

## AUGUST 2, 2011, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on August 2, 2011 in the Clinton City Hall Auditorium. Mayor Starling presided. Councilmembers Becton, Strickland, Turlington, and Mayor Pro Tem Harris were present. Councilmember Stefanovich was absent, due to a prior engagement. City Attorney Dale Johnson; City Clerk Elaine F. Hunt; City Manager John F. Connet; Assistant City Manager- Finance Director Shawn Purvis; Planning and Community Development Director Mary Rose; Police Chief Mike Brim; Fire Chief Todd Solice; and Human Resource Manager Lisa Carter were present. Sampson Center Supervisor Tim Boykin was also present. Recreation Director Judi Nicholson and Public Works Director Jeff Vreugdenhil were absent. Intern Claire Long was present. Melvin Henderson, of the Sampson Weekly and Chris Berendt, of the Sampson Independent were present.

Rev. Robert Redmond, Pastor of First United Methodist Church, gave the invocation.

### **CITY COUNCIL**

Upon a motion made by Councilmember Strickland, seconded by Councilmember Becton, the minutes of the July 5, 2011 regular meeting were approved unanimously.

### **PRESENTATION**

Intern Claire Long presented a Supervisor Orientation Program, which she had created, to City Council. It was stated that the program is designed to give the City of Clinton's front line supervisors a better understanding of their roles in the organization. She stated that the program consists of ten (10) modules that should be covered over a six-month probationary period. She stated that the ten modules are as follows: *Becoming a Supervisor; Mission, Goals, and the City Council; Budget and Purchasing; Discipline and Grievances; Benefits; Job Classification and Performance Evaluations; Hiring; Compliance; Safety and Accident Reporting; and Leadership and The Abilene Paradox.*"

City Manager Connet stated that many larger cities have in-depth programs such as the abovementioned Supervisor Orientation Program; however, very few peers of the City of Clinton have this type program in place. He commended Claire Long for a job well done!

### **P & Z—CLOSEOUT OF 2008 CDBG SAMPSON SQUARE APTS DEVELOPMENT PROJECT**

Mayor Starling opened a public hearing on a request to receive public comments concerning the closeout of the 2008 Community Development Block Grant (CDBG) Sampson Square Apartments Housing Development Project (08-C-1801), to the North Carolina Division of Community Investment and Assistance. Mayor Starling stated that in order to close this Project, the

Sampson Square apartments must have 100% occupancy and all of the units are occupied.

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

Upon a motion made by Councilmember Becton, seconded by Councilmember Strickland, it passed unanimously to close out the 2008 Community Development Block Grant Sampson Square Apartments Housing Development Project (08-C-1801), to the North Carolina Division of Community Investment and Assistance.

### **P & Z— LAND DEVELOPMENT ORDINANCE – NIGHT CLUB DEFINITION**

Mayor Starling opened a public hearing on a request by the Planning staff to amend Appendix A – Definitions of the City of Clinton Land Development Ordinance by amending the definition of a night club.

Planning and Zoning Director Mary Rose appeared before City Council to ask that this request be continued until the September 6, 2011 city council meeting.

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

The request by the Planning staff to amend Appendix A – Definitions of the City of Clinton Land Development Ordinance by amending the definition of a night club was continued until the September 6, 2011 city council meeting.

### **P & Z—LAND DEVELOPMENT ORDINANCE – PERMITTED USES TABLE REMOVING DAY CARE CENTER AND REPLACING WITH CHILD CARE**

Mayor Starling opened a public hearing on a text amendment request by the Planning staff to amend Section 3.3 of the City of Clinton Land Development Ordinance by amending the Permitted Uses Table by removing Day Care Center and replacing with Child Care.

Planning Director Mary Rose presented the Planning and Zoning Board's recommendation to amend Section 3.3 of the City of Clinton Land Development Ordinance by amending the Permitted Uses Table by removing Day Care Center and replacing with Child Care. She stated that this amendment is being requested for clarification purposes.

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

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Strickland, the following ordinance # **2011.08.01** to the Land Development Ordinance was adopted unanimously:

#### **# 2011.08.01**

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 Land

Development Ordinance of the City of Clinton be and the same is hereby amended to read as follows:

**3.3 Permitted Uses Table**

~~Day Care Center~~ **Child Care**

**P & Z—LAND DEVELOPMENT ORDINANCE – PERMITTED USES TABLE TO PROVIDE FOR CHILD CARE IN HC HIGHWAY COMMERCIAL, O & I, AND NEIGHBORHOOD SHOPPING DISTRICT**

Mayor Starling opened a public hearing on a text amendment request by the Planning staff to amend Section 3.3 of the City of Clinton Land Development Ordinance by amending the Permitted Uses Table to provide for Child Care as a permitted use in an HC Highway Commercial, Office & Institutional, and Neighborhood Shopping District.

Planning Director Mary Rose presented the Planning and Zoning Board’s recommendation to amend Section 3.3 of the City of Clinton Land Development Ordinance by amending the Permitted Uses Table to provide for Child Care as a permitted use in an HC Highway Commercial, Office & Institutional, and Neighborhood Shopping District. She stated that this amendment is being requested for clarification purposes.

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

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Strickland, the following ordinance # **2011.08.02** to the Land Development Ordinance was adopted unanimously:

**# 2011.08.02**

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 Land Development Ordinance of the City of Clinton be and the same is hereby amended to read as follows:

**3.3 Permitted Uses Table**

	NS	OI	HC
<del>Day Care Center</del>	<del>C</del>	<del>C</del>	<del>C</del>
<b>Child Care</b>	<b>P</b>	<b>P</b>	<b>P</b>

**P & Z—LAND DEVELOPMENT ORDINANCE – PERMITTED USES TABLE TO INCLUDE CHILD CARE HOME OCCUPATION AS A CONDITIONAL USE IN RA-20, R-20, R-15, R-8, AND R-6 DISTRICTS**

Mayor Starling opened a public hearing on a text amendment request by the Planning staff to amend Section 3.3 of the City of Clinton Land Development

Ordinance by amending the Permitted Uses Table to include Child Care Home Occupation as a conditional use in RA-20, R-20, R-15, R-8, and R-6 districts.

Planning Director Mary Rose presented the Planning and Zoning Board's recommendation to amend Section 3.3 of the City of Clinton Land Development Ordinance by amending the Permitted Uses Table to include Child Care Home Occupation as a conditional use in RA-20, R-20, R-15, R-8, and R-6 districts. She stated that this amendment will allow the child care home occupation to be considered in the abovementioned districts. She stated that this amendment is being requested for clarification and edification purposes.

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

Upon a motion made by Councilmember Strickland, seconded by Mayor Pro Tem Harris, the following ordinance # 2011.08.03 to the Land Development Ordinance was adopted unanimously:

**# 2011.08.03**

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 Land Development Ordinance of the City of Clinton be and the same is hereby amended to read as follows:

**3.3 Permitted Uses Table**

	RA-20	R-20	R-15	R-8	R-6
<del>Day Care Center</del>					
Child Care	C	C	C	C	C

**RESOLUTIONS – ADMIN GUIDELINES & POLICIES – FY2009 CDBG ELIZA LANE PROJECT**

Planning and Zoning Director Mary Rose stated that Council is asked to adopt a resolution approving administrative guidelines and policies for the Eliza Lane Contingency Infrastructure Project 10-C-2195. She stated that these guidelines and policies are required by North Carolina Department of Commerce. She further stated that Holland Consulting Planners, Inc. will administer the grant. Rose reviewed the various documents enclosed in City Council's agenda packet.

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

**CITY OF CLINTON  
RESOLUTION APPROVING ADMINISTRATIVE GUIDELINES AND POLICIES  
FOR THE CDBG CONTINGENCY INFRASTRUCTURE PROGRAM**

**WHEREAS**, the City of Clinton wishes to carry out its CDBG Contingency Infrastructure Program in accordance with established state and federal administrative guidelines.

**NOW, THEREFORE**, the City of Clinton City Council hereby collectively adopts the following resolutions, guidelines, plans and policies, and resolves that they be utilized during the administration of the city's CDBG Contingency Infrastructure Program:

1. Financial Management Resolution
2. Citizen Participation Plan
3. Local Economic Benefit for LMI Persons (Section 3) Plan
4. Equal Employment and Procurement Policy
5. Policy Concerning Code of Conduct
6. Fair Housing Policy
7. Section 519 Policy (Prohibiting Use of Excessive Force)
8. Designation of Labor Standards Enforcement Officer

**SAMPSON COUNTY HISTORY MUSEUM –PROPERTY AT CORNER OF POWELL AND GRAHAM STREETS – SPORTS HALL OF FAME**

Mayor Starling introduced this item to City Council. He stated that recently, the City purchased property at the corner of Powell and Graham Streets. He stated that the City has been approached by Mr. David King of the Sampson County History Museum requesting to lease this property and construct a Sports Hall of Fame upon the land.

City Manager Connet recommended modifying the existing lease to include this newly purchased property. He stated that the current lease expires in April 2016.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Becton, Council approved unanimously to modify the attached lease and amendment (**Exhibit A and Exhibit B, respectively**) with the Sampson County History Museum, Inc., so that they might lease also the city owned property located at the corner of Powell and Graham Streets for a Clinton-Sampson Sports Hall of Fame facility. See attached map (**Exhibit C**).

**RESOLUTION—SURPLUS PROPERTY**

City Manager Connet stated that in accordance with City Code Article III 2-77, City Council is required to approve the surplus of personal property over \$2,500. He asked City Council to approve a resolution authorizing the disposition of certain personal property electronically, by GovDeals.

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

**RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTY BY THE METHOD KNOWN AS:  
“GOVDEALS”**

**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 #
2001	Ford / Crown Victoria	2FAFP71W41X126839

- (2) The Human Resource Manager is authorized to receive on behalf of the City Council of the City of Clinton bids via GovDeals for the purchase of the described property.
- (3) GovDeals will begin the sale of the described property on or about August 3, 2011 and will continue the sale until the described property is sold. The terms of sale shall be Pay Pal, credit card, or wire transfer.
- (4) The City Clerk will not cause a notice of the electronic public auction to be published in accordance with G. S. 160A-266 (c).
- (5) The highest bid, if it complies with the terms of sale, may be accepted by the Human Resource Manager and the sale consummated.

### **APPOINTMENT(S)**

Council was asked to continue this item for the appointment of District 1, to the Recreation Advisory Board until the September 6, 2011 city council meeting. Currently, David Nordin holds the position for District 1.

### **REPORTS**

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

City Manager Connet informed City Council that the final Alive after Five event will take place on Thursday, August 18, 2011.

City Manager Connet gave City Council a brief update regarding the Downtown Project. He stated that a minor revision has taken place as it relates to the park area. He said that the Committee desired more green space and others were more concerned with the parking. He concluded by stating that 64 parking spaces were being considered initially and the final result is that there will be 64 parking spaces.

Rose stated that she hosted the board meeting for the NC Downtown Development Association in July. She stated that the board was very impressed with what has taken place in the City of Clinton.

**CLOSED SESSION**

There was not a closed session. It was removed from the agenda for this August 2, 2011 city council meeting.

**ADJOURNMENT**

Being no further discussion, the meeting adjourned at 7:25 PM.

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Elaine F. Hunt, MMC, City Clerk

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Lew Starling, Mayor