

JUNE 2, 2009 CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on June 2, 2009, in the City Hall Auditorium. 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; assistant city manager Shawn Purvis; finance director Betty Brewer; interim fire chief Todd Solice; planning and community development director Jeff Vreugdenhil; senior planner Mary Rose; recreation director Judi Nicholson; public works director Chris Doherty; human resource manager Lisa Carter; and police chief Mike Brim were present.

Rev. Ron Cava, Pastor of First Baptist Church, 408 College Street, Clinton, NC, gave the invocation.

CITY COUNCIL

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the minutes of the May 5, 2009 regular city council meeting and May 19, and May 28, 2009 special city council meetings were approved unanimously.

PRESENTATION

Mayor Starling welcomed Jerry Bradshaw, of the Sampson County Sheriff Department to the group. He asked Mr. Bradshaw to brief City Council regarding an upcoming event.

Mr. Jerry Bradshaw told City Council about an annual event known as the "Trinity Children Annual Charity Ride". He stated that it will be a three-day ride beginning on June 18, and ending June 20, 2009. He further introduced the founder of this non-profit organization, Ms. Doris Eakes.

Ms. Doris Eakes gave the origin of the Trinity Children Foundation. She stated that its mission is to address the needs of abused and neglected children. Ms. Eakes stated that this charity ride started with seven riders. She stated that they have a strong support from this area and the money will stay in North Carolina. Before concluding, Ms. Eakes presented Mayor and City Council with patches, pins, and bandannas.

Mayor Starling read and presented the following resolution to Ms. Eakes, Jerry Bradshaw, and other supporters:

RESOLUTION OF RECOGNITION TRINITY CHILDREN ANNUAL CHARITY RIDE

***WHEREAS*, the Trinity Children Foundation will be celebrating its 4th Annual Charity Ride beginning June 18, 2009 in Maggie Valley, NC and ending on June 20, 2009 in Carolina Beach, NC; and**

WHEREAS, the mission of the Trinity Children Foundation is to enhance and address the needs of abused and neglected children around the world by providing food, clothing, shelter, health care, and emotional stability; and

WHEREAS, this volunteer, non-profit organization was formed in 2005 by Doris W. Eakes, who in 2006 hosted her first fundraiser, the Trinity Children Charity Ride, in which 32 motorcyclists rode from Kure Beach, NC to Townsend, Tennessee; and

WHEREAS, this year's Trinity Children Annual Charity Ride will consist of approximately 75 motorcyclists—26 local riders from Sampson and Bladen Counties; and

WHEREAS, the riders of this year's charity ride will travel through our very fine city of Clinton, North Carolina on June 20, 2009.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of Clinton, North Carolina express gratitude and appreciation to Doris W. Eakes and the Trinity Children Foundation for their commitment to the abused, neglected, and underprivileged children of North Carolina.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of the City Council.

RECOGNITION

City Manager Connet introduced Eli Turlington to City Council and the public. He stated that Eli received his Eagle Scout Award on May 10, 2009. Mayor Starling presented him with a certificate of commendation upon receiving this prestigious Eagle Scout designation.

APPEARANCE

Jeff Warren appeared before City Council to give an update on the Sampson Community Theatre. He showed a PowerPoint and presented figures to City Council for repairs and utilities of the theatre beginning FY 2005-2006 totaling \$14,144; FY2006-2007 totaling \$10,811.84; and FY2007-2008 totaling approximately \$36,501.00.

Mr. Warren stated that the fire sprinkler system was inspected recently and passed. He stated that a stop work order has been served on the building from the Sampson County Emergency Management. He further stated a fire door, an exit door in front of the stage, and wiring need to be completed. An engineer has been contacted to get a quote for the work needed and he is waiting to hear back from the engineer.

Mayor Starling thanked him for his very informative update of the Sampson Community Theatre.

P & Z – 403 SOUTHEAST BLVD – MIDNITE RODEO OF CLINTON, LLC

Mayor Starling opened and closed a public hearing on a request by Paul Scoggins of Midnite Rodeo of Clinton, LLC for a conditional use permit to operate an entertainment facility at 403 Southeast Boulevard, in an HC Highway Commercial district.

This public hearing was continued until 7:00 PM on July 7, 2009.

BUDGET

Mayor Starling opened a public hearing to receive input on the 2009-2010 Fiscal Year Budget.

City Manager Connet began by briefing City Council on the City of Clinton's 2008-2009 Accomplishments which included: NC Main Street Award for Best Public/Private Partnership; Police Department CALEA Recognition; Stetson Street and Carolina Avenue drainage improvements; Phase II of Sampson Center Revitalization Project; Dollar Branch Sanitary Sewer Replacement Project; NC 403 Gravity Sewer Project; and 2009 All-America City Finalist. City Manager Connet reviewed the budget. He stated the budget for FY2009-2010 totals \$13,100,401 for all City operations, capital improvements, and debt service requirements, which is a decrease of \$781,582 or 5.63% from the FY 2008-2009 Amended Budget.

City Manager Connet stated City Council's Goals and Objectives for this upcoming year: (1) sustain a clean and beautiful city (2) provide clean and safe neighborhoods, and (3) construct and maintain sound infrastructure.

City Manager Connet gave highlights of the proposed FY2009-2010 General Fund Budget. He stated the overall proposed budget in general fund for FY 2009-2010 totals \$8,505,970. He stated that this proposed budget has been reduced by \$739,308 or 7.95%. He further stated that the largest portion of General Fund goes to public safety.

City Manager Connet gave personnel highlights to include: two full-time positions have been proposed, no raises, the City's funded medical reimbursement to employees will be converted to a funded health savings account, and medical insurance is still being negotiated.

He gave capital outlay highlights to include: street resurfacing, garage service vehicle, small pickup truck for Cemetery Department, 3 police vehicles, residential garbage truck, HVAC replacement totaling approximately \$40,000, and Royal Lane Park improvements. City Manager Connet gave revenue highlights to include: proposed recreation sports registration fee for city residents at \$10.00 per child/per sport, residential solid waste fee increase from \$12.20 to \$12.35, increased cost of cemetery plot at Sandhill Cemetery from \$145 to \$150, and no increase in commercial solid waste fee. It was further mentioned that the proposed recreation sports registration fee for city residents at \$10.00 per child/per sport came as a recommendation from the Recreation Advisory Board.

City Manager Connet continued with reviewing the Water and Sewer Fund highlights which included: total budget proposed - \$4,520,536, 0.85% reduction from FY2008-2009, filter media replacement, Russell Street CDBG Project, construction of new treated water tank at WTP, water tank maintenance, and backup generator for high school well. He stated that small increases are being proposed in water and sewer rates. He concluded his presentation with a chart showing the Fund Balance – Unreserved General Fund Balance – for June 30, 2009 and stated that he is very proud of the financial condition of the City of Clinton.

City Council had previously reviewed the budget at two work sessions on May 19, and 28, 2009. No one else wished to be heard, and the hearing was closed.

Mayor Starling stated that no action will be taken tonight; however, City Council is asked to adopt the budget on June 23, 2009 at 7:00 PM.

APPOINTMENTS

Upon a motion made by Councilmember Turlington, seconded by Councilmember Becton, Albert Kirby, Michael Carter, and Debbie Roberts were unanimously appointed to fill the expired four-year terms of Frank Butler, Eugene Vaught, Jr., and Joel W. Rose on the Historic Preservation Commission. Mr. Kirby, Mr. Carter, and Ms. Roberts' terms will expire June 2013.

Notification was given of the expiring three-year term of Shurley McCullen on the ABC Board.

CITY CODE -- ORDINANCE-- EXCAVATING

Assistant City Manager Purvis stated that Recreation and Parks Director Judi Nicholson has requested that City Code Chapter 18, Section 18-58 be revised to cover use of metal detectors in the parks. He stated that in a memo, she stated that they have had a number of incidents involving people bringing metal detectors to the park and going through the playgrounds, ball fields, and picnic areas looking for change and jewelry. City Manager Connet stated the revision of this City Code would prohibit people from digging on the grounds.

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

Ordinance # 2009.06.01

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina that Chapter 18, Section 18-58. Excavating of the Clinton City Code of 1987 is hereby amended to read as follows:

Sec. 18-58. Excavating and metal detecting on city property.

It shall be unlawful for any person to make an excavation in any recreation area for any purpose without written permission from the recreation department or its designated official.

It shall be unlawful for any person to possess or use a metal detector or probe to search for objects in, on or below the surface of the soil or make an excavation in any park or recreation area for any purpose except in the following situations:

1. When using the metal detector or doing excavation while under contract by the City for purposes related to the completion of work as approved by the city.
2. Permission may be granted by the recreation department or its designated official for a metal detector to be used at a specifically identified park or recreation area to locate and recover a specific item of personal property which has been lost by the person requesting such permission.

This ordinance does not apply to activities conducted by city employees during the course of their duties for the city.

RESOLUTION – CONDEMNATION -- COLLEGE STREET PARKING LOT

City Manager Connet asked City Council to adopt a resolution authorizing the City of Clinton to condemn property. He stated that in order to proceed with the acquisition of the College Street parking lot, the City must adopt this resolution to move forward with the friendly condemnation process. He further stated that due to the fact that Councilmember Jean Turlington has an ownership stake in this property, she will have to be excused from voting upon this item.

Upon a motion made by Councilmember Becton, seconded by Councilmember Strickland, Councilmember Turlington was recused from voting upon this item.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Harris, the following resolution was unanimously adopted with Councilmember Turlington not participating in the vote:

RESOLUTION AUTHORIZING THE CITY OF CLINTON TO CONDEMN PROPERTY

WHEREAS, the City of Clinton needs and desires to purchase property located and used as a public parking lot in downtown Clinton, and currently owned by Selma C. (Jean) Turlington, Ann Turlington and Hiram Lodge No. 98 A.F. & A. M., and more particularly described as follows:

BEING all of those certain tracts or parcels of land lying and being located in North Clinton Township, Sampson County, North Carolina, and being more particularly described as follows:

TRACT NO. 1: A certain lot or parcel of land, lying and being in the City of Clinton, North Clinton Township, Sampson County, North Carolina, adjoining the lands of Mrs. Anna Wooten and others, and situated at the junction of Main and College Street in said City of Clinton, and known as Lots Nos. 18 & 19 as shown on the plat showing a re-subdivision of the old Clinton Hotel property made by L.E. Whitfield, E.E., and duly recorded in Plat Book 1, Page 21, Records of Sampson County, to which plat reference is hereby made, said two lots showing a frontage of 159 feet on College Street, 119 feet on Main Street and 95 feet on the back line, with the exception of a ten feet alleyway opening into Main Street, a depth of 40 feet across the entire width of Lot No. 18 at rear end.

For title history, see Deed Book 454, Page 113, Sampson County Registry.

TRACT NO. 2: BEING all of Lots 20, 21, 22 and 23 of the Old Clinton Hotel Property Re-Subdivision, according to a survey and plat thereof, which plat is duly recorded in Plat Book 1, Page 21, of the Sampson County Registry, to which plat reference is made for a more particular description.

For title history, see Deed Book 1724, Page 89 (Tract No. 1) and Deed Book 1579, Page 715 (Tract No. 21), both of the Sampson County Registry.

WHEREAS, the City of Clinton desires to own, manage, upgrade and update this public parking in conformity with the City of Clinton downtown beautification program; and

WHEREAS, all parties have agreed on the purchase price of \$62,500, to be divided as follows:

- (a) To Selma C. (Jean) Turlington, the sum of \$17,500;
- (b) To Ann Turlington, the sum of \$17,500;
- (c) To Hiram Lodge No. 98 A.F. & A.M., the sum of \$27,500; and

WHEREAS, all parties have agreed to a friendly condemnation procedure for the City of Clinton to acquire title to the above described property.

NOW, THEREFORE, BE IT RESOLVED that John F. Connet, City Manager, and Dale P. Johnson, attorney for the City of Clinton, are authorized to proceed with the purchase of the above described property.

CONDEMNATION – 304 Barden Street

Planning and Zoning Director Jeff Vreugdenhil spoke regarding an ordinance of condemnation for 304 Barden Street. This item was continued from the April 7, 2009 city council meeting. Mr. Vreugdenhil stated that there has been much improvement to this property and asked that this item be continued.

This item, consideration of an ordinance of condemnation was continued until the July 7, 2009 city council meeting.

ORDINANCES—BUDGET

Finance Director Betty Brewer briefed City Council regarding this item. She stated these amendments will clean up the line item budgets as we prepare for the audit.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following amendment **#2009.06.02** was unanimously adopted:

Budget Ordinance Amendment 2009.06.02

Be It Ordained by the City Council of the City of Clinton, NC, that the following amendment be made to the Annual Budget Ordinance for the fiscal year ending June 30, 2009, and amended September 2, 2008; November 5, 2008; December 2, 2008; and April 7, 2009 hereby amended as follows:

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

Account #	Account Title	Increase	Decrease
104100.0200	Salaries	3,732.00	
104100.1401	Auto Allowance	1,000.00	
104100.5700	Miscellaneous	1,800.00	
104200.0200	Salaries	600.00	
104200.0600	Group Insurance	950.00	
104200.1100	Telephone	1,000.00	
104200.1400	Travel & Education		1,000.00
104200.2700	Minute Indexing		1,000.00
104400.1100	Telephone		600.00
104400.1200	Printing/Office Supplies	1,500.00	
104400.1400	Travel & Education		2,000.00
104400.3300	Department Supplies		2,000.00
104400.5400	Bonds		500.00
104900.5300	Dues & Subscription	100.00	
104900.5401	Worker's Comp		100.00
105100.0600	Group Insurance		3,000.00
105100.1500	Maint & Janitorial	1,500.00	
105100.1600	Maint & Repair Equipment		2,000.00
105100.1700	Maint & Repair Auto	1,500.00	
105100.5701	Special Funds	900.00	
105100.7400	Capital Outlay	14,500.00	
105300.0600	Group Insurance		2,500.00
105300.1300	Utilities	3,000.00	
105300.1600	Maint & Repair Equipment	2,400.00	
105300.1500	Maint & Repair Bldg		1,500.00
105300.2600	Advertising	1,500.00	

105300.3100	Auto Supplies	1,000.00	
105300.4500	Contracted Service	3900.00	
105300.5401	Worker's Comp		1,500.00
105300.5700	Miscellaneous	2,500.00	
105300.7400	Capital Outlay	32,919.00	
105550.3300	Supplies & Materials	1,100.00	
105550.3400	Special Tools		500.00
105600.0200	Salaries		7,000.00
105600.0201	Part-time Salaries	7,000.00	
105600.0600	Group Insurance		2,000.00
	Capital Outlay		
105600.7300	Improvements	4,500.00	
105610.0600	Group Insurance		1,200.00
105610.1500	PW Complex Maint	1,000.00	
105900.0200	Salaries	5,400.00	
105900.0500	FICA	350.00	
105900.0600	Group Insurance		600.00
105900.0700	Retirement	200.00	
105900.1600	Maint. & Repair Equipment		3,500.00
105900.4600	Landfill Tipping Fee		17,000.00
106200.1300	Utilities		2,000.00
106200.1500	Maint & Repair Bldg		1,000.00
106200.1600	Maint Equipment/Fields	5,500.00	
106200.1601	Pool Supplies & Maint.		5,000.00
106200.4500	Contracted Service		6,500.00
106400.1600	Maint & Repair Equipment		2,000.00
106400.3100	Auto Supplies		4,000.00
106400.5402	Insurance/auto		1,000.00
	Medical Insurance		
106600.0601	Reimburse	1,200.00	
106600.0602	Retire's Medical Insurance	700.00	
106600.1000	Misc Professional Service	12,000.00	
106600.5403	Insurance Bldg	600.00	
106600.5404	General Liability	1,000.00	
106600.5700	Miscellaneous		3,000.00
106600.6000	Housing Demolition	6,200.00	
	TOTAL EXPENDITURES	123,051.00	74,000.00

Section 2. The revenues are to be changed as follows:

Account #	Account Title	Increase	Decrease
103040.0200	Insurance Revenue	26,432.00	
	Fire Dept/Sampson Co		
103530.0800	Reserve	29,886.00	
103830.0000	Sale of Fixed Assets	4,000.00	

103990.0000	Fund Balance Appropriation		11,267.00
	TOTAL REVENUES	60,318.00	11,267.00

Section 3. To amend the Water and Sewer Fund, the expenditures are to be changed as follows:

Account #	Account Title	Increase	Decrease
306600.6400	Transfer to Pugh Rd Sewer	14,141.00	
306600.5404	Public Liability	22,000.00	
308100.1100	Telephone	350.00	
308100.3300	Meters & Repairs		5,500.00
308100.3301	Small Tools & Equipment	3,000.00	
308100.3302	Cement & Concrete	500.00	
308100.3303	Sewer Pipe & Meter Box	2,500.00	
308200.1100	Telephone		2,000.00
308200.1300	Utilities	43,000.00	
308200.1500	Maint & Repair Bldg	4,700.00	
308200.1600	Maint & Repair Equipment		11,350.00
308200.3300	Dept Supplies	200.00	
	Waste Treatment		
308200.3302	Chemicals	2,900.00	
308200.5401	Worker's Comp		1,000.00
	Capital		
308200.7300	Outlay/Improvements	11,350.00	
308300.1600	Maint & Repair/Wells & Pumps		5,000.00
	Lab Chemicals &		
308300.3301	Equipment	1,000.00	
308300.3303	Water Analysis	3,500.00	
308300.0200	Salaries	7,000.00	
308300.0500	FICA	600.00	
308300.0700	Retirement	400.00	
308300.0701	401(k)	150.00	
	TOTAL EXPENDITURES	117,291.00	24,850.00

Section 4. The revenues are to be changed as follows:

Account #	Account Title	Increase	Decrease
303040.0000	INSURANCE REVENUE	16,000.00	
303360.0000	FROM SALES TAX	9,000.00	
303700.0000	SEWER SURCHARGE	67,441.00	
	TOTAL REVENUES	92,441.00	

Section 5. Copies of this budget amendment shall be furnished to the City Clerk, City Manager, and Finance Director for their direction.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following amendment **#2009.06.03** was unanimously adopted:

**Budget Ordinance Amendment
2009.06.03**

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina, that the following amendment be made to the Capital Project Budget Ordinance adopted September 4, 2007, and amended June 3, 2008, is hereby amended as follows:

SECTION 1. To amend the Pugh Road Sewer Capital Project Budget Ordinance, the expenditures are to be changed as follows:

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>INCREASE</u>	<u>DECREASE</u>
47-7140-8000	Contingency		\$17,945.00
47-7140-7300	Construction	32,086.00	
		\$	
TOTAL		32,086.00	\$17,945.00

SECTION 2. The following revenue is anticipated to be available to complete this project.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>INCREASE</u>	<u>DECREASE</u>
47-3714-0500	From Water and Sewer	14,141.00	
		\$	
TOTAL		\$ 14,141.00	

SECTION 3. Copies of this budget amendment shall be furnished to the Clerk, to the Council and the Finance Officer for further direction in carrying out this project.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following amendment **#2009.06.04** was unanimously adopted:

**Budget Ordinance Amendment
2009.06.04**

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina, that the following amendment be made to the Annual Budget Ordinance adopted June 7, 2005, and amended September 5, 2006; June 12, 2007; February 5, 2008; February 12, 2008; and June 17, 2008, is hereby amended as follows:

SECTION 1. To amend the Community Development Fund, the expenditures are to be changed as follows:

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>INCREASE</u>	<u>DECREASE</u>
534970.7300	DOWNTOWN REVITALIZATION		29,300.00
534970.7600	TRANSFER TO DOWNTOWN PHASE III	29,300.00	
534970.7300	DOWNTOWN REVITALIZATION	7,337.17	
TOTAL EXPENDITURES		36,637.17	29,300.00

SECTION 2. The following revenue is anticipated to be available to complete this project.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>INCREASE</u>	<u>DECREASE</u>
533040.0000	TRANSFER FROM DT PHASE II	7,337.17	
TOTAL REVENUE		7,337.17	

SECTION 3. Copies of this budget amendment shall be furnished to the Clerk, to the Council and the Finance Officer for further direction in carrying out this project.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following amendment **#2009.06.05** was unanimously adopted:

**Budget Ordinance Amendment
2009.06.05**

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina, that the following amendment be made to the Annual Budget Ordinance adopted June 7, 2005, and amended September 5, 2006; June 12, 2007; February 5, 2008; and February 12, 2008; is hereby amended as follows:

SECTION 1. To amend the Downtown Phase II Capital Project, the expenditures are to be changed as follows:

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>INCREASE</u>	<u>DECREASE</u>
554970.7800	Transfer To Community Development	7337.17	
TOTAL EXPENDITURES		7337.17	

SECTION 2. The following revenue is anticipated to be available to complete this project.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>INCREASE</u>	<u>DECREASE</u>
553990.0000	Fund Balance Appropriation	<u>7337.17</u>	
	TOTAL REVENUES	7337.17	

SECTION 3. Copies of this budget amendment shall be furnished to the Clerk, to the Council and the Finance Officer for further direction in carrying out this project.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following amendment **#2009.06.06** was unanimously adopted:

**Budget Ordinance Amendment
2009.06.06**

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina, that the following amendment be made to the Annual Budget Ordinance adopted May 4, 2004, and amended June 7, 2005; and June 17, 2008; is hereby amended as follows:

SECTION 1. To amend the All-America City Fund, the expenditures are to be changed as follows:

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>INCREASE</u>	<u>DECREASE</u>
594200.1400	Lodging	13,613.00	
594200.1500	Presentation	500.00	
594200.1600	Civic Action Fair	500.00	
594200.5300	Registration	1,250.00	
594200.5700	Shirts	1,500.00	
594200.8000	Misc	<u>3,767.00</u>	
	TOTAL EXPENDITURES	21,130.00	

SECTION 2. The following revenue is anticipated to be available to complete this project.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>INCREASE</u>	<u>DECREASE</u>
593030.0200	Mayor's Contribution	6,976.00	
593030.0400	AAC Committee Contributions	864.00	
593030.0500	Private Donations	<u>13,290.00</u>	
	TOTAL REVENUES	21,130.00	

SECTION 3. Copies of this budget amendment shall be furnished to the Clerk, to the Council and the Finance Officer for further direction in carrying out this project.

ORDINANCE—BUDGET – CDBG – RUSSELL STREET PROJECT

Upon a motion made by Councilmember Strickland, seconded by Councilmember Turlington, the following ordinance **#2009.06.07** CDBG Community Revitalization Project Ordinance was unanimously adopted:

**CDBG Community Revitalization Project ORDINANCE
CDBG# 08-C-1874
RUSSELL STREET PROJECT**

#09.06.07

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project is hereby adopted:

Section 1. The project authorized is the CDBG Community Revitalization Project described in the work statement contained in the Grant Agreement between this unit and the North Carolina Department of Commerce and the U. S. Department of Housing and Urban Development. This project is more familiarly known as the Clinton CDBG Russell Street Project.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the Department of Commerce and the U. S. Department of Housing and Urban Development, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

Account Number	Description	
49.3020.0000	City Contribution	<u>\$ 44,000.00</u>
	TOTAL	\$ 44,000.00

Section 4. The following expenditures are appropriated for the project:

Account Number	Description	
49.4770.0400	Administration	<u>\$ 44,000.00</u>
	TOTAL	\$ 44,000.00

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and federal and state regulations.

Section 6. Requests for funds should be made to the grantor agency in an orderly and timely manner as funds are obligated and expenses incurred.

Section 7. The Finance Officer is directed to report quarterly on the financial status of the project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this council.

Section 9. Copies of this Grant Project Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

Section 10. The Finance Officer is hereby authorized to transfer funds from one line item to another line item without further approval by the City Council, subject to the regulations of the North Carolina Department of Commerce and the U. S. Department of Housing and Urban Development.

RESOLUTION—SURPLUS PROPERTY

City Manager Connet stated that the City is preparing to hold a surplus property auction on June 27, 2009. He stated that the City Manager has been given the authority to surplus any property valued at less than \$2,500; however, Council must approve the disposal of any property greater than \$2,500. He asked City Council to approve a resolution authorizing the disposition of certain personal property by public auction.

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

RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTY BY PUBLIC AUCTION

WHEREAS, the City Council of the City of Clinton, NC desires to dispose of certain surplus property of the City of Clinton;

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

- (1) The following described property is hereby declared to be surplus to the needs of the City of Clinton:

Year	Make/Model	VIN #
2002	Ford / Crown Victoria	2FAFP71W22X124797
2000	Ford / Crown Victoria	2FAFP71W0YX131269
1997	Ford / Taurus	1FALP51UOVA221662
1993	Ford / F-150	1FTDF15Y3PLA45026
1995	Oldsmobile Wagon	1G3AJ85M5S6388645
1997	Ford / Ranger	1FTCR1OU1VTA33445
1995	Ford / F-150	1FTEX15N5SKB28348
1996	Peterbilt SN42 – Com Unit	1XPZLA0X3TD710099

1970	Massey Ferg RC12 – Tractor	
1977	International ST17 – Dozer	450008V06890

- (2) The Human Resource Manager is authorized to receive on behalf of the City Council of the City of Clinton bids at public auction for the purchase of the described property.
- (3) The public auction will be held on June 27, 2009 at 9:00 AM at the Public Works Building, 200 John Street. The terms of sale shall be cash.
- (4) The City Clerk shall cause a notice of public auction to be published in accordance with G. S. 160A-270(b).
- (5) The highest bid, if it complies with the terms of sale, may be accepted by the Human Resource Manager and the sale consummated.

REPORTS

The finance, personnel, fire, code and police reports were acknowledged.

City Manager Connet stated that the All-America City rehearsal starts on tomorrow night. He stated that the community and surrounding areas have been very supportive of this effort.

PUBLIC COMMENTS

Johnny Boykin, 413 West Still Street, appeared before City Council regarding the cleaning of ditches on his street. He stated that the ditches are holding water and they are infested with mosquitoes. City Manager Connet and Public Works Director Doherty were instructed to meet with Mr. Boykin to check out the complaint. Time set was next morning at 9:00 AM.

Jeff Warren appeared back before City Council. He stated he forgot to present City Council with a portion of the money owed to the City and did so at this time. He presented a check in the amount of \$5,000 to City Council.

RESOLUTION—CLOSED SESSION

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Harris, 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 June 2, 2009 entered closed session as allowed by G. S. 143-318.11(a)(3) to discuss potential litigation.

Council re-entered regular session. Mayor Starling reported that City Council was briefed on litigation matters; however, no action was taken.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Harris, and unanimously passed, the meeting was continued until June 23, 2009 at 7:00 PM.

(Time: 8:14 PM)

City Clerk

Mayor