

DECEMBER 7, 2010 CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on December 7, 2010, in the City Hall Auditorium. Mayor Starling presided. Councilmembers Harris, Strickland, Stefanovich, Becton, and Turlington were present. City Attorney Dale Johnson; City Clerk Elaine F. Hunt; City Manager John Connet; Assistant City Manager Shawn Purvis; Finance Director Betty Brewer; Fire Chief Todd Solice; Planning and Zoning Director Jeff Vreugdenhil; Planner Mary Rose; Human Resource Manager Lisa Carter; and Police Chief Mike Brim were present. Also present were Tony Steffen, Public Works Utilities Manager and Firefighter Joe Dixon. Parks and Recreation Director Judi Nicholson was absent. Also Chris Berendt, of The Sampson Independent, was absent; however, Billy Todd was present.

Rev. Lynn Blackburn, Pastor of Clinton Family Worship Center, 103 Raiford Street, Clinton, NC, gave the invocation.

CITY COUNCIL

Upon a motion made by Councilmember Strickland, seconded by Councilmember Becton, the minutes of the November 3, 2010 regular city council meeting were unanimously approved.

RECOGNITION(S)

- (1) Assistant City Manager Shawn Purvis stood on behalf of Parks and Recreation Director Judi Nicholson and her staff to recognize the Walk across Sampson County winners. He stated that the Clinton Fire Department walked 82.5 miles with Firefighter Brian Royal walking the most mileage—49.5 miles. Mr. Purvis presented the Fire Department with a trophy.

On behalf of Ms. Nicholson, Mr. Purvis recognized City Clerk Elaine F. Hunt for walking the most mileage at City Hall – 45.1 miles.

Certificates will be presented to City of Clinton's employees at a later date.

- (2) City Clerk Elaine F. Hunt briefed Mayor and City Council on happenings of the newly-formed Health and Safety Committee. She stated that the Committee had met and planned several trainings for the employees. She further stated that Firefighter Joe Dixon agreed to facilitate fire extinguisher trainings for the City of Clinton's employees. Ms. Hunt and Fire Chief Todd Solice presented a Certificate of Appreciation to Firefighter Joe Dixon for an outstanding job in facilitating these classes to all the employees, with an exception of Police and Fire Departments. She stated that these two departments have this training and other trainings on an annual basis.

PRESENTATION(S)

- (1) Julie Harrison, CPA, presented the 2009-2010 Financial Audit. She explained to City Council in depth the contents of the Audit which included a Statement of Revenues, Expenditures and Changes in Fund Balance for the General Fund and an Analysis of Current Tax Levy. She stated that the City of Clinton is in very good shape, appears to be very well-managed, no material weaknesses, and clean opinion reports.

Ms. Harrison concluded by thanking Finance Director Betty Brewer and all city staff for our assistance.

Mayor Starling stated that City Council would receive this information; however, no action was taken.

- (2) City Manager Connet stated that the Cumberland Community Action Program, Inc. is a non-profit group that specializes in serving the people. He stated that they are in the process of writing a grant that will allow them to expand their services and request that the City of Clinton provide a letter of support. Mr. Connet introduced Stephanie Ashley, Weatherization and CSBG (Community Service Block Grant) Program Director for the Cumberland Community Action Program, Inc., (CCAP), to the group.

Ms. Ashley thanked City Council for their support. She stated that her organization provides weatherization benefits to Sampson County. Also, she stated that they provide consumer credit counseling and a Second Harvest Food Bank to Sampson County residents. Ms. Ashley informed the group that within the past 3 years, 144 houses within Sampson County and surrounding counties have been weatherized.

Ms. Ashley asked City Council to submit a letter of support for CCAP who she announced has been in existence for approximately 45 years.

Upon a motion made by Councilmember Becton, seconded by Councilmember Stefanovich, the requested letter of support was unanimously approved.

P & Z – OFF CLIVE JACOBS ROAD – NC REAL ESTATE SERVICES

Mayor Starling opened a public hearing on a request by NC Real Estate Services for the rezoning of approximately 1.4 acres located off Clive Jacobs Road, from RA-20 to RA-20 MHA-O Manufactured Housing Class A Overlay District.

Senior Planner Mary Rose explained the request and gave the staff and Planning and Zoning Board recommendation to approve the request upon the findings of fact and zoning consistency statement. No one else appeared to be heard, and the hearing was closed.

Upon a motion made by Councilmember Turlington, seconded by Councilmember Becton, a request by NC Real Estate Services to rezone approximately 1.4 acres off Clive Jacobs Road from RA-20 to RA-20 MHA-O Manufactured Housing Class A Overlay District, was unanimously approved.

REORGANIZATION -- FINANCE DEPARTMENT

City Manager Connet stated that at the November 3, 2010 city council meeting, Council asked that more information be provided to them regarding this agenda item. He stated that the requested information has been provided to them in memorandum form. Mr. Connet stated that Betty Brewer will be "walking out" in 21 days. He recommended the merger of the Assistant City Manager and Finance Director positions and the hiring of an Accounting Operations Manager. City Manager Connet further recommended reclassifying this Assistant City Manager/Finance Director position from Pay Grade 24 to Pay Grade 29 and the Accounting Operations Manager from Pay Grade 18 to Pay Grade 21. He concluded by stating that this merger will result in a \$7,000 savings.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, it passed unanimously to reorganize the Finance Department which included: merging the positions of assistant city manager and finance director, hiring an accounting operations manager, and amending the Pay and Classification Plan for these positions.

FIRE DEPARTMENT

Fire Chief Todd Solice submitted a roster of personnel who have completed the required training by the State of North Carolina. He stated that these individuals will be entitled to benefits provided by the State for line of duty injury or death. Also, he stated that this certification is submitted on a yearly basis.

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Becton, and unanimously passed, the following were certified as being eligible firefighters in accordance with North Carolina G.S. 58-86-25: Matthew Boone, Matthew Booth, Edmon Boyette, Claude A. Buchanan, Joshua W. Coombs, Michael Cottle, Joe B. Dixon, Jr., Timothy Clay Donald, Ronald Ellis, Brandon D. Gainey, David B. Hairr, Olen G. Jackson, Bradley Johnson, Jimmy Lewis, Rommie A. Melvin, Benjamin N. Miller, Christopher L. Norris, Robert T. Owen, Lawrence Parrish, George Raynor, Todd A. Solice, Clark T. Strickland, Richard W. Taylor, Brian Royal, Jamie P. Beasley, and Harold Woodall.

STREET CLOSING -- CHRISTMAS PARADE

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Stefanovich and unanimously passed, approval was given for the temporary closing of the following streets on December 11, 2010 from 9:00 AM to 11:00 AM: Warsaw Road from College Street down Vance, Fayetteville, Chestnutt, West Main, and Lisbon Streets and onto Morisey Boulevard.

The closing is necessary so the Christmas parade can be held.

CITY CODE -- ORDINANCE-- CHAPTER 22. ARTICLE VI. WATER SHORTAGE RESPONSE PLAN

City Manager Connet stated that previously, City Council had adopted a water shortage plan; however, the North Carolina Department of Environment and Natural Resources (NCDENR) contacted the City to revise this plan. He stated that NCDENR is requiring all public water providers to adopt a very specific Water Shortage Response Plan. Mr. Connet asked City Council to amend the current Plan to meet NCDENR's requirements.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Turlington, the following **Ordinance #2010.12.01** was unanimously adopted:

2010.12.01

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE VI, WATER SHORTAGE RESPONSE PLAN OF THE CITY CODE

BE IT ORDAINED that the Clinton City Code of 1987 is hereby amended to read as follows:

Article VI. Water Shortage Response Plan

Sec. 22-201. Introduction.

The procedures herein are written to reduce potable water demand and supplement existing drinking water supplies whenever existing water supply sources are inadequate to meet current demands for potable water.

Sec. 22-202. Authorization

The Clinton City Manager shall enact the following water shortage response provisions whenever the trigger conditions outlined in **Section 22-205** are met. In his absence, the Public Works Director will assume this role.

Sec. 22-203. Notification

The following notification methods will be used to inform water system employees and customers of a water shortage declaration: employee e-mail announcements, notices at municipal buildings, notices in water bills. Required water shortage response measures will be communicated through a newspaper with general circulation in Clinton, PSA announcements on local radio and cable stations and the city's website (<http://www.cityofclintonnc.us>). Declaration of emergency water restrictions or water rationing will be communicated to all customers by telephone.

Sec 22-204. Levels of Response

Five levels of water shortage response are outlined in the table below. The five levels of water shortage response are: voluntary reductions, mandatory reductions I and II, emergency reductions and water rationing. A detailed description of each response level and corresponding water reduction measures follow below:

Stage	Response	Description
1	Voluntary Reductions	Water users are encouraged to reduce their water use and improve water use efficiency; however, no penalties apply for noncompliance. Water supply conditions indicate a potential for shortage.
2	Mandatory Reductions I	Water users must abide required water use reduction and efficiency measures; penalties apply for noncompliance. Water supply conditions are significantly lower than the seasonal norm and water shortage conditions are expected to persist.
3	Mandatory Reductions II	Same as in Stage 2
4	Emergency Reductions	Water supply conditions are substantially diminished and pose an imminent threat to human health or environmental integrity.
5	Water Rationing	Water supply conditions are substantially diminished and remaining supplies must be allocated to preserve human health and environmental integrity.

In Stage 1, Voluntary Reductions, all water users will be asked to reduce their normal water use by 5%. Customer education and outreach programs will encourage water conservation and efficiency measures including: irrigating landscapes a maximum of one inch per week; preventing water waste, runoff and watering impervious surfaces; watering plants deeply to encourage root growth; washing only full loads in clothes and dishwashers; using spring-loaded nozzles on garden hoses; and identifying and repairing all water leaks.

In Stage 2, Mandatory Reductions I, all customers are expected to reduce their water use by 10% in comparison to their previous month's water bill. In addition to continuing to encourage all voluntary reduction actions, the following restrictions apply: irrigation is limited to a half inch per week between 8PM and 8AM; outdoor use of drinking water for washing impervious surfaces is

prohibited; and all testing and training purposes requiring drinking water (e.g. fire protection) will be limited.

In Stage 3, Mandatory Reductions II, customers must continue actions from all previous stages and further reduce water use by 20% compared to their previous month's water bill. All non-essential uses of drinking water are banned and garden and landscape irrigation must be reduced to the minimum amount necessary for survival. Additionally, in Stage 3, a drought surcharge of 1.5 times the normal water rate may be applied.

In Stage 4, Emergency Reductions, customers must continue all actions from previous stages and further reduce their water use by 25% compared to their previous month's water bill. A ban on all use of drinking water except to protect public health and safety is implemented and drought surcharges of 2 times the normal water rate may be applied.

In Stage 5, Water Rationing, is to provide drinking water to protect public health (e.g. residences, residential health care facilities and correctional facilities). In Stage 5, all customers are only permitted to use water at the minimum required for public health protection. Firefighting is the only allowable outdoor water use and pickup locations for distributing potable water will be announced according to Clinton's Emergency Response Plan. Drought surcharges of 5 times the normal water rate may be applied.

Sec. 22-205. Triggers

Clinton's water source is groundwater. The following measurements of well pumping times and well levels in relationship to pump intake levels trigger entry into corresponding water restriction stages:

Stage	Well Operating Conditions
1	Pumping Time >10 hrs 20% reduction in seasonal normal distance from static water level and pump intake 20% increase pumping time for same output
2	Pumping Time >12 hrs 40% reduction in distance from static water level and pump intake 40% increase pumping time for same output
3	Pumping Time >14 hrs 60% reduction in distance from static water level and pump intake 60% increase pumping time for same output
4	Pumping Time >20 hrs 80% reduction in distance from static water level and pump intake
5	Water level at pump intake elevation

Sec. 22-206. Return to Normal

When water shortage conditions have abated and the situation is returning to normal, water conservation measures employed during each phase should be decreased in reverse order of implementation. Permanent measures directed toward long-term monitoring and conservation should be implemented or

continued so that the community will be in a better position to prevent shortages and respond to recurring water shortage conditions.

Sec. 22-207. Enforcement

The provisions of the water shortage response plan will be enforced by City of Clinton personnel and local law enforcement. Violators may be reported to the City’s phone line. Citations are assessed according to the following schedule depending on the number of prior violations and current level of water shortage:

Water Shortage Level	First Violation	Second Violation	Third Violation
Voluntary Reductions	N/A	N/A	N/A
Mandatory Reductions (Stages 2 and 3)	Warning	\$250	Discontinuation of Service
Emergency Reductions	\$250	Discontinuation of Service	Discontinuation of Service
Water Rationing	\$500	Discontinuation of Service	Discontinuation of Service

Drought surcharge rates are effective in Stages 3, 4 and 5.

Sec. 22-208. Public Comment

Customers will have multiple opportunities to comment on the provisions of the water shortage response plan. First, a draft plan will be available at City Hall for customers to view. A notice will be included in customers’ water bills notifying them of such. All subsequent revisions to the draft plan will be published at least 30 days prior to an adoption vote by Clinton’s City Council.

Sec. 22-209. Variance Protocols

Applications for water use variance requests are available from the City Hall. All applications must be submitted to the City Hall for review by the City Manager or his designee. A decision to approve or deny individual variance requests will be determined within two weeks of submittal after careful consideration of the following criteria: impact on water demand, expected duration, alternative source options, social and economic importance, purpose (i.e. necessary use of drinking water) and the prevention of structural damage.

Sec. 22-210. Effectiveness

The effectiveness of the Clinton water shortage response plan will be determined by comparing the stated water conservation goals with observed water use reduction data. Other factors to be considered include frequency of plan activation, any problem periods without activation, total number of violation citations, desired reductions attained and evaluation of demand reductions compared to the previous year’s seasonal data.

Sec. 22-211. Revision

The water shortage response plan will be reviewed and revised as needed to adapt to new circumstances affecting water supply and demand, following implementation of emergency restrictions, and at a minimum of every five years in conjunction with the updating of our Local Water Supply Plan. Further, a water shortage response planning work group will review procedures following each emergency or rationing stage to recommend any necessary improvements to the plan to Clinton's City Council. The City of Clinton Public Works Director is responsible for initiating all subsequent revisions.

CITY CODE -- ORDINANCE-- CHAPTER 11. GARBAGE AND TRASH

City Manager Connet stated that we are proposing to amend the City Code to allow the City to attach a \$15.00 penalty for citizens who do not pay the pickup charge for oversized trash loads. He stated that once the penalty is applied, the delinquent bill may be turned over to the North Carolina Debt Setoff Program. Mr. Connet stated that currently, the ordinance requires that any delinquent bills be collected through the placement of a lien on the property. He further stated that the costs of placing the lien on the property and foreclosing on the property is often more than the delinquent bill. City Manager Connet informed City Council that the utilization of the Debt Setoff Program will be more cost effective for the City and the citizens. Mr. Connet asked City Council to amend Chapter 11. Garbage and Trash.

Mr. Tony Steffen described an oversized trash load as: large furniture, ton truck load, a very large tree, an appliance. He stated that it takes much more time to load these items.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Turlington, the following **Ordinance #2010.12.02** was unanimously adopted:

Ordinance 2010.12.02

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina that the Clinton City Code of 1987 is hereby amended by revising the following in Chapter 11, Garbage and Trash to read as:

Sec. 11-4. Precollection practices.

- (f) Any person desiring to place yard waste for collection shall cause such material to be placed on the curb line at the street on the area between the sidewalk and the curb or, if there is not sidewalk, at the outer most portion of the yard adjacent to the street, on the day designated for such pick up. Collections shall include nothing more than six (6) inches in diameter nor more than sixty (60) inches in length. Collections do not include large accumulations of brush from extensive hedge and tree trimming, which is defined as beyond normal home maintenance. The public works director or designee will make the determination. Large accumulations can be collected for a fee, as established by the city council, per load, property owner or tenant will

be billed for the collection after said collection is complete, **failure of the landowner to pay said cost within thirty (30) days notice of the cost sent to the landowners at the address shown in the Sampson County Tax Office shall result in a \$15.00 penalty and collection by the North Carolina Debt Setoff Program.**

- (h) No household furnishings, appliances/white goods, mattresses, box springs, or any other refuse other than garbage and rubbish shall be removed by the city without an additional charge to be paid for by the tenant or landowner of the property upon which it is situated or from which it was removed, whether done by the landlord, tenant, licensee, invitee, or other persons, except by payment to the city for the actual cost of removal; and the city may remove such items after giving twenty-four (24) hours' notice to the owners of the property to remove the same, the city shall bill, after the pick-up is complete, the owner of the property for the actual cost of removal; and **failure of the landowner to pay said cost within thirty (30) days notice of the cost sent to the landowners at the address shown in the Sampson County Tax Office shall result in a \$15.00 penalty and collection by the North Carolina Debt Setoff Program.** However, in certain special clean up periods designated by the city council, this subsection may be waived by the public works director. During special clean up periods, limits will be established and published in advance of said special clean up periods, as to eliminate abuse of the system.

RESOLUTION – WATER SHORTAGE RESPONSE PLAN

City Manager Connet stated that in addition to approving an amendment to the City Code, the North Carolina Department of Environment and Natural Resources has requested the adoption of a resolution signifying the City Council's approval of the Water Shortage Response Plan.

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

RESOLUTION FOR APPROVING WATER SHORTAGE RESPONSE PLAN

WHEREAS, North Carolina General Statute 143-355 (I) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Water Shortage Response Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for the City of Clinton, has been developed and submitted to the Clinton City Council for approval; and

WHEREAS, the Clinton City Council finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (I) and that it will provide appropriate guidance for the future management of water supplies for the City of Clinton, as well as useful

information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Clinton City Council of the City of Clinton, that the Water Shortage Response Plan adopted on January 6, 2004, amended on June 23, 2009, and this date, December 7, 2010 is hereby approved and shall be submitted to the North Carolina Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Clinton City Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

RESOLUTION -- NC CURRENT PUBLIC ABC SYSTEM

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following resolution was unanimously approved:

RESOLUTION IN SUPPORT OF NORTH CAROLINA'S CURRENT PUBLIC ALCOHOLIC BEVERAGE CONTROL SYSTEM

WHEREAS, Chapter 18B of the North Carolina General Statutes addresses the regulation of alcoholic beverages in our state; and

WHEREAS, current North Carolina law establishes an uniform system of control over the sale, purchase, transportation, manufacture, consumption and possession of alcoholic beverages in North Carolina; and

WHEREAS, local government control is central to the current alcoholic beverage control system; it is a local decision to establish and operate ABC stores, and local government, acting through an appointed local ABC Board, balances the control, profits and availability of spirits in its jurisdiction; and

WHEREAS, when local voters approved liquor sales for off-premises consumption, the voters did not vote to allow liquor to be sold in private retail establishments, but only through publicly controlled local ABC stores; and

WHEREAS, current law provides that profits from ABC store sales are returned to local government, and this revenue stream is a critical source of local government funding; and

WHEREAS, it is a priority to maintain current sources of revenue, especially in the current challenging economic times; and

NOW, THEREFORE, BE IT RESOLVED that the Clinton City Council does hereby support the continuance of the Alcoholic Beverage Control System, and opposes any efforts to privatize the ABC system, diminish local control or to diminish the local government revenue stream afforded from local ABC store profits.

GEORGE WILSON & OTHERS – REVERSE TRAFFIC FLOW – SYCAMORE STREET

City Manager Connet stated that Mr. George Wilson and others who own houses/properties on Sycamore Street have requested that City Council approve the reversal of the flow of traffic. He stated that staff has met with NCDOT to review this request and it is recommended that if City Council wishes to change the traffic pattern for Sycamore Street, that the street be changed to be a two-way street. City Manager Connet asked City Council to consider calling for a public hearing on this matter for the January 4, 2011 meeting to receive input from the citizens of Clinton.

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Strickland, it passed unanimously to call for a public hearing at the January 4, 2011 city council meeting.

PURCHASE OF PARCEL – LISBON STREET BAPTIST CHURCH

City Manager Connet stated that Lisbon Street Baptist Church has requested to purchase a small parcel of property, 0.10 A+/-, located at the corner of Lisbon Street and Morisey Boulevard. He stated that the property was appraised at \$900.00. He asked City Council to declare the property as surplus. He stated that the church has submitted the necessary amount, a 5% deposit. He further stated that he recommends City Council accepts the Church's offer utilizing the upset bid process.

City Manager Connet concluded by stating that we would advertise the offer and proceed with the closing if no other offers are received.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, it passed unanimously to accept the offer to purchase and sell the property to Lisbon Street Baptist Church, subject to, the upset bid process.

RENAMING OF CLINTON ARMORY – 30TH BRIGADE, NC NATIONAL GUARD

Mayor Starling stated that City Council has been asked to consider a request by former commanders of the 30th Brigade, North Carolina National Guard to endorse the renaming of the Clinton Armory. No one was present to speak regarding this request; therefore, no action was taken. City Manager Connet was instructed to write the requesters and ask for a representative or a letter to be at the next meeting.

CITY OF CLINTON PEDESTRIAN PLAN -- PROJECT ORDINANCE

Finance Director Betty Brewer stated that the City has received a \$22,000 grant from NCDOT to develop a pedestrian plan. She stated that the City will match the grant with \$5,500. She stated that Benchmark will develop this plan. Ms. Brewer asked City Council to approve a project ordinance for the plan.

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

Pedestrian Planning Project Ordinance

#2010.12.03

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 project is hereby adopted:

Section 1. The project authorized is the Pedestrian Planning Project described in the work statement contained in the Agreement between this unit and Benchmark CMR, Inc.

Section 2. The officers of this unit are hereby directed to proceed with the project within the terms of the documents, and the budget contained herein.

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

<u>Account Number</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
40.3040.0000	NCDOT Grant	\$ 22,000	
40.3040.0100	CITY CONTRIBUTION	<u>5,500</u>	
TOTAL REVENUES		\$ 27,500	

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

<u>Account Number</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
40.6200.1700	PEDESTRIAN PLANNING	<u>\$ 27,500</u>	
TOTAL EXPENDITURES		\$ 27,500	

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

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

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission made to this Council.

Section 8. Copies of this Project Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

Section 9. The Finance Officer is hereby authorized to transfer funds from one line item to another line item without further approval by the City Council.

ROYAL LANE SITE MASTER PLAN UPDATE

Assistant City Manager Shawn Purvis presented the Royal Lane Site Master Plan Update to City Council for endorsement. He stated that these plans will assist the city in its future budgetary and physical planning for Royal Lane.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the Royal Lane Site Master Plan Update was unanimously approved.

PARTF GRANT – PARKS AND RECREATION DEPARTMENT

Assistant City Manager Shawn Purvis asked City Council to approve a request by Parks and Recreation Director Judi Nicholson to apply for a PARTF Grant. He stated that the Royal Lane Site Master Plan Update is recommended when applying for PARTF grants. He stated that this grant would be for the first phase of renovations at Royal Lane Park and it requires a 100 percent match by the City of Clinton. It was mentioned that early estimates indicate the grant application will be for \$700,000.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the request to apply for a PARTF Grant was unanimously approved.

APPOINTMENT

Upon a motion made by Councilmember Becton, seconded by Councilmember Strickland, Moses William, of 200 West Maple Street, was unanimously appointed to fill the unexpired term of Annette Dumpson on the Planning and Zoning Board. This is a five-year term which will end January 2012.

REPORTS

The City Council, finance, fire, code, public works, and police reports were acknowledged.

City Manager Connet informed City Council that the front part of City Hall would be closed on Monday, December 13, 2010. He stated that the contractors are 45 days from completion. He stated the reason for the closing is asbestos and lead were found in the plumbing fixtures and the contractors have to remedy the problem(s).

City Manager Connet announced the new Public Works and Utilities Director: Jeff Vreugdenhil. Mr. Vreugdenhil thanked everyone for being given the opportunity to work in this capacity. He stated he looks forward to this new adventure.

City Manager Connet recognized Betty Brewer for her years of service. He stated that a formal retirement party will be taking place at the end of the month. Betty Brewer received a standing ovation. She thanked everyone for all acts of kindness and for all assistance given through the years.

City Manager asked City Council to approve a UPS service box contract that had been received after the December agenda was sent to the group. He stated that City Attorney Johnson had reviewed the contract and finds no fault within it. He stated that the City can terminate within 30 days notice.

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Strickland, the UPS service box contract was unanimously approved.

PUBLIC COMMENTS

Perry Solice thanked City Council for their consideration to allow Lisbon Street Baptist Church to purchase the small parcel of land at the corner of Lisbon Street and Morisey Boulevard. Also, he thanked City Council for adopting the resolution in support of North Carolina's Current Public Alcoholic Beverage Control System.

RESOLUTION—CLOSED SESSION

Upon a motion made by Councilmember Becton, seconded by Councilmember Strickland, 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 December 7, 2010 entered closed session as allowed by G. S. 143-318.11(a)(3)(5) to discuss potential litigation and acquisition of property.

Council re-entered regular session at 8:06 PM. Mayor Starling reported that City Council was briefed on acquisition of property and a potential litigation.

Mayor Starling asked City Council to add to the agenda, "Make an offer to purchase property behind the museum for \$30,000."

Upon a motion made by Councilmember Strickland, seconded by Councilmember Turlington, the abovementioned item was added to the agenda and passed unanimously.

Upon a motion made by Councilmember Turlington, seconded by Councilmember Strickland, it passed unanimously to make an offer to purchase property behind the museum for the amount of \$30,000.

Mayor Starling asked City Council to add to the agenda, "Reject Lanier Construction Company, Inc., lowest bidder, for downtown project because bidder is not the lowest responsible bidder taking in consideration previous jobs and the selection of Lanier Construction Company, Inc. is not in the best interest of the City of Clinton."

Upon a motion made by Councilmember Strickland, seconded by Councilmember Turlington, the abovementioned item was added to the agenda and passed unanimously.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Turlington, it passed unanimously to reject Lanier Construction Company, Inc., lowest bidder, for downtown project because bidder is not the lowest responsible bidder taking in consideration previous jobs and the selection of Lanier Construction Company, Inc., is not in the best interest of the City of Clinton.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, and approved unanimously, the meeting adjourned at 8:10 PM.

Elaine F. Hunt, MMC, City Clerk

Lew Starling, Mayor