



NOVEMBER 5, 2014, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on November 5, 2014, in the City Hall Auditorium. Mayor Starling presided. Councilmembers Becton, Strickland, Stefanovich, and Mayor Pro Tem Harris were present.

Councilmember Turlington was absent. Currently, the city attorney's position is vacant.

Also present were City Manager Shawn Purvis; Finance Director Harry Staven; Police Chief Jay Tilley; City Clerk Elaine F. Hunt; Fire Chief Adon Snyder; Planning Director Mary Rose; Recreation Director Jonathan Allen; Public Works Director Jeff Vreugdenhil; Human Resource Director Lisa Carter; Billing-Collections Supervisor Ashley Blackmon; Lt. Anthony Davis; and Captain Donald Edwards.

Melvin Henderson, of the Sampson Weekly, and Chris Berendt, of the Sampson Independent, were also present.

Mayor Starling called the meeting to order.

Ms. Tamar Foster, niece of Mayor Pro Tem Harris, gave the invocation.

CITY COUNCIL

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the minutes of the October 7, 2014, regular city council meeting were approved unanimously.

PROCLAMATION

Mrs. Jennifer Polk and Mr. Robert Shelly, Disabled Veterans' Outreach Program Specialist with the NC Department of Commerce, were the recipients of the following proclamation which was read by Mayor Lew Starling. Mayor Starling asked City Clerk Hunt to make the proclamation a part of the minutes:



PROCLAMATION

WHEREAS, for more than 200 years our country has been built with the help of Veterans who served during peace and war to keep our democracy safe. These courageous men and women served with honor to give all Americans a sense of pride and security; and

WHEREAS, Veterans in the City of Clinton represent a strong and productive part of the city's workforce; and

WHEREAS, more than 5,000 Veterans call Clinton and Sampson County home; and

WHEREAS, Veterans, having served with dignity and honor, deserve the opportunity to pursue quality employment with competitive wages; and

WHEREAS, as employers and coworkers, it is not only proper but in our public and economic interest to take advantage of this wealth of knowledge and experience by providing employment opportunities to our Veterans already in our work force and to those that are leaving the military in the near future.

NOW THEREFORE, I, Lew Starling, Mayor of the City of Clinton, North Carolina, do hereby proclaim November 9-15, 2014, as:

"EMPLOY A VET WEEK"

in our City and encourage the employment of Veterans thereby giving them the opportunity to make use of their experiences and valuable skills right here at home.

IN WITNESS WHEREOF, I do hereby cause the seal of the City of Clinton to be affixed hereto on this the 5th day of November, 2014.

2014 RECYCLE TRUCK ART COMPETITION – PUBLIC WORKS

It was the consensus of City Council to move the staff report up regarding the announcement of winners of the Public Works Art Contest.

Mayor Starling asked Public Works Director Vreugdenhil to come forth to announce the winners, and Mr. Vreugdenhil asked Mrs. Kara Donatelli to do the honors.

Before announcing the winners, Mrs. Donatelli commended Mr. Vreugdenhil and the Sampson Arts Council for a job well done. She stated that the entries were judged on several criteria which included creativity. The following individuals and schools were recognized:

1st place – Skylar Simmons, 9th Grade
Clinton High School \$250 recipient for art supplies
Mr. Michael Ray, Art Instructor

2nd place – Ella Faison, 8th Grade
Sampson Middle School \$150 recipient for art supplies
Ms. Megan Scronce, Art Instructor

3rd place – Stephanie Zaldivar, 5th Grade
Sunset Avenue School \$50 recipient for art supplies
Ms. Diana Gore, Art Instructor

3rd place – Michelle Tapia, 3rd Grade
Butler Avenue School \$50 recipient for art supplies
Ms. Kristie Slack, Art Instructor

3rd place – Anna Lovitt, 1st Grade
L. C. Kerr School \$50 recipient for art supplies
Ms. Emily Colt, Art Instructor

Kara Donatelli thanked the schools and the Public Works Department for this effort. Mayor Starling thanked all participants.

PRESENTATION – JOEL ROSE, HISTORIAN

Historian Joel Rose appeared before City Council to request approving 1822 as the incorporation year of the City of Clinton. There has been a discrepancy regarding whether the correct year is 1822 or 1852. Mr. Rose provided information to confirm 1822 as the year. It was stated that in 1852, further powers were granted to the City of Clinton. Mr. Rose and staff felt the time to be appropriate considering we are at the point of modernizing the city seal.

City Manager Purvis consulted with the North Carolina Department of Archives and History. They agree that 1822 is an acceptable year for the City officially to use as the incorporation year.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, it passed unanimously to accept 1822 as the City of Clinton's incorporation year. It was noted that our city seal will be changed to reflect this year.

ANNEXATION— 66 JEROME STREET – ROBERT EARL AND ALICE C. FRYAR

City Manager Purvis said at the October 7, 2014, city council meeting, City Clerk Hunt was instructed to investigate the sufficiency of the petition of property owners, Robert Earl and Alice C. Fryar, for property located at 66 Jerome Street. He stated that at this time, we present to Council the following City Clerk's Certificate of Sufficiency:

CERTIFICATE OF SUFFICIENCY

(66 JEROME STREET)

TO: City Council of the City of Clinton, North Carolina

I, **Elaine F. Hunt**, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all property owner(s) of real property lying in the area described therein, in accordance with G.S. 160A-31.

Upon a motion made by Councilmember Strickland, seconded by Mayor Pro Tem Harris, the Report of Sufficiency from City Clerk Hunt was approved unanimously.

City Manager Purvis presented for consideration a resolution fixing the date for a public hearing on the annexation of property located at 66 Jerome Street, Clinton, NC.

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

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF CONTIGUOUS ANNEXATION PURSUANT TO G.S. 160A-31**

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the City Council of the City of Clinton, North Carolina has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held in the City Hall Auditorium at 7:00 PM on December 2, 2014.

Section 2. The area proposed for annexation is described as follows:

**CITY OF CLINTON 2014 ANNEXATION PROJECT
"ROBERT EARL FRYAR and wife, ALICE C. FRYAR TRACT"
located in**

**NORTH CLINTON TOWNSHIP, SAMPSON
COUNTY, NORTH CAROLINA**

BEGINNING at a stake in the Northern right-of-way line of Jerome Street and being the Southeast corner of Eldora Laws (see Deed Book 1724 Page 592) and the Southwest corner of Robert Earl Fryar (see Deed Book 877 Page 760), said stake being located North 42 degrees 00 minutes 58 seconds East 2577.85 feet from N. C. G. S. Station "Patrol" having N. C. Grid Coordinates of X = 2,199,361.32 and Y = 46 1,531.56 NAD 83 (2001); running thence from said beginning point with Laws, North 01 degrees 29 minutes 13 seconds West 150.00 feet to a stake; thence North 88 degrees 30 minutes 47 seconds East 60.00 feet to a stake, the Northeast corner of Robert Earl Fryar and the Northwest corner of Kenneth Faison (see Deed Book 1025 Page 487); thence with Faison, South 01 degrees 29 minutes 13 seconds East 150.00 feet to a stake in the Northern right-of-way line of Jerome Street; thence with the Northern right-of-way line of Jerome Street, South 88 degrees 30 minutes 47 seconds West 60.00 feet to the point of **BEGINNING**, containing 0.21 acres, more or less, as computed from adjoining deeds and maps of record during June, 2014 by Owen Surveying, Inc., with all lines correct in their angular relation and relative to N. C. Grid North. This tract or parcel of land is a portion of Lot No. 16 and a portion of Lot No. 18 in the subdivision of the Freddie A. Robinson "Butler Land" and also being the same land conveyed by deed dated January 1, 1962 from Freddie A. Robinson and wife, Eliza V. Robinson to William D. Henry and wife, Lessie W. Henry recorded in Deed Book 731 Page 648 of the Sampson County Registry and later conveyed from William D. Henry and wife, Lessie W. Henry to Robert Earl Fryar and wife, Alice C. Fryar by deed dated January 7, 1975 recorded in Deed Book 877 Page 760 of the Sampson County Registry.

Section 3. Notice of the public hearing shall be published once in The Sampson Independent, a newspaper having general circulation in the City of Clinton, at least ten (10) days prior to the date of the public hearing.

**AWARD OF BID – PROPERTY AT CORNER OF WEST LEE AND WILLIAMS
STREETS – VENTURE MANOR REALTY**

City Manager Purvis presented an offer from Johnny Pridgen, Venture Manor Realty, for the purchase of a parcel at the corner of West Lee Street (formerly Bunting Alley) between Williams and Barden Streets being part of Lots 15, 16, and 17 per Map Book 20 Page 49 identified as tax parcels 12066616501 and 12022222264. He stated that at the October council meeting, City Council accepted a \$1,800 offer in question subject to the statutorily required upset bid process. He further stated that the City did not receive any other bids.

City Manager Purvis recommended awarding the bid to Venture Manor Realty for the purchase of the abovementioned property.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, it passed unanimously to accept the offer by Venture Manor Realty, for the purchase of a parcel at the corner of West Lee Street (formerly Bunting Alley) between Williams and Barden Streets being part of Lots 15, 16, and 17 per Map Book 20 Page 49 identified as tax parcels 12066616501 and 12022222264.

ORDINANCES—BUDGET

City Manager Purvis requested that Mayor and City Council approve budget amendments to keep the general ledger balanced in various line items and to reflect expenditures more accurately. He stated that there is a net increase in the General Fund (\$43,000) covered by \$43,000 from reserves. He further stated that the increase represents maintenance work at Royal Lane Park and some roof repairs at the Public Works garage.

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Strickland, it passed unanimously to adopt the following amendment **#2014.11.01**:

**Budget Ordinance Amendment
Fiscal Year 2014-2015 Budget**

#2014.11.01

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, 2015, amended on July 1, 2014; and on August 5, 2014, is hereby amended as follows:

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

<u>Account #</u>	<u>Account Title</u>	<u>Increase</u>	<u>Decrease</u>	<u>Total</u>
10-4200-0800	Dental Insurance		\$1,000	
10-4900-1200	Printing/Office Supplies	\$ 900		
10-4900-5401	Workmen’s Comp		900	
10-5610-0200	Salaries		3,000	
10-5610-1500	PW Complex Maint.	13,000		
10-5610-4500	Contract Service	4,000		
10-6200-5700	Miscellaneous	30,000		
TOTAL EXPENDITURES		\$ 47,900	\$4,900	\$43,000

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

<u>Account #</u>	<u>Account Title</u>	<u>Increase</u>	<u>Decrease</u>	<u>Total</u>
10-3990-0000	Fund Bal Approp.	\$43,000		
TOTAL REVENUES		\$43,000	\$0	\$43,000

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

<u>Account #</u>	<u>Account Title</u>	<u>Increase</u>	<u>Decrease</u>	<u>Total</u>
30-8200-1602	Maint/Rpr Drying Beds		\$ 8,800	
30-8200-3302	Waste Treatment Chemical	\$56,000		
30-8200-7300	Capital Outlay Improv.		47,200	
TOTAL EXPENDITURES		\$56,000	\$56,000	\$0

Section 4. Copies of this budget amendment shall be furnished to the City Clerk, to the City Manager, and Finance Director for their direction.

STREET CLOSING -- CHRISTMAS IN THE CITY

Planning and Zoning Director Rose appeared before City Council to request the streets and parking lots closings for “Christmas in the City,” on December 12, 2014. She stated that this event is sponsored by the Clinton Main Street Program and held in partnership with the Sampson Arts Council, Sampson Convention and Visitors Bureau, Clinton-Sampson Chamber of Commerce, and Sampson County History Museum. She asked that Council would approve the closing of Main Street from Wall Street to Lisbon Street, the parking lot at the west end of the Sampson County courthouse, and the City Market parking lot from 3:00 PM until 9:30 PM on Friday, December 12, 2014.

She stated that she and downtown retailers and restaurant owners met on Monday, November 3, 2014, to discuss many topics relating to downtown Clinton and she canvassed the group to obtain concerns relating to the proposed streets and parking lots closures. She further stated that there were no concerns from the retailers and restaurant owners.

Ms. Rose asked that Section 4-7 Animals on Streets and Sidewalks be suspended specifically for this event by special permit from City Manager Purvis on this date also from 4:00 PM until 9:30 PM in order to accommodate the horse drawn carriage rides as in the past.

Planning Director Rose was asked to brief City Council on the “Halloween on the Square” event which took place on October 31, 2014. Ms. Rose mentioned the eight (8) trunk or treaters and the assistance which they received from the Police Department, Fire Department, Recreation Department, and Mrs. Kara Donatelli.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, and unanimously passed, approval was given for the temporary closing of Main Street from Wall Street to Lisbon Street, the parking lot at the west end of the Sampson County courthouse, and the City Market parking lot from 3:00 PM until 9:30 PM on Friday, December 12, 2014, in addition to, suspending Section 4-7 Animals on Streets and Sidewalks specifically for this event by special permit from City Manager Purvis from 4:00 PM until 9:30 PM in order to accommodate the horse drawn carriage rides as in the past.

BY-LAWS AND ADOPTION OF CEMETERY ADVISORY BOARD

It was the consensus of Mayor Starling and City Council to continue this item, “Consideration of approving the by-laws and adopting a resolution for a Clinton Cemetery Advisory Board,” until the December 2, 2014, city council meeting.

POTENTIAL PROJECTS -- ROYAL LANE PARK

City Manager Purvis stated that as staff begins preparation for capital budgeting and grant cycle applications, it is important that we focus our attention on projects that City Council feels are aligned with its goals. Mr. Purvis stated that this year, we did not receive funding from the PARTF grant; however, we had a very outstanding showing. He stated that we need City Council’s approval to reapply for the PARTF grant. He asked Parks and Recreation Director Jonathan Allen to come forth for a brief presentation.

Mr. Allen presented an updated PowerPoint presentation. He stated that according to the 2013 Clinton Recreational Needs Survey, trails, community centers and sports fields rank as the highest needs. According to the activity participation part of the survey, most people participate in the walking/jogging, playground, and soccer.

Mr. Allen stated that in the proposed project, the multipurpose field will be expanded which will help to accommodate soccer. He stated that other areas to be affected will be: outdoor basketball courts, concrete walkway and trail all around the pool area, repaving of existing walking trail, existing playground will be moved and renovated, a new playground, new picnic shelter, and a new park sign where Royal Lane meets Ellen Street.

Mr. Allen continued with the cost of the plan will be \$500,000 (\$250,000 by the City and \$250,000 from the grant). He stated that plan scores 23-27 points out of a possible 30 points, and two public meetings will need to be scheduled if City Council decides to move forward with this reapplying.

Upon Parks and Recreation Director Allen responding to Council's concerns, a motion was made by Councilmember Strickland, seconded by Mayor Pro Tem Harris, and passed unanimously, to move forward with the application process.

APPOINTMENT -- CITY ATTORNEY

It was the consensus of Mayor Starling and City Council to continue this item, "Consideration of appointment of a city attorney," until the December 2, 2014, city council meeting.

APPOINTMENTS

Notifications were given for the following:

- Glenda Bunker – 2 year term – J. C. Holliday Library Board
- Barbara Faison, District 5 – 3 year term – Board of Adjustment
- Hugh N. Carr, Robert Werner, and Bennie F. Peterson – 5 year term – Planning and Zoning Board

City Council will make the abovementioned appointments at the December 2, 2014, city council meeting.

Upon a motion made by Councilmember Becton, seconded by Councilmember Strickland, Carol Monk, was unanimously appointed to fill the unexpired term of Homer Faison, District 3, for a three-year term on the Board of Adjustment.

REPORTS

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

STAFF REPORTS

Earlier, during the city council meeting, Public Works Director Vreugdenhil recognized the winners in the 2014 Recycle Truck Art Competition. Also, earlier, Planning and Zoning Director Rose briefed everyone concerning the Halloween on the Square event held on October 31, 2014. Ms. Rose came forth and briefed the group concerning the Annual Court Square Street Fair and Barbecue Cook-off.

Ms. Rose stated that according to The Sampson Independent, approximately 7,000 people attended the event. She stated that eleven (11) businesses, twenty-nine (29) food vendors, and twenty-five (25) barbecue cookers participated. Ms. Rose informed the group that the winner of the cook-off is eligible to participate in the state cook-off.

Ms. Rose thanked Councilmember Neal Strickland and all city departments for assisting in this big event. She advertised the sale of the Christmas in the City cookbook and the loyalty card.

CITY MANAGER REPORTS

City Manager Purvis made mention of his report and was ready to answer any questions regarding the report.

OTHER BUSINES

Mayor Starling recognized Ms. Jennifer Bradley and three boy scouts from Troop 80.

CLOSED SESSION

Upon a motion made by Councilmember Stefanovich, seconded by Mayor Pro Tem 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 November 5, 2014, entered closed session as allowed by G. S. 143-318.11(a)(3)(4) to discuss potential litigation and economic development matters.

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Becton, it passed unanimously to exit closed session and re-enter regular session at 7:53 PM.

ADJOURNMENT

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, it passed unanimously to adjourn the November 5, 2014, city council meeting, at 7:54 PM.

Elaine F. Hunt, MMC, NCCMC, City Clerk

Lew Starling, Mayor