

MAY 6, 2008, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on May 6, 2008, in the Sampson County Courthouse, District Courtroom, Second Floor. Mayor Starling presided. Councilmembers Becton, Harris, Stefanovich, Strickland, and Turlington were present. The city attorney Dale Johnson; city clerk Elaine F. Hunt; city manager John F. Connet; finance director Betty Brewer; fire chief Philip Miller; planning and community development director Jeff Vreugdenhil; planner Mary Rose; recreation director Judi Nicholson; public works director Chris Doherty; and police chief Mike Brim were present.

Rev. Elwood McPhail, Pastor of Milton Grove Missionary Baptist Church, Clinton, NC, gave the invocation.

CITY COUNCIL

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the minutes of the April 1, 2008, regular city council meeting were approved unanimously.

PRESENTATIONS

City Manager John Connet recognized Public Works Director Chris Doherty upon the completion of the course of instruction in Municipal Administration from the Institute of Government. Mr. Doherty graduated on April 24, 2008. Mayor Starling and City Manager Connet presented him with a certificate from the Institute.

P & Z -- COMMUNITY DEVELOPMENT BLOCK GRANT

Mayor Starling opened a public hearing on a request regarding the use of Community Development Block Grant (CDBG) funds from the North Carolina Department of Commerce and the U. S. Department of Housing and Urban Development for the installation of utilities and sidewalks to the proposed Sampson Square Elderly Apartments on College Street. City Council was asked to approve authorizing a resolution and certification to comply with all Federal, State, and local laws, rules, regulations, and ordinances pertaining to the project. Mills Construction Company requested permission to apply for this grant on the City's behalf and has agreed to cover all cost for grant administration.

Michael Walser appeared before City Council to speak on behalf of Hobbs, Upchurch and Associates, P.A. and to seek the approval of the authorizing resolution and certification concerning the Community Development Block Grant. In addition, he stated that the amount being requested is \$240,000. No one else wished to be heard, and the hearing was closed.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following resolution and certification passed unanimously:

**CITY OF CLINTON
AUTHORIZING RESOLUTION AND CERTIFICATION**

WHEREAS, various State and Federal agencies provide for funds to municipalities to meet the needs of local governments in financing the cost of Community Development; and

WHEREAS, the North Carolina Department of Commerce, Division of Community Assistance will be the State administering agency for the Community Development Block Grant Program whose funds are designed to improve the living condition and environment of low to moderate income households; and

WHEREAS, the City Council of the City of Clinton has solicited and received citizen input regarding the Community Development Block Grant Tax Credit Housing Development Project, which would provide for the installation of water and sewer lines and sidewalks to the proposed Sampson Square Elderly Apartments as part of the grant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLINTON:

That the City Council of the City of Clinton will substantially comply with all Federal, State and local laws, rules, regulations and ordinances pertaining to the project and to Federal and State grants pertaining thereto.

That, Luther D. Starling, Jr., Mayor of the City of Clinton and John Connet, City Manager, and successors so titled is hereby authorized and directed to furnish such information as the appropriate governmental agencies may request in connection with such applications for the project; to make the assurances and certifications as contained above, and to execute such other documents as may be required in connection with the construction of the project.

That this Resolution shall take effect immediately upon its adoption.

P & Z – NC REAL ESTATE SERVICES-- NC HWY 24 W/ROSEBORO HWY

Mayor Starling opened a public hearing on a request by NC Real Estate Services for the rezoning of approximately 21 acres off NC Hwy 24 West from RA20 Residential Agriculture to HC Highway Commercial. Planning Director Vreugdenhil explained the request and gave the staff and Planning and Zoning Board recommendation to deny the request because $\frac{3}{4}$ of the property is within the flood hazard area, the property does not have access to city sewer, and the development of the property may have a negative impact on the widening of NC 24. No one appeared to be heard, and the hearing was closed.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, a request by NC Real Estate Services to rezone approximately 21 acres off NC Hwy 24 West was unanimously denied.

APPOINTMENTS

Appointment to the Environmental Affairs Advisory Board for a three year term ending March 2011, for District 1 was continued until the 7:00 PM June 3, 2008, city council meeting. Upon a motion made by Councilmember Harris, seconded by Councilmember Strickland, Annabelle Fetterman was unanimously reappointed to the Environmental Affairs Advisory Board for a three-year term ending March 2011.

Notification of appointment to fill the unexpired term of Matt Green who presently serves as Chairman on the Environmental Affairs Advisory Board was given. Appointment to fill Mr. Green's unexpired term was continued until the 7:00 PM June 3, 2008, city council meeting.

Notification of expiration of terms on the Recreation Advisory Board was given for David Nordin, District 1; Rose Gilford, District 3; and Dr. Gib Palmer, at large whose terms will expire June 2008. Terms are for 3 years and appointments/reappointments are scheduled for the 7:00 PM June 3, 2008, city council meeting.

OFFICIAL TRAFFIC MAP

Upon a motion made by Councilmember Becton and seconded by Councilmember Turlington, the following amendment to the traffic map was unanimously adopted:

"BE IT RESOLVED that no parking shall be allowed on the unopened portion of Turlington Street right-of-way; and

BE IT FURTHER RESOLVED that the City Police Chief shall post appropriate signs; and

BE IT FURTHER RESOLVED that appropriate entry be made upon the City's Official Traffic Map."

CITY CODE -- ORDINANCE-- FIRE DEPT – RESIDENCY REQUIREMENT

City Manager Connet presented an added section to Chapter 9, Article III, Fire Department of the Clinton City Code of 1987. He stated that Fire Chief Miller and the Fire Department wish to establish a formal residency requirement for all of its personnel.

Upon a motion made by Councilmember Harris, seconded by Councilmember Becton, the following ordinance was unanimously adopted:

ORDINANCE #2008.05.01

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina, that the Clinton City Code of 1987 is hereby amended by adding a new section to be numbered Chapter 9, Article III, Sec. 9-46 Residency requirements, which shall read as follows:

Section 9-46. Residency requirements.

(a) All firefighting personnel below the rank of fire chief shall reside within a 40-mile radius from the main fire station. The fire chief shall be required to live within the city limits of the city or the boundaries of the extraterritorial jurisdictional area established by ordinance pursuant to NCGS Section 160A-360.

ENGINEERING AGREEMENTS – WOOTEN CO. & HOBBS, UPCHURCH, & ASSOCIATES, P.A.

City Manager Connet stated that at the April city council meeting, City Council approved the hiring of The Wooten Company and Hobbs, Upchurch & Associates, P.A. for engineering services. He presented the engineering services agreements with The Wooten Company and Hobbs, Upchurch and Associates, P.A. for Phase III of the Downtown Revitalization Project and Phase III of the Dollar Branch Sewer Rehabilitation Project. He recommended execution of these agreements.

Upon a motion made by Councilmember Turlington, seconded by Councilmember Becton, the engineering service agreement between the City and The Wooten Company and the engineering service agreement between the City and Hobbs, Upchurch & Associates, P.A. were approved unanimously.

CHANGE ORDER -- DOLLAR BRANCH OUTFALL REPLACEMENT PHASE 2B PROJECT

City Manager Connet presented a change order totaling -\$140,665.58 to the contract with Seaside Environmental Constructors, Inc. to closeout Phase 2B of the Dollar Branch Outfall Replacement Project. He stated this phase was completed under budget. Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the final change order totaling -\$140,665.58 was approved unanimously.

CHANGE ORDERS #1 AND #2 -- NC 403 SEWER EXTENSION PROJECT

City Manager Connet presented change orders totaling \$17,090 and \$157,942 to the contract with Seaside Environmental Constructors, Inc. for the NC 403 Sewer Extension Project. These change orders are for the installation of an additional manhole at Pugh Road to accept additional flow from surrounding areas and for additional work to tie in the businesses along Faison Highway (NC 403). Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, approval of NC 403 Sewer Extension Project and the two change orders were approved unanimously.

TASK ORDER -- CAVANAUGH & ASSOCIATES, P.A.

City Manager Connet presented a task order totaling \$7,500 for engineering work by Cavanaugh & Associates, P.A. to the utility systems in the Deer Track/Fox Lake area. Cavanaugh & Associates, P.A. will perform a capacity analysis of the utilities. Upon a motion made by Councilmember Turlington, seconded by Councilmember Stefanovich, the task order was approved unanimously.

CITY COUNCIL -- BUDGET WORKSHOPS

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, and approved unanimously, budget workshops were set for 7:00 PM on May 13, 20, and 22, 2008, at City Hall.

WATER AND SEWER

Upon a motion made by Councilmember Becton, seconded by Councilmember Strickland, and unanimously passed, the following water, sewer, and garbage charges for the period July 1, 2006 – June 30, 2007, were written off as uncollectible:

ACCOUNT NUMBER	CUSTOMER NAME	CHARGE OFF AMOUNT
1011300 93	Mohd Hito	\$ 164.15
1012700 96	Clifford Parrish	\$ 115.00
1019200 85	Adam Goodwin	\$ 72.65
1020170 91	Hillary Weeks	\$ 11.45
1020305 97	Yeu-Stella Mae Ward	\$ 90.24
1020920 83	Shalonda Robinson	\$ 91.78
1021200 92	Freddie King Jr.	\$ 119.79
1021300 90	Alice Wallace	\$ 5.14
1021900 85	Glenda Moore	\$ 88.73
1022566 93	Rosa Moore	\$ 26.27
1022567 96	Belinda Garner	\$ 134.12
1022568 92	Shannon Owens	\$ 54.24
1022573 97	Pamela Keene	\$ 81.91
2000700 92	Mark Lee	\$ 18.93
3002920 95	James Tart	\$ 149.31
3013800 95	Aman's	\$ 22.23
4001200 86	Todd Stowers	\$ 123.77
4002500 73	Jose Ruiz	\$ 22.43
4003900 85	Dana Schrage	\$ 198.35
4012900 93	Deborah Thomas	\$ 156.71
5002300 75	Ted McLamb	\$ 3.36
5002800 76	Matthew Abbott	\$ 178.70
5004800 73	Marvin Hernandez	\$ 36.20
5005000 71	Dale Wiggins	\$ 54.51
5013400 92	Renee Gore	\$ 107.58
6003100 94	Kimberley Newton	\$ 44.96
6006800 90	Anthony Lee	\$ 57.40
6007300 93	Darrylene Jones	\$ 59.02

6007700	94	Toni Devane	\$	72.11
6008100	85	Natasha Garner	\$	76.06
6010200	98	Lessie Morrisey	\$	140.02
6010900	85	Constance Rich	\$	30.52
6010900	86	Barbara Williams	\$	40.53
6011050	90	Shirley Parker	\$	153.88
6011500	92	Josephine Okiakpe	\$	137.76
6012100	92	Lucious Floyd	\$	43.23
6012900	93	Georegetta James	\$	330.28
6013000	95	Patricia McCloud	\$	20.59
6013600	93	Johnnie T. Sampson	\$	218.77
6013700	88	Leroy Bass	\$	166.60
6014380	93	Deitrich Tucker	\$	103.89
6014380	94	Nicole Royal	\$	87.85
7003650	89	Esaw Brooks	\$	28.27
7004550	97	Mamie Smith	\$	62.56
7004700	94	Bridgette Tatum	\$	6.62
7004720	91	Durwood Weaver	\$	68.79
7009900	80	Felecia Autry	\$	22.88
7010310	88	Elliott Draughon	\$	7.52
7011400	97	Luelender Williams	\$	17.00
7011500	86	Terry McPhail	\$	84.94
7012300	76	Johnathan Mason	\$	31.77
7016370	93	Catherine Hinson	\$	6.26
7016900	97	Alton Kinsey	\$	106.76
7018100	90	Annie Wilson	\$	117.74
7018350	96	Estate of Betty Royal Winslow	\$	107.89
7019400	89	Shalonda Robinson	\$	75.07
		Paul Fennell & Lewis		
8002301	96	Woodward	\$	51.55
8003000	94	Dawn Elizabeth Hemmingway	\$	88.48
8008900	88	Percy Lee Bass	\$	61.13
8009860	86	Odis Lee Beaman	\$	53.21
8009970	89	Dwight Alsanda Merritt	\$	53.02
8011900	94	Tyrone Gaskin	\$	131.15
8014600	87	Callean Pauling	\$	210.93
8015000	93	Eva Cruz	\$	48.83
8015040	94	Alice Pringle	\$	194.09
9005900	93	Myrtle Bullard	\$	100.14
9010000	86	Tarheel Car Service	\$	151.74
9012450	95	Kevin Sanford Briggs	\$	107.33
9015000	77	Chanta Ashley	\$	112.42
9019200	75	Michael Anthony Faison	\$	75.67
10011100	93	Emma Murphy Treadwell	\$	11.03
10020000	97	Elma Joyce Davis	\$	20.43
10022800	97	Danielle Faison	\$	65.12
10022900	94	Clinton International Church	\$	90.71
11002600	97	Isaac Copado-Sanchez	\$	54.89
11003800	96	Shirley Johnson	\$	63.26
11009800	97	Mary Kannon Powell	\$	209.10
12001600	96	Danny Ray Cox	\$	121.20
12003700	98	Edward Marshall	\$	200.38
12011400	96	Willie Bernard McIntyre	\$	129.62
12017600	92	Tiffany Nicole Faison	\$	49.21
12017600	93	Wendy Dixon	\$	30.78
12021660	91	Ronald Penick	\$	135.96

12025280 97	Constance Rich	\$	79.63
12029600 96	Suhaily Peguero	\$	237.18
12011300 89	Latasha Williamson	\$	144.46
12061350 93	Raul Sanates martinez	\$	144.50
13003500 97	Victoria Robinson	\$	291.06
13005300 89	Hassan Travis	\$	211.03
13011400 88	Kim Webster	\$	15.01
13014000 96	Nell Artis Tatum	\$	156.33
	Diane Weeks Cleaning		
14007500 94	Service	\$	13.39
14038400 93	Marlin Yvette Fuller	\$	163.99
14050450 92	Avita Sharrise Pope	\$	104.94
14050475 90	Ola Catlyn	\$	3.60
14052000 95	Joseph Rondall Herring	\$	9.47
14067200 98	Joe L. Mclamb	\$	6.53
14071750 94	Charity J. Brown	\$	42.28
14073100 94	Wendy Denise Thornton	\$	36.53
15001711 97	James & Andreana Blue	\$	118.55
15006310 98	Nannie McLamb	\$	689.25
15022100 83	Kenneth Evans	\$	93.86
15059500 92	Felicia Sloan	\$	151.75
15067800 85	Natasha Monique Bryant	\$	29.23
15078080 90	Juanita Brewington	\$	65.94
15078900 89	Tamika Renee Hargrove	\$	30.88
15090400 84	Fritz Junior Hemmingway	\$	7.04
15092400 93	Birgilio Ortiz Barrious	\$	147.42
16082500 97	Renee Newkirk	\$	104.82
16082600 88	Robert Johnson	\$	84.53
16082800 94	Lorenzo Raynor	\$	18.70
17001300 86	Wilbert Tatum	\$	69.11
17016700 96	Amanda Johnson	\$	77.03
17024100 87	Lawrence Murphy	\$	12.84
17035600 95	Robert Bowker	\$	23.67
17079800 96	Charlie Core	\$	118.30
	TOTAL	\$	10,779.32

MUNICIPAL RECORDS RETENTION AND DISPOSITION SCHEDULE

City Manager Connet presented the 1997 Municipal Records Retention and Disposition Schedule, along with its 2001 and 2002 amendments from the Department of Cultural Resources. If approved, the City of Clinton will be granted permission to dispose of records in accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina.

Upon a motion made by Councilmember Becton, seconded by Councilmember Harris, the 1997 Municipal Records Retention and Disposition Schedule agreement, along with its 2001 and 2002 amendments were approved unanimously.

RESPIRATORY PROTECTION PROGRAM – HEALTH & SAFETY SOLUTIONS, INC.

City Manager Connet presented to City Council a Respiratory Protection Program with Health & Safety Solutions, Inc., which would implement engineering control measures to prevent atmospheric contamination within the city. He stated that this program would serve as written standard operating procedures governing the selection and use of respirators for the Public Works and Parks and Recreation departments.

Upon a motion made by Councilmember Harris, seconded by Councilmember Turlington, the program with Health & Safety Solutions, Inc. was approved unanimously.

PURCHASING POLICY AND FIXED ASSET POLICY

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Harris, the Purchasing Policy to raise the purchase order threshold from \$150 to \$750, to raise the threshold for City Manager's approval from \$2000 and above to \$2500 and above, and to raise the Fixed Asset level from \$2500 to \$5000 for financial reporting were approved unanimously.

REPORTS

City Manager Connet acknowledged that the fire, minimum housing, financial, police, personnel, and public works reports were received and he stands ready to answer any questions from City Council regarding the reports.

He introduced to City Council, Shawn Purvis, the new assistant city manager. He stated that Mr. Purvis would begin work on May 27, 2008.

City Manager Connet informed Council that mandatory direct deposit would be effective soon for all employees. He stated that this method of pay would be more efficient for the City.

CLOSED SESSION

Mayor Starling stated that no closed session was necessary for this city council meeting.

Upon a motion made by Councilman Stefanovich, seconded by Councilmember Becton, and passed the meeting adjourned at 7:35 PM.

City Clerk

Mayor