

## **MARCH 2, 2010, CITY COUNCIL MEETING**

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on March 2, 2010, in the City Hall Auditorium. Mayor Starling presided. Councilmembers Becton, Stefanovich, Turlington, Mayor Pro Tem Harris, and City Attorney Dale Johnson were present. Absent was Councilmember Strickland. Also City Clerk Elaine F. Hunt; City Manager John Connet; Assistant City Manager Shawn Purvis; Fire Chief Todd Solice; Planning and Community Development Director Jeff Vreugdenhil; Planner Mary Rose; Human Resource Manager Lisa Carter; Police Chief Mike Brim; Recreation Director Judi Nicholson; and Public Works Director Chris Doherty were present. Absent was Finance Director Betty Brewer. Chris Berendt, of the Sampson Independent, was also present.

Rev. Councilmember Marcus Becton gave the invocation.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the minutes of the February 2, 2010 regular and February 16, 2010 special city council meetings were unanimously approved.

### **RECOGNITION**

Mayor Starling recognized a young lady, in her absence, for great achievements. Her name is Julianna Smoot, a former Clinton resident, who has been appointed to President Obama's staff as social secretary. Mayor Starling read the following proclamation to the group:

## **Proclamation**

Whereas, the White House has announced its newly appointed Deputy Assistant to the President and Social Secretary, Julianna Smoot; and

Whereas, Julianna Smoot, daughter of Mr. and Mrs. Ed Smoot, is a former resident of Clinton, North Carolina; and

Whereas, Julianna Smoot, served as finance director for President Barack Obama's campaign and set a record for fundraising; and

Whereas, Julianna Smoot, a person of integrity and honor, has excelled in every aspect of life; and

Whereas, she is the second ranking person with strong North Carolina ties in the White House; and

Whereas, it is a pleasure to extend this expression of our esteem and best wishes to Julianna Smoot on the momentous occasion of her appointment.

Now, Therefore, I, Lew Starling, Mayor of the City of Clinton do hereby proclaim March 17, 2010 as:

# JULIANNA SMOOT DAY

Further Be It Resolved that a copy of this certificate shall be delivered to her with sincere congratulations on this happy occasion.

## **OATHS**

Mayor Starling administered oaths to Jeff Vreugdenhil who will present information during public hearings for amendments to the Clinton Zoning Ordinance.

## **P & Z—ZONING ORDINANCE – ELECTRONIC GAMING OPERATION**

Mayor Starling opened a public hearing on a request by Planning and Zoning staff to amend Section 3.1 of the City of Clinton Zoning Ordinance to include the definition of an Electronic Gaming Operation.

Planning Director Vreugdenhil presented the Planning and Zoning Board's recommendation to amend Section 3.1 of the City of Clinton Zoning Ordinance to include the following definition of an Electronic Gaming Operation:

“Any business enterprise, whether as a principal or an accessory use, where persons, utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games of chance, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This does not include any lottery approved by the State of North Carolina. In addition, the following shall apply:

- A. Days/hours of operation: businesses engaging in electronic gaming operations activities may operate from 8:00 AM until 5 PM, Monday through Friday.
- B. The maximum number of machines/terminals/computers for any electronic gaming operations business is 12.
- C. The establishment must be a minimum of five hundred (500) feet from any building being used as a dwelling or any residential zoning district.
- D. The establishment must be a minimum of one thousand (1,000) feet from any other organization engaged in an electronic gaming operations business or any adult or sexually oriented business.
- E. The establishment must be a minimum of one thousand (1,000) feet from any established religious institution/synagogue, school, daycare center/home, library, public park, recreation area or motion picture establishment where “G” or “PG” rated movies are shown to the general public on a regular basis.

- F. Measurement of distance separation shall be in a straight line from the closest point of the parcel at which the electronic gaming operations business is located.
- G. No alcoholic beverages will be served or consumed on the premises of the electronic gaming operations.”

No one else appeared to be heard and the hearing was closed.

Upon a motion made by Councilmember Stefanovich, seconded by Mayor Pro Tem Harris, the following ordinance **#2010.03.01** was adopted unanimously:

Whereas, upon the recommendation of the Planning and Zoning Board and after public hearing and due notice thereof as required by law, the City Council of the City of Clinton, NC do enact as follows: That the Zoning Ordinance of the City of Clinton be and the same is hereby amended to include the following definition of an Electronic Gaming Operation:

“Any business enterprise, whether as a principal or an accessory use, where persons, utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games of chance, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This does not include any lottery approved by the State of North Carolina. In addition, the following shall apply:

- A. Days/hours of operation: businesses engaging in electronic gaming operations activities may operate from 8:00 AM until 5 PM, Monday through Friday.
- B. The maximum number of machines/terminals/computers for any electronic gaming operations business is 12.
- C. The establishment must be a minimum of five hundred (500) feet from any building being used as a dwelling or any residential zoning district.
- D. The establishment must be a minimum of one thousand (1,000) feet from any other organization engaged in an electronic gaming operations business or any adult or sexually oriented business.
- E. The establishment must be a minimum of one thousand (1,000) feet from any established religious institution/synagogue, school, daycare center/home, library, public park, recreation area or motion picture establishment where “G” or “PG” rated movies are shown to the general public on a regular basis.
- F. Measurement of distance separation shall be in a straight line from the closest point of the parcel at which the electronic gaming operations business is located.

G. No alcoholic beverages will be served or consumed on the premises of the electronic gaming operations.”

### **P & Z—ZONING ORDINANCE – ELECTRONIC GAMING OPERATION**

Mayor Starling opened a public hearing on a request by the Planning and Zoning staff to amend Section 9.10.2 of the Clinton Zoning Ordinance to add Electronic Gaming Operations as conditional uses in Highway Commercial zoning districts. Planning Director Vreugdenhil presented the Planning and Zoning Board’s recommendation to add electronic gaming operations in Highway Commercial districts. He said staff recommends adding electronic gaming operations in HC Highway Commercial districts. He stated that each proposed electronic gaming operation will be reviewed on a case by case basis.

No one else appeared to be heard and the hearing was closed.

Upon a motion made by Councilmember Becton, seconded by Councilmember Turlington, the following ordinance **#2010.03.02** was adopted unanimously:

Whereas, upon the recommendation of the Planning and Zoning Board and after public hearing and due notice thereof as required by law, the City Council of the City of Clinton, NC do enact as follows: That the Zoning Ordinance of the City of Clinton be and the same is hereby amended as follows: That Section 9.10.2, Highway Commercial, Conditional Uses is hereby amended by adding Electronic Gaming Operations.

### **APPEAL FROM CONDEMNATION – 304 Barden Street**

Mayor Starling spoke regarding a request by Mrs. Rosa Fryar for an appeal from notice of “Unsafe Buildings Condemned” for property located at 304 Barden Street. He stated that the proposed corrective construction work has been completed. He further stated that all loose debris has been removed from the site and safety issues have been dissolved.

Planning and Zoning Director Vreugdenhil asked City Council to remove this request from the agenda. City Council honored Vreugdenhil’s request to remove this item.

### **BIDS—RUSSELL STREET WATER & SEWER IMPROVEMENTS**

Assistant City Manager Shawn Purvis spoke regarding the award of bid for Russell Street water and sewer improvements. He stated that on February 25, the City of Clinton had a bid opening and the following eight contractors presented bids:

Corbett Contracting	\$ 218,966.00
Castle Contracting	\$ 222,896.12
East Coast Contracting	\$ 229,231.95
Colt Contracting	\$ 237,871.00
Utilities Plus, Inc.	\$ 251,925.79
Allen Grading Co.	\$ 255,297.10

Ta Loving Co.	\$ 276,506.00
ES&J Enterprises	\$ 367,237.15.

Assistant City Manager Purvis stated that Corbett Contracting was the low bidder and recommended awarding the Russell Street water and sewer improvements project to them.

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Becton, it was approved unanimously to accept the bid of Corbett Contracting, of Selma, North Carolina, for the Russell Street water and sewer improvements.

### **RESOLUTIONS—REAL ESTATE—RUSSELL AND WILLIAMS STREETS**

Assistant City Manager Purvis presented resolutions authorizing the exchange of property located on Williams Street with property located on Russell Street owned by Willie F. Royal and children and Patricia Moore Simmons. Mr. Purvis stated that this exchange is part of the Russell Street Community Revitalization Project which involves the relocation of two homeowners. He stated that appraisals of the property show 700 Williams Street to be valued at \$2,500 and the corresponding exchange property at 205 Russell Street to be valued at \$1,000. He further stated that the value of 704 Williams Street property is \$1,900 and the corresponding exchange property at 293 Russell Street is valued at \$1,000. Purvis stated that to ensure full and fair consideration, the City will receive \$2,400 in cash considerations through the CDBG relocation funds.

Upon a motion made by Councilmember Becton, seconded by Councilmember Turlington, the following resolutions were unanimously adopted:

#### **Resolution Authorizing the Exchange of Property**

**WHEREAS**, public notice of the intent of the City Council and of the time and place of the meeting was published as required by law; and

**WHEREAS**, at its regular meeting on the 2<sup>nd</sup> day of March, 2010, the City Council considered the exchange of property and heard from all interested persons who appeared and expressed a desire to be heard; and

**WHEREAS**, the City Council has determined that the City of Clinton will receive a full and fair consideration for its property in the exchange:

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Clinton, that:

- (1) The Mayor and City Clerk are hereby authorized to execute deeds and other necessary documents in order to affect an exchange of the real property of the City described below for the real property of Patricia Moore Simmons described below, and to deliver and receive appropriate deeds and other documents:

### **Property of the City of Clinton:**

A parcel of land situated in the City of Clinton, Sampson County, North Carolina, and described as follows: BEING all of Lot 1, containing .18 acres, more or less, as shown on a map entitled "Survey for City of Clinton "K S Bank Property" ", prepared by Owen Surveying, Inc., dated September 2009, and recorded in Map book 71 at Page 10 of the Sampson County Registry; and

### **Property of Patricia Moore Simmons:**

A parcel of land situated in North Clinton Township, Sampson County, North Carolina, and described as follows: BEGINNING at a stake at the corner of Lot 8 on the West side of Bay Street, and runs with the line of Lot 8, North 61 degrees 50 minutes West, 100 feet to stake at corner of Lots 8 and 7; thence with line of 9, North 11 degrees East, 50 feet to corner of Lot 9; thence with line of Lot 12, South 61 degrees 50 minutes East, 100 feet to a stake, corner of Lot 12 on the West side of Bay street; thence with the West edge of Bay Street, South 11 degrees 50 minutes West, 50 feet to the BEGINNING, and being Lot 10 in Block C of the J. H. Bradshaw Subdivision one mile Northeast of the Town of Clinton, North Carolina.

- (2) The estimated value of the property of the City of Clinton is \$1,900, and the estimated value of the property of Patricia Moore Simmons is \$1,000.
- (3) Other consideration in the amount of \$900 will be received by the City of Clinton.

### **Resolution Authorizing the Exchange Property**

**WHEREAS**, public notice of the intent of the City Council and of the time and place of the meeting was published as required by law; and

**WHEREAS**, at its regular meeting on the 2<sup>nd</sup> day of March, 2010, the City Council considered the exchange of property and heard from all interested persons who appeared and expressed a desire to be heard; and

**WHEREAS**, the City Council has determined that the City of Clinton will receive a full and fair consideration for its property in the exchange:

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Clinton, that:

- (1) The Mayor and City Clerk are hereby authorized to execute deeds and other necessary documents in order to affect an exchange of the real property of the City described below for the real property of Willie F. Royal described below, and to deliver and receive appropriate deeds and other documents:

**Property of the City of Clinton:**

A parcel of land situated in the City of Clinton, Sampson County, North Carolina, and described as follows: BEING all of Lot 2, containing .18 acres, more or less, as shown on a map entitled "Survey for City of Clinton "K S Bank Property" ", prepared by Owen Surveying, Inc., dated September 2009, and recorded in Map book 71 at Page 10 of the Sampson County Registry; and

**Property of Willie F. Royal:**

A parcel of land situated in North Clinton Township, Sampson County, North Carolina, and described as follows: BEGINNING at a stake in the Western edge of Oak Street, corner of Lot 6, and runs with the Western edge of Oak Street, South 11 degrees West, 75 feet to a stake; thence North 61 degrees 50 minutes West, 50 feet to a stake; thence North 11 degrees East, 75 feet to a stake in the line of Lot 6; thence with the line of Lot 6, South 61 degrees 50 minutes East, 50 feet to the BEGINNING, and being the Northern half of the lots described in that deed from J. H. Bradshaw and wife, Mary Bradshaw to Eddie Bunting, dated February 6, 1946, and recorded in deed Book 576 at Page 12 of the Sampson County Registry; and

**Property of Willie F. Royal and children:**

A parcel of land situated in North Clinton Township, Sampson County, North Carolina, and described as follows: BEGINNING at an iron stake in the Western edge of Oak Street, a corner with Eddie Bunting, and running thence North 65 degree 26 minutes 58 seconds West, 50

feet to an iron stake; thence North 07 degrees 13 minutes 02 seconds East, 37.33 feet to a point, a corner with Willie F. Royal; thence South 65 degrees 26 minutes 58 seconds East, 50 feet to a point in the Western edge of Oak Street; thence with Oak Street, South 07 degrees 13 minutes 02 seconds West, 37.33 feet to the BEGINNING.

- (2) The estimated value of the property of the City of Clinton is \$2,500, and the estimated value of the properties of Willie F. Royal and children is \$1,000.
- (3) Other consideration in the amount of \$1500 will be received by the City of Clinton.

### **ENGINEERING AGREEMENT – THE WOOTEN COMPANY**

Planning and Zoning Vreugdenhil stated that the City of Clinton has received a grant from the North Carolina Division of Emergency Management for the undertaking of the acquisition and demolition of a repetitive flood loss property located at 800 Jasper Street. He stated that City Council is asked to approve an agreement to engage The Wooten Company to render certain administration services to include planning, program set-up, oversight of program activities, and general administration. He stated that the proposed agreement not to exceed \$4,000.00 is 100 percent reimbursable under the approved NC Emergency Management Grant. Mr. Vreugdenhil stated that there will be no cost to the city. He further stated that matching funds are to come from the current homeowner. Mr. Vreugdenhil recommended execution of this agreement.

Upon a motion made by Councilmember Stefanovich, seconded by Mayor Pro Tem Harris, the engineering service agreement between the City and The Wooten Company was approved unanimously.

### **RESOLUTION – MOSQUITO CONTROL DOCUMENTS**

Public Works Director Doherty stated that a resolution is presented to City Council annually designating an official to sign papers and to otherwise represent the City Council in connection with mosquito control. He stated that adopting this resolution will allow the City of Clinton to receive reimbursement(s) at the end of the fiscal year.

Upon a motion by Mayor Pro Tem Maxine Harris, seconded by Councilmember Marcus Becton, it is hereby ordered that John F. Connet, City Manager, as agent for the City of Clinton, is hereby authorized and empowered to sign and execute all papers and documents necessary in connection with the request made to the Division of Environmental Health, North Carolina Department of Environment and Natural Resources, for aid in control of mosquitoes. He is further authorized and required to carry out all agreements stipulated in the project application submitted by us to the Division of Environmental Health, North Carolina Department of Environment and Natural



Resources, and to perform other acts that are proper and necessary in connection with the operation of this project. Acts of said person on behalf of said City of Clinton are in all respects validated, approved and confirmed.

### **CITY COUNCIL -- BUDGET WORKSHOPS**

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Turlington, and approved unanimously, a CIP workshop was set for 7:00 PM on March 30, 2010 and budget workshops were set for 7:00 PM on May 18, and May 26, 2010 in the City Hall Auditorium.

### **ANNEXATION—MOOSE LODGE**

City Manager Connet presented a petition from the Clinton Moose Lodge for the satellite annexation of its property off Main Street, along with a resolution directing the clerk to investigate the petition. He said before City Council can proceed with annexation, the clerk must be instructed to investigate the petition. He stated that this area is currently, not served by city water and sewer. City Manager Connet stated that he and City Attorney Johnson recommend taking no action and not proceeding with the annexation. No one moved to take any action or to proceed.

### **ANNEXATION—EXTRATERRITORIAL JURISDICTION**

City Manager Connet stated that city staff is beginning the process of reviewing areas that may meet the requirements for annexation into the city limits. He stated that in order to begin this process, Council must adopt a resolution of consideration defining the areas that may meet the criteria for annexation. He further stated that typically areas are examined within the extraterritorial jurisdiction of the city that can be served by city services. City Manager Connet asked Council to adopt the resolution of consideration to begin this process emphasizing that Council must wait at least twelve (12) months before further action can be taken on any annexation.

Upon a motion made by Councilmember Turlington, seconded by Mayor Pro Tem Harris, the following resolution of consideration was unanimously approved:

### **RESOLUTION OF CONSIDERATION**

### **A RESOLUTION IDENTIFYING THE AREA DESCRIBED HEREIN AS BEING UNDER CONSIDERATION FOR ANNEXATION AND NOTIFICATION TO CERTAIN PROPERTY OWNERS OF THEIR RIGHTS TO DELAYED ANNEXATION OF QUALIFIED PROPERTIES**

**BE IT RESOLVED** by the Clinton City Council of the City of Clinton that:

Section 1. Pursuant to G.S 160A-49(i), the following described area(s) is/are hereby identified as being under consideration for future annexation by the City of Clinton, under the provisions of Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina:

**(Map Attached)**

Section 2. Owners of agricultural land, horticultural land and forestland within the area(s) under consideration for annexation as described in Section 1 above are hereby notified that they may have rights to a delayed effective date of annexation. G.S. 160A-49(f1) and (f2) provide that land being taxed at present-use value qualifies for delayed annexation, and land that is eligible for present-use value taxation but which has not been in actual production for the time period required by G.S. 105-277.3 may qualify for delayed annexation by making application to the Sampson County Tax Assessor for certification. For qualified tracts, the annexation will not become effective for most purposes until the last day of the month in which the tract or part thereof becomes ineligible for present-use value classification under G.S. 105-227.4 or no longer meets the requirements of G.S. 160A-49(f1)(2). Until annexation of a tract becomes effective, the tract will not be taxed by the City of Clinton and will not be entitled to services from the City of Clinton.

Section 3. A copy of this resolution shall be filed with the City of Clinton Clerk.

Section 4. This resolution shall remain effective as provided by G.S. 160A-49(i).

**RESOLUTION – REMOVAL OF SIGNAL LIGHT – INTERSECTION OF WALL STREET AND ELIZABETH STREET**

Planning and Zoning Director Vreugdenhil stated that NCDOT asks City Council to approve a resolution in support of the removal of the signal light and proposed re-striping plan at the intersection of Wall Street and Elizabeth Street. He stated that a representative from NCDOT was scheduled to be present at this meeting. Due to the fact that the representative was not present, Mr. Vreugdenhil asked Council to table this item.

City Council tabled the consideration of a resolution in support of the removal of the signal light and proposed re-striping plan at the intersection of Wall Street and Elizabeth Street.

**RESOLUTION – NAME CHANGE OF FAIRCLOTH FREEWAY BRIDGE**

Chief Mike Brim asked City Council to consider adopting a resolution requesting NCDOT to change the name of the Faircloth Freeway Bridge to Donald Ray Tucker Memorial Bridge. City Manager Connet initially recommended approval of this resolution; however after more consideration, he asked Council to table this item so that he might look further into the criteria for renaming any property.

Mayor and City Council asked City Clerk Hunt to table consideration of a resolution requesting NCDOT to change the name of the Faircloth Freeway Bridge to Donald Ray Tucker Memorial Bridge.

## **CLEAN UP WEEK**

Upon a motion made by Councilmember Becton, seconded by Councilmember Turlington, April 12-16, 2010, is hereby designated as Spring Clean Up Week and suspends Sections 11-4 (e)(g) and (i) of the City Code, except the collection of batteries, and in cases, other items which pose hazardous to city staff or the landfill will not accept.

## **BIDS—SAMPSON SQUARE APARTMENTS –CDBG PROJECT**

Public Works Director Doherty spoke regarding the award of bid for Sampson Square Apartments CDBG project. He stated this project was readvertised and on March 1, 2010, the City of Clinton had a bid opening and the following five contractors presented bids:

Mills Construction	\$ 232,800.00
Allen Grading	\$ 369,667.00
Wells Brothers	\$ 395,000.00
Hine Site work	\$ 447,126.70
ES&J Enterprises	\$ 483,553.30

Mr. Doherty stated that Mills Construction was the low bidder and recommended awarding the Sampson Square Apartments CDBG project to Mills Construction.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, it was approved unanimously to accept the bid of Mills Construction Company of SC, Inc., of Raleigh, North Carolina, for the Sampson Square Apartments CDBG project.

## **CITY CODE -- ORDINANCE-- ELECTRONIC GAMING OPERATIONS**

City Manager Connet spoke regarding amending Chapter 14, Article II Privilege Licenses of the Clinton City Code of 1987. He stated that the City is asking Council to establish a privilege license for electronic gaming operations. He stated that fees would range from \$100 to \$500. City Manager Connet stated that after talking to Chief Brim and City Council, he feels that an inventory should be obtained to see how many electronic gaming operations are located in the City and are there issues surrounding these operations.

Mayor and City Council tabled this item so that City Manager Connet might research this consideration of amendment further.

## **CONVERSION TO GROSS RECEIPTS –PRIVILEGE LICENSE TAX**

Ashley Blackmon, of the Water Department, spoke to request permission to research converting to gross receipts the privilege license tax. She stated sister cities are making this change and it seems to be working for these cities.

City Manager Connet stated that currently, the City utilizes a flat rate model. He stated that additional revenue may be available if we convert to a gross receipts model. He further stated that under the gross receipts model, the

privilege license would be based on a capped sliding scale versus the same fee for every business in a particular category. City Manager Connet stated that more than likely significant increase in privilege license tax would occur for some of the larger retain establishments.

Mayor Pro Tem Harris and Councilmember Stefanovich voiced their opinions against this change at this time. Councilmember Stefanovich stated perhaps the fee structure should be evaluated. Lisa Carter responded that this was done approximately three to four years ago. Ms. Carter stated that some professional businesses are not allowed to be taxed.

Mayor Starling concluded this discussion by stating this item is for informational purposes only.

## **REPORTS**

The personnel, fire, public works, and code reports were acknowledged. City Manager Connet mentioned that the Fire Department's response time has decreased dramatically. He commended Chief Solice and his staff for a job well done.

City Manager Connet made mentioned of the addition of the mission statement on the agenda and the modified cover sheets. He stated that district meetings are still going on and the next meeting would be on Thursday, March 4<sup>th</sup> –District 4, Councilmember Turlington's district.

City Manager Connet updated Council regarding the public art project and presented each with a memorandum. He stated that in 2008, city staff initiated the concept of incorporating public art in the proposed park on the former jail site. He stated that the City approached the Sampson County Arts Council about cosponsoring a grant application to the NC Arts Council for project funding. He mentioned a public planning process had to take place before funding for a public art project could be available.

City Manager informed City Council that a public art committee was established by the Sampson County Arts Council which consists of the following individuals: Ed Faison, Georgina Zeng, Randy Jacobs, Peter Butler, Ann Faircloth, Sherry Matthews, Steve Stefanovich, Frank Bradshaw, Ted Thomas, and Rosibell Mouch.

He stated that after an extensive planning process, facilitated by Janet Kagen, a public arts consultant, the committee hired Heidi Lippman, of Maryland to design and construct a public art piece for the community.

City Manager Connet stated that in November 2009, City Council unanimously agreed to appropriate \$9,000 for the development of a conceptual design of a public art project. He recommended that this project be included as a component of Phase 3 of the Downtown Revitalization Project. He stated that direction is needed from City Council as to how to proceed from this point. City Manager Connet asked Council to agree to draft a letter of support for potential grant opportunities.

Mayor Starling stated that this information would be treated as information given. He suggested allowing the public to view the memorandum that City Manager Connet presented to City Council.

Councilmembers Stefanovich and Turlington spoke regarding how the public art will enhance downtown.

The concern of Mayor and City Council regarding a drafted letter of support was that they would not bind the City of Clinton financially. City Attorney Johnson stated that a drafted letter of support does not and will not bind the City.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Turlington, it passed unanimously to draft a letter of support for potential grant opportunities.

### **NC EMERGENCY MANAGEMENT GRANT**

Planning and Zoning Director Vreugdenhil presented a memorandum at Mayor and City Council's desks regarding the NC Emergency Management Grant and the real property located at 800 Jasper Street. He reviewed the memorandum with City Council mentioning total expenditures \$131,026.00 and revenues 10% owner(s) match \$13,102.61 plus NC Emergency Management grant 90% \$117,923.39 totaling \$131,026.00.

Mr. Vreugdenhil asked Council to approve the purchase of the real property located at 800 Jasper Street with the understanding that the 10% match requirement will be provided by the current owner, Homer Marshall and that this 10% match will be held in a non-interest bearing account by the City until closing. He stated that the expenditure total and revenue total aforementioned is based on conservative estimates for budgetary purposes and any remaining matching funds above 10% will be returned to the owner at closing.

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Becton, it passed unanimously to allow City Manager Connet to make an offer to purchase the property located at 800 Jasper Street and to have this item closed out during this fiscal year.

### **RESOLUTION—CLOSED SESSION**

Upon a motion made by Councilmember Becton, seconded by Councilmember Stefanovich, the following resolution was unanimously adopted:

#### RESOLUTION TO ENTER CLOSED SESSION

Be It Resolved that the regular meeting of the City Council of the City of Clinton, North Carolina held at 7:00 PM on March 2, 2010 entered closed session as allowed by G. S. 143-318.11(a)(4) to discuss matters relating to economic development.

Council re-entered regular session at 8:18 PM. Mayor Starling reported that City Council was briefed on three economic development matters and a personnel matter; however, no action was taken.

**CONTINUATION – MARCH 25, 2010 – WEBINAR**

Upon a motion made by Councilmember Stefanovich, seconded by Mayor Pro Tem Harris, and approved unanimously, the meeting was continued until Thursday, March 25, 2010 from 4:00 PM until 6:00 PM, so that Councilmembers Stefanovich and Becton, and Mayor Pro Tem Harris might attend a webinar on ethics training as required by the North Carolina General Assembly legislation passed in 2009.

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Elaine F. Hunt, City Clerk

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Lew Starling, Mayor

**ADJOURNED AT 8:19 PM.**