The Town Of Clayton
Town Council Work Session Meeting Agenda
Monday, May 16, 2016 @ 6:30 PM
Council Chambers

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

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

a. Draft Minutes - May 2, 2016 - Regular & Closed Session
Cover - Draft Minutes
May 2, 2016 DRAFT Minutes

b. Resolutions Authorizing Johnston & Wake Counties to Collect Taxes
Cover - Resolutions Authorizing Collection of Taxes
Resolution #2016-17 - Authorizing Johnston County to Collect Taxes 2016
Resolution #2016-18 - Authorizing Wake County to Collect Taxes 2016

POTENTIAL ACTION: Approval of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

a. Set Public Hearing - Proposed FY '16-'17 Budget
Cover - Set Public Hearing - Proposed FY '16-'17 Budget
Public Notice - Proposed FY '16-'17 Budget

POTENTIAL ACTION: Set Public Hearing for June 6, 2016

b. Warranty Acceptance & All Utility Easements - Spring Branch, Lot 4
Cover - Warranty/Easements - Spring Branch, Lot 4
Warranty Acceptance - Spring Branch, Lot 4

POTENTIAL ACTION: Place on June 6, 2016 Consent Agenda

c. Final Warranty Acceptance & Pertinent Easements - The Arbors at East Village

Cover - Warranty & Pertinent Easements - Arbors at East Village
Warranty Acceptance The Arbors at East Village

POTENTIAL ACTION: Place on June 6, 2016 Consent Agenda

d. Warranty - Final Lift Asphalt - RWAC - Phases 1A, 1B, 1C &1D (Excludes Payton Dr.)
Cover - Warranty Acceptance - Final Lift Asphalt - RWAC, Phases 1A,1B,1C & 1D (excludes Payton Dr)
Warranty Acceptance RWAC, Phases 1A, 1B, 1C, 1D, Excludes Payton Drive

POTENTIAL ACTION: Place on June 6, 2016 Consent Agenda

e. Warranty Acceptance - Final Lift Asphalt - RWAC - Phases 4A,4B,4C,4D,4E & 4F
Cover - Final Lift Asphalt - RWAC - 4A,4B,4C,4D,4E & 4F
Warranty Acceptance RWAC, Phases 4A, 4B, 4C, 4D, 4E & 4F

POTENTIAL ACTION: Place on June 6, 2016 Consent Agenda

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. Proclamation Request - Avery's Angels - Gastroschisis Awareness
Presenter: Meghan Hall, CEO/Founder Avery's Angels
Cover - Proclamation Request - Gastroschisis Awareness
Proclamation Gastroschisis

POTENTIAL ACTION: Place on June 6, 2016 Consent Agenda

b. Recognition of Clayton High School Tennis Team
Presenter: Stacy Beard, Public Information Officer
Cover - Clayton HS Tennis Team

c. Introduction of Miss Clayton (Ashtin Gil) and Miss Outstanding Teen Clayton (Catherine White)
Presenter: Mr. Keith Branch
Cover - Introduction of Miss Clayton & Miss Outstanding Teen Clayton

d. July 4th Celebration - Report & Street Closure Request
Presenter: Matt Lorion, Parks & Recreation
Cover - July 4th Celebration
July 4th Celebration - Event Report

POTENTIAL ACTION: Place Request for Street Closure on June 6, 2016 Consent Agenda

6. PUBLIC HEARINGS

7. ITEMS SCHEDULED FOR THE REGULAR MEETING

a. Contract Amendment - Waste Management
Presenter: Steve Biggs, Town Manager
Cover - Waste Management Contract Amendment
Waste Management - Amendment #3

POTENTIAL ACTION: Place on June 6, 2016 Consent Agenda

b. 2016 Halloween Parade - Report & NCDOT Street Closure Request
Presenter: Matt Lorion, Parks & Recreation Department
Cover - 2016 Halloween Parade
Halloween Parade - Event Report
Resolution -Halloween Parade

POTENTIAL ACTION: Place Resolution for Street Closure on June 6, 2016 Consent Agenda

c. Audit Contract - 'FY '15-'16 - Anderson, Smith & Wike PLLC
Presenter: Robert McKie, Finance Director
Cover - Audit Contract FY '15-16

POTENTIAL ACTION: Place on June 6, 2016 Consent Agenda

d. Facade Grant Program
Presenter: David DeYoung, Planning Director
Cover - Facade Grant Program
Facade Improvement Grant Program Update 5-10-16

POTENTIAL ACTION: Set Public Hearing for June 6, 2016

e. Recommendation of Appointment - Downtown Development Advisory Board
Presenter: David DeYoung, Planning Director
Cover - Downtown Development Board Appointment Recommendation
DDA Application - Amanda Hillburn

POTENTIAL ACTION: Place on June 6, 2016 Consent Agenda

8. ITEMS CONTINGENT FOR THE REGULAR MEETING

9. ITEMS FOR DISCUSSION

10. OLD BUSINESS

a. Special Events Policy
Cover - Special Events Policy
Special Events Policy Final Draft

POTENTIAL ACTION: Continued Discussion

b. Traffic Control at Riverwood Elementary & Middle Schools - "No Left Turn" Signage
Presenter: David DeYoung, Planning Director
Cover - Traffic Control @ Riverwood

POTENTIAL ACTION: Place on June 6, 2016 Consent Agenda

11. ITEMS REQUIRING ACTION

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

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

POTENTIAL ACTION: Motion to Suspend Rule

b. Request for Proclamation Recognizing Older Americans Month 2016
Presenter: Parks & Recreation Department
Proclamation - Older American Month

POTENTIAL ACTION: Approval/Disapproval of Proclamation

c. Resolution Approving BB&T Proposal/Refinancing- Community Center
Presenter: Robert McKie, Finance Director
Resolution Approving Proposal/Refinance Community Center

POTENTIAL ACTION: Approval/Disapproval of Resolution #2016-19

d. Resolution Designating Deputy Finance Officers Thereby Authorizing Signature on Checks
Presenter: Nancy Medlin, Deputy Town Manager
Resolution #2016-20 - Authorizing Designation of Check Signatory
Resolution #2009-11

POTENTIAL ACTION: Approval/Disapproval of Resolution #2016-20

12. STAFF REPORTS

a. Town Manager

b. Town Attorney

c. Town Clerk

d. Other Staff
Planning Department:
- Strategic Transportation Prioritization Projects Effecting Clayton

13. OTHER BUSINESS

a. Informal Discussion & Public Comment

b. Council Comments

14. CLOSED SESSION

a. Closed Session Pursuant to NCGS 143-318.11(a)(6)

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or perspective public officer or employee."

15. ADJOURNMENT

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Consent

Meeting Date:
May 16, 2016

ITEM TITLE:
Draft Minutes - May 2, 2016 - Regular & Closed Session

DESCRIPTION:
Draft minutes from the May 2, 2016 Town Council meeting are presented for consideration of approval. Draft minutes of the closed session will be sent under separate cover.

POTENTIAL ACTION:

DEPARTMENT:
Administration

PRESENTER:
Kimberly A. Moffett Town Clerk

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

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

COUNCIL PRESENT:
Mayor McLeod
Mayor Pro Tem Grannis
Council Member Satterfield
Council Member Lawter
Council Member Holder
Council Member Thompson

STAFF PRESENT:
Steve Biggs, Town Manager
Nancy Medlin, Asst. Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
David DeYoung, Planning Director
Jay McLeod, Planner
Stacy Beard, Public Information Officer
John Hamlin, A/Public Information Officer
Lee Barbee, Fire Chief
Katilyn Russo, Downtown Development Coord.

COUNCIL ABSENT:

1 CALL TO ORDER
Pledge of Allegiance and Invocation

a) Mayor McLeod called the meeting to order at 6:32 p.m. and led the Pledge of Allegiance as well as offering the Invocation.

2 ADJUSTMENT OF THE AGENDA

a) A Closed Session pursuant to G.S. 143-318.11(a)(3) and 143-318.11(a)(6) was requested.

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

a) Draft Minutes - April 18, 2016

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

c) National Police Week 2016 Proclamation

d) Proclamation - National Day of Prayer

ACTION: Approval of Consent Agenda as Presented

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

DRAFT

4 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) Presentation of 2016 Police Week Proclamation
Presenter: Jody McLeod, Mayor

Mayor McLeod presented a Proclamation proclaiming May 15 - 21, 2016 be recognized as Police Week. Captain John Coley was in attendance and accepted the Proclamation on behalf of the Clayton Police Department.

b) Presentation of National Day of Prayer Proclamation
Presenter: Jody McLeod, Mayor

Mayor McLeod presented Angela Williams of Clayton Interstate Ministries with a Proclamation recognizing May 5, 2016 as National Day of Prayer.

c) Recognition of Citizens Involved with Clayton Roadside/Litter Cleanup

Stacy Beard provided information regarding the 2016 roadside litter clean up. This was the 9th year this event was organized by the Newcomers & Neighbors group. Also part of the event this year was the National Honor Society of Clayton High School, the Environmental Club of Clayton High School and Grace Episcopal Church. A short video was shared that was created by Grace Episcopal that documented the event. The Town of Clayton provides these volunteers with bags as well as safety vests. A total of 104 bags of trash were filled this year. Following the clean-up, NCDOT picks up the trash bags the day or two following the event. Additionally 3 bags of recyclables were collected. Certificates of Appreciation were presented to each group.

5 ADMINISTRATIVE ITEMS

a) Resolutions Authorizing Johnston & Wake Counties to Collect Taxes

ACTION: Placed on May 16, 2016 Consent Agenda.

6 PUBLIC HEARINGS

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

Katherine Ross, Town Attorney provided information regarding the process as well as types of testimony that can be considered during an Evidentiary Hearings. Those wishing to offer testimony were administered the oath via affirmation by the Town Clerk.

Mr. McLeod of the Planning Department stated this Special Use Permit is has been requested for a proposed high end cocktail lounge to be located at 222 and 224 East Main Street. Applicant was present. Special Use Permit requested for a proposed cocktail lounge.

The required Neighborhood meeting was held on February 18, 2016 with a total of three people in attendance. There was excitement and support for the project.

This request is compatible with the Surrounding Land Use and consistent with the Unified Development Code. The applicant has addressed all Findings of Fact.

The Planning Board and Planning staff recommended approval of the permit with conditions as listed in staff report.

The applicant, James Lipscomb was present representing J&B Real Estate. He stated and well as the owners/operators were available for any questions.

Mayor Pro Tem Grannis stated there was question raised during the Planning Board regarding food service.

Owner/Operator, Mike Stojic stated it was the intent to serve some sort of artisan snacks that would tie in with drinks. He stated there would be no kitchen on premises.

Council Member Satterfield asked about food trucks. Owner/Operator Maleah Christie stated they understood that food truck were not allowed. It is their plan to work in conjunction with food businesses already in the nearby area.

With there being no further questions, the item was turned over to Council for their deliberation at 7:00 p.m.

ACTION: Approval of 2016-38-SUP with Conditions as listed in Staff Report

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

7 OLD BUSINESS

a) Resolution - Malt Beverage Referendum

Town Attorney Ross provided updated information and stated Johnston County has indicated it will hold a referendum regarding the on and off site sale of Malt Beverage and Unfortified Wines during the upcoming November 2016 election.

Ms. Ross stated that the Resolution that was included in the agenda packet would be updated to include the sale of Unfortified Wines. There was discussion whether the Town should hold off on placing referendum on the ballot and just allow the County referendum to move forward. Attorney Ross stated that from the town perspective it is a very small financial impact to include the referendum on the ballot and further allows the town to have the regulation it wants. There was consensus to move forward with placing the referendum allowing both on and off-site sales of Malt Beverages and Unfortified Wines.

ACTION: Approval of Resolution #2016-14 - Place Referendum on November 8, 2016 Ballot to Allow On and Off Site Sale of Malt Beverage and Unfortified Wine

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

b) Resolution - Declaring Annex Building as Surplus Property
Presenter: Steve Biggs, Town Manager

Mr. Biggs provided information regarding this item and stated declaring this property as surplus property is a necessary step to move forward with inviting and receiving bids for purchase of the building. He further stated this does not in any way obligate the town to sell the property. He further stated there has been interest from the public sector with regard to this property. He further stated that should decision be made to sell the property it is anticipated that the town would enter into a development agreement with potential buyer so that there would be a good sense of how the property would be used and improved.

Council Member Lawter asked for reminder of costs for renovation of the site. Mr. Biggs stated in approximately 2005 the cost was $2,000,000.

ACTION: Approval of Resolution #2016-15 Declaring Annex Building as Surplus Property

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

8 NEW BUSINESS

a) Economic Infrastructure Grant
Presenter: Steve Biggs, Town Manager

Mr. Biggs stated we continue to look for opportunities for outside funding and we are working closely with a grant writer. This $250,000 grant would be used toward infrastructure line work at NovoNordisk.

ACTION: Approval of Resolution #2016-16 East Clayton Industrial Area/Novo Nordisk Sewer Improvement Grant Assistance

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

9 STAFF REPORTS

a) Town Manager

Mr. Biggs provided update stated we are doing well with financial analysis. However, we are having some organizational challenges. Plan is to distribute the budget at the May 16, 2016 Town Council meeting, with formal presentation to Council on May 24th or 25th, with Public Hearing to be held on June 6th and adoption scheduled for June 20, 2016.

b) Town Attorney

c) Town Clerk

d) Other Staff

10 OTHER BUSINESS

a) Informal Discussion & Public Comment

Ms. Dorothy Tommacini a resident of Horne Street had concerns regarding the sight issue on Horne Street due to cars parking along the road. She is concerned about the danger of there not being enough room for two cars to pass on the road at the same time. She stated there are times that cars will straddle and ride on the side walk. She stated that her sidewalk has been cracked and the town has repaired it a couple of times.

The Mayor thanked her for her concerns and agreed that it was a bad situation and asked that the Police and Fire Department get together to discuss and look at the issue.

b) Council Comments

There was brief discussion regarding the Police and Fire Departments baseball game. It was rained out and will take place on May 22, 2016.

Council Member Lawter stated the Art Walk held on Saturday, April 30, 2016 had an excellent turn out.

11 CLOSED SESSION

a) Closed Session Pursuant to G.S. 143-318.11(a)(3) and 143-318.11(a)(6)

Town Council entered into a Closed Session to discuss a legal matter as well as a Personnel matter.

ACTION: Enter into Closed Session

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

12 ADJOURNMENT

a) Council returned from Closed Session at 8:21 p.m. and with there being nothing further the meeting was adjourned at 8:22 p.m.

ACTION: Motion to Adjourn

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

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

DRAFT

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Consent

Meeting Date:
May 16, 2016

ITEM TITLE:
Resolutions Authorizing Johnston & Wake Counties to Collect Taxes

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

POTENTIAL ACTION:
Approval/Disapproval

DEPARTMENT:
Administration

PRESENTER:
Kimberly A. Moffett, Town Clerk

ITEM HISTORY:

Date:	Action Taken:
May 2, 2016	Placed on May 16, 2016 Consent Agenda

Information Provided:
Memos

Date:	Action Taken:

Information Provided:

Resolution #2016-17

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

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

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

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

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Resolution #2016-18

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

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

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

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

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Administrative Items

Meeting Date:
May 16, 2016

ITEM TITLE:
Set Public Hearing - Proposed FY '16-'17 Budget

DESCRIPTION:
Set Public Hearing for June 6, 2016 to receive Public Comments regarding the proposed FY '16-'17 budget.

POTENTIAL ACTION:
Set Public Hearing

DEPARTMENT:
Administration

PRESENTER:
Kimberly A. Moffett, Town Clerk

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

PUBLIC NOTICE

In accordance with NC GS 159-12(b), the Clayton Town Council will hold a public hearing on Monday, June 6, 2016, at 6:30 PM at Town Hall, 111 East Second Street, to receive public comment on the proposed 2016-2017 fiscal year budget for the Town of Clayton. A copy of the proposed budget is on file in the Town Clerk's office at Town Hall, 111 East Second Street.

This is an open meeting and citizens are invited to attend.

Kimberly A. Moffett, CMC, Town Clerk
919-553-5002

_____

Clayton News-Star

Please advertise on the following date:

May 25, 2016

Affidavit of publication required.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Administrative Items

Meeting Date:
May 16, 2016

ITEM TITLE:
Warranty Acceptance & All Utility Easements - Spring Branch, Lot 4

DESCRIPTION:
Request for warranty acceptance for public water and sewer utilities as well as all related utility easements - Spring Branch, Lot 4

POTENTIAL ACTION:
Place on Consent Agenda

DEPARTMENT:
Engineers/Inspection

PRESENTER:
Chris Rowland, Construction Inspector

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 Inspector

Copy: Jonathan Barnes, Dalton & Associates
Dave DeYoung, Planning Director

Date: April 15, 2016

Re: Spring Branch, Lot 4

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

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TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Administrative Items

Meeting Date:
May 16, 2016

ITEM TITLE:
Final Warranty Acceptance & Pertinent Easements

DESCRIPTION:
Request for final acceptance for public water, sewer, associated storm draining utilities and all pertinent easements - Arbors at East Village.

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

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PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Project Administrator

Copy: Marty Bizzell, Bass, Nixon, & Kennedy
David DeYoung, Planning Director

Date: April 21, 2016

Subject: The Arbors at East Village

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. All punch list items have been satisfactorily completed. Upon acceptance, the Town will assume all operation and maintenance duties.

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TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Administrative Items

Meeting Date:
May 16, 2016

ITEM TITLE:
Warranty - Final Lift Asphalt - RWAC - Phases 1A, 1B, 1C &1D (Excludes Payton Dr)

DESCRIPTION:
Final lift of asphalt pavement installed within subject phases. Acceptance requested subject to five-year warranty.

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: Johnathan Lewis, Fred Smith Company
Donnie Adams, Adams & Hodge Engineering
Dave DeYoung, Planning Director

Date: May 9, 2016

Subject: RWAC, Phases 1A, 1B, 1C, & 1D (Excludes Payton Drive)

The final lift of asphalt pavement has been installed within the subject phases. Please schedule Council action for the acceptance of this work subject to a **five-year warranty.** Upon expiration of the warranty period, a final inspection will be scheduled, pavement and base course conditions evaluated, and any faults corrected by the developer prior to final acceptance.

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TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Administrative Items

Meeting Date:
May 16, 2016

ITEM TITLE:
Warranty Acceptance - Final Lift Asphalt - RWAC - Phases 4A,4B,4C,4D,4E & 4F

DESCRIPTION:
Acceptance of Warranty - final lift of asphalt pavement subject to five-year warranty.

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: Johnathan Lewis, Fred Smith Company
Donnie Adams, Adams & Hodge Engineering
Dave DeYoung, Planning Director

Date: May 9, 2016

Subject: RWAC, Phases 4A, 4B, 4C, 4D, 4E, & 4F

The final lift of asphalt pavement has been installed within the subject phases. Please schedule Council action for the acceptance of this work subject to a **five-year warranty.** Upon expiration of the warranty period, a final inspection will be scheduled, pavement and base course conditions evaluated, and any faults corrected by the developer prior to final acceptance.

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TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Introductions & Special Presentations

Meeting Date:
May 16, 2016

ITEM TITLE:
Proclamation Request - Avery's Angels - Gastroschisis Awareness

DESCRIPTION:
Ms. Meghan Hall, Founder of Avery's Angels, will be present to request a Proclamation recognizing July 30, 2016 as Gastroschisis Awareness Day.

POTENTIAL ACTION:
Place on Consent Agenda

DEPARTMENT:
Administration

PRESENTER:
Kimberly A. Moffett, Town Clerk

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

Proclamation

Gastroschisis Awareness Day

Whereas, there are 1 in 2,229 individuals born with gastroschisis in the United States; and

Whereas, this disease may affect small numbers of people, gastroschisis affects many Americans; and

Whereas, many Americans living with gastroschisis have serious and debilitating conditions that have a significant impact on the lives of those affected including but not limited to failure to thrive, slow growth, multiple organ transplants and long term feeding issues; and

Whereas, individuals and families affected by gastroschisis often experience problems such as a sense of isolation, difficulty in obtaining an accurate and timely diagnosis, few treatment options, and problems related to accessing or being reimbursed for treatment; and

Whereas, the cause of gastroschisis is relatively unknown, patients and their families must bear a large share of the burden for things such as raising funds for research; and

Whereas, residents of Clayton, North Carolina are among those affected by gastroschisis; and

Whereas, an official Awareness Day proclamation is often the precursor to funding for research and other avenues of support; and

Whereas, Avery's Angels Gastroschisis Foundation (AAGF) organized a nationwide observance of Gastroschisis Awareness Day that began July 30, 2013, with ever year thereafter; and

Whereas, the founder of Avery's Angels son, Avery John Rauen, passed away from complications of his gastroschisis on July 30, 2009 at UNC hospital, and this date is to commemorate him as well as all others living with or deceased from gastroschisis.

Therefore, be it resolved that the Clayton Town Council hereby recognize July 30, 2016 as Gastroschisis Awareness Day.

Duly adopted this the 6th day of June, 2016 while in regular session.

_____

Jody L. McLeod
Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Introductions & Special Presentations

Meeting Date:
May 16, 2016

ITEM TITLE:
Recognition of Clayton High School Tennis Team

DESCRIPTION:
The Clayton High School Tennis Team has dominated the courts for the past 4 years and just wrapped up their 4th straight conference championship. Their conference record this year was 56-0. In additional to recognizing the players, Coach Stivason, who has fostered the growth of the tennis in the community for almost 20 years, will be recognized.

POTENTIAL ACTION:

DEPARTMENT:
Administration

PRESENTER:
Stacy Beard, Public Information Officer

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Introductions & Special Presentations

Meeting Date:
May 16, 2016

ITEM TITLE:
Introduction of Miss Clayton and Miss Outstanding Teen Clayton

DESCRIPTION:
Mr. Keith Branch will introduce Ashtin Gill, 2016 Miss Clayton as well as Catherine White, 2016 Clayton's Outstanding Teen.

POTENTIAL ACTION:

DEPARTMENT:
Administration

PRESENTER:
Kimberly A. Moffett, Town Clerk

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Introductions & Special Presentations

Meeting Date:
May 16, 2016

ITEM TITLE:
July 4th Celebration - Report & Street Closure Request

DESCRIPTION:
Representative of Parks & Recreation will be presenting new layout and details for the 2016 July 4th Celebration Report. Closure of Kilgo Street will be requested.

POTENTIAL ACTION:
Place on Consent Agenda

DEPARTMENT:
Parks + Recreation

PRESENTER:
Matt Lorion, Parks & Recreation

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

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

SPECIAL EVENT PERMIT APPLICATION

Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Special Event Permit from the Planning Department. Special Event Permits are valid for a maximum 30 days within a one year time period.

Applications must be accompanied by one (1) copy of a site plan depicting the special event location, an Owner's Consent Form and the $100.00 application fee (if applicable). All fees are due when the application is submitted. NOTE: If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.

A special event is a non-routine happening or social activity such as a festival, concert, sporting event, parade, walk or run bringing people together in a defined area on Town property, right of way, or private property. Special events generally require Town services to ensure safety and coordination.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

APPLICANT INFORMATION

Name of Event: July 4th Celebration
Applicant Name and Title: Matt Lorion Program Supervisor
Organization: Town of Clayton Parks and Recreation
Mailing (Billing) Address: PO BOX 879
City: Clayton State: NC Zip Code: 27528
Daytime Phone: 919-553-1554 Cell: 919-624-9807 Email: mlorion@townofclaytonnc.org

EVENT INFORMATION

Event Location: Municipal Park
Event Address: 340 McCullers St Parcel ID :
Date(s) of Event: July 4th 2016
Event Start Time: 4pm Event End Time: 11pm
Will roads need to be closed: ☒ Yes ☐ No
Set Up Begins: July 4th 7am Clean Up Ends: July 6th 12am
Estimated Attendance: 8,000
Description of Event: The July 4th Celebration is a Family oriented event that offers games and activities for all ages. Events include a cornhole tournament, basketball skills competition, food vendors, inflatables and other rides. There will be a band that plays from 6-10:30pm and we will also have free watermelon slices and ice cream.

TOWN OF CLAYTON STAFF USE ONLY

Date Received: 1/21/16 Amount Paid: N A Permit Number: 2016-05

April 2014

ORGANIZATION INFORMATION

Please complete the following information if the Special event is benefitting an organization or check the box if not applicable: ☐ **N/A**

Is the Organization a 501(c) 3? ■ Yes ☐ No

	Yes	No
1. Is the Special Event being held by or for the benefit of an organization?	☑	☐
2. Is the organization a 501(C)3	☑	☐

Briefly describe the purpose of the organization: _____

Name of Organization: Clayton Community Recreational Foundation
Organization Address: PO BOX 879
Clayton, NC 27528

Organization Contact Name: Larry Bailey Phone Number: 919-553-1550
Organization Email: lbailey@townofclaytonnc.org
Federal Identification Number: _____

TENTS & MEMBRANE STRUCTURES

** A **TENT** is a structure, enclosure, or shelter, with or without sidewalls or drops**

To be completed by the applicant:			**To be completed by staff:** Permit/Inspections Required?	
	Yes	**No**	**Yes**	**No**
1. Will tents be used at the event?	☑	☐		
2. How many tents will be used?	6			
3. What is the size of the tents being used? *Please note that tents greater than 240 square feet in size require a building permit and associated inspections.*	10 X 10			
4. Are there multiple tents without sidewalls being placed side by side? *Please note that 12 feet of separation is required between all tents larger than 700 square feet.*	☐	☑		

** A **MEMBRANE** structure is an air-inflated or air supported structure **

To be completed by the applicant:			**To be completed by staff:** Permit/Inspections Required?	
	Yes	**No**	**Yes**	**No**
1. Will a membrane structure(s) be used at the event?	☑	☐		
2. How many membrane structures will be used?	3-5			

POWER SOURCES

To be completed by the applicant:	Yes	No	Staff Notes
1. Will you use electric generators?	☑	☐	
2. Will you use a Town of Clayton power source?	☑	☐	
PLEASE NOTE: *NO direct wiring to any power source is permitted.*			

VOICE/MUSIC AMPLIFICATION

	Yes	No	Staff Notes
1. Are there any musical entertainment features related to your event? (If no, proceed to next section)	☑	☐	
If yes, state the number of bands:	1		
2. Will a temporary stage be utilized?	☑	☐	
If yes, please state the number of stages	1		
3. Will the event use amplified sound?	☑	☐	
If yes, please list start time and finish time.	**Start Time**	**Finish Time**	
	6pm	10:30pm	

HAZARDOUS MATERIALS

	Yes	No	Staff Notes
1. Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? *If yes, note that all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.*	☑	☐	
2. Will there be any portable heaters?	☐	☑	
3. Will there be any deep fat fryers?	☑	☐	
4. Will there be any fireworks, lasers, torches, candles or pyrotechnics? *If yes, please contact the Fire Marshall for more 919-553-1520 information.*	☑	☐	

ALCOHOL

	Yes	No	Staff Notes
1. Will alcoholic beverages be served? *If yes, an ABC permit is required.*	☐	☑	
2. Will alcoholic beverages be sold? *If yes, an ABC permit is required.*	☐	☑	
3. What type of alcohol will be served?			

Draft Beer	Can/Bottle Beer	Wine	Liquor
☐	☐	☐	☐

4. Who will be serving the alcohol? *Please identify on the site plan the locations within event site where alcohol will be served.*			
5. List times that alcohol will be served	**Start Time**	**Finish Time**	
6. Copies of the ABC permit should be submitted upon receipt to the Planning Department.			

VENDORS

	Yes	No	Staff Notes
1. Will the event include mechanical rides, or other similar attractions? *Applicants contracting with amusement ride companies are required to provide the Town of Clayton with a certificate of insurance, naming applicant and the Town of Clayton (if applicable) as additional insured on general liability.*	☑	☐	
2. Please list/describe rides and attractions:			
3. Does the event have food vendors?	☑	☐	
If yes, check all that apply:			

Served	Sold	Free	Catered	Served Outdoors	Other
☑	☑	☐	☐	☑	☐

4. If the event includes food concessions and/or cooking areas: *Event organizers are required to submit a Temporary Food Event Sponsor form with Johnston County Environmental Health (919-989-5180) at least 14 days prior to the event. A copy of the application must be submitted to the Planning Department at the same time. Fire Code requires a fire extinguisher at each cooking location.*	☑	☐	

TOWN SERVICES

The Town of Clayton does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as solid waste, wastewater, event clean up, traffic control, etc.

TRASH RECEPTICLES/ROLL-OUT CARTS	Yes	No	Staff Notes
1. Does the event require roll-out carts?	☑	☐	
2. What types of trash will be discarded? Food and Paper Products			

Aluminum Cans	Glass Bottles / Jars	Plastic Bottles / Cups	Paper Cups / Plates	Styrofoam Cups / Plates	Other
☑	☐	☑	☑	☐	☐

	Number	
3. How many trash roll-out carts are needed?		
4. How many recycle roll-out carts are needed?		
5. Delivery location?		
6. Date rollout carts are to be delivered\picked up?	Delivered	Picked-up

PUBLIC PROPERTY CLEAN-UP	Yes	No
7. Will portable toilets be used during the event?	☑	☐
8. Date portable toilets will be delivered/and removed?	Delivered	Picked-up
	7/1/16	7/6/14
9. What is the clean-up plan for the event? The Parks and Recreation staff will Handle the event clean up.		
Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Any cost incurred by the Town due to the failure of an applicant to clean and/or restore the site following the event will be borne by the applicant. If you believe that no litter will be generated during your event, please state this in your plan.		

SAFETY AND SECURITY	Yes	No	
10. Will security be used during the event?	☑	☐	
11. Will overnight security be used?	☐	☑	
12. How many off duty officers will be used?			
13. Please check the type(s) of security that will be used:			

Alcohol Security	Stage Security	Event Area Security	Gate Security	Money Handling Security	Other
☐	☐	☐	☐	☐	☐

14. Date(s) and time(s) security will be on site:	Police will be on-site from 4-11pm
Applicant may be required to hire off-duty Town of Clayton police officers to provide security to insure public safety. The Town of Clayton Police Department will determine the number of security personnel required on site.	

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property. Showing adjacent streets/roads and boundaries.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames. (Grills only)
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

SITE PLAN SKETCH

(Note: you may sketch site plan here or attach a drawing to the application.)

Our site plan will follow.

EVENT BOUNDARY AND ROAD TRAFFIC PLAN

EVENT TYPE	Yes	No	Staff Notes
1. Will the event include use of public streets?	☑	☐	
2. How will the route be utilized?			

Parade	March or Walk	Vehicles Only	Vendors	Foot/Bicycle Race	Other
☐	☐	☐	☐	☐	☐

	Number
3. How many participants are expected?	
4. How many floats will participate?	
5. How many vehicles will participate?	

	Yes	No
6. Will animals participate in the event?	☐	☐
7. If yes, please list the types of animals:		

EVENT BOUNDARIES
Please describe the event boundaries. If event is a road event then include route below. If there is more than one segment to the event, include start and finish times for each segment. *(Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).*

ROAD CLOSURE REQUESTS

All road closure requests are reviewed by the Town of Clayton. Approval, denial, or modification of road closure requests is at sole discretion of the Town, including but not limited to the route, placement and number of all barricades, signs and police/volunteer locations. If your event involves road closures, please attach a Route and Traffic Plan. Include the required information (listed below) and any additional information that you believe applies to your event.

ROAD CLOSURE			Staff Notes
1. List the street(s) and times in which street(s) will need to be closed *(Please note that NC and US roadways require approval from the North Carolina Department of Transportation)*:			
Street(s):	**Begins**	**Ends**	
Please see the Polices traffic plan			
	Number		
2. How many participants are expected?			

EVENT ROUTE	Staff Notes
DESCRIBE THE EVENT ROUTE BELOW. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. *(Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).*	
Please note that white temporary water-base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes, Home Depot, etc.).	

ROAD CLOSURE/DETOUR PLAN

Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include all proposed locations for barricades, signs and police/volunteers. Identify the proposed locations for emergency access lanes (Minimum 20' width) throughout the event site. Describe planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.

(Note: you may sketch site plan here or attach a drawing to the application.)

The police will have this plan.

SPECIAL EVENT PROCESSING

The applicant must follow the steps below in chronological order to ensure successful processing of the Special Event request:

1. Request a pre-application meeting with the Planning Department to discuss the scope of the Special Event. If the event is downtown, the meeting must include the Downtown Development Coordinator.
2. Submit a completed application with any important supplemental information.
3. Provide proof of $1,000,000 General Liability Insurance. Certificate naming Town of Clayton as Additional Insured may be required.
4. Meet with the Special Events Committee to review the request, receive comments and a recommendation of approval for the event.
5. If Special Events Committee approves, a staff request will be made to the Town Clerk in order to be placed on a Town Council agenda if Town services or road closures are necessary.
6. Upon agenda scheduling, applicant will present the Special Event request to Town Council to receive authorization.

7. If the event will utilize Horne Square, a $250.00 deposit is required following approval.
8. Prior to the Event, a meeting to review the incident action plan (IAP) is required

Upon completion of the steps above, the Planning Department will issue a Special Event Permit approval (with or without Conditions), or notify the applicant in writing that the request is denied.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PARADE PERMIT FROM THE TOWN OF CLAYTON POLICE DEPARTMENT. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

USE OF TOWN OWNED PROPERTY

	Yes	No
1. Use policies and procedures obtained and submitted for use of any Town owned property or streets.	☑	☐

DENIAL OR REVOCATION OF PERMIT

Denial

A Special Event Permit application may be denied if it is found that its granting would not be in the Town of Clayton's or the public's interest. Any applicant denied a permit to utilize Town-owned property for a special event shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the application to the Town Council within fifteen working days of the written denial and the Town Council may take such corrective action as it shall find necessary. The findings and the determination of the Town Council shall be final.

Permit Revocation

The Town may revoke a permit issued pursuant to this section if the applicant or operator of the special event has:

1. Misrepresented or provided false information in the permit application;
2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations;
3. Violated any law, regulation or ordinance regarding the possession, sale, transportation or consumption of intoxicating beverages or controlled substances; or
4. Operated the special event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse.

APPLICANT'S AFFIDAVIT

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

The undersigned does understand and agree to the rules and regulations that apply to a Special Event Permit.

Applicant's Signature: _____ **Date:** 1/21/2016

NORTH CAROLINA
JOHNSTON COUNTY

INDEMNIFICATION AGREEMENT

I, Matt Lorion have submitted an application for a Special Event Permit for The Town of Clayton's July 4th Celebration on property owned by the Town of Clayton. As the authorized applicant/authorized representative for the Special Event, I hereby agree to indemnify and hold the Town of Clayton, its officers, agents and employees, harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the Town, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the Town's property.

Signature of Applicant & Authorized Representative of Event

Sworn to (or affirmed) and subscribed before me this the 21st day of January, 2016.

(Official Seal)

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My commission expires:_____

12

Main Drive
McCullers St
McCullers St
McCullers St
Kilgo St
Inflatables
Food
Food/Vendors
Main Tent
Port-a-j
Handicap
Stage
Water-melon
Municipal Park
Bleachers
CH/Bball
Port-a-j
Bleachers
Emergency
Bingo
Spray

Google Maps Municipal Park

Handicap parking in lot

Imagery ©2016 DigitalGlobe, U.S. Geological Survey, Map data ©2016 Google 50 ft

Turn-around point for non-volunteers and non-handicap

Municipal Park

Park

https://www.google.com/maps/place/Municipal+Park/@35.6590965,-78.4648424,230m/data=!3m1!1e3!4m2!3m1!1e0x89ac688627b3e7bd:0x87942052e5bdd95e

4th of July

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
May 16, 2016

ITEM TITLE:
Contract Amendment - Waste Management

DESCRIPTION:
Third amendment to the July 1, 2005 Waste Management Contract/Agreement.

POTENTIAL ACTION:
Place on Consent Agenda

DEPARTMENT:
Administration

PRESENTER:
Steve Biggs, Town Manager

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

THIRD AMENDMENT TO
CONTRACT BETWEEN
THE TOWN OF CLAYTON, NORTH CAROLINA
AND
WASTE MANAGEMENT OF CAROLINAS, INC.

THIS THIRD AMENDMENT, is made this _____ day of _____, 2016, to the July 1, 2005 Agreement, as amended on October 1, 2007 and May 2, 2011, (collectively the "Agreement") for residential solid waste and recycling services by and between the Town of Clayton, North Carolina (the "Town"), and Waste Management of Carolinas, Inc., a North Carolina corporation (the "Contractor").

WHEREAS, the Town and Contractor desire to extend the term of the Agreement for an additional one year period; and

NOW, THEREFORE, the County and Contractor agree as follows:

Section 1. Term. This Agreement shall extend from July 1, 2016, through June 30, 2017; provided, however, the term may be further extended for additional terms of five (5) years each upon mutual agreement of the parties, expressed in writing.

Section 2. Modification of Contract. Except as expressly set forth herein or as necessary to carry out the terms of this Amendment and the Agreement, no amendment of the terms of the Agreement is intended hereby, and the Agreement and all its terms and conditions shall remain in full force and effect. The parties, however, agree that adjustments to the scope of services may be made by mutual agreement of the parties expressed in writing during the term of this Agreement.

Section 3. Entirety. This Amendment is hereby incorporated into the Agreement and together therewith they contain the entire Agreement between the parties as to the matters contained therein. Any oral representations or modifications concerning this Agreement shall be of no force and effect.

Section 4. Severability. The invalidity of one or more of the phrases, sentences, clauses, or Sections contained in this Amendment shall not affect the validity of the remaining portion of the Agreement so long as the material purposes of this Agreement can be determined and effectuated.

IN WITNESS WHEREOF, the parties hereto have set their hands as of this _____ day of _____, 2016.

TOWN OF CLAYTON, NORTH CAROLINA

By:_____
Name:_____
Title:_____

ATTEST:

By:_____
Name:_____
Title:_____

WASTE MANAGEMENT OF CAROLINAS, INC.

By:_____
Name:_____
Title:_____

ATTEST:

By:_____
Name:_____
Title: Asst. Secretary

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
May 16, 2016

ITEM TITLE:
2016 Halloween Parade

DESCRIPTION:
Representative from Parks & Recreation will present report on the 2016 Halloween Parade which will include request for closure of Main Street between Smith & S. O'Neil Streets between 2:00 and 4:00 p.m. Since this is a NCDOT street, Resolution is required.

POTENTIAL ACTION:
Place on Consent Agenda

DEPARTMENT:
Parks + Recreation

PRESENTER:
Matt Lorion, Parks & Recreation

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

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

SPECIAL EVENT PERMIT APPLICATION

Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Special Event Permit from the Planning Department. Special Event Permits are valid for a maximum 30 days within a one year time period.

Applications must be accompanied by one (1) copy of a site plan depicting the special event location, an Owner's Consent Form and the $100.00 application fee (if applicable). All fees are due when the application is submitted. NOTE: If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.

A special event is a non-routine happening or social activity such as a festival, concert, sporting event, parade, walk or run bringing people together in a defined area on Town property, right of way, or private property. Special events generally require Town services to ensure safety and coordination.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

APPLICANT INFORMATION

Name of Event: Halloween Parade
Applicant Name and Title: Matt Lorion Recreation Program Supervisor
Organization: Town of Clayton Parks & Recreation
Mailing (Billing) Address: PO BOX 879
City: Clayton State: NC Zip Code: 27528
Daytime Phone: 919-553-1550 Cell: 919-624-9807 Email: mlorion@townofclaytonnc.org

EVENT INFORMATION

Event Location: Main Street between Smith Street and S. O'Neil St
Event Address: 110 W. Main Street Parcel ID :
Date(s) of Event: 10/30/15
Event Start Time: 2pm Event End Time: 4pm
Will roads need to be closed: ☒ Yes ☐ No
Set Up Begins: 11am Clean Up Ends: 5pm
Estimated Attendance: 500
Description of Event: The participants will Trick or Treat down Main St from Home Sq to Town Sq.
The kids will go to the businesses located on Main St to Trick or Treet. The event will begin at Home at 2:30pm

TOWN OF CLAYTON STAFF USE ONLY

Date Received: 1/21/16 Amount Paid: N/A Permit Number: 2016-03

April 2014

ORGANIZATION INFORMATION

Please complete the following information if the Special event is benefitting an organization or check the box if not applicable: ☒ **N/A**

Is the Organization a 501(c) 3? ☐ Yes ☒ No

	Yes	No
1. Is the Special Event being held by or for the benefit of an organization?	☐	☐
2. Is the organization a 501(C)3	☐	☐

Briefly describe the purpose of the organization: _____

_____

_____

Name of Organization: _____

Organization Address: _____

_____

_____

Organization Contact Name: _____ Phone Number: _____

Organization Email: _____

Federal Identification Number: _____

TENTS & MEMBRANE STRUCTURES

** A **TENT** is a structure, enclosure, or shelter, with or without sidewalls or drops**

To be completed by the applicant:			**To be completed by staff:** Permit/Inspections Required?	
	Yes	**No**	**Yes**	**No**
1. Will tents be used at the event?	☑	☐		
2. How many tents will be used?	5			
3. What is the size of the tents being used? *Please note that tents greater than 240 square feet in size require a building permit and associated inspections.*	10x10			
4. Are there multiple tents without sidewalls being placed side by side? *Please note that 12 feet of separation is required between all tents larger than 700 square feet.*	☐	☑		

** A **MEMBRANE** structure is an air-inflated or air supported structure **

To be completed by the applicant:			**To be completed by staff:** Permit/Inspections Required?	
	Yes	**No**	**Yes**	**No**
1. Will a membrane structure(s) be used at the event?	☐	☑		
2. How many membrane structures will be used?				

POWER SOURCES

To be completed by the applicant:	Yes	No	Staff Notes
1. Will you use electric generators?	☐	☑	
2. Will you use a Town of Clayton power source?	☑	☐	
PLEASE NOTE: *NO direct wiring to any power source is permitted.*			

VOICE/MUSIC AMPLIFICATION

	Yes	No	Staff Notes
1. Are there any musical entertainment features related to your event? (If no, proceed to next section)	☐	☑	
If yes, state the number of bands:			
2. Will a temporary stage be utilized?	☐	☑	
If yes, please state the number of stages			
3. Will the event use amplified sound?	☑	☐	
If yes, please list start time and finish time.	**Start Time**	**Finish Time**	
	2pm	4pm	

HAZARDOUS MATERIALS

	Yes	No	Staff Notes
1. Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? *If yes, note that all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.*	☐	☑	
2. Will there be any portable heaters?	☐	☑	
3. Will there be any deep fat fryers?	☐	☑	
4. Will there be any fireworks, lasers, torches, candles or pyrotechnics? *If yes, please contact the Fire Marshall for more 919-553-1520 information.*	☐	☑	

ALCOHOL

	Yes	No	Staff Notes
1. Will alcoholic beverages be served? *If yes, an ABC permit is required.*	☐	☑	
2. Will alcoholic beverages be sold? *If yes, an ABC permit is required.*	☐	☑	
3. What type of alcohol will be served?			

Draft Beer	Can/Bottle Beer	Wine	Liquor
☐	☐	☐	☐

4. Who will be serving the alcohol? *Please identify on the site plan the locations within event site where alcohol will be served.*			
5. List times that alcohol will be served	**Start Time**	**Finish Time**	
6. Copies of the ABC permit should be submitted upon receipt to the Planning Department.			

VENDORS

	Yes	No	Staff Notes
1. Will the event include mechanical rides, or other similar attractions? *Applicants contracting with amusement ride companies are required to provide the Town of Clayton with a certificate of insurance, naming applicant and the Town of Clayton (if applicable) as additional insured on general liability.*	☐	☑	
2. Please list/describe rides and attractions:			
3. Does the event have food vendors?	☐	☑	
If yes, check all that apply:			

Served	Sold	Free	Catered	Served Outdoors	Other
☐	☐	☐	☐	☐	☐

4. If the event includes food concessions and/or cooking areas: *Event organizers are required to submit a Temporary Food Event Sponsor form with Johnston County Environmental Health (919-989-5180) at least 14 days prior to the event. A copy of the application must be submitted to the Planning Department at the same time. Fire Code requires a fire extinguisher at each cooking location.*	☐	☐	

TOWN SERVICES

The Town of Clayton does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as solid waste, wastewater, event clean up, traffic control, etc.

TRASH RECEPTICLES/ROLL-OUT CARTS	Yes	No	Staff Notes
1. Does the event require roll-out carts?	☑	☐	
2. What types of trash will be discarded?			

Aluminum Cans	Glass Bottles / Jars	Plastic Bottles / Cups	Paper Cups / Plates	Styrofoam Cups / Plates	Other
☐	☐	☐	☑	☐	☐

3. How many trash roll-out carts are needed?	Number		
	6		
4. How many recycle roll-out carts are needed?			
5. Delivery location?	Town Square		
6. Date rollout carts are to be delivered\picked up?	Delivered	Picked-up	
	10/31/16	11/1/16	
PUBLIC PROPERTY CLEAN-UP	**Yes**	**No**	
7. Will portable toilets be used during the event?	☐	☑	
8. Date portable toilets will be delivered/and removed?	Delivered	Picked-up	
9. What is the clean-up plan for the event? The parks and recreation staff will clean up town square after the event.			
Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Any cost incurred by the Town due to the failure of an applicant to clean and/or restore the site following the event will be borne by the applicant. If you believe that no litter will be generated during your event, please state this in your plan.			

SAFETY AND SECURITY						Yes	No	
10. Will security be used during the event?						☐	☑	
11. Will overnight security be used?						☐	☑	
12. How many off duty officers will be used?								
13. Please check the type(s) of security that will be used:								
Alcohol Security	Stage Security	Event Area Security	Gate Security	Money Handling Security	Other			
☐	☐	☐	☐	☐	☐			
14. Date(s) and time(s) security will be on site:								
Applicant may be required to hire off-duty Town of Clayton police officers to provide security to insure public safety. The Town of Clayton Police Department will determine the number of security personnel required on site.								

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property. Showing adjacent streets/roads and boundaries.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames. (Grills only)
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

SITE PLAN SKETCH

(Note: you may sketch site plan here or attach a drawing to the application.)

EVENT BOUNDARY AND ROAD TRAFFIC PLAN

EVENT TYPE	Yes	No	Staff Notes
1. Will the event include use of public streets?	☑	☐	
2. How will the route be utilized?			

Parade	March or Walk	Vehicles Only	Vendors	Foot/Bicycle Race	Other
☐	☑	☐	☐	☐	☐

	Number
3. How many participants are expected?	500
4. How many floats will participate?	
5. How many vehicles will participate?	

	Yes	No
6. Will animals participate in the event?	☐	☑

7. If yes, please list the types of animals:

EVENT BOUNDARIES

Please describe the event boundaries. If event is a road event then include route below. If there is more than one segment to the event, include start and finish times for each segment. *(Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).*

Main St between Smith St and South O'Neil St

ROAD CLOSURE REQUESTS

All road closure requests are reviewed by the Town of Clayton. Approval, denial, or modification of road closure requests is at sole discretion of the Town, including but not limited to the route, placement and number of all barricades, signs and police/volunteer locations. If your event involves road closures, please attach a Route and Traffic Plan. Include the required information (listed below) and any additional information that you believe applies to your event.

ROAD CLOSURE — Staff Notes

1. List the street(s) and times in which street(s) will need to be closed *(Please note that NC and US roadways require approval from the North Carolina Department of Transportation)*:

Street(s):	Begins	Ends
Main St between Smith Street and S. O'Neil St	2pm	4pm

	Number
2. How many participants are expected?	500

EVENT ROUTE — Staff Notes

DESCRIBE THE EVENT ROUTE BELOW. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. *(Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).*

The event will run on Main St. between Smith St. and S. O'Neil St.

Please note that white temporary water-base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes, Home Depot, etc.).

ROAD CLOSURE/DETOUR PLAN

Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include all proposed locations for barricades, signs and police/volunteers. Identify the proposed locations for emergency access lanes (Minimum 20' width) throughout the event site. Describe planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.

(Note: you may sketch site plan here or attach a drawing to the application.)

SPECIAL EVENT PROCESSING

The applicant must follow the steps below in chronological order to ensure successful processing of the Special Event request:

1. Request a pre-application meeting with the Planning Department to discuss the scope of the Special Event. If the event is downtown, the meeting must include the Downtown Development Coordinator.
2. Submit a completed application with any important supplemental information.
3. Provide proof of $1,000,000 General Liability Insurance. Certificate naming Town of Clayton as Additional Insured may be required.
4. Meet with the Special Events Committee to review the request, receive comments and a recommendation of approval for the event.
5. If Special Events Committee approves, a staff request will be made to the Town Clerk in order to be placed on a Town Council agenda if Town services or road closures are necessary.
6. Upon agenda scheduling, applicant will present the Special Event request to Town Council to receive authorization.

7. If the event will utilize Horne Square, a $250.00 deposit is required following approval.
8. Prior to the Event, a meeting to review the incident action plan (IAP) is required

Upon completion of the steps above, the Planning Department will issue a Special Event Permit approval (with or without Conditions), or notify the applicant in writing that the request is denied.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PARADE PERMIT FROM THE TOWN OF CLAYTON POLICE DEPARTMENT. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

USE OF TOWN OWNED PROPERTY

	Yes	No
1. Use policies and procedures obtained and submitted for use of any Town owned property or streets.	☑	☐

DENIAL OR REVOCATION OF PERMIT

Denial

A Special Event Permit application may be denied if it is found that its granting would not be in the Town of Clayton's or the public's interest. Any applicant denied a permit to utilize Town-owned property for a special event shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the application to the Town Council within fifteen working days of the written denial and the Town Council may take such corrective action as it shall find necessary. The findings and the determination of the Town Council shall be final.

Permit Revocation

The Town may revoke a permit issued pursuant to this section if the applicant or operator of the special event has:

1. Misrepresented or provided false information in the permit application;
2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations;
3. Violated any law, regulation or ordinance regarding the possession, sale, transportation or consumption of intoxicating beverages or controlled substances; or
4. Operated the special event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse.

APPLICANT'S AFFIDAVIT

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

The undersigned does understand and agree to the rules and regulations that apply to a Special Event Permit.

Applicant's Signature: _____ **Date:** 1/21/2016

April 2014

NORTH CAROLINA
JOHNSTON COUNTY

INDEMNIFICATION AGREEMENT

I, Matt Lorion have submitted an application for a Special Event Permit for Halloween Parade on property owned by the Town of Clayton. As the authorized applicant/authorized representative for the Special Event, I hereby agree to indemnify and hold the Town of Clayton, its officers, agents and employees, harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the Town, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the Town's property.

Signature of Applicant & Authorized Representative of Event

Sworn to (or affirmed) and subscribed before me this the 21st day of January, 2016.

(Official Seal)

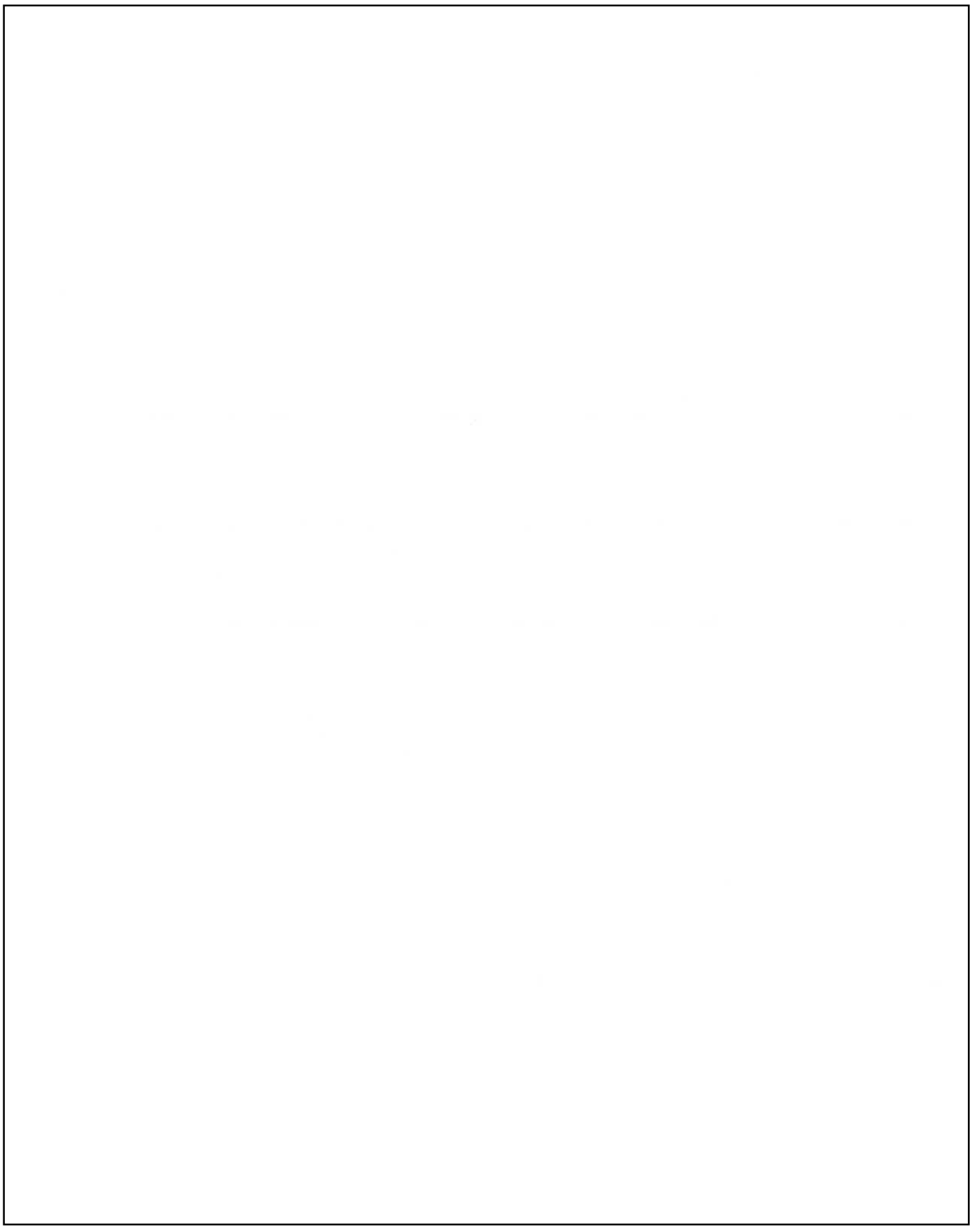
Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My commission expires:_____

Halloween Parade 2016

O'Neil to Smith St. during the parade.



RESOLUTION REQUEST
STREET CLOSURE
2016 HALLOWEEN PARADE

WHEREAS, the Clayton Town Council has received a request from the Clayton Parks and Recreation Department to close a portion of Main Street for the 2016 Halloween Parade.

WHEREAS, the Clayton Town Council believes that it is in the best interest of the citizens of Clayton that they act favorably on said request and formally notify the North Carolina Department of Transportation for the closing of Main Street between Smith & S. O'Neil Street on the following date and times:

Monday – October 31, 2016
2:00 – 4:00 p.m.

NOW, THEREFORE, the Clayton Town Council does hereby resolve as follows:

That the Clayton Town Council agrees to be the governmental entity making a request for the closing of said road at said times and for obtaining compliance with those requirements of the North Carolina Department of Transportation for conducting of said road closure.

Duly adopted this the 6th day of June, 2016.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
May 16, 2016

ITEM TITLE:
Audit Contract - FY-15-16

DESCRIPTION:
Robert McKie, will provide information regarding with Anderson Smith & Wike. PLLC with regarding to the FY '15-16 audit.

POTENTIAL ACTION:
Place on Consent Agenda

DEPARTMENT:
Finance Department

PRESENTER:
Robert McKie, Finance Director

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
May 16, 2016

ITEM TITLE:
Facade Grant Program

DESCRIPTION:
Mr. DeYoung will present information regarding modification and expansion to the existing Façade Grant Program.

POTENTIAL ACTION:
Set Public Hearing

DEPARTMENT:
Planning + Zoning

PRESENTER:
David DeYoung, Planning Director

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

Town of Clayton

Façade and Site Element Improvement Grant Program

Town of Clayton
May 10, 2016

PURPOSE

The objective of the Town of Clayton's *Façade and Site Element Improvement Grant Program* ~~has been developed as part of the Clayton Town Council goal to "Beautify the Town of Clayton." The objective of the Façade Improvement Grant (FIG) Program has historically been used by the Downtown Development Association to is to dramatically~~ improve the appearance of building façades or other site elements (parking, landscaping, lighting, etc.) ~~of the downtown buildings~~ so that after completion of work, citizens will notice a marked improvement in the appearance of the buildings and/or property within the Town of Clayton~~downtown.~~. The program ~~has been expanded to~~ includes property/businesses located within the Town's Thoroughfare Overlay District (TOD) and Clayton's Downtown Core. Maps of the areas in which the program is available are attached as Exhibit A. The general purpose of the program is to provide an economic incentive to:

- Promote storefront rehabilitation and site improvements;
- Preserve the unique character of ~~downtown's~~ historic buildings;
- Encourage aesthetic compatibility for improvements to facades of non-historic structures; and
- Encourage the use of quality materials in the rehabilitation of ~~downtown~~ property~~ies~~.

Façade and site element improvements should be ~~those that are~~ permanent and remain as part of the building or site.

Funds will be made available periodically on a first-come-first-served basis.

The program will be administered by the Planning Department and Clayton Downtown Development Association (CDDA).

ELIGIBILITY

1) The applicant must be the owner or tenant of a building located within the boundaries of the ~~FIG~~grant program, which are identified in Exhibit A.
2) If the applicant is a tenant, they must have the owner's written permission attached to the application.
3) No more than one grant per ~~location~~ facade per year will be available.
4) The property shall be classified as ~~commercial~~non-residential in Zoning and Use.~~.~~

GUIDELINES FOR BUILDINGS AND PROPERTY LOCATED IN THE DOWNTOWN ~~DISTRICT~~CORE

1) The *U.S. Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (attached) and the *2001 Downtown Improvement Project Architectural Guidelines* (available for reference in the DDA office) are guides for façade improvements.

2) Rehabilitation work must conform to the Town of Clayton's Building Codes; Unified Development Code; and General Design Guidelines.

3) Rehabilitation of structures in the ~~downtown district~~Downtown Core should respect the architectural integrity of the ~~entire building front~~primary facades and retain those elements that enhance the building.

4) ~~Façade g~~Grant applications may be made for structures and site elements within the Ddowntown Core ~~business district boundaries~~, with priority given to renovation projects that visibly improve the aesthetic appearance of ~~downtown~~ building facades and/or site elements~~, including buildings with inappropriately applied facades that cover windows, or that are unsightly, out-of-scale, or in need of general repair work.~~ .

5) All properties classified as ~~commercial~~ non-residential (zoning and use) within Clayton's Downtown ~~District~~Core may apply for grant funds.

6) Improvements may include, but are not limited to:
   - Façade improvements
   - Brick or wall surface cleaning
   - Patching and painting of facade walls
   - Signage or lighting replacement/repair *(Only established businesses (3+ years) are eligible for sign replacement)*
   - Structure or frame that contain or hold a sign
   - Canopy, porch, awning installation/repair
   - Window and/or door replacement/repair
   - Mortar joint repair
   - Railings, ironwork repair or addition
   - Cornice repair and/or replacement
   - Design services (architect, etc.) for façade rehabilitation
   - Site lighting
   - Landscaping, sidewalks and hardscaping
   - Parking improvements

7) Any improvements that have been made through thise ~~FIG~~ grant program and which become a part of the property may not be removed from the property unless they can be used (without significant alterations) on another property within the Downtown ~~District~~ Core (e.g., awnings).

Note to Applicant: *Removal of inappropriate additions to buildings and non-compliant signs may qualify based on the effect removal will have on the appearance of the downtown district.*

GUIDELINES FOR BUILDINGS WITHIN THE TOD

1) Rehabilitation work must conform to the Town of Clayton's Building Codes; Unified Development Code; and General Design Guidelines.

2) Rehabilitation of structures in the TODdistrict should respect the architectural integrity of the entire building frontprimary façades and retain those elements that enhance the building.

3) Façade gGrant applications may be made for structures within TOD boundaries, with priority given to renovation projects that visibly improve the aesthetic appearance of building facades and/or site elements facades, including buildings with inappropriately applied facades that cover windows, or that are unsightly, out-of-scale, or in need of general repair work.

3)

4) All properties classified as commercial non-residential (zoning and use) within Clayton's TOD may apply for grant funds.

5) Improvements may include, but are not limited to:
   - Façade improvements
   - Brick or wall surface cleaning
   - Patching and painting of facade walls
   - Signage or lighting replacement/repair *(only established businesses (3+ years) are eligible for sign replacement)*
   - Structure or frame that contain or hold a sign
   - Canopy, porch, awning installation/repair
   - Window and/or door replacement/repair
   - Mortar joint repair
   - Railings, ironwork repair or addition
   - Cornice repair and/or replacement
   - Design services (architect, etc.) for façade rehabilitation
   - Site lighting
   - Landscaping, sidewalks and hardscaping
   - Parking improvements

6) Any improvements that have been made through the program and which become a part of the property may not be removed from the property unless they can be used (without significant alterations) on another property within the TOD (e.g., awnings).

Note to Applicant: *Removal of inappropriate additions to buildings and non-compliant signs may qualify based on the effect removal will have on the appearance of the TOD.*

ADDITIONAL GRANTS *(Previous grant holders only)*

1) Additional grants are available for additional improvements on a first come, first served basis. Only one grant per façade shall be awarded in a fiscal year. ~~If a building has received previous grant funding, an application for additional grant funding may be considered if:~~

   ~~At least three (3) years have elapsed since the last grant was awarded and the property is in need of further improvement (e.g., repaint, new awning); under extenuating circumstances an additional grant may be awarded prior to three years from the last grant.~~

   ~~The existing business/property undergoes significant expansion which requires improvement to multiple features on the property (e.g., window replacement on upper stories).~~

CRITERIA

1) For the purposes of the~~is FIG~~ grant program, a façade is generally defined as ~~an individual~~the storefront or side of a building that faces a public street or alleyway or which is otherwise visible to the general public.

2) Qualifying projects are eligible for a grant of up to $5,000 per façade or site element improvement on a 50% (Grant) / 50% (Applicant) matching basis as funds are available.

3) ~~Any work done before a~~ Work should not commence before the grant application is approved ~~is not eligible~~.

4) Work on the project must be completed within six (6) months after the date that the grant is awarded. The grant will be paid to the recipient after the work is completed and all bills relating to said work are paid.~~.~~

5) The property owner must agree to maintain the ~~facade~~ improvements as set forth in the application for a period of three (3) years or until the property is sold. *(Example: if an awning is installed as part of a project and then rips within a three-year period, it must be repaired or replaced.)*

APPLICATION PROCESS

1) Applicant will complete the application, ~~which must~~ include~~ing~~ design plans/sketches and owner's signature (consent of mortgage or lien holder may be required), and return it to the Façade Grant Coordinator.

2) If appropriate, the applicant is encouraged to seek the services of the State Historic Preservation Office (SHPO), including restoration

consultants, before an application is completed and designs are formulated. Visits can be arranged by calling (919) 733-6547.

3) Two current, qualified and professional estimates of cost are to be included with the application.

4) Applications will be reviewed ~~and signed~~ by ~~the Towna~~ Town Building Inspector for building code compliance.

5) Applications will be reviewed and signed by the Planning Department.

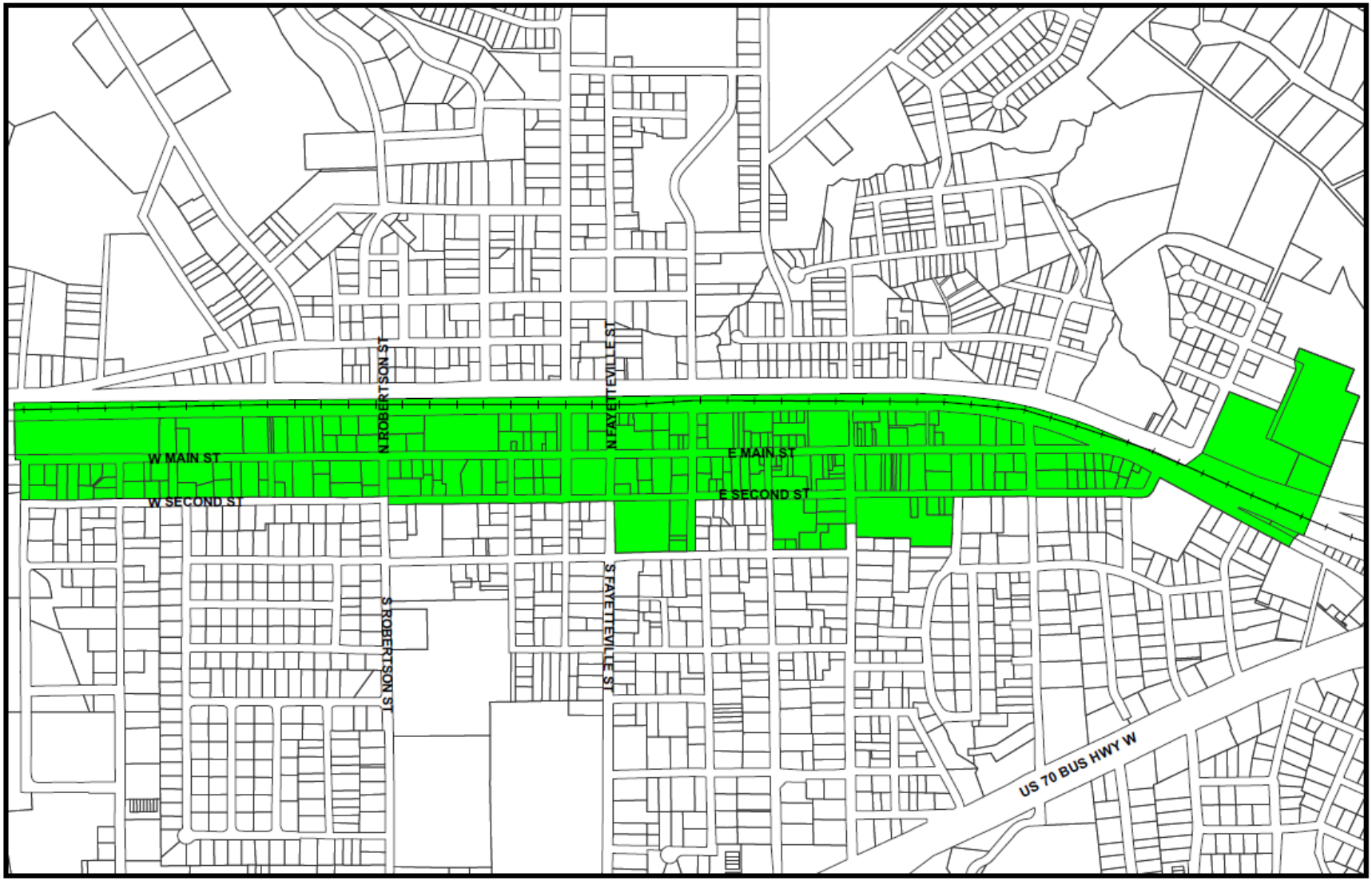
6) The Planning Department and~~or~~ the DDA Design Committee will review the completed application.

7) A notification letter will be sent to applicants concerning the approval or denial of the application within 45 days of receipt of a completed application.

8) A ~~Grant Agreement~~Letter of approval must ~~occur~~be received ~~be signed~~ **BEFORE** ~~any work begins~~reimbursement occurs. ~~Parties to the Agreement will be the applicant(s), building owner(s) and the Town of Clayton.~~

9) Upon project completion, copies of paid statements and cancelled checks, etc. must be submitted to Planning Department to claim reimbursement.

10) Planning Department staff and SHPO (State Historic Preservation Office) staff (upon request) will inspect work completed and request checks to be issued for the amount of the grant provided the work is accomplished in accordance with the agreement.



Map Produced By TOC/Planning
Date: May 10, 2016
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

Exhibit A
Downtown Core

Not to Scale

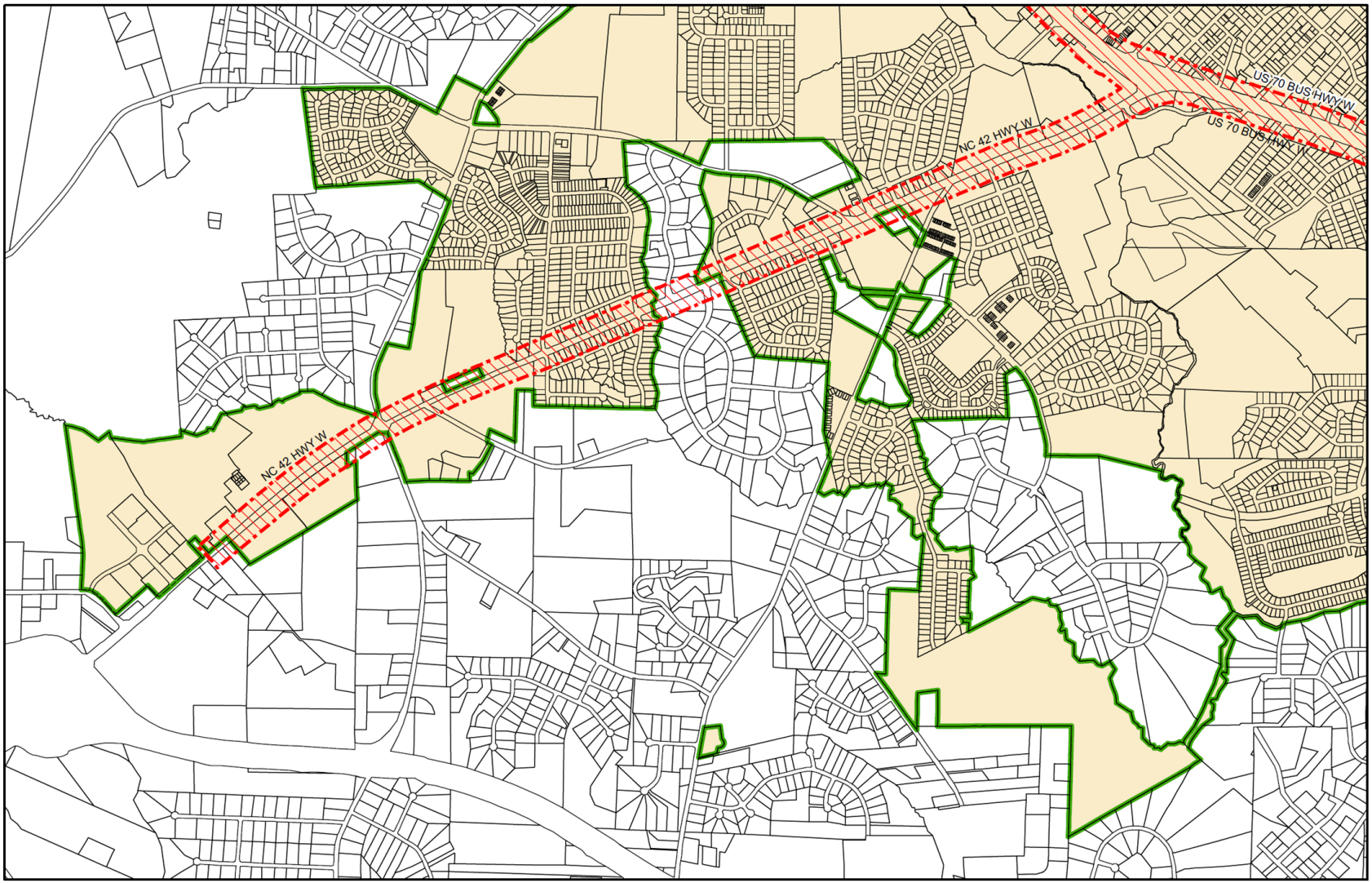


Exhibit A
Thoroughfare Overlay District
South West Section

Map Produced by TOC Planning
Date: August 9, 2012
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

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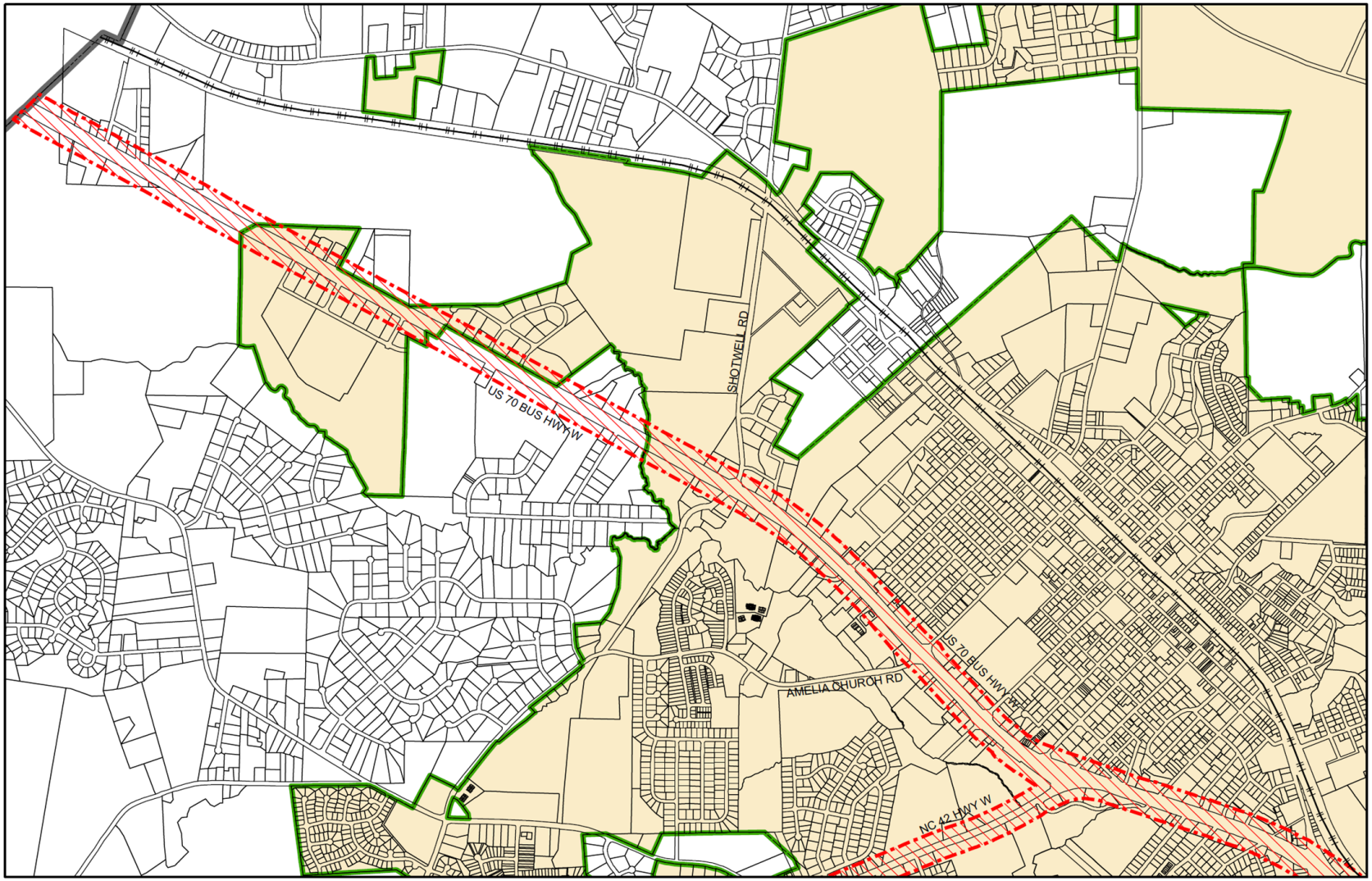

Exhibit A

Thoroughfare Overlay District

North West Section

Map Produced by TOC Planning
Date: August 9, 2012
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

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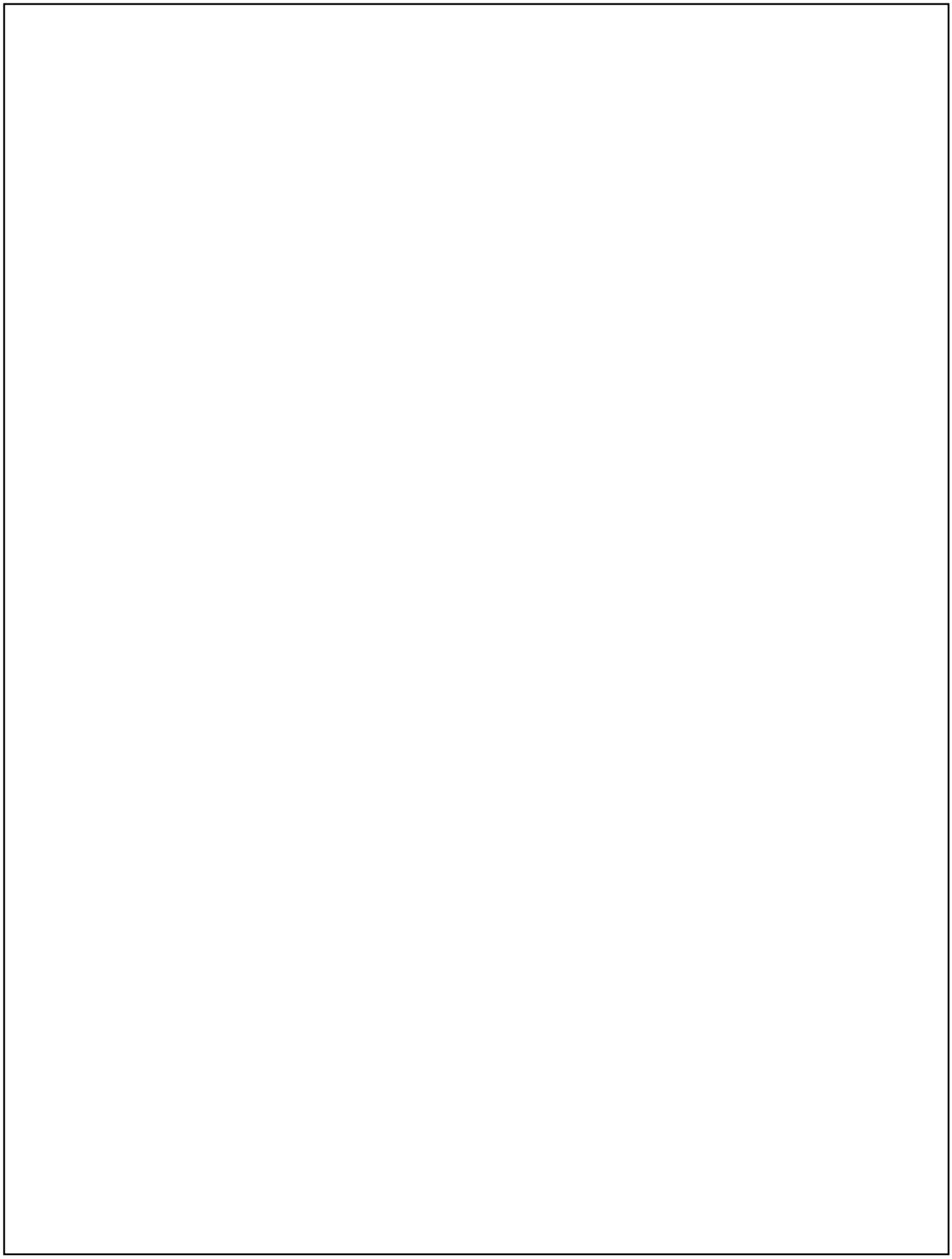

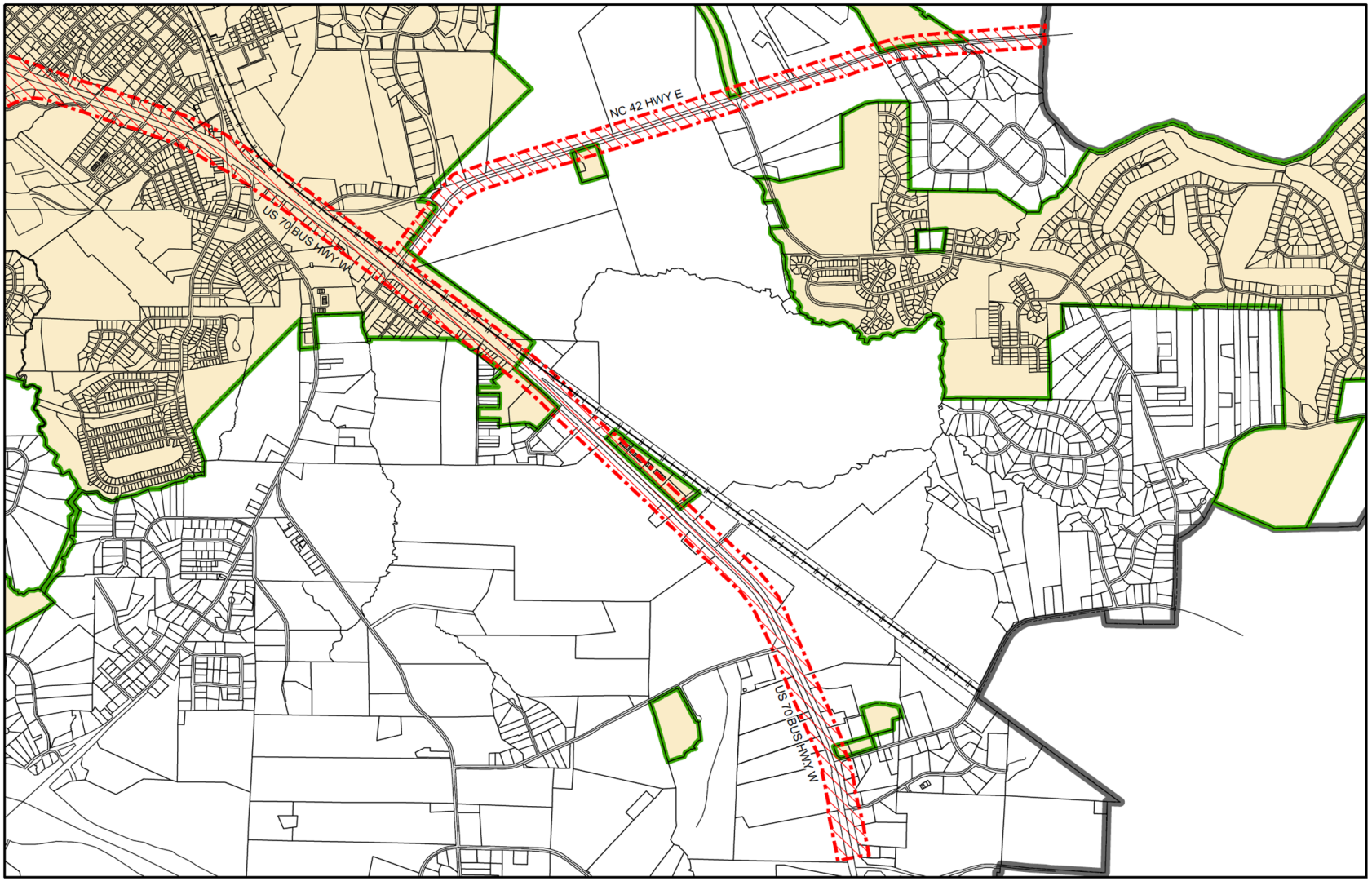

Exhibit A

Thoroughfare Overlay District

Eastern Section

Map Produced by TOC Planning
Date: August 9, 2012
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

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Not to Scale

Application Number: _____

Town of Clayton

FACADE IMPROVEMENT GRANT APPLICATION

Applicant's Name_____ Phone #_____

___Owner ___Tenant Business/Building Name_____

Applicant Address_____email_____

Property Owner's Name_____ ___Phone #_____

Mailing Address_____email_____

Length of Time at this location _____Length of remaining lease term (if applicable)_____

Description of Project (attach additional pages as needed)

_____

_____

_____

Total Estimated Cost of Improvement $_____

Please Check:

☐ I have attached project plans, specifications or other appropriate design information. A professional architectural plan is not required.

☐ I have attached samples of paint colors to be used on facade improvements or signage.

☐ I have attached a photograph(s) of existing condition of the property.

☐ I have attached copies of cost estimates for the project (minimum of two (2) estimates required)

☐ I have attached written permission from the property owner, if applicable.

☐ I have attached a signed copy of the Secretary of the Interior's Standards for Rehabilitation indicating that I have read and understand the program's requirements and intend to follow the guidelines.

☐ I understand that grant funds must be used only for the project described in this application. The work must be completed within six (6) months of the date that the grant is awarded. All work must be completed according to state and local building codes and ordinances and approved, when necessary, by the proper authorities.

☐ I also understand that this application ***must*** be reviewed***should be approved before*** any work is done on the project and that no projects will be funded if work was done before the application was approved.

Grant Agreement:

I understand that I am responsible for the maintenance of the facade improvements described here for a period of three (3) years from the date of project completion or until such time as the building is sold.

I understand the improvement grant must be used for the project described in this application and that Planning Department and/or the Downtown Development Association must review and approve the application prior to beginning construction. I understand that failure to comply with the approved application and Grant Agreement may result in losing my eligibility to receive funds.

I acknowledge that the Planning Department / Downtown Development Association are obligated to administer the grant procedures only and are not liable to the applicant, owner or third parties for any obligations or claims of any nature growing out of, arising out of or otherwise related to the project or application undertaken by the applicant and/or owner. There is no principal/agent or employer/employee relationship between the Planning Department / Downtown Development Association and the applicant and/or owner.

I acknowledge that this application must be accepted and all prerequisite rules and regulations must be complied with before the application can be considered for acceptance.

I have attached the project plans and specifications or other appropriate design documentation

Applicant's Signature_____Date_____

Property Owner _____ Date_____
(if different from above)

Complete and return to: **Clayton Downtown Development Association, PO Box 879, Clayton, NC 27528**

This application has been reviewed by the following:

Signature, Town Building Inspector _____Date_____

Signature, Planning Department _____ Date_____

Signature, Downtown Development Coordinator_____ Date_____

Conditions/Comments:

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILIATION

The following standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2) The historic character of a property shall be retained and preserved. The removal of historic materials or alterations of features and spaces that characterize a property shall be avoided.

3) Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings shall not be undertaken.

4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5) Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8) Significant archaeological resources affected by a project shall be protected and preserved. If such resources might be disturbed, mitigation measures shall be undertaken.

9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.

10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

I have read and understand these guidelines.

_____ _____

Signature of Applicant Date

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
May 16, 2016

ITEM TITLE:
Recommendation of Appointment - Downtown Development Advisory Board

DESCRIPTION:
Mr. DeYoung will provide information regarding recommendation of Amanda Hilburn to fill current vacancy (DDA2) on the Downtown Development Advisory Board with term expiration of December 31, 2017.

POTENTIAL ACTION:
Place on Consent Agenda

DEPARTMENT:
Planning + Zoning

PRESENTER:
David DeYoung, Planning Director

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

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: Amanda D. Hilburn

Mailing Address: 111 Neuse Ridge Drive Clayton NC 27527

Physical HOME Address: " "

Phone Number (HOME): 919-201-2600 **(WORK)** 919-553-3770

FAX Number: _____ **Mobile Number:** 919-201-2600

Email Address: adew@claytonpaintcompany.com

***Female** ☒ ***Male** ☐ ***Race** _____

Employer: Clayton Paint Company, LLC

Occupation: Owner of CPC, LLC

*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.

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

Length of residence in Clayton: 21 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** James Lipscomb

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

Please see attached

State why you would be an asset to this board or committee.

Please see attached

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

[signature] **Signature** 4/15/16 **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 (kmoffett@townofclaytonnc.org)

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Old Business

Meeting Date:
May 16, 2016

ITEM TITLE:
Special Events Policy

DESCRIPTION:
Discussion to continue regarding Special Events Policy Draft.

POTENTIAL ACTION:

DEPARTMENT:
Administration

PRESENTER:
Nancy Medlin, Deputy Town Manager

ITEM HISTORY:

Date:	Action Taken:
April 18, 2016	Placed on May 16, 2016 Agenda

Information Provided:
Information & Policy

Date:	Action Taken:

Information Provided:

TOWN OF CLAYTON

Special Events Support Policy

A. Purpose

Special events provide opportunities to improve quality of life, build a sense of community, showcase local and regional talent, enrich cultural opportunities, draw first-time visitors to the Town of Clayton and contribute to the local economy.

This policy outlines a process for facilitation of special events in the Town of Clayton. It further aids in identification of resources required and cost allocation for the provision of those resources.

It is the policy of the Town of Clayton that any approved special event should not result in the expenditure of excessive public resources.

This policy is intended to work in concert with all other applicable rules, regulations, laws, and ordinances of the Town of Clayton and the State of North Carolina.

This policy does NOT apply to rental or use of The Clayton Center. In general this policy does NOT apply to the rental or use of Town parks, however the Parks and Recreation Department may at their discretion require applicants to submit to the Special Event process if the proposed event is deemed to have significant impact on Town resources.

B. Definitions

Event Organizer: Any individual, firm, or organization proposing a special event on public property or property controlled by the Town of Clayton.

Public Property: Refers to all Town and State-owned property, squares, streets, sidewalks, rights-of-way and greenways.

Special Event: An event, public or private, occurring on public property as defined above. This includes, but is not limited to road races, public gatherings, demonstrations, competitions, concerts, festivals, neighborhood events, fund raisers, and entertainment/amusement events. If the special event is on private property, the Town reserves the right to require event organizers to submit a special event permit application pursuant to this policy if the nature and scope of the event requires Town services and/or resources.

Private Event: Activities where the general public is not invited, events such as weddings or family reunions that occur on Town Square, Horne Square, Town parks or greenways or similar spaces are required to submit a Special Event permit application or temporary use permit application as determined by the Planning Department.

Road Race: Organized activity involving running, biking, walking or other means of transportation, with three or more participants and utilizing a fixed course/route that involves the use or obstruction of Town street rights-of-way, Town sidewalks, Town parks or greenways.

Parade/Demonstration: An organized activity involving movement of or gathering of a group, with three or more participants and utilizing a fixed route or destination over Town street rights-of-way, Town sidewalks, parks, greenways or squares. These events require a parade/demonstration permit to be issued by the Clayton Police Department.

Neighborhood Block Party: Organized, small-scale activity that closes or blocks public streets or sidewalks. These small-scale gatherings are initiated by and are intended to attract only local residents who live on or in close proximity to the street being closed. They are not intended for the general public.

Video Production: Organized activity involving video and/or still photography production that necessitates

closure or blocking public streets, sidewalks or spaces.

Special Event Permit Application: An application required by the Town of Clayton of an event organizer to utilize public property and/or public resources for a special event. The application will be submitted to the Planning Department. Upon approval by the Special Events Committee and meeting all conditions, a Special Event Permit and/or a parade/demonstration permit will be issued granting use of public facilities for a Special Event.

Special Events Committee: The Town of Clayton Special Events Review Committee.

Support Services: Services provided by the Town of Clayton to ensure that a special event is conducted in a safe and healthy manner with protection of people and property. When appropriate each Department Director or designee shall estimate the Town Support Service requirements and related costs for each special event. This includes manpower, equipment, supplies, and consumables required to service the special event.

Town-Sponsored / Partnered Special Event: An event that originates from within a Town of Clayton department such as Downtown Development, Parks & Recreation, and Library or any affiliated individual, group or organization which has an agreement and/or a budgeted allocation with the Town of Clayton to offer special events. Support offered by the Town of Clayton for Sponsored/Partnered Special Events will be consistent with the terms and conditions of the agreement.

Staff Hours: The total number of hours dedicated by any Town staff-person involved in the planning, organizations, promotion, and execution of a Special Event, but not inclusive of time associated with processing a Special Event Application.

C. Categories of Special Events (See Appendix A for List of Known Events)

Category A: A special event that that meets either of the following criteria (excludes road races/walks):

a) May require 80 or more extra staff hours by Town employees, or
b) Is expected to draw approximately 5,000 or more spectators/participants.

- Up to 6 Class A special events will be permitted each year
- No more than two Class A special events can occur within 60 days of each other

Category B: A special event that meets either of the following criteria (excludes road races/walks):

a) May require 24 to 80 extra staff hours by Town employees, or
b) Is expected to draw approximately up to 5,000 spectators/participants.

- No more than 10 Class B special events will be permitted each year
- No more than two Class B special event can occur within 30 days of each other

Category C: A special event that that meets either of the following criteria (excludes road races/walks):

a) Does not exceed 24 staff hours by Town employees, or
b) Is expected to draw approximately 500 or less spectators/participants within a consecutive 24 hour period

- No more than 25 Class C special events will be permitted each year
- There is no limit to the number of Class C events in a 30 day period, however, the Special Events Committee can require alternate dates based on the scheduling of other events and the amount of staff time and Town resources required or available.

Category R: Road Races/Walks

- No more than 2 Class R special events will be permitted each year per neighborhood, park or greenway. No more than one Class R special event may occur within 30 days of each other regardless of the route. The Special Events Committee can require alternative dates based on the scheduling of other events and

the amount of staff time required.

The Special Events Committee will consider exceeding any of the above Class limits if an event organizer has the ability to pay for all Town expenses required of that event.

D. Special Events Permit Process

a) **Pre-Application Meeting:** Prior to any Special Event Application submittal, the Event Organizer must schedule and hold a meeting with a Planning Department/Special Events Committee staff member to review the Application.

b) **Application:** Special Event organizers must submit a Special Event Application and pay all applicable fees no later than 60 days prior to an event, or 120 days if the event involves the closure of an NCDOT street/road. Applications are due the first Wednesday of each month, without exceptions. Special Event Application forms are available on the Town of Clayton website (www.townofclaytonnc.org) or in the Planning Department.

c) **Reservation of Dates**: Dates for events will be reserved on a first-come, first-serve basis by the Planning Department. The following restrictions shall apply:

- Recurring events will be given first priority.
- Conflicts will be resolved by the Planning Department/Special Events Committee.

d) **Special Events Committee Review**: The Special Events Committee and the applicant must meet to review the application. The committee may make specific recommendations concerning the proposed location, scope, date and time for the special event. They will also evaluate the type, amount and anticipated Town resources needed for the special event. Costs will be calculated based on the current Town of Clayton Fee Schedule (Appendix B) or an analysis of time expected necessary to support the event.

The criteria for evaluating Special Event Permit Applications are as follows:

- Completeness of application and event layout
- Impact and cost of the event on public health, welfare and safety
- Impact and cost of the event on Town support services
- Impact of the event on the environment
- Frequency of the same or similar event(s) as well as potential conflicts with previously approved events
- Impact on the surrounding businesses or residences
- Ability for the public place to remain open to other users, unless a street closure permit has been issued
- Perceived benefit of event for Town of Clayton
- Likelihood of participation by Town of Clayton residents
- Previous history of event organizer in facilitating successful special events
- Ability of event organizer to achieve goals set forth for special events

e) **Town Council Review**: The Special Events committee will submit a tentative events calendar to Town Council annually to support event planning and notice. The Town Council will review for approval requests to use/close Public Properties and/or streets for Special Events. Town Council will receive periodic updates of upcoming approved Special Events.

Presentation to Council

a. For special events requiring road closures or use of Town resources, the applicant is required to attend the Council meeting and is required to make a formal presentation to Council regarding the event. Presentations should provide information about planned event activities and should address projected numbers of attendees. Failure to make a presentation to Council may place the special event in jeopardy

of being denied a permit.

b. Town staff shall be responsible for presenting requested road closures and an analysis of the projected use of Town resources to the Council.

f) **Post Event Review**: Following a Special Event, the Special Events Committee will review all events for consistency with town goals, public safety, and appropriateness. The Committee reserves the right to reject future Special Event Applications for events failing to meet Town goals or standards.

g) **Notice Requirements**: In an effort to improve communications and keep impacted citizens, businesses and other establishments fully informed of all Special Events , the Special Events Committee requires the following notice:

- **Notice Components**: All notices must include the information listed below. Postcards, door hangers and flyers should be black ink on brightly colored yellow paper. The Planning Department will provide a list of the addresses identified by the Special Events Committee that lie within the appropriate notice zone. Event organizers are reminded it is a Federal offense to place materials in or on mailboxes.
    1. Name of Event
    2. Name of sponsoring organization
    3. Date and timeframe of event
    4. Description of associated road closures and the timeframe of road closures, if different than timeframe of event
    5. Description of event and information about the noise impacts of event, such as music or fireworks, and their timeframe
    6. Name and contact information of event organizer (including a phone number and email address)
    7. Website associated with event, if applicable
    8. Statement that this notice is placed in accordance with requirements of the Town of Clayton.

- **Road Races/Walks:**

  APPROXIMATELY 6 WEEKS OUT FROM EVENT:

    - Communicate event details via door hanger or mass phone contact (Town service – fee applies) with each business, church or school located along the event route or side street along the event route.
    - Share the text of the communications with the Planning Department.

  AT LEAST 15 DAYS OUT FROM EVENT:
    - Communicate event details via door hanger or mass phone contact (Town service – fee applies) with all residents located along the event route or side street along the event route.
    - Share the text of the communications with the Planning Department.
    - In the event of a large apartment or business complex with one main lobby, it is acceptable to hang (with the building owner/manager's permission) a flyer notification in a highly visible main area. Otherwise information must be distributed to each unit in the complex.

- **Neighborhood Block Parties:**
  At Least 15 DAYS OUT FROM EVENT: Event Organizers must notify every resident, business, place of learning or worship within the area of the road closure or in close enough proximity that they will be inconvenienced by the road closures and/or noise impacts associated with the event. The event organizer can use any form of communication, provided that the notification covers all required components and notifies all residents and establishments at least 15 days prior to the event.

- **Filming/Commercial Video Production:**
  Approximately 72 HOURS FROM EVENT: Event Organizers must notify every resident, business,

and place of learning and worship located within the area of the road closure or in close enough proximity that they may be inconvenienced by the road closures and/or noise impacts associated with the activities. The event organizer can use any form of communication, provided that the notification covers all required components and notifies all establishments and residents at least 72 hours prior to the event.

- **Other Special Events:**

  Generally, other special events will not be required to notify adjacent property owners. At the sole discretion of the Special Events Committee, however, other special events may be deemed subject to the notification requirements if the event will be unusually disruptive to the surrounding property owners.

  NOTE: News, public and community oriented videography is exempted from these requirements.

h) **Evaluation of Notice.** Failure to comply with these requirements will result in a reduced event evaluation score and may affect an event organizer's ability to host events in the future. Event organizers are solely responsible for the costs associated with compliance with the notice requirements. The Special Events Committee shall determine the notice requirements based on the nature and impact of the event.

i) **Denial & Appeal:** A Special Event Permit application may be denied if it is found that it's granting would not be in the public interest. Any applicant denied a Special Event Permit shall receive a written notice for the denial. The applicant may appeal the decision to the Town Council within fifteen working days (15) of the notice. The findings and the determination of the Town Council shall be final.

j) **Payment of Fees:** All Special Event fees must be paid no later than thirty (30) days prior to the event. No Special Event permits shall be issued until all fees are paid.

k) **Issuance of Event Permit:** No Special Event shall take place without a Town issued Special Event Permit. The Permit must be available for inspection on site at the event at all times.

l) **Permit Revocation**: The Town may revoke a Special Event Permit issued pursuant to this section if the applicant or operator of the special event has:
   1. Misrepresented or provided false information in the Application; or
   2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations; or
   3. Violated any local, State or Federal law, or
   4. Operated the Special Event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse; or
   5. Failed to pay all Special Event fees.

m) **Day of Event Requirements:** The event organizer or their designee must be on site at all times. The special event permit must be available for inspection on site at all times.

E. Special Event Fees

Special Event Fees are listed in the Comprehensive List of Fees and Charges ("List") and in Appendix B. The List is updated periodically by the Town Council and can be found on the Town's website (www.townofclaytonnc.org). Special event fees must be paid in advance or the Special Event will be cancelled and the Special Event Permit will become void.

F. Event Rejection/Cancellation/Refund of Fees

If the special event is rejected or cancelled after the payment of fees because of conditions beyond the control of the event organizer, the Town may consider a partial refund of fees paid, however application fees are not

refundable. The Special Events Committee will assess any costs already incurred by the Town and coordinate with the affected Department Directors to calculate the amount of refund.

G. Rules and Prohibitions

a) **Adherence to Town Ordinances and Rules:** All applicants must adhere to all Town ordinances and Town Square and Horne Square rules of use.

b) **Alcohol:** Event organizers must acquire all required permits from the North Carolina Alcohol Beverage Commission. Alcohol sales, consumption and possession are prohibited on Town property, unless the following criteria is met:
- A copy of the approved NCABC permit is submitted with the Special Events Permit Application
- Off-duty Town of Clayton police officers must be hired for security during permitted times of alcohol sales or consumption. The number of officers is determined by the Special Events Committee.

c) **Alterations to Public Property:** Alterations to public property including the attachment or installation of decorations or displays are prohibited unless advance permission has been granted by the Town.

d) **Repairs**. Repairs necessary due to damage to any structure, irrigation system, landscaping, or infrastructure will be billed to the event organizers at replacement cost plus a fifteen percent premium on labor. The Town reserves the right to regulate placement and method of placement of items or structures on any public property. Please reference the rules and procedures regarding damage Rules of Use Policy for Town Square and Horne Square.

e) **Signage:** Banners and signs promoting the event are allowed in a limited number of areas within Town limits as provided in the Special Event Signage and Banner Application Permit Process.

f) **Event Equipment and Layout:** A layout of the event area, including locations of all tables, chairs, tents, stages, vendor set-up, portable restrooms, road closures, parking plans, and other equipment must be submitted with the application. No event equipment will be provided by the Town of Clayton. Organizers are not permitted to drive stakes into the ground on any Town of Clayton property.

g) **Town of Clayton Promotion of an Event**: A special event may be promoted via the Town of Clayton's various communication tools if the event organizer submits a brief, written description of the event by electronic means to the Public Information Office no less than one week prior to the event. The description should cover Who, What, When, Where, Why, and a photograph, flyer, and link to a website or other online location for more event details. Commercial events/activities will not be promoted on the Town of Clayton website unless the event is in partnership with the Town. Event promotion will be performed on a time available basis and will be secondary to other public information office functions.

h) **Food Sales:** Any intention to sell food must comply with any and all State Sanitation laws. Copies of any State required permits must be supplied to the Planning Department prior to the event. Fire Code requires a fire extinguisher at each cooking location.

i) **Safety, Security, Medical:** The event organizer may be required to hire off-duty Town of Clayton police officers to provide security to ensure public safety.

j) **Parking:** Participants must adhere to all parking regulations established by the Town of Clayton. Event organizers are prohibited from charging patrons for parking in public spaces without the express written consent of the Town of Clayton. Event organizers must secure adequate on or off site parking for large events. When off-site parking is utilized use of shuttles for transport must be approved by Special Events Committee. Likewise a pedestrian circulation plan may be required.

k) **Resource Estimates:** The Special Events Committee reserves the right to be the final authority in estimates of attendance, need for additional staff hours, and/or assignment of manpower and equipment to special events.

l) **Restroom Facilities:** For all events which are 4-hours duration or longer, portable toilets may be required. The Special Events Committee will assist the event organizer in determining the number and placement of toilets needed, although a ratio of one toilet per 100 attendees can be used as a guide. In compliance with the Americans with Disabilities Act, the event organizer must provide sufficient handicap accessible portable toilets. It is the event organizer's responsibility to make all arrangements (contacting, reserving, coordinating drop-off, pumping during the event, and pick-up) and pay any rental fees.

m) **Sanitation**: Garbage and recycling carts, if deemed necessary by the Special Events Committee, Planning Department or Streets Department, must be rented from the Town of Clayton. Fees will be charged to the event organizer at the prevailing rate from the Town's contracted solid waste vendor. The Special Events Committee will assist the event organizer to determine the number and placement of garbage and recycling carts required for the event. It is the event organizer's responsibility to collect any garbage and recycling and ensure the carts are returned to their original drop-off location on site following the event in order to ensure return of the deposit.

n) **Clean-up & Damage:** It is the event organizer's responsibility to ensure the event location is returned to its original condition following an event. The event site will be inspected after an event and any work needed to clean-up or repair will be charged to the event organizer and may result in forfeiture of deposit and revocation of future event privileges.

o) **Noise:** All events must be in compliance with the Town of Clayton Noise Ordinance 98.01. Sound system equipment is not provided by the Town of Clayton. The event organizer must indicate on the Special Event Permit Application of any intended use of a sound system or any amplified sound during the event.

p) **Utilities:** Specific requirements for the use of electricity and water must be submitted with the application. Electricity and water are not available without permission from the Town. A flat utility fee will be charged for events less than one day. Events exceeding one day will be required to establish a utility account and pay for consumed utilities.

H. Insurance

For events on Town of Clayton property, applicants must provide proof of General Liability insurance coverage in amounts at least equal to those carried by the Town. The Town must be named as an "additional insured" and a certificate showing such must be provided prior to the issuance of the Special Event Permit.

I. Release and Indemnity

Each event organizer must execute a release and indemnity agreement as included in the Special Event Permit Application. Event organizers must demonstrate that they are either personally or organizationally responsible for liability and will guarantee orderly behavior/will underwrite any damage of the premises. Liability is assumed by the applicant in regard to any personal or property damage rising out of activities of the applicant. It is the responsibility of the event organizer to read the application form completely and understand fully his/her responsibilities.

J. Assignment

The event organizer shall be prohibited from assigning any rights under this agreement or use of the premises to any other party.

K. Discrimination

The applying organization, association, or entity shall not discriminate or advocate discrimination on account of race, color, religion, creed, national origin, age, gender, sexual orientation or disability.

APPENDIX A

Month	Town Sponsored/Partnered Event	Event Class	Attendance	Staff Hours: Public Works	Police	PD Off Duty	Fire	Electric	Planning	Parks & Rec	Total	Organizer	Street Closures?
July	July 4th Celebration	A	10,000	2.00	160.00	-	30.00	4.00	2.00	100.00	298.00	Parks & Rec	Yes
Sept	Harvest & Music Festival	A	20,000	28.00	252.00	-	28.00	10.00	3.00	-	321.00	Chamber of Commerce	Yes
December	Christmas Village & Tree Lighting	A	5,000	58.00	80.00	-	11.00	1,500.00	60.00	-	1,709.00	CDDA	Yes
December	Christmas Parade	A	10,000	32.00	150.00	-	20.00	6.00	20.00	-	228.00	Chamber of Commerce	Yes
May	Halloween Parade	B	300	28.00	30.00	-	-	2.00	2.00	20.00	82.00	Parks & Rec	No
May	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
June	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
July	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
August	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
September	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
Mar	Easter Egg Hunt	C	300	-	-	-	6.00	2.00	2.00	10.00	20.00	Parks & Rec	No
April	Flag of Truce	C	1,000	8.00	-	-	-	2.00	2.00	-	12.00	Library/CHA	No
May/August	Movie Nights	C	600	10.00	-	-	-	2.00	40.00	-	52.00	CDDA	No
May	Clayton Road Race	R	500	36.00	75.00	-	10.00	2.00		30.00	153.00	Parks & Rec	Yes
	Subtotal			297.00	748.00	30.00	105.00	1,540.00	431.00	160.00	3,311.00		

Month	Known Private Events	Event Class	Attendance	Staff Hours: Public Works	Police	PD Off Duty	Fire	Electric	Planning	Parks & Rec	Total	Organizer	Street Closures?
June	Mondo Roots Music & Art Faire (formerly Millstock)	B	1,200	36.00	-	-	-	4.00	3.00	-	43.00	Clayton Visual Arts	Yes
October	Squealin' On the Square	B	200	18.00	0.50	6.50	-	4.00	2.00	-	31.00	Chamber of Commerce	Yes
October	The Shindig	B	1,500	24.00	0.50	6.50	-	2.00	3.00	-	36.00	Mid-Day Rotary	Yes
October	CHS Homecoming Parade	C	800	-	12.00	-	-	2.00	2.00	-	16.00	Clayton High School	Yes
October	Truck or Treat	C	100	5.00	-	-	-	2.00	2.00	-	9.00	Horne UMC	No
December	Community Christmas Eve Service	C	100	-	-	-	-	2.00	2.00	-	4.00	Greater Heights UMC	No
December	Santa Baby Road Race	R	200	36.00	5.00	32.00	-	2.00	2.00	-	77.00	Reciprocity Events	Yes
March	Run for the Rockets	R	200	20.00	1.00	2.00	-	2.00	2.00	-	27.00	Cooper PTA	Yes
May	Heart Chase	R	300	8.00	1.00	2.00	-	2.00	2.00	-	15.00	American Heart Association	Yes
May	AlzNC - Johnston County Walk	R	200	8.00	-	-	-	2.00	2.00	-	12.00	Alzheimer's NC	No
September	Kid's Bubble Run	R	200	8.00	-	-	-	2.00	2.00	-	12.00	Little Believers Academy	No
	Subtotal			163.00	20.00	49.00	-	26.00	24.00	-	282.00		
	Grand Total			460.00	768.00	79.00	105.00	1,566.00	455.00	160.00	3,593.00		

Note: Specific events listed are for illustrative purposes and do not imply or guarantee a reservation. All events are subject to the Special Events Permitting process.

APPENDIX B

Special Event Fees	Town of Clayton Taxpayer	Non-Town of Clayton Taxpayer
Application Fee	$100	$200
Sanitation Deposit *Deposit is refundable within 30 days of the end of an event provided a post event inspection finds no unsatisfactory conditions.*	Class A = $250 Class B = $125 Class C = $50 Class R = $50	Class A = $500 Class B = $250 Class C = $100 Class R = $100
Rental of Town/Horne Square	$25/day	$50/day
Street Closure *(including electronic message board)*	$50/day	$100/day
Type III Barricade Rental	$5/barricade/day	$10/barricade/day
Police Detail Fee *Number of officers dependent on security needs/length of street closures and alcohol sales*	$35/officer/hour *(3 hour minimum)*	$35/officer/hour + $100 administration fee *(3 hour minimum)*
Rental of Garbabe/Recycling Conatiners *4 roll-out container minimum - 2 garbage/2 recycling*	$13/container/day *($52 minimum)*	$13/container/day + $50 administration fee *($102 minimum)*
Electricity/Water fee *Events that are more than one day shall pay metered consumption. All other events are charged a flat rate.*	$10/utility	$20/utility
Generating Notice Addresses	$25/hour *(1 hour minimum)*	$50/hour *(1 hour minimum)*
Code Red Call/Mass Phone Contact	$50	$100

NOTE: Town sponsored events are exempt from all fees.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Old Business

Meeting Date:
May 16, 2016

ITEM TITLE:
Traffic Control at Riverwood Elementary & Middle Schools

DESCRIPTION:
Mr. DeYoung will provide information and request that a "No Left Turn" sign be posted to help alleviate traffic/safety concerns at this location.

POTENTIAL ACTION:
Approval/Disapproval

DEPARTMENT:
Planning + Zoning

PRESENTER:
David DeYoung, Planning Director

ITEM HISTORY:
This issue was brought to the town by parents concerned about safety at this location. The town contracted with Kimley Horn to conduct a study at this location.

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

Proclamation

Older Americans Month 2016

Whereas, the Town of Clayton includes a community of older Americans who deserve recognition for their contributions to our nation; and

Whereas, the Town of Clayton recognizes that older adults are trailblazers—advocating for themselves, their peers, and their communities—paving the way for future generations; and

Whereas, the Town of Clayton is committed to raising awareness about issues facing older Americans and helping all individuals to thrive in communities of their choice for as long as possible; and

Whereas, we appreciate the value of inclusion and support in helping older adults successfully contribute to and benefit from their communities; and

Whereas, our community proudly provides opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social involvement.
- Emphasizing home- and community-based services that support independent living.
- Ensuring community members can benefit from the contributions and experience of older adults.

Now therefore, the Clayton Town Council does hereby proclaim May 2016 to be Older Americans Month and urge every resident to take time this month to acknowledge older adults and the people who serve them as powerful and vital individuals who greatly contribute to our community.

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

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

OLDER AMERICANS MONTH
BLAZE A TRAIL: MAY 2016

Resolution #2016-19

TOWN COUNCIL
OF THE
TOWN OF CLAYTON, NORTH CAROLINA

Excerpt of Minutes
of Meeting of May 16, 2016

Present: Mayor _____ presiding, and

Councilmembers: _____

Absent: _____

* * * * * * * * * *

Councilmember _____ introduced the following resolution, the title of which was read:

RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT TO REFINANCE THE CLAYTON COMMUNITY CENTER

WHEREAS, the Town of Clayton, North Carolina (the "Town") desires to refinance two existing installment purchase agreements, one executed and delivered in 2007 and purchased by USDA (the "2007 IPC") and the second executed and delivered in 2009 and purchased by PNC (the "2009 IPC," and, together with the 2007 IPC, the "Existing IPCs"), the proceeds of both of which were used to finance the acquisition, construction and equipping of the Clayton Community Center (the "Project"); and

WHEREAS, the Town desires to refinance the Project and the Existing IPCs by executing and delivering a new installment financing contract, as authorized under North Carolina General Statutes Chapter 160A, Article 3, Section 20 ("NCGS 160A-20"); and

WHEREAS, the Town sent out a request for proposals to a number of banks relating to the refinancing; and

WHEREAS, Branch Banking and Trust Company (the "Bank") submitted a proposal dated May 4, 2016 (the "Proposal"), pursuant to which the Bank would enter into an installment financing contract with the Town in the amount of approximately $5,426,000 (the "Contract") to refinance the Project and the Existing IPCs and to pay certain costs associated with the refinancing, to be secured by a deed of trust and security agreement that creates grants a lien on the Project for the benefit of the Bank (the "Deed of Trust");

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town, meeting in regular session on the 16th day of May, 2016, as follows:

1. The Town Council Board hereby accepts the Proposal, and authorizes and directs the Mayor, the Town Manager, the Finance Director and the Clerk, or any of them, to execute, acknowledge and deliver the Contract and the Deed of Trust on behalf of the Town, with such changes and modifications as the person executing and delivering such instruments on behalf of the Town shall find

acceptable. The Clerk is hereby authorized to affix the official seal of the Town to the Contract and the Deed of Trust and to attest the same.

2. Each of the Mayor, the Town Manager, the Finance Director and the Clerk is authorized and directed to execute and deliver any and all papers, instruments, agreements, tax certificates, opinions, certificates, affidavits and other documents, and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution, the Contract and the Deed of Trust and the refinancing of the Project.

3. The Town hereby represents that it reasonably expects that the Town, all entities issuing obligations on behalf of the Town and all subordinate entities of the Town will not issue in the aggregate more than $10,000,000 of tax-exempt obligations (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined by the Code, and refunding bonds described in Section 265(b)(3)(C)(ii) of the Code) during the calendar year that the Contract is executed delivered. The Town hereby designates that portion of the Contract that refinances the 2007 IPC as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code. The portion of the Contract that refinances the 2009 IPC is deemed designated as a "qualified tax-exempt obligation" under Section 265(b)(3)(D).

4. All other acts of the Board and the officers of the Town which are in conformity with the purposes and intent of this Resolution and in furtherance of the refinancing of the Project and the Existing IPCs are hereby ratified, approved and confirmed.

5. This Resolution is effective upon its adoption.

Councilmember _____ moved the passage of the foregoing resolution and Councilmember _____ seconded the motion and the resolution was passed by the following vote:

Ayes: Councilmembers _____

Nays: Councilmembers _____

Not voting: Councilmembers _____

* * * * * * *

I, Kimberly Moffett, Clerk for the Town of Clayton, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the Town Council of the Town at a regular meeting duly called and held on May 16, 2016, and that the proceedings of such meeting are recorded in the Minutes of the Town. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Town Council of the Town is on file in my office.

WITNESS my hand and the official seal of the Town this ____ day of May, 2016.

_____
Clerk
Town of Clayton, North Carolina
(SEAL)

Resolution #2016-20

RESOLUTION AUTHORIZING REPRESENTATIVE(S) OF THE MUNICIPALITY BE DESIGNATED AS DEPUTY FINANCE OFFICERS

Whereas, NCGS 159-25 defines both the Finance Officer and Mayor as being authorized to sign checks on behalf of the town should no other designation be made; and

Whereas, on March 2, 2009, Resolution #2009-11 was adopted appointing certain representatives of the Town of Clayton the authorization to sign and/or countersign checks on behalf of the Town of Clayton; and

Whereas, it is the request of the Town Council to modify and replace Resolution #2009-11 by authorizing the following representatives authority to sign and/or countersign checks on behalf of the Town of Clayton.

Name	Title	Signatures
R. Steven Biggs	Town Manager	_____
Nancy T. Medlin	Deputy Town Manager	_____
Robert W. McKie, Jr.	Finance Director	_____
Kimberly A. Moffett	Town Clerk	_____

This Resolution will be effective immediately and remain until such time it is modified.

Duly adopted this 16th day of May, 2016.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

2009-011

TOWN OF CLAYTON

Resolution for Authorized Representatives of the Municipality to Conduct all Business on Behalf of the Municipality with any Financial Institution Approved or Designated by Council Action

I, the undersigned, hereby certify that I am the Town Clerk of the above named Municipality, that the following is a true copy of a Resolution duly adopted by the Town Council of said Municipality effective on the 2nd day of March 2009.

Resolved that the officers listed below are Authorized Representatives of the Municipality with the authority to conduct all business on behalf of the Municipality with any financial institution approved or designated by Council action.

Name	Title	Signatures
R. Steven Biggs	Town Manager	
Nancy T. Medlin	Deputy Town Manager	
Robert W. McKie, Jr.	Finance Director	
Robert J. Ahlert	Mayor Pro Tem	

I further certify that this Resolution has neither been rescinded nor modified.

Witness my hand and seal of Town of Clayton this 2nd day of March 2009.

Jody L. McLeod,
Mayor

ATTEST:

Sherry L. Scoggins, MMC
Town Clerk

(SEAL)