is the landowner north of the parcel, stating she did wish to have connectivity to her property.

Mr. Smith stated that it was his belief that the Creasy property is a fully developed tract and therefore no stub out should be required or needed. He stated he felt it necessary to respect the wishes of the owner with regard to privacy. He shared information regarding stub outs in other developments, stated stub outs tend to be a place for folks to dump trash, and in general folks do not like what stub outs bring to their world. He also addressed cul-de-sac as being a better option with regard to emergency vehicles. He further stated that he felt a stub out is not aesthetically pleasing and would affect property values adversely. He stated he did not feel that a tract this size needed to have three entrances. He further stated he believed the code empowered the council with regard to connectivity.

Mayor McLeod opened the floor for questions from the council.

Mayor Pro Tem Grannis asked about potential for connectivity for three locations on the Creasy property. Mr. Reid stated in a hypothetical situation, should the land ever be developed you would want an entrance off Shotwell Road and secondary off the right of way.

Mr. Donnie Adams of 335 Athletic Club Blvd. stated that with regard to the right of way, he believes it is a public right of way and that it does not have a tax identification number. He stated it is not NCDOT property but a public right of way.

Mr. Lipscomb addressed the council and echoed this statement regarding the right of way. He stated they did not want to have sidewalks on both sides and does not want to pay fee-in-lieu, he compared this to the Cassedale subdivision. Applicant stated these were large lots and felt sidewalks on both sides of the streets would be overkill.

Applicant stated that NCDOT report stated there would be a turn lane requirement for over 20 lots and this would not make economic sense for a project with 23 lots. They are still speaking with NCDOT with regard to this; however, it was likely that the plat map would be reduced from 23 to 20 lots. Additionally he stated that the lot on the corner owned by Linda Warrick would be removed, as it would no longer be required for density issues.

Council Member Satterfield asked for information regarding Cassedale and fee-in-lieu. Mr. DeYoung stated no record was found regarding this. He also provided information regarding history of sidewalk requirements prior to 2006. Mr. Lipscomb stated he thinks one of the great things about Clayton is having many different options with regard to size of lots and he hopes that development will not start to look the same.

Mr. Lipscomb spoke about the sidewalk along Fieldstone Drive should be required. He had concerns regarding future maintenance. Mr. Lipscomb stated Mr. Chris Overman would be extremely helpful with regard to NCDOT

right of ways and the town taking over.

Mayor stated he appreciated the information regarding Mr. Overman, however, since Mr. Overman did not offer testimony or present evidence, that information could not be considered in the decision making process. Mr. Lipscomb stated this information was strictly for future information.

Mayor Pro Tem Grannis wanted to confirm the additional changes heard this event were as follows:

1. Large tract to the south would be removed
2. Reduce lots from 23 to 20
3. Portion of greenway to be done away with

It was the opinion of Mayor Pro Tem Grannis there were too many changes presented this evening for the council to vote on the project. He stated he felt council needed time to absorb and study all the additional changes and information.

Mr. Lipscomb stated he apologize did not want to hold the project up for an additional 30 days and stated it was within the applicant's right to reduce the amount of lots and they were still asking for 23 lots this evening but wanted to share the possibility of a reduced amount of lots.

Mayor Pro Tem Grannis stated he did not feel council was afforded enough time to make a decision. He had issues with the period of providing of updated information.

Mr. DeYoung stated he believed his professional opinion regarding connectivity is sound. There was further discussion regarding the right of way previously discussed and it is Johnston County and NCDOT right of way, not the towns. Also discussed was the potential for future development and values of Creasy property. Also addressed was Warrick property not being part of subdivision and issues with sidewalks. does not go into subdivision - issue with sidewalks

Mayor opened floor for questions. Mr. Travis Russell stated he wished to address the council. He was affirmed and stated the residents in Fieldstone would not be in favor of a sidewalk along Fieldstone Drive.

Mayor called council into deliberation.

ACTION: Public Hearing Continued to February 6, 2017.

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

- b) Amendment to Unified Development Code Sign Code Amendment - 2016-102-OA

Presenter: Jay McLeod, Senior Planner

Mr. McLeod provided an overview regarding sign code amendments. He shared examples of proposed signs.

There was brief discussion and council stated they were not in favor of requiring new tenants in an older complex to have to upgrade signs at a much higher cost. Mr. DeYoung stated the intent is to avoid signs being replaced with less desirable sign types. He stated cabinet signs are not currently allowed within our code and we are not trying to penalize those with cabinet signs but rather be upgrading properties.

ACTION: Adoption of Reasonableness & Consistency Statement

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

ACTION: Adoption of Ordinance #2017-01-01

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

6 OLD BUSINESS

7 NEW BUSINESS

- a) Representation on JC Economic Development Board
Presenter: Kimberly Moffett, Town Clerk

The Johnston County Economic Development Advisory Board consists of 14 members, one position for each of the 11 municipalities within Johnston County and 3 at-large members. Currently Mayor McLeod serves on this board and his term is set to expire at the end of February 2017 and is no longer eligible for re-appointment. To date, two applicants have indicated an interest in serving on this board; Alsey Gilbert and Bob Satterfield. The Johnston County Board of Commissioners felt it important to have input regarding appointment from municipalities and their respective seat on the board. They have requested recommendation on either of the applicants or any other individual they feel would be a good candidate for the upcoming position on this board. Discussion took place and it was consensus to nominate Bob Satterfield for appointment to this board.

ACTION: Place Recommendation on January 17, 2017 Consent Agenda

8 STAFF REPORTS

- a) Town Manager
b) Town Attorney

- c) Town Clerk
- d) Other Staff

9 OTHER BUSINESS

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

10 ADJOURNMENT

- a) With there being nothing further, the meeting was adjourned at 8:20 p.m.

ACTION: Adjourn the Meeting

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

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



**The Town of Clayton
Town Council Work Session Meeting Minutes
Tuesday, January 17, 2017 @ 6:30 PM
Council Chambers**

COUNCIL PRESENT:

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

STAFF PRESENT:

Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
David DeYoung, Planning Director
Jay McLeod, Senior Planner
Tim Simpson, Public Works Director
Stacy Beard, Public Information Officer
James Warren, WWTP Operator

COUNCIL ABSENT:

Council Member Thompson

1 CALL TO ORDER

Pledge of Allegiance and Invocation

a)

The Mayor called the meeting to order at 6:33 p.m. and led everyone in the Pledge of Allegiance as well as offering the 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) Recommendation of Bob Satterfield for Appointment to Johnston County Economic Development Board

b) Certificate of Sufficiency of Gordon Tract Annexation - 2016-223-ANX

ACTION: Approval of Consent Agenda as Presented

Motion: Council Member Holder

Second: Council Member Lawter

Vote: Unanimous

4 ADMINISTRATIVE ITEMS

a) Warranty Acceptance - Public Utilities/Pertinent Easements

- AS & PC Medical Site @ Spring Branch

ACTION: Placed on February 6, 2017 Consent Agenda

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) Cub Scout Troop #24

Mayor McLeod welcomed Cub Scout Pack #24 of the Clayton Civitan to the meeting.

b) New Employee Introductions:

Presenter: Larry Bailey, Parks & Recreation Director

- Stephen Browne, Maintenance

Presenter: James Warren, Wastewater Treatment Plant Supervisor

- Kenneth Straub, Wastewater Plant Operator

Presenter: Paul Vladyka, Fleet Service Supervisor

- Steven Hoag, Vehicle Maintenance Technician

Their direct supervisor introduced all above employees. Council welcomed everyone to Clayton.

c) Clayton Community Center Garden

Presenter: Stacy Beard, Public Information Officer

Ms. Beard provided additional background information and shared an overhead video of the Clayton Community Center Garden and the volunteers who manage this project. This project is a joint endeavor between the Town of Clayton Parks and Recreation and the NC Cooperative Extension. This project has been ongoing for more than 6 years and has grown from a small spot of land to a massive community garden that provides almost 3,000 lbs. per year of fresh grown vegetables and produce. The majority of this food is donated to the Clayton Area Ministries. Mayor McLeod and council members offered their thanks and appreciation to the dedicated volunteers. Everyone was presented with a certificate of appreciation and there was a photo opportunity with the Mayor.

d) Audit Report

Presenter: Ken Anderson, CPA

Mr. Anderson shared information regarding the annual audit. Council was provided was a two page summary. The Powell Bill Fund was audited based on the balance. Mr. Anderson stated the town had no budget over expenditures during the year. The audit was submitted to the Local Government Commission on November 30, 2016 and has been accepted. Currently the general fund balance is three and one half times the standard required. The fund balance is extremely strong. The property tax collection percentage rate is extremely high. Mr. Anderson commented that current controls in place are very good.

Mayor Pro Tem Grannis thanked Mr. Anderson for all his hard work. He further stated the town is in good shape, very well managed, and offered his appreciation.

6 ITEMS SCHEDULED FOR THE REGULAR MEETING

- a) 2017-2018 Budget - Public Input
Presenter: Adam Lindsay, Town Manager

Mr. Lindsay provided information regarding this item. According to North Carolina General Statute, municipalities are required to hold at least one public hearing prior to adoption of the fiscal year budget. This public hearing is normally held in May or council adopts June right before the budget. Mr. Lindsay would like to add an additional public hearing, allowing the public an opportunity to offer input at the beginning of the budget planning process.

ACTION: Set Public Hearing for February 6, 2017

- b) Petition for Annexation - Gordon Properties - 2016-223-ANX
Presenter: David DeYoung, Planning Director

Mr. DeYoung stated the applicants are requesting voluntary annexation of a total of 61.30 +/- contiguous acres. This request is made up of multiple parcels located at Glen Laurel Road, Vinson Road, and Powhatan Road. Council Member Satterfield asked if all previous issues had been solved and Mr. DeYoung stated they had.

ACTION: Set Public Hearing for February 6, 2017

- c) Special Use Permit - IGT Technology - 2016-227-SUP
Presenter: Planning Department

Mr. DeYoung stated applicant, IGT Technologies, is requesting a Special Use Permit. Request is for warehouse usage in an existing building, Nicks Flippin' Kids. This location is located in a Special Use District. Applicant is using the back portion of warehouse space of approximately 40,000 square feet. Request is consistent with the Comprehensive Plan and Unified Development Code. The applicant has addressed the Findings of Fact. Staff recommended approval with condition as listed in Staff Report.

ACTION: Set Public Hearing for February 6, 2017

- d) Rezoning - The Village at Little Creek - 2016-172-RZ
Presenter: Planning Department

Mr. Jay McLeod stated the applicant is requesting rezoning of 22.44 acres located on Dairy Road south of Brittany Woods. This project is known at The Village at Little Creek. Current zoning is Residential-Estate (R-E) and request is to rezone to Residential-8(R-8). Total acreage of this project is 44.25 acres and applicant is requesting to rezone 22.44 acres of the parcel. Rezoning to R-8 would allow 8,000 SF single-family lots or 6,000 SF single-family lots if lots were developed as part of an Open Space Subdivision. This property is

currently located within the towns ETJ and would be required to annex into the town to receive water and sewer services.

The request is consistent with the surrounding land uses and comprehensive plan.

Staff recommends approval of the rezoning as requested.

It was noted there is a wastewater allocation request of 55,000 GPD.

ACTION: Set Public Hearing for February 6, 2017

Motion: Council Member

Second: Council Member

Vote: Unanimous

- e) Major Subdivision - The Village at Little Creek - 2016-173-SD
Presenter: Planning Department

Mr. McLeod stated this request is to develop an Open Space R-8 single-family residential subdivision on 44.25 acres. It is proposed to have 154 lots with a minimum size of 6,000 SF. The southern part of the property is currently located in the ETJ and will need to annex to receive water and sewer services. As part, the development the applicant is proposing to reserve right of way for future Southern Connection that will run directly through the middle of the two subject properties. Until such time the Southern Connector is fully developed, the only access to the southern portion of the project would be through the northern portion, which will have two access points. The two access points will be located on Dairy Road and the second via stub-out from Marrian Drive.

The request is consistent with the 2040 Comprehensive Plan, the Unified Development Code and is compatible with Surrounding Land Use.

Applicant is proposing to provide one street tree per lot and a Class "C" landscape buffer to be provided along all property lines. There will be two mail kiosks within the development. Sidewalks are proposed along both sides of the street throughout the development. Also proposed is a 10' green way trail located along the future Southern Connector as well as a dog park, two community parks to include playground equipment, a picnic shelter and community grills.

Mr. McLeod originally there was plan for a lift station; however, surveying is being done to determine possibility of a gravity feed.

A Traffic Impact Analysis was prepared which indicates a minor increase in traffic at intersections of Barber Mill Road, Highway 42 W and Guy Road and Highway 42 W. Since both these intersections are included in the JC Comprehensive Transportation Plan, as well as the State Transportation Improvement Plan, the study found it would be unreasonable to expect the developer make improvements. The critical improvement would be to the

intersection of Barber Mill Road and Highway 42 W, which should be improved with the NCDOT's widening of Highway 42 W. Recommendations included re-striping and timing of light at Barber Mill and Highway 42W, dedication of right of way for Southern Connector; turn lane and site entrance improvements on Barber Mill and Dairy Road.

Planning Board had concerns regard mass grading. A grading report was provided and staff is happy to investigate further if request.

Applicant has addressed major subdivision approval criteria.

Staff recommends approval with conditions as included in staff report.

Mayor Pro Tem questioned the amount of acreage for the community and dog parks. Exact figures not known, however a total of 4.74 acres of open space is planned to include 1.03 acres of recreation space. Mayor Pro Tem Grannis stated he would like that information at the Public Hearing.

Council Member Lawter questioned the protection of natural resources to include the green way paths and asked if all necessary permits would be obtained.

There was brief discussion regarding possible internal traffic issues with on street parking, etc.

Attorney Ross provided information regarding the upcoming two separate hearings, one for rezoning and one for subdivision. She explained that the first for rezoning would be legislative and the second would be quasi-judicial.

The Mayor offered an explanation in plain language with regard to process for both items. Rezoning has no bearing on the subdivision. With reference to the subdivision approval, the developer must meet 4 Findings of Fact. The Mayor suggested residents designate a spokesperson. He reminded that only certain types of evidence and testimony could be considered during a quasi-judicial process. He reminded all testimony must be provided under oath. He stated if there was a concern about property values to remember the council was sitting in a quasi-judicial, there must be proof provided not just opinion.

Attorney Ross read into the record the 4 Findings of Fact:

1. That the subdivision meets are 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.

Mr. McLeod provided additional information regarding the two different types of subdivisions.

Mayor McLeod asked if this was the maximum number of lots allowed. Mr. McLeod stated the developer had done a good job with their plan and stated it would be tough to add additional lots.

ACTION: Set Public Hearing for February 6, 2017

Motion: Council Member
Second: Council Member
Vote: Unanimous

- f) Award of Bid Recommendation - UV Disinfection System Improvements
Presenter: James Warren, Wastewater Treatment Plant Superintendent

Mr. Warren stated 5 bids were received. The Low bidder is George Rapper & Son with a bid of \$244,000. They have done previous work for the town. The bid came in 5% below budget. Recommendation to award bid to George Rapper & Son Inc.

ACTION: Place on February 6, 2017 Consent Agenda

7 ITEMS CONTINGENT FOR THE REGULAR MEETING

8 ITEMS FOR DISCUSSION

9 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 to allow action to be taken.)

10 OLD BUSINESS

11 STAFF REPORTS

- a) Town Manager
- b) Town Attorney
- c) Town Clerk
- d) Other Staff

12 OTHER BUSINESS

- a) Informal Discussion & Public Comment

Ms. Sylvia Connors of 304 Marrian Drive in the Brittany Woods Subdivision addressed the council. Ms. Connors spoke about community's country feel and stated the community enjoys this quiet way of life and want to keep the feel and character. She stated they are not happy about the possibility of the Village at Little Creek but understand growth has to happen but questioned if it needed to happen now. She shared a power point presentation and shared concerns about standing water, swampy land, rotting trees, run off, degrading of land and buffering. She stated she believe the value of their homes would be diminished. The Mayor again reminded Ms. Connors that much as he and the council may personally care about feelings and opinions of residents, that when the Public Hearing is held only credible evidence and testimony that is presented under oath can be considered by them when reaching a decision.

Ms. Connors asked that all those in attendance with concerns to please stand. A total of approximately 25 people were noted as being in attendance. At this time a petition from residents of Brittany Woods, indicating their displeasure with this project, was provided and made part of the record.

Mr. Andy Hairston of 2804 Brittany Drive addressed the council and provided a GIS map of Brittany Woods. He began to address zoning and lot sizes.

At this time, Attorney Ross requested that Mr. Hairston return to the February 6, 2017 meeting for the Public Hearing be held, where he could present this type of information under oath at which time the council could consider his testimony. He added residents would like to propose as compromise that both properties be rezoned R-10.

b) Council Comments

13 ADJOURNMENT

a)

With there being nothing further, the meeting was adjourned at 7:43 p.m.

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

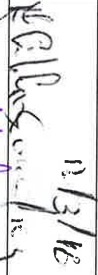
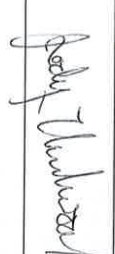
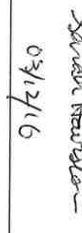
Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

By signing this petition, I am confirming that:

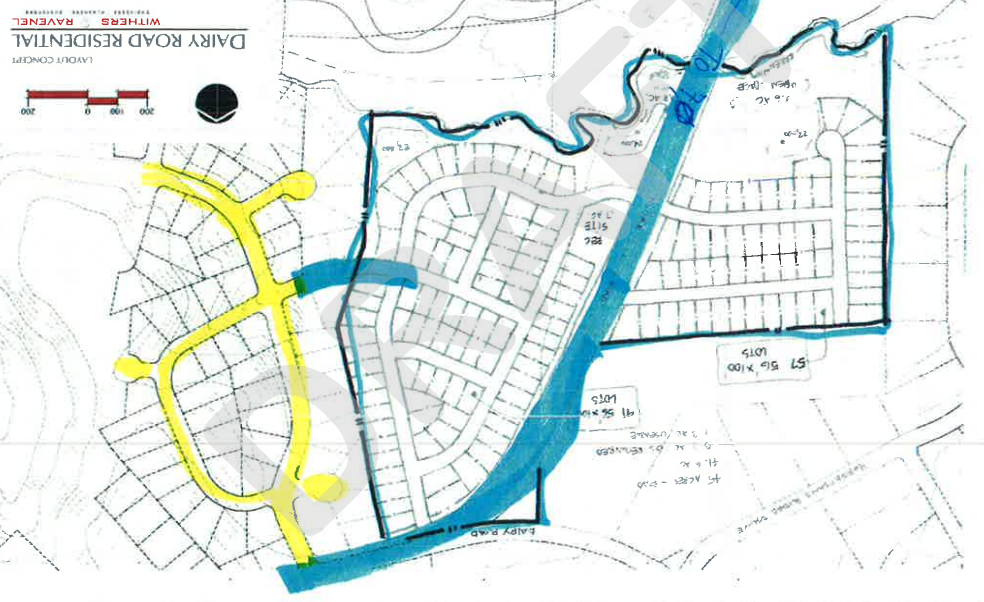
- I am against the development of the dairy road parcels featured on the backside of this form and feel the development of this land will severely deteriorate the quality of our peaceful, quiet community.
- I am against the development of any additional & cut-through roads in my community
- The development of this land may affect my choice to reside within this community (See Comments)

Name(s)	Street Address	Rent or Own	Comments/Additional Concerns?	Signature(s) & Date
John: Sylvie (Bridget)	304 Meridian Dr.	O		 12/3/16
Naomi Mekay	2814 Brittany Dr.	R	Don't extend the road	 12/3/16
Doni McKay	2811 Brittany Dr.	R	I moved here for the quiet.	 12/3/16
MARLENE GOSTAVO GONCALVES	2900 BRITANNY DR	O	NEW ROAD WILL INCREASE NOISE AND POLLUTION NOT SAFE FOR KIDS	 12-3-16
Hilda Sanchez	13 Leach Cir	O		 11/3/16
Dan Underwood	2602 Brittany Dr.	O	Not a good idea!	 12/3/16
Sally Underwood	2602 Brittany Dr.	O	Traffic will be bad	 12/3/16
William Hairston	2801 Brittany Dr.	O	3 new neighbors - lots are all increased traffic noise	 03-Dec-16
Sarah Hairston	2801 Brittany Dr.	O	Increased traffic noise	 03/12/16

5121 Kingdom Way, Suite 200
Raleigh NC 27607
+1 919 832 0594 office
malcarolantic.com

Dairy Road
Clayton, NC

Conceptual Layout



Land
For Sale

By signing this petition, I am confirming that:

- I am against the development of the dairy road parcels featured on the backside of this form and feel the development of this land will severely deteriorate the quality of our peaceful, quiet community.
- I am against the development of any additional & cut-through roads in my community
- The development of this land may affect my choice to reside within this community (See Comments)

Name(s)	Street Address	Rent or Own	Comments/Additional Concerns?	Signature(s) & Date
Dustin Melamb	Black Circle	Rent		Justin E. 12-3-16 Melamb
Jim Pelotich	401 Dairy Rd	Own		Jim E. Pelotich 12-3-16
Polina Melamb	2812 Brittany	Own		Polina Melamb 12-3-16
Lucy Carey	2902 Brittany	Own		Lucy Carey 12-3-16
Scott Duncan	2902 Brittany	Own		Scott Duncan 12-3-16
Karl Vinson	804 Brittany	Rent		Karl Vinson 12-3-16
QUENTIN MORRISON	113 DARTFIELD	Own		Quentin Morrison 12-3-16
Colyn Hunt	102 Dartfield	Rent		Colyn Hunt 12-3-16
ARIEL FINCH	3108 Brittany Dr	Own		Ariel Finch 12-3-16

- I am against the development of the dairy road parcels featured on the backside of this form and feel the development of this land will severely deteriorate the quality of our peaceful, quiet community.
- I am against the development of any additional & cut-through roads in my community
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[illegible]

Clayton, NC

Dairy Road

Conceptual Layout

For Sale

Land

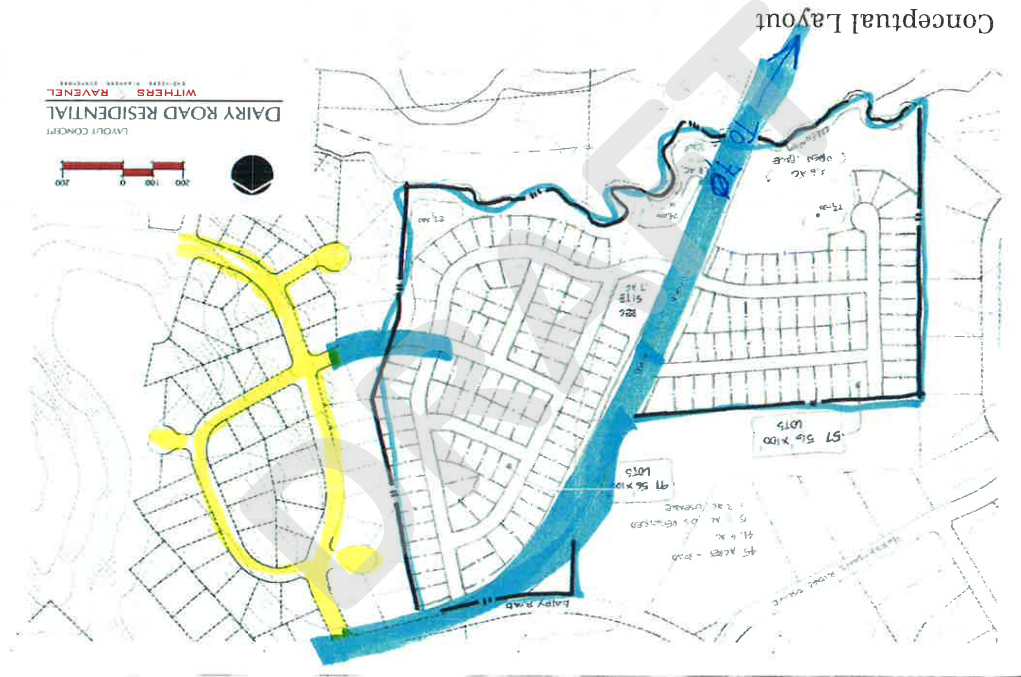
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- The development of this land may affect my choice to reside within this community (See Comments)

Name(s)	Street Address	Rent or Own	Comments/Additional Concerns?	Signature(s) & Date
Debra Davis	467 Daisy Rd. Clayton, NC	Own		Debra Davis 11/17/17
Bruce & Correy	207 Mountain Dr Clayton, NC	2 yrs own		Bruce & Correy 11/17/17
William Henry	207 Mountain Dr Clayton, NC	2 yrs own		William Henry 11/17/17
WHL	202 Bryson Dr. Clayton, NC	own 13 yrs		WHL 11/17/17
John Leggett-John	2809 Britton Dr. Clayton NC 27520	own 13 yrs		

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nalcaraolantic.com

Dairy Road
Clayton, NC



Land
For Sale

Town of Clayton
Amendment to the FY 16-17 Budget

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following amendments shall be made to the FY 16-17 Budget:

Fund: General Fund and Police Special Revenue Fund

<u>Line Item</u>	<u>Previous Appropriation</u>	<u>Adjustment</u>	<u>Revised Appropriation</u>
Expenditures			
100-50-00-55 06	Drug Seizure Funds – State		
	\$0	+6,214	\$6,214
212-55 05	Drug Seizure Funds – Federal		
	\$0	+20,679	\$20,679
Revenue			
100-40-00-48 99	Fund Balance Appropriated		
	\$346,560	+6,214	\$352,774
212-48 99	Fund Balance Appropriated		
	\$0	+20,679	\$20,679

-Explanation: Amendment necessary to reflect the appropriation of Fund Balance to purchase equipment for police investigations with the proceeds from unauthorized substance tax distributions (USTD) from the State and forfeited property from the U.S. Department of Justice Asset Forfeiture Program, which were received in prior years. The General Statutes (G.S. 105-113.113) mandates the Department of Revenue to distribute 75% of the USTD funds to the local law enforcement agency that conducted the investigation of a dealer that led to the assessment. The State establishes a special nonreverting account for the USTD funds. The Controlled Substances Act, Section 881(e)(3) of Title 21, United States Code authorizes the sharing of forfeited property. All funds received from USTD and the forfeiture program are restricted to directly enhancing the law enforcement activities of the Clayton Police Department.

Duly adopted this 20th day of February, 2017 while in regular session.

Jody L. McLeod
Mayor

ATTEST

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Town of Clayton
Amendment to the FY 16-17 Budget

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON
that the following amendments shall be made to the FY 16-17 Budget:

Fund: General Fund

<u>Line Item</u>	<u>Previous Appropriation</u>	<u>Adjustment</u>	<u>Revised Appropriation</u>
Expenditures			
100-57-90-57 008	Debt Service – Parkland Purchase \$157,683	-144,002	\$13,681
100-57-90-57 012	Debt Service – USDA Community Center \$293,600	-293,600	\$0
100-57-90-57 013	Debt Service – RBC Community Center \$125,734	-125,734	\$0
100-57-90-57 038	Debt Service – Law Enforcement Center \$358,043	-226,838	\$131,205
100-57-90-57 046	Debt Service – Community Center Refunding \$0	+497,818	\$497,818
100-57-90-57 047	Debt Service – Law Enforcement Center Refunding \$0	+146,780	\$146,780
100-57-90-57 048	Debt Service – Parkland Refunding \$0	+137,073	\$137,073
100-57-90-57 15	Debt Service Reserve \$0	+8,503	\$8,503

Amendment necessary to realign the debt service budget for refinancing activity, which is required for compliance with G.S. 159-15:

Duly adopted this 20th day of February, 2017 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

**TOWN OF CLAYTON
NORTHSIDE SUBSTATION PROJECT
CAPITAL PROJECT BUDGET ORDINANCE**

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following ordinance shall be established to construct a new substation to improve service reliability and provide redundancy in conjunction with meeting future growth demands in the Town's north area:

Revenues

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
662-48 05	Misc. Finance Capital	\$5,350,000
	Total	\$5,350,000

Expenditures

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
662-58 00	Capital Projects	\$5,106,642
662-58 99	Contingency	243,358
	Total	\$5,350,000

Duly adopted this 20th day of February, 2017 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:

Administrative Items

Meeting Date:

February 20, 2017

ITEM TITLE:

Warranty Acceptance Public Water, Sewer & Pertinent Easements

DESCRIPTION:

1. Warranty acceptance request for public water and sewer utilities, including all pertinent easements for Parkview Subdivision, Phase 15.
2. Warranty acceptance request for public utilities along with all pertinent easements for Amelia Station Medical Building.
3. Final acceptance request for public water, sewer, storm drainage utilities and all pertinent easements for RWAC Ravens Ridge, Phases 8B-1 & 8B-2.
4. Final acceptance request for public water, sewer, storm drainage utilities and all related utility easements for RWAC Alpine Valley, Phase 6D2.
5. Final acceptance request for public water, sewer, storm drainage utilities and all pertinent easements for RWAC Ravens Ridge, Phases 2D & 2F.

POTENTIAL ACTION:

Place on Consent Agenda

DEPARTMENT:

Engineers/Inspection

PRESENTER:

Chris Rowland, Construction Project
Administrator

ITEM HISTORY:

Date:

Action Taken:

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: Donnie Adams, Adams & Hodge Engineering
Paralee Smith, Development Services Coordinator

Date: February 1, 2017

Subject: Parkview Subdivision, Phase 15

Please place a warranty acceptance request for the subject public water and sewer utilities, including all pertinent easements on the next available agenda. Record drawings have been reviewed and accepted. Following acceptance, the public infrastructure will be subject to a one-year warranty period. Following the warranty, a final inspection will be done with all deficient items corrected by the developer prior to final acceptance.

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: Taylor Blakely, Blakely Design Group
Para Smith, Development Services Coordinator

Date: February 6, 2017

Re: Amelia Station Medical Building

Please place the warranty acceptance request for the subject public utilities along with all pertinent easements on the next available agenda. Record drawings have been reviewed and accepted. Following acceptance, said utilities will be subject to a one-year warranty period. Upon expiration of the warranty period, a final inspection will be done and any deficient items corrected by the developer's contractor prior to final acceptance.

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: Donnie Adams, DC Adams Engineering
Para Smith, Development Services Coordinator

Date: February 8, 2017

Subject: RWAC, Ravens Ridge 8B1 & 8B-2

Please place a final acceptance request for the subject public water, sewer, associated storm drainage utilities, and all pertinent easements on the next available agenda. A final inspection was performed with all identified punch list items completed. Upon final acceptance, the Town will assume all operation and maintenance duties.

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: Donnie Adams, Adams & Hodge Engineering
Para Smith, Development Services Coordinator

Date: February 14, 2017

Subject: RWAC, Phase 6D-2 (Alpine Valley)

Please place a final acceptance request for the subject public water, sewer, associated storm drainage utilities, and all related utility easements on the next available agenda. A final inspection was performed with all punch list items completed. Following acceptance, the Town shall assume all operation and maintenance duties.

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 *CR*

Copy: Donnie Adams, Adams & Hodge Engineering
Para Smith, Development Services Coordinator

Date: February 15, 2017

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

Please place a final acceptance request for the subject public water, sewer, storm drainage utilities, and all pertinent easements on the next available agenda. A final inspection was performed with all noted items corrected by the developer's contractor. Upon final acceptance, the Town will assume all operation and maintenance duties.



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

AGENDA LOCATION:

Administrative Items

Meeting Date:

February 20, 2017

ITEM TITLE:

Arbor Day Proclamation

DESCRIPTION:

A Proclamation is being requested to recognize Arbor Day 2017. A ceremony recognizing Arbor Day will be held on Friday, March 17, 2017. Additional details regarding this event will be provided.

POTENTIAL ACTION:

Place on Consent Agenda

DEPARTMENT:

Planning + Zoning

PRESENTER:

Beth Franson, GIS Technician

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:

**TOWN OF CLAYTON
PROCLAMATION**



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

WHEREAS, the holiday – Arbor Day – was first observed with the planting of more than one million trees; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

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

WHEREAS, when properly selected and tended appropriately, trees increase property values, enhance economic vitality of business districts, provide buffers from traffic and provide a natural playground for people of all ages; and

WHEREAS, the Town of Clayton has been named Tree City, USA for the 10th year in a row and continues to maintain and improve our urban forest by the planting of additional trees to enhance our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

NOW, THEREFORE, LET IT BE PROCLAIMED by the Honorable Mayor and Town Council of the Town of Clayton, North Carolina, that Friday, March 17, 2017, be recognized as “**Arbor Day**” and we urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands. We encourage all citizens to plant trees to promote the well-being of this and future generations.

Duly proclaimed by the Clayton Town Council this 6th day of March 2017, while in regular session.

Jody L. McLeod, Mayor



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

AGENDA LOCATION:

Special Presentations

Meeting Date:

February 20, 2017

ITEM TITLE:

Pavement Condition Survey

DESCRIPTION:

Mr. Johns Fersner of US Infrastructure will be present to provide an overview and results of recently conducted pavement condition survey within the town.

POTENTIAL ACTION:

DEPARTMENT:

Public Works

PRESENTER:

Steve Blasko

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Power Point Presentation

Town of Clayton 2016 Pavement Condition Survey



TOWN COUNCIL MEETING
FEBRUARY 20, 2017

John Fersner, PE



Introduction

1. Clayton maintains 81.01 miles of roads
2. USI finished the survey in August 2016

3. Data Collection

- o Eight common pavement surface distresses observed
- o Additional attributes

4. Post Data Collection

- o PCR Developed
- o Maintenance Activities Recommended



Roadway Assets

AASHTO's Rough Roads Ahead

- o USA Roadways - \$1.75 Trillion
- o 4,000,000 miles of roadways
- o \$437,500/mile
- o Assuming an average pavement width of 24'
 - Roadway Value ~ \$31/SY
- o Clayton's streets – 1,109,768 SY
- o Roadway assets – \$34.4 million



Data Collection – Pavement Distresses



Alligator Cracking



Block Cracking



Reflective Cracking



Raveling

Data Collection – Pavement Distresses



Rutting



Patching



Bleeding



Ride Quality

Table 6

Pavement Condition Survey Distress Summary For Rated Streets

Distress Item	Miles Low Volume	Miles High Volume	Total Miles	% Miles
1. Alligator Cracking				
None	62.37	8.20	70.56	87.1
Light	4.07	0.90	4.97	6.1
Moderate	1.30	0.33	1.63	2.0
Severe	3.43	0.41	3.84	4.7
2. Block Cracking				
None	41.41	3.49	44.90	55.4
Light	24.14	2.16	26.30	32.2
Moderate	3.45	2.37	5.82	7.2
Severe	1.57	0.21	1.79	2.2
3. Reflective Cracking				
None	71.17	9.84	81.01	100.0
Light	0.00	0.00	0.00	0.0
Moderate	0.00	0.00	0.00	0.0
Severe	0.00	0.00	0.00	0.0
4. Rutting				
None	64.02	8.54	72.56	89.3
Light	6.59	1.49	8.08	10.0
Moderate	0.44	0.00	0.44	0.6
Severe	0.10	0.00	0.10	0.1
5. Raveling				
None	66.09	9.54	75.63	93.4
Light	4.68	0.25	4.93	6.1
Moderate	0.40	0.00	0.40	0.6
Severe	0.00	0.00	0.00	0.0
6. Bleeding				
None	71.17	9.84	81.01	100.0
Light	0.00	0.00	0.00	0.0
Moderate	0.00	0.00	0.00	0.0
Severe	0.00	0.00	0.00	0.0
7. Ride Quality				
Average	66.12	9.59	75.71	93.1
Highly Rough	4.84	0.15	5.00	6.1
Rough	0.11	0.00	0.11	0.1
8. Patching				
None	63.13	8.50	71.63	88.4
Light	5.61	0.14	5.75	7.1
Moderate	1.83	0.38	2.21	2.7
Severe	0.01	0.00	0.01	0.0
Total	71.17	9.84	81.01	100.0

Data Collection – Additional Attributes

- o Number of lanes
- o Block number
- o Segment length
- o Segment width
- o Sidewalk
- o Curb and gutter
- o Asphalt height above gutter

Table 7
Deduct Values

PAVEMENT DISTRESS	SEVERITY			
	None (N)	Light (L)	Moderate (M)	Severe (S)
Alligator Cracking (AL, AM, AS) (Multiplied by percent)	0	25	60	99
Block/Trans Cracking (BK)	0	5	20	35
Reflective Cracking (RF)	0	5	10	20
Rutting (RT)	0	5	15	25
Raveling (RV)	0	5	25	35
Bleeding (BL)	0	5	15	25
Ride Quality (RQ)	-	0	10	25
Patching (PA)	0	5	10	15

As an example, presume a street segment has the following pavement distresses: 20% Light Alligator Cracking (AL), Moderate Rutting (RT), Light Patching (PA), and no other pavement distresses. The Pavement Condition Rating would be:

$$PCR = 100 - (AL) - (RT) - (PA)$$

$$PCR = 100 - (0.2 \times 25) - (15) - (5) = 75$$

Findings

1. PCR = 86.1
2. NC Municipality Average = 80.0
3. Street System is in "Good" condition
4. PCR is above average
5. 32.1% of street system needs maintenance or resurfacing
6. NC Municipality Average = 47%

Findings

7. Clayton has a current need of \$1,703,086
 - o \$581,275 – Routine Maintenance
 - o \$1,121,811 – Resurfacing
 - o Additional Costs – 25% to 40%
 - Raising structures, milling, administrative, etc.

Basic Street Inventory Data

Table 2
Pavement

Surface Type	Miles	Percent of System
Plant Mix Asphalt (P)	80.80	98.9
Bituminous Surface Treatment (B)	0.21	0.2
Concrete (C)	0.00	0.0
Unpaved (U)	0.71	0.9
Total	81.72	100.0

Table 3
Sidewalk

Location	Length (linear mi)
Left Side	23.3
Right Side	26.8
Total	50.1

Basic Street Inventory Data

Table 4
Curb and Gutter

Location	Length (linear mi)
Left Side	59.9
Right Side	59.9
Total	119.8

Table 5
Low and High Volume Street Breakdown

Volume	% Miles	Miles	Lane Miles	Avg Rating	Cost Per Mile	Total Cost	% Cost
Low	87.9	71.17	143.92	86.8	\$18,527	\$1,318,627	77.4
High	12.1	9.84	20.17	81.4	\$39,088	\$384,459	22.6
Total	100.0	81.01	164.09	86.1	\$21,023	\$1,703,086	100.0

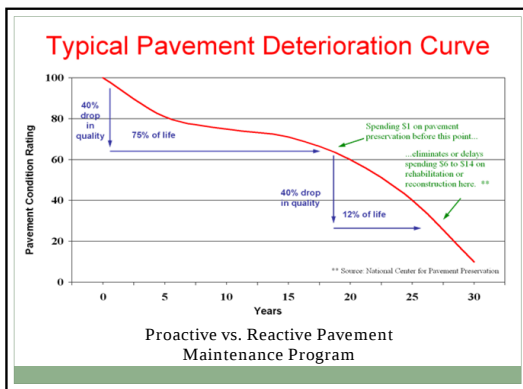
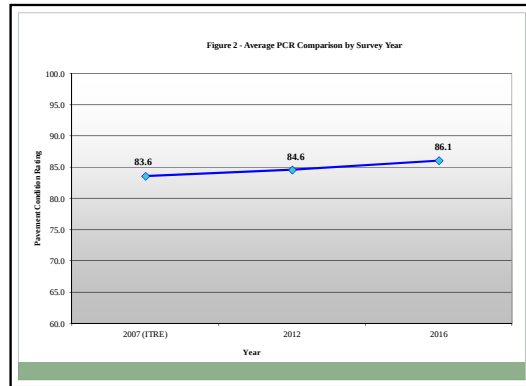
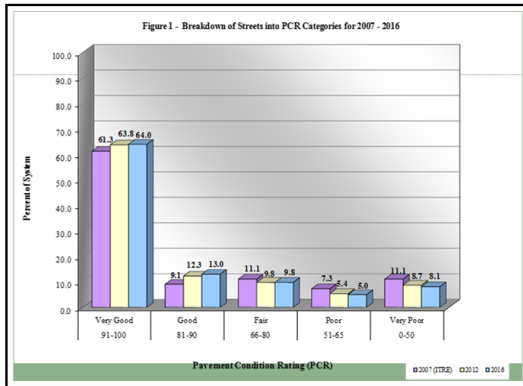


Table 11
Summary Table of Suggested Primary
Maintenance Activities for Rated Streets

PRIMARY ACTIVITY	MILES LO VOL	COST LO VOL	MILES HI VOL	COST HI VOL	TOTAL MILES	% MILES	TOTAL COST	COST/ MILE	% COST
Crack Sealing	1.13	\$12,444	0.59	\$6,331	1.73	2.1	\$18,775	\$10,853	1.1
Skin Patching	4.46	\$32,068	1.35	\$23,919	5.80	7.2	\$55,987	\$9,653	3.3
Joint Repair	0.00	\$0	0.00	\$0	0.00	0.0	\$0	\$0	0.0
Full-Depth Patching	11.12	\$398,897	1.30	\$74,557	12.41	15.3	\$473,454	\$38,151	27.8
Short Overlay	0.50	\$33,059	0.00	\$0	0.50	0.6	\$33,059	\$66,118	1.9
RM* Total	17.21	\$476,468	3.24	\$104,807	20.44	25.2	\$581,275	\$28,438	34.1
1" PM	2.48	\$514,106	1.12	\$237,418	3.60	4.4	\$751,524	\$208,757	44.1
1" PM and BST Seal	1.57	\$291,922	0.21	\$42,234	1.79	2.2	\$334,156	\$186,679	19.6
1.5" PM	0.00	\$0	0.00	\$0	0.00	0.0	\$0	\$0	0.0
2" PM	0.14	\$36,131	0.00	\$0	0.14	0.2	\$36,131	\$258,079	2.1
Resurface Total	4.19	\$842,159	1.34	\$279,652	5.53	6.8	\$1,121,811	\$202,859	65.9
Total Repairs	21.40	\$1,318,627	4.57	\$384,459	25.97	32.1	\$1,703,086	\$65,579	100.0
No Repair	49.78	\$0	5.26	\$0	55.04	67.9	\$0	\$0	0.0
Total System	71.17	\$1,318,627	9.84	\$384,459	81.01	100.0	\$1,703,086	\$21,923	100.0

Figure 3 - Distribution of Maintenance Needs by Primary Repair Type
Percentage of Total Miles
Total Miles: 81.01

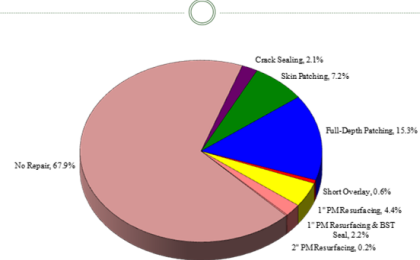
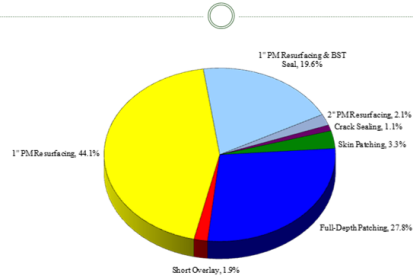


Figure 4 - Distribution of Maintenance Costs by Primary Repair Type
Percentage of Total Cost
Total Cost: \$1,703,086



Priorities

Table 1
Priority by Type of Maintenance for the
Town of Clayton

PRIORITIES	Total Miles	Total Cost	Cost Per Mile	Percentage of Cost
HIGH PRIORITY: Routine Maintenance, Resurfacing of Alligator Cracking and Rutting	23.69	\$1,313,597	\$55,449	77.1
MEDIUM PRIORITY: Resurfacing of Severe Block/Transverse Cracking, Severe Reflective Cracking, Severe Raveling, and Severe Bleeding	1.79	\$334,156	\$186,679	19.6
LOW PRIORITY: Resurfacing of Moderate Block or Reflective Cracking and Raveling, Resurfacing of Severe Ride Quality and Patching	0.49	\$55,333	\$112,924	3.3
Total Repairs	25.97	\$1,703,086	\$65,579	100.0

Questions



John Fersner, PE
US Infrastructure of Carolina, Inc.
125 South Elm Street, Suite 402
Greensboro, NC 27401
Phone: (336) 272-3402
Email: fersnerj@usi-eng.com
www.usi-eng.com





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

AGENDA LOCATION:

Introductions & Special Presentations (2)

Meeting Date:

February 20, 2017

ITEM TITLE:

Recommendations for Appointment - Town Advisory Boards

DESCRIPTION:

Interviews were recently completed for recommendation of appointment to fill two current vacancies on the Planning Board. It is the recommendation that Mr. Randy Wilkins be appointed to the Planning Board to fill the "In Town" vacancy with an expiration term of 12/31/2019 and Mr. Ross Benson be appointed to fill the "ETJ" vacancy with an expiration term of 12/31/2019.

POTENTIAL ACTION:

Place on Consent Agenda

DEPARTMENT:

Planning + Zoning

PRESENTER:

David DeYoung, Planning Director &
Kimberly Moffett, Town Clerk

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:



If requesting consideration for more than one, please submit a separate application for each board.

☒ Planning & Zoning Board

☐ Board of Adjustment

Clayton Library Board

☐ Fire Dept. Advisory Board

Public Arts Advisory Board

Please type or use dark ink.

Name: Randy Wilkins

Mailing Address: wilkinsrandy93@yahoo.com

Physical HOME Address: 197 Bent Branch loop Apt. 100 Clayton, NC

Phone Number (HOME): 919-931-1242 (WORK) 919-931-1242

FAX Number: _____ Mobile Number: **919-931-1242**

Email Address:

*Female ☐ *Male ☒

***Race** White/Native American

Employer: Grifols

Occupation: purification Technician

Page 1 of 2

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residence in Clayton: one year

Do you live in the Clayton town limits: Yes ☒ No ☐ ETJ: Yes ☐ No ☐

How did you find out about this board or committee? Facebook ☐ Website ☐ TV ☐ Newspaper ☐ Email ☐ Twitter ☐ Mail ☒ Other ☐ Online

Outline your qualifications and why you wish to serve the board/committee you indicated. I believe that my leadership Qualities and my hard work ethic could be put to great use! As

a member of the National Honor Society of Leadership and Success, I know the type of leadership that I can bring to the table and do what I can for the beautiful town of Clayton. I grew up with a United States Marine mom. I was also a leader on and off the football field so I know what hard work, determination, leadership and passion is all about.

State why you would be an asset to this board or committee. I can raise money, in high school myself and a friend created a club called the community relief club and raised over 10,000 in a few days for a cancer patient. I'm a great talker, I can lead, I know I will give it my all to do whatever it takes for our town of Clayton.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board or committee? No ☒ Yes ☐ If Yes, explain:

PLEASE LIST CURRENT AND PREVIOUS SERVICE TO THE COMMUNITY, CIVIC CLUBS, ETC., ACTIVITY AND ANY SPECIAL TALENTS.

Boards/Committees/Civic	From	To
Community Relief Club	2011	2012

Signature _____ Date _____

- Please do not submit resumes or attachments.
- This application is a **public record**.
- Information in the application will be considered in making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, this application will remain active until August 1 of the following year.

Applications are to be turned in to the Town Clerk in person (111 East Second Street), by mail (Town of Clayton, PO BOX 879, Clayton, NC 27528) or by email (knoffett@townofclaytonnc.org)

RANDY WILKINS

CLAYTON BOARD

RANDY
WILKINS

197 Bent Branch
Loop Apt. 100
Clayton, NC 27527
Wilkinsrandy93@yahoo.com

Aug. 11, 2016

Dear Clayton board,

My name is Randy Wilkins and I am a proud member of the National Honor Society of Leadership and Success. Designing, Developing and leading are just a few characteristics that are my passions and expertise. My 10+ years of progressive leadership experience on the field or on the job. My certifications and my degree of engineering I am currently pursuing make me a great candidate for corporate director. Cultivating relationships to deliver exceptional results is what I do best. Whether in a start-up situation or a high growth organization, I have consistently increased sales and customer satisfaction through my ability to develop first class solutions and drive professional excellence. Cross cultural communication, multi-departmental collaboration, and producing highly detailed and dependable administrative is what I live for. I am currently an employee for the pharmaceutical company GRIFOLS as a Purification Technician, I make life saving medicines each and every day for my patients, I was currently named employee of the quarter. I promise I will give my all each day to help make your organization grow even more, my hard work, perseverance, determination will prove that! I have unfailingly provided my patients and coworkers with strategies, action plans, and the leadership necessary to enhance people, processes, and technologies. In addition, I have established a solid reputation for assessing challenges, creating solutions, and responding to changing business requirements. This is the value I offer to your company. I want to thank you for taking the time to consider and review my application. I really want the shot to prove to you I can do this!

Sincerely,

Randy Wilkins



ETJ



ADVISORY BOARD CANDIDATE APPLICATION

The Town of Clayton welcomes and appreciates your interest in serving the Town. This application is designed to gather information to evaluate your qualifications. Candidates may be interviewed prior to appointment.

If requesting consideration for more than one, please submit a separate application for each board.

CHOOSE ONE:

- | | |
|---|---|
| ☒ Planning & Zoning Board | ☒ Board of Adjustment |
| ☐ Downtown Development Assoc. | ☐ Clayton Library Board |
| ☐ Recreation Advisory Committee | ☐ Fire Dept. Advisory Board |
| ☐ Public Arts Advisory Board | |

PLEASE NOTE: In accordance with North Carolina law, this application is a public record and will be disclosed upon request and without notice. If there is any information you do not want released to the public, please do not include it.

Please type or use dark ink.

Name: Ross Benson

Mailing Address: 825 Glen Laurel Rd, Clayton, NC 27527

Physical HOME Address: same as above

Phone Number (HOME): 919-550-2167 (WORK) 252-373-3442

FAX Number: _____ Mobile Number: 252-290-0755

Email Address: ross_benson1@nc.rr.com

*Female ☐ *Male ☒

*Race White

Employer: Novartis

Occupation: Director of Information Systems

*This information is voluntary and is requested for the sole purpose of assuring that a cross section of the community is appointed; NC GS 143-157.1.

Page 1 of 2

Interviewed 7/4/16
Keep on file.

DB
Interview 1/10/17
10:30

6/24
4:30
Set email
to det-interest
in BOA

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residence in Clayton: 8 years

Do you live in the Clayton? Corporate Limits: Yes ☐ No ☒ ETJ: Yes ☒ No ☐

How did you find out about this board or committee? Facebook ☐ Website ☒ TV ☐

Newspaper ☐ Email ☐ Twitter ☐ Mail ☐ Other _____

Outline your qualifications and why you wish to serve the board/committee you indicated.

Over 15 years in Senior leadership roles in business including both tactical and strategic growth planning,

Financial planning, project justifications and remediation of facilities and electronic information systems.

State why you would be an asset to this board or committee. I would bring my own unique background, ability to Lead, Facilitate or be an active team member to any program.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board or committee? No ☒ Yes ☐ If Yes, explain:

PLEASE LIST CURRENT AND PREVIOUS SERVICE TO THE COMMUNITY, CIVIC CLUBS, ETC., ACTIVITY AND ANY SPECIAL TALENTS.

Boards/Committees/Civic	From	To
Western Missouri Shooters Alliance (Secretary)	1999	2001
Pitt County Wildlife Club (Instructor)	2009	Current
_____	_____	_____
_____	_____	_____

Benson Ross

Signature

Date

- Please do not submit resumes or attachments.
- This application is a **public record**.
- Information in the application will be considered in making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, this application will remain active until August 1 of the following year.

Applications are to be turned in to the Town Clerk in person (111 East Second Street), by mail (Town of Clayton, PO BOX 879, Clayton, NC 27528) or by email (kmoftett@townofclaytonnc.org)



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

AGENDA LOCATION:

Items Scheduled for Regular Meeting

Meeting Date:

February 20, 2017

ITEM TITLE:

Sewer Ordinance Regulations

DESCRIPTION:

Mr. Lindsay will provide a report regarding proposed amendments/changes to Sewer Ordinance.

POTENTIAL ACTION:

DEPARTMENT:

Administration

PRESENTER:

Adam Lindsay

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Draft of Proposed Changes/Amendments

CHAPTER 50: GENERAL UTILITY REGULATIONS

Section

General Provisions

50.01 Town Council to adopt rates, rules, and regulations

50.02 Water and sewer fees

Rates; Billing

50.10 Establishment of rates

50.11 Security Deposit for electric and water service

50.12 Sewer charges to start upon completion of sewer tap

50.13 Bad check policy

50.14 Meter tampering fee

50.15 Water and sewer tap replacements

GENERAL PROVISIONS

§ 50.01 TOWN COUNCIL TO ADOPT RATES, RULES, AND REGULATIONS.

The Town Council shall from time to time, as it shall deem wise, adopt rates, rules, and regulations, governing the water, sewerage, and electrical systems of the town, and it shall at all times keep available for inspection by the public a copy of the rates, rules, and regulations in force and on file in the office of the Town Clerk.

(‘71 Code, § 15-1) (Ord. 13, passed 8-1-32)

§ 50.02 WATER AND SEWER FEES.

Except as provided in this section, the town shall charge water and sewer connection fees for the use of or the services furnished by the town’s water distribution and sanitary sewer systems in order to recover utility infrastructure investments made by the town in the water distribution and sanitary sewer systems and supplement funds available to the town for debt service on capital investments in the town’s water distribution and sanitary sewer systems. These fees shall apply uniformly to all real property within the town’s utility service area, and shall be collected in addition to any other fees or charges applicable under the town’s Code of Ordinances, including but not limited to tap fees and rates for water and sewer service, as adopted by Town Council pursuant to §50.10, and any fees charged by the town pursuant to Chapters 51 or 52 of the Code of Ordinances.

(A) *Water fees.*

(1) The town shall charge water acreage connection fees to all persons who use the town's water distribution system or the services furnished by the system to recover utility infrastructure investments made by the town in the water distribution system.

(2) Residential customers connecting with the Town's water system, either inside or outside the town's municipal corporate limits, shall be assessed a water acreage connection fee based on the Gross Acreage of the property seeking to use the town's system. Fees shall be in an amount as set forth in the Town of Clayton Comprehensive List of Fees and Charges.

(3) All commercial, industrial and institutional customers connecting with the town's water system, either inside or outside the town's municipal corporate limits, shall be assessed a water acreage connection fee based on the average daily water flow of the property to be served. Fees shall be in an amount as set forth in the Town of Clayton Comprehensive List of Fees and Charges. The default methodology for calculating the initial average daily water flow shall be in accordance with the water usage charts developed by the state, as set forth in the North Carolina Administrative Code. In the alternative, the town, in its sole and absolute discretion, may calculate the customer's initial average daily water flow based on data from the customer's operations (or from similarly situated customers) at the same location, another location inside town limits, or in another municipality with a comparable water distribution system, where such data are available and reasonably current.

(4) The town reserves the right to conduct a reconciliation of any property on its own initiative at any time. The town shall conduct reconciliations based solely on the town's utility data and records. If the reconciliation determines that the customer's actual average daily water flow is lower than the estimated daily water flow by more than 10%, the town shall reimburse the customer the difference between the water acreage connection fee calculated, based on the estimated flow and the fee as calculated based on the actual flow over the previous 12 consecutive months. Reimbursements under this division shall be subject to the availability of budgeted funds. Conversely, if the reconciliation determines that the customer's actual average daily water flow exceeds the estimated daily water flow by more than 10%, the town shall charge and collect from the customer the difference between the water acreage connection fee as calculated based on the estimated flow, and the fee as calculated based on the actual flow over the previous 12 consecutive months.

(5) The town shall charge water capacity connection fees to all persons who use the town's water distribution system or the services furnished by the system to recoup fees and costs that have been incurred by the town to provide water capacity.

(6) Residential customers connecting with the town's water distribution system, either inside or outside the town's municipal corporate limits, shall be assessed a water capacity connection fee calculated on a per dwelling basis for single-family residential dwellings and on a per unit basis for multi-family residential dwellings, and shall be in an amount as set forth in the Town of Clayton Comprehensive List of Fees and Charges.

(7) All commercial, industrial and institutional customers connecting with the town's water distribution system, either inside or outside the town's municipal corporate limits, shall be assessed a water capacity connection fee calculated based on the average daily water flow of the property to be served, and shall be in an amount as set forth in the Town of Clayton Comprehensive List of Fees and Charges. The reconciliation procedures and the methodology for calculating the average daily water flow shall be identical to the methodology outlined above.

(B) Sewer fees.

(1) The town shall charge sewer acreage connection fees to all persons who use the town's sewer system or the services furnished by the system to recover utility infrastructure investments made by the town in the sanitary sewer systems.

(2) Residential customers connecting with the town's sanitary sewer system, either inside or outside the corporate limits, shall be assessed a sewer acreage connection fee based on the Gross Acreage of the property seeking to use the town's system. Fees shall be in an amount as set forth in the Town of Clayton Comprehensive List of Fees and Charges.

(3) All commercial, industrial and institutional customers connecting with the town's sanitary sewer system, either inside or outside the town's municipal corporate limits, shall be assessed a sewer acreage connection fee based on the average daily wastewater flow of the property seeking to use the town's system. Fees shall be in an amount as set forth in the Town of Clayton Comprehensive List of Fees and Charges. The default methodology for calculating the initial average daily wastewater flow shall be in accordance with the wastewater flow charts developed by the state, as set forth in the North Carolina Administrative Code. In the alternative, the town - in its sole and absolute discretion - may calculate the customer's initial average daily wastewater flow based on data from the customer's operations (or from similarly situated customers) at the same location, another location in the town, or in another municipality with a comparable sanitary sewer system, where such data are available and reasonably current.

(4) The town reserves the right to conduct a reconciliation of any property on its own initiative at any time. The town shall conduct reconciliations based solely on the town's utility data and records. If the reconciliation determines that the customer's actual average daily wastewater flow is lower than the estimated daily wastewater flow by more than 10%, the town shall reimburse the customer the difference between the sewer acreage connection fee calculated based on the estimated flow and the fee as calculated based on the actual flow over the previous 12 consecutive months. Reimbursements pursuant to this division shall be subject to the availability of budgeted funds. On the other hand, if the town's reconciliation determines that the customer's actual average daily wastewater flow exceeds the estimated daily wastewater flow by more than 10%, the town shall charge and collect from the customer the difference between the sewer acreage connection fee as calculated based on the estimated flow and the fee as calculated based on the actual flow over the previous 12 consecutive months.

(5) The town shall charge sewer capacity connection fees to all persons who use the town's sanitary sewer collection system or the services furnished by the system to recover fees and costs that have been incurred by the town to provide sewer capacity.

(6) Residential customers connecting with the town's sanitary sewer system, either inside or outside the town's municipal corporate limits, shall be assessed a fee calculated on a per dwelling basis for single-family residential dwellings, and on a per unit basis for multi-family residential dwellings, and shall be in an amount as set forth in the Town of Clayton Comprehensive List of Fees and Charges.

(7) All commercial, industrial and institutional customers connecting with the town's sanitary sewer system, either inside or outside the town's municipal corporate limits, shall be assessed a fee calculated based on the average daily wastewater flow of the property to be served, and shall be in an amount as set forth in the Town of Clayton Comprehensive List of Fees and Charges. The reconciliation procedures and the methodology for calculating the average daily wastewater flow shall be identical to the methodology outlined above.

(8) The town shall charge nutrient fees to all persons who use the town's sewer system or the services furnished by the system to recover nutrient related investments made by the town in the sanitary wastewater treatment system.

(9) Residential customers connecting with the town's sanitary sewer system, either inside or outside the town's municipal corporate limits, shall be assessed a nutrient fee calculated on a per dwelling basis for single-family residential dwellings, and on a per unit basis for multi-family residential dwellings, and shall be in an amount as set forth in the Town of Clayton Comprehensive List of Fees and Charges.

(10) All commercial, industrial and institutional customers connecting with the town's sanitary sewer system, either inside or outside the town's municipal corporate limits, shall be assessed a nutrient fee calculated based on the average annual wastewater flow of the property to be served, and shall be in an amount as set forth in the Town of Clayton Comprehensive List of Fees and Charges.

(C) *Financing.*

(1) Except as provided in this section, all acreage fees, capacity fees and nutrient fees must be paid at the time the town makes an allocation for use by the customer, or at issuance of a building permit, in accordance with prevailing town practice and procedure.

(2) Acreage and capacity connection fees in the total amount of \$2,000 or less for any individual commercial, industrial or institutional connection must be paid in full.

(3) Acreage and capacity connection fees in a total amount equal to or between \$2,001 and \$5,000 for any individual commercial, industrial or institutional connection may be financed at an interest rate of 5% for up to 12 months, with a down payment of 20%.

(4) Acreage and capacity connection fees in a total amount equal to or between \$5,001 and \$20,000 for any individual commercial, industrial or institutional connection may be financed at 5% simple interest for up to 18 months, with a down payment of 20%.

(5) Acreage and capacity fees in a total amount of more than \$20,000 for any individual commercial, industrial or institutional connection may be financed at 5% simple interest for up to 24 months, with a down payment of 20%.

(6) Any person who wishes to finance fees as provided in divisions (E)(3) through (E)(5) must provide the town with adequate and satisfactory financial security for the outstanding balance (e.g., a confession of judgment in accordance with Chapter 1A, Rule 68.1 of the North Carolina General Statutes, and the like), the type and form of such security to be determined in the town's sole and absolute discretion.

(D) Recreation areas in residential zones. The total water and sewer acreage connection fees for any tract or lot that desires to use the town's systems or the services furnished by the systems on which there is only a private recreation use, shall not exceed the fees calculated on the basis of two acres of land. Provided, however, that the acreage connection fee against any remaining acreage shall be collected when public utility services are extended to the remaining land for its use of the town's systems.

(E) Tracts with one residential dwelling. The total water and sewer acreage connection fees for any tract or lot on which there is only one residential dwelling unit shall not exceed the fees calculated on the basis of two acres of land, provided, however, that the acreage connection fee against any remaining acreage shall be collected when public utility services are extended to the remaining land for its use of the town's system.

(F) Public schools. The town shall not charge water and sewer capacity connection fees to public schools. Water and sewer acreage connection fees for public schools are limited as follows:

(1) Elementary schools shall pay water and sewer acreage connection fees for a maximum of four acres.

(2) Junior high schools shall pay water and sewer acreage connection fees for a maximum of seven acres.

(3) Senior high schools shall pay water and sewer acreage connection fees for a maximum of ten acres.

(4) If any land subject to the provisions of this division is conveyed to a grantee other than a school board, or is used for any purpose other than school purposes, it shall be subject to the then applicable water and sewer acreage and capacity connection fees without limitation when additional water or sewer capacity is requested.

(G) Exceptions. The town shall not charge water or sewer acreage connection fees in the following circumstances:

(1) Properties which are connected to the town's water and sanitary sewer systems and were connected to and using such systems as of February 19, 1985, so long as the sizes and capacities of such properties' connections to the town's water and sanitary sewer systems are not increased or enlarged in any way.

(2) Any other areas for which [contracts or agreements related to the town's provision of](#) water and sewer [services](#) have been made between the town and developers.

(H) *Adjustments.* Water and sewer acreage and capacity [connection](#) fees may be adjusted in accordance with the following circumstances.

(1) The Town Council may negotiate and/or waive acreage or capacity [connection](#) fees for new connections or expansions by existing customers meeting all of the following criteria:

(a) The customer is served by a direct connection on a main installed and financed by action of the County Board of Commissioners;

(b) The property is within the area defined as [The Johnston County Research and Training Zone \(RTZ\)](#); and

(c) The customer uses the property for industrial purposes.

(2) Water service district fees.

(a) Water acreage [connection](#) fees shall not be charged for connections to or extensions of water facilities installed, owned, and maintained by a water service district established pursuant to Chapter 153A of the North Carolina General Statutes; however, a "Base Charge Replacement Fee" may be due and chargeable in accordance with [subsection \(I\) below](#).

(b) In place of a water acreage [connection](#) fee and in addition to the "Base Charge Replacement Fee," where applicable, the town shall collect an assessment fee for all direct connections to, or connections to extensions of, water service district facilities. The assessment fee shall be equal to the fee set for the district less any allowance for capacity replacement.

(I) *Definitions.*

BASE CHARGE REPLACEMENT FEES, as herein used, shall be defined to mean a charge for a direct connection with the water system of an established water service district. The **BASE CHARGE REPLACEMENT FEE** shall be due on a per account basis when a town retail water customer obtains service by access to mains installed, owned and maintained by a water service district established pursuant to Chapter 153A of the North Carolina General Statutes, provided the mains have been in operation for a period of less than five years. The **BASE CHARGE REPLACEMENT FEE** shall be calculated based on the present worth cost of the minimum monthly bill set by the water service district for each service for the balance of five years from the date of initial operation of the facilities. The interest rate for the present worth cost calculation shall be equal to the rate for a related bond issuance or 6%, whichever is greater.

GROSS ACREAGE, as herein used, is defined to include each [parcel](#) of real property within a subdivision, without exception as to areas included within [the parcel such as private streets, alleys, open space](#), lakes, ponds, floodways, [etc.](#) However, [public right-of-way](#), public parks, greenways, lakes, and recreational areas actually accepted by the town for public use and actually conveyed to the town by recorded deed shall be excluded when computing gross acreage for purposes of this section.

(Ord. passed 1-16-01; Am. Ord. 2016-08-01, passed 8-1-16)

RATES; BILLING

§ 50.10 ESTABLISHMENT OF RATES.

The rates for water, sewer, and electrical service from the town water, sewer, and electrical systems shall be as amended from time to time by the Town Council and listed in the Town of Clayton Comprehensive List of Fees and Charges.

(‘71 Code, § 15-3)

§ 50.11 SECURITY DEPOSIT FOR ELECTRIC AND WATER SERVICE.

Any person desiring municipal electrical and water service shall, before obtaining this service, be required to make such deposit with the town as prescribed from time to time by the Town Council.

(‘71 Code, § 15-2)

§ 50.12 SEWER CHARGES TO START UPON COMPLETION OF SEWER TAP.

When a sewer tap is made by the town, the sewer service charge will start immediately upon completion.

(‘71 Code, § 15-4)

§ 50.13 BAD CHECK POLICY.

When a customer has a bad check returned in any month, the appropriate returned check charge, as set forth in the Town of Clayton Comprehensive List of Fees and Charges, will apply in addition to any other charges and fees.

(Ord. passed 2-23-87; Amend. adopted 10-2-89; Am. Ord. 2003-07-02, passed 7-21-03)

§ 50.14 METER TAMPERING FEE.

(A) Should any town personnel detect an electric meter or service which has been tampered with, the appropriate charge, as set forth in the Town of Clayton Comprehensive List of Fees and Charges, will be added to the customer’s account in addition to any use, reconnection, repair or other applicable fees.

(B) Should any town personnel detect a water meter or service which has been tampered with, the appropriate charge, as set forth in the Town of Clayton Comprehensive List of Fees and Charges, will be added to the customer’s account in addition to any use, reconnection, repair or other applicable fees.

(Ord. 98-05-02, passed 5-18-98; Am. Ord. 2003-07-02, passed 7-21-03)

§ 50.15 WATER AND SEWER TAP REPLACEMENTS.

(A) Costs associated with relocation or replacement of water and/or sewer service taps shall be borne by the customer receiving service in accordance with the fee schedule adopted by the town for such improvements.

(B) *Exceptions.* The only exceptions to the above requirement shall be made by the Public Works Director and shall be based on the criteria contained herein. Exceptions to this policy shall be limited based on budgetary allocation and manpower availability.

(1) In cases where replacement of a service tap would tend to reduce the maintenance or service call burden of the Town as evidenced by at least two service calls during the preceding twelve months, an exception may be granted.

(2) In cases where a service tap crosses private property not under the ownership of the customer and without clear easement for maintenance and access, an exception may be granted.

(Ord. 98-07-02, passed 7-20-98)

CHAPTER 51: WATER AND SEWER SYSTEM EXTENSION POLICY

Section

General Provisions

51.01 General principles

51.02 [Reserved](#)

51.03 General extension requirements

Initiation of Extension; Financing

51.20 Application by property owner/developer

51.21 Discretion of town

51.22 Reserved

51.23 Subdivisions

51.24 Other properties

51.25 [Reserved](#)

GENERAL PROVISIONS

§ 51.01 GENERAL PRINCIPLES.

The planning and extension of the water and sewer system of the town shall be accomplished in accordance with the following general principles:

(A) Extension shall be made in a manner so as to promote the orderly growth of the community without regard to town boundaries.

(B) Extension of utilities to properties located outside of subdivisions under development shall be financed by the owners of the benefitted property.

(C) The town shall be responsible for the maintenance, operation and control of all water and sewer facilities after dedication and acceptance by [Town Council](#).

(D) Requests for extension shall be preceded by an application for a specific water and/or sewer capacity allocation in accordance with the procedures established herein.

(Ord. passed 2-18-85; Am. Ord. passed 4-2-90; Am. Ord. 98-02-02, passed 2-16-98)

§ 51.02 [RESERVED.](#)

§ 51.03 GENERAL EXTENSION REQUIREMENTS.

The general requirements as to extensions of water and sewer systems shall be in keeping with the following principles:

(A) Each developer of land shall be responsible for providing water and sewer line connections and all necessary pump stations, lift stations, and fire hydrants between [their](#) property and the town systems.

(B) Extension of both water and sewer mains shall be required when service is requested. Extension of one utility without the simultaneous extension of the other shall be permitted only in the event that water or sewer mains are available and considered adequate by the town.

(C) The minimum distance for the extension of water mains or sewer mains shall be determined by the town. In general, the minimum distance for extension shall be one platted block, or in the case of water mains, from main line valve to valve, and in the case of sanitary sewers, from manhole to manhole. However, in no case shall water and sewer lines be extended less than the entire length of the developer's property.

(D) The minimum diameter for a water main shall be six inches and the minimum diameter for a sewer main shall be eight inches. All sewer mains shall be installed at a maximum depth to ensure service to as large an area as possible.

(E) Within floodway and floodway fringe zones and areas of special flood hazard, the following requirements shall apply:

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(2) New and replacement sanitary sewer systems shall be designed to minimize and eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

(3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(F) The water and sewer extension policy and all extension requests shall be administered by the Town Manager, [or designee](#).

(G) No water or sewer service shall be provided to any property outside of the municipal limits of the town, except upon compliance with one of the following:

(1) If the property is contiguous to the municipal limits of the town, the property owners shall immediately petition for and obtain annexation of the property into the municipal limits of the town.

(2) If the property is not then contiguous to the municipal limits of the town, the property owners shall enter into a written agreement with the town for the voluntary annexation thereof at such future date as said property shall be contiguous to the municipal limits of the town, or it is determined by the Town Council that it is in the best interests of the town to satellite annex the property.

(3) The Town Council may negotiate terms for voluntary annexation of major industrial or commercial tracts which require water and/or sewer system extensions.

(Ord. passed 4-2-90)

INITIATION OF EXTENSION; FINANCING

§ 51.20 APPLICATION BY PROPERTY OWNER/DEVELOPER.

(A) Any property owner or developer desiring to have water or sanitary sewer services extended to and along any public street or other area where no water or sanitary sewer main exists shall apply to the Town Manager, or designee, in writing requesting a specific daily allocation for such services.

(B) The application shall contain plans and analysis in sufficient detail to enable the Town Manager, or designee, to verify the adequate size of facilities necessary for the proposed extension and anticipated future growth.

(C) Prior to approval of any application for water or sewer capacity allocation the provisions of §51.03(G) must be met.

(D) The town shall not approve any development which proposes to be served for water and/or sewer service by the town utility systems without first receiving an application for water and/or sewer capacity allocation and all other documents, applications, and studies specified in this Chapter.

(Ord. passed 4-2-90; Am. Ord. 98-02-02, passed 2-16-98)

§ 51.21 DISCRETION OF TOWN.

The town may extend water and/or sewer lines at its own discretion in the following circumstances:

(A) *To alleviate health problems.* When the Johnston County Health Department certifies to the town that a health problem exists in a certain area, the town may order the extension of water and/or sewer lines if said extension will alleviate the health problem. The town may finance those extensions through the assessment of adjacent property owners under the same procedures set out in §51.24 or through water and/or sewer fund proceeds.

(B) *To serve petition projects.* Upon receipt of a valid petition, the town may order the extension of a water and/or sewer line to service the areas petitioned even through the property owners between the exiting water and/or sewer lines and the requested service area have

not entered into the petition for water and/or sewer service. The properties to be served as a result will be assessed under the same procedure set out in §51.24.

(C) *Greater public interest.* The Town Council may, upon one letter of request for service from a property owner in a residential subdivision, or at its own discretion, authorize the construction of a water and/or sewer line where it deems said construction to be in the greater public interest and in the general public welfare. The town may finance these extensions through the same procedures set forth in division (B) of this section.

(Ord. passed 4-2-90; Am. Ord. 2011-09-02, passed 9-6-11)

§ 51.22 RESERVED.

§ 51.23 SUBDIVISIONS.

With respect to the installation and financing of utilities to serve subdivisions, the following policies shall apply:

(A) *Specifications.* All installations shall be made according to such specifications as may be approved by the town or its engineers, including the size of all lines and their locations, grade, and material used.

(B) *Ownership and control.* All lines constructed and connected with the facilities of the town under these policies shall become the property of the town upon their completion, dedication, and acceptance. The town shall have exclusive control of all such lines and shall be responsible for their maintenance, repair, and operation.

(C) *Contracts.* All installations made under a reimbursement agreement shall be accomplished under contracts let after the receipt of sealed competitive bids. The town shall exercise general supervision over the letting of such contracts in order to assure the securing of free competition on such contracts.

(D) *Reimbursement policy.*

(1) A reimbursement agreement shall be entered into between the town and each party installing water and/or sewer lines under the reimbursement policy.

(2) The cost of installing all lines within a subdivision shall be borne initially by the participating developer or developers.

(3) Lines subject to reimbursement shall be:

(a) Those between a subdivision and the facilities of the town and which are so located as to serve other properties; and

(b) Lines within a subdivision which will serve lands outside the subdivision and are of a size in excess of the needs of the subdivision itself. In this case,

the cost subject to reimbursement shall be only the extra cost incurred by installing lines larger than needed to serve the subdivision itself; and

(c) The proportionate cost of lines of any size to which direct service connections may be made by property other than those by the initial investor.

(4) All reimbursement for cost as set forth in divisions (D)(3)(a) and (b) above, shall be made from water and sewer acreage connection fees collected by the town from property initially and subsequently served by lines installed under a reimbursement agreement and from these only. Acreage fees due under a reimbursement agreement shall be paid by the town to the developer within 30 days following the end of each quarter from collections made during that quarter.

(5) Only the actual cost of the lines shall be included in the calculations of costs subject to reimbursement. No interest on costs pending reimbursement shall be allowed.

(6) No reimbursement of any cost shall be made after ten years from the date of acceptance by the town of the lines installed under a reimbursement agreement.

(7) Acreage connection fees collected from properties served by lines installed under reimbursement agreements shall be applied so as to satisfy the claims under the different agreements in the order in which they were entered into.

(Ord. passed 2-18-85; Am. Ord. passed 4-2-90)

§ 51.24 OTHER PROPERTIES.

In accordance with the general principle that benefitted property should bear the cost of extending water and sewer lines, one or more of the following methods shall be used in providing for the extension of water and sewer lines to serve properties not located within subdivisions currently under development. Properties which are annexed by the town based upon the properties meeting the necessary standards for annexation as set forth in the N.C. General Statutes (i.e. annexation not based on a petition requesting annexation by the property owners) will have services extended to them with financing arranged by assessments as described in divisions (A)(1) through (7) below.

(A) *Assessments for costs.*

(1) Lateral water and sewer main extensions will be made by assessment of the cost thereof against property owners to be benefitted thereby in conformity with G.S. Chapter 160A, Article 10. In the event it is necessary or desirable to lay a water main larger than a six-inch main, or a sewer main larger than an eight- inch main, the town will bear the cost of the difference between the cost of the size of main required and that of a six-inch water main or eight-inch sewer main.

(2) Lots at the intersection of streets, except lots in a subdivision which are assessed on a per lot basis as authorized by G.S. Chapter 160A, Article 10, shall be assessed as follows:

(a) If water and sewer mains or both are installed simultaneously on both streets on which the lot abuts, assessment of the cost of the installation shall be based upon the entire frontage on one street plus the frontage on the other street in excess of 150 feet.

(b) If such lot is already served by water or sewer mains in a street on which the lot abuts and a like main is installed in the other abutting street, the cost of such new installation shall be assessed against the lot to the extent that such frontage abutting the new installation exceeds 150 feet.

(c) If water or sewer service is installed in a street abutting a corner lot, and such service is not a duplicating service, and the method of assessment used is the street frontage method, the assessment shall not exceed the number of feet of the shortest side of said lot abutting the street. Upon installation of a duplicating service to said lot, an exemption as specified in division (A)(2) above shall be credited against the longest side of said lot abutting on the public street.

(3) Where one or more water or sewer lines traverse a lot or tract of land and the method of assessment used is the abutting footage on the improvement, the abutting footage for each lot, tract, or parcel assessed according to the assessment roll shall not exceed the straight line distance between the beginning point and the ending point of said line or lines. However, upon the installation of a duplicating service to a traversed lot or tract of land, an exemption of 150 feet shall be allowed for the duplicating service, whether it is installed separately or simultaneously with the original service.

(4) A lot not on a corner abutting two streets which has a water or sewer service in one street shall not be liable for an assessment for a duplicating service in the other street or streets if the subdivision of such lot or sale of any part thereof for an additional building site or sites is prohibited by the zoning or subdivision standard provisions of the town or any restrictive covenants running for a period of not less than five years from the date of the assessment for such installation.

(5) The term **LOT** as used in this section is defined as a parcel of land without regard to whether or not it is shown on any subdivision map as a separate lot and without regard to how or when acquired, except that when an assessment is made on a per lot basis in a subdivision, the term LOT shall apply to each separate subdivided lot. However, when a lot in a subdivision is already served by a water or sewer line and the lots in the subdivision are assessed on a per lot basis, the lot so served shall not be assessed a greater amount than the amount which would be assessed against the lot on a linear foot basis after giving credit for the exemptions contained in this section.

(6) The Town Council shall determine which method of assessment authorized by G.S. § 160A-218 would be most equitable to be used in an assessment roll.

(7) When the Town Council determines that the most equitable method of assessment is on the basis of the frontage abutting the project, the Council shall determine the

amount of the construction cost to be borne by the abutting property owner and the amount to be borne by the town.

(B) *Reimbursement policy.*

(1) The reimbursement policy outlined in division (A)(2) of this section shall be available for use by an individual property owner who desires service at some distance from existing lines and when assessment of, or contributions from, intervening property does not appear feasible. This method may also be used in financing extensions both inside and outside the town boundaries.

(2) Extensions under any of the above financing methods may be made either by forces of the town or under contracts let by the town, or by private contracts let under the supervision of the town.

(Ord. passed 2-18-85; Am. Ord. passed 4-2-90)

§ 51.25 RESERVED.