



AUGUST 2, 2016, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on August 2, 2016, in the City Hall Auditorium. Mayor Starling presided. Councilmembers Strickland, Turlington, Becton, and Stefanovich were present.

Mayor Pro Tem Harris was absent.

Also present was City Attorney Tim Howard, Howard and Bradshaw, PLLC.

Also present were City Manager Shawn Purvis; City Clerk Elaine F. Hunt; Planning Director Mary Rose; Public Works Engineer Russell Byrd; Finance Director Kristin Stafford; Fire Chief Scott Phillips; Recreation Director Jonathan Allen; Police Chief Jay Tilley; Human Resource Director Lisa Carter; Senior Planner Lyle Moore; Public Works Director Jeff Vreugdenhil; Water Production Supervisor Travis Anderson; Environmental Program Manager Lisa Osthues; WWTP Intern Camille Monroe; and Administration Intern Rachel Chavez.

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

Mayor Starling called the meeting to order. He called upon Mr. Dan Holland to give the invocation.

CITY COUNCIL

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the minutes of the July 12, 2016, regular city council meeting were unanimously approved.

PRESENTATION – WELL HEAD PROTECTION – MS. CAMILLE MONROE, WWTP INTERN

Ms. Camille Monroe, WWTP Intern, appeared before City Council to give a presentation regarding a Well Head Protection Plan. She presented a general overview of the plan to the Environmental Affairs Advisory Committee and was asked to share it with City Council.

She stated that this plan is designed to protect sources of potable water from overuse and contamination. She pointed out that our source water comes from multiple deep and shallow wells. Ms. Monroe spoke regarding the development of a management plan. Briefly, she reviewed with City Council the steps associated with the Well Head Protection Plan—Step 1 has been completed and Step 7 will entail the submission of the Plan to the Public Water Supply Section.

Ms. Monroe's presentation was truly informative. She informed everyone that wells are not our device for water but aquifers are. She explained that wells are drilled into the aquifers to pump out the water. She stated that aquifers are storehouses for water. Ms. Monroe stated that contamination can occur due to uncontrolled hazardous waste, storage tanks, chemical and road salts. She identified two wells where contamination might possibly occur: Well Site #16, 1301 West Elizabeth Street, because of the close proximity of the Clinton High School cafeteria and Well Site #13, 140 Martin Luther King Boulevard, because of a nearby gas station.

At the end of her presentation, Ms. Monroe alerted the group that drinking water can be affected by potential contamination that is miles away.

City Manager Purvis stated that if City Council is amenable to the plan, staff will work to develop it further. He stated that this is the beginning "piece" of the Well Head Protection Plan.

Mayor and City Council received Ms. Camille Monroe's presentation for informational purposes only. No action was taken.

PRESENTATION – PUBLIC ART AND BEAUTIFICATION POLICY – MS. RACHEL CHAVEZ, ADMINISTRATION INTERN

Ms. Rachel Chavez, Administration Intern, appeared before City Council to give a presentation regarding a Public Art and Beautification Policy. Initially, she thanked Ms. Mary Rose and the Design Committee for their assistance and leadership. She stated that during the past three months, she has been developing a Public Art and Beautification Policy for the City of Clinton. She urged City Council to allocate money toward this project.

Ms. Chavez stated that the purpose of this Policy is to give the City of Clinton a formal means, with guidelines and recommendations, to implement and manage a public art and beautification program. She stated that currently, Clinton owns and manages maintenance on a few art pieces. She stated that the principal goals of this Policy are to:

- Create a more inviting public environment for both residents and visitors through the incorporation of visual and performing arts; and
- Increase exposure and easy mobility for access to works of art; and
- Nurture and enhance the quality of life for citizens by using art to reflect the rich history, culture, ethnic diversity and traditions of Clinton; and
- Contribute to the civic pride of Clinton while improving community appearance and encouraging community inclusiveness; and
- Promote an artistic environment that will encourage economic opportunities within the City of Clinton

Ms. Chavez stated that in order for this program to be successful, community groups, local businesses, the public library, schools, and non-profit organizations must “get on board.” She stated that all citizens of all backgrounds are encouraged to participate. She stated that public art has been proven to engage community members and should be a critical part of the City’s branding. Ms. Chavez concluded by stating that public art will be an effective way for Clinton to reflect its history and values and will truly exemplify why we call Clinton, “a perfect place to call home.”

City Manager Purvis applauded Ms. Chavez for a job well done! He stated that she compiled information for City Council so that they might decide whether they desire a public art and beautification policy.

Councilmember Stefanovich stated that recently, he was asked by the owner(s) of the McDonald’s on Hwy 701, Caison Enterprises, Inc., “how to obtain some original art for their upcoming new remodeled business.” Councilmember Stefanovich asked Planning Director Rose to assist them in any way possible.

Ms. Chavez’s presentation was received for informational purposes only. No action was taken.

PUBLIC HEARING -- OATHS

Oaths were not needed during the August 2, 2016, city council meeting.

P & Z – 412 OVERLAND ROAD (HARPERS GLEN APARTMENTS, LLC) – ANNEXATION

Mayor Starling opened a public hearing on the annexation of property located at 412 Overland Road (Harpers Glen Apartments, LLC), and consideration of adoption of an ordinance. City Manager Purvis stated that, in accordance with the North Carolina General Statutes, it is required that a public hearing be conducted prior to any annexation. He stated that this is the final step in the annexation request of the property owners located at 412 Overland Road, as required by the City's policies to connect to city utilities. He further stated that staff recommends annexation effective January 1, 2017, and asked City Council to approve the annexation ordinance to extend the corporate limits to 412 Overland Road, in Clinton, North Carolina. No one appeared to be heard, and the hearing was closed.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following ordinance to extend the corporate limits of the City of Clinton, North Carolina, effective January 1, 2017, was unanimously adopted at 7:31 PM:

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE CITY OF CLINTON, NORTH CAROLINA**

**(412 Overland Road
Harpers Glen Apartments, LLC)**

2016.08.01

WHEREAS, the City Council of the City of Clinton, North Carolina has been petitioned under G.S. 58.1 to annex the area described below; and

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the City Hall Auditorium at 7:00 PM on August 2, 2016, after due notice by publication on July 19, 2016; and

WHEREAS, the City Council of the City of Clinton finds that the area described therein meets the requirements of G.S. 160A-58.1(b), as follows:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the primary corporate limits of the City of Clinton.
- b. No point on the proposed satellite corporate limits is closer to another city than to the City of Clinton.

- c. The area described is so situated that the City of Clinton will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. The area is not a subdivision; and
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the City of Clinton; and

WHEREAS, the City Council of the City of Clinton further finds that the petitions are otherwise valid, and that the public health, safety and welfare of the City of Clinton and of the area proposed for annexation will be best served by annexing the area described.

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

Section 1. By the virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous property owned is hereby annexed and made part of the City of Clinton, as of **January 1, 2017**:

**DESCRIPTION FOR
HARPERS GLEN APARTMENTS, LLC OWNED BY
GREENWAY RESIDENTIAL DEVELOPMENT, LLC
BRAD PARKER, VICE PRESIDENT OF DEVELOPMENT AND MANAGING MEMBER**

LYING and being situated in South Clinton Township, Sampson County, North Carolina, all of that lot referred to as TRACT 1 described in Deed Book 1115, Page 129, in the Sampson County Registry and being more particularly described as follows:

BEGINNING at North Carolina Geodetic Survey Monument "Wrecker", said monument having NAD83(2011) grid coordinates of Northing: 452,520.09 and Easting: 2,195,870.17; Thence from said monument, South 55 degrees 44 minutes 39 seconds West, a distance of 2,718.78 feet to an existing iron pin in the centerline of S.R. 1229 Overland Rd. (60' R/W); Thence North 84 degrees 31 minutes 16 seconds West, a distance of 30.00 feet to a rebar set on the Right-of-Way of the aforementioned Overland Rd., to the Point and Place of Beginning; Thence for a first call following said Right-of-Way along a curve that is concave to the East and having a radius of 1,022.26 feet, a distance of 364.08 feet to a set rebar on said Right-of-Way, said curve being subtended by a chord which bears South 07 degrees 29 minutes 21 seconds East, a distance of 362.16 feet; Thence along the aforementioned Right-of-Way South 17 degrees 22 minutes 25 seconds East, a distance of 769.44 feet to an existing rebar; Thence South 72 degrees 39 minutes 00 seconds West, a distance of 364.07 feet to an existing concrete monument;

Thence North 23 degrees 26 minutes 02 seconds West, a distance of 1,374.56 feet to an existing iron stake; Thence South 84 degrees 31 minutes 16 seconds East, a distance of 620.03 feet to the Point of Beginning, and containing +/-12.63 acres.

Section 2. Upon and after January 1, 2017, the above-described property and its citizens shall be subject to all debts, laws, ordinances, and regulations in force in the City of Clinton and shall be entitled to the same privileges and benefits as other parts of the City of Clinton. Said property shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Clinton shall cause to be recorded in the office of the Register of Deeds of Sampson County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Sampson County Board of Elections, as required by G.S. 163-288.1.

P & Z – ALONG PUGH ROAD – ENTERPRISE DEVELOPMENT COMPANY, INC.

Mayor opened a public hearing on a request by Enterprise Development Company, Inc., to rezone approximately 9.65 acres along Pugh Road from RA-20 Residential Agriculture to R-8 Residential.

Senior Planner Lyle Moore explained the request and gave the staff and Planning and Zoning Board's recommendation to approve the request upon the findings of fact and zoning consistency statement.

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

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following amendment **#2016.08.02** to the Zoning Ordinance was unanimously adopted:

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City of Clinton Planning Board does hereby find and determine that the recommendation of ordinance amendment RZ-7-16-1 to be rezoned from RA-20 Residential Agriculture to R-8 Residential is consistent with the goals and objectives of the Clinton 2035 Comprehensive Plan. Section 6. B. Future Land Use Sectors of the Clinton 2035 Comprehensive Plan encourages higher residential development on vacant parcels that are accessible to water and sewer service.

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, does enact as follows: The Zoning Ordinance of the City of Clinton be and the same is hereby

amended as follows: That approximately 9.65 acres along Pugh Road, is hereby rezoned from RA-20 Residential Agriculture to R-8 Residential.

P & Z – ALONG SOUTHEAST BOULEVARD – ROBERT J. SALMON, JR.

Mayor opened a public hearing on a request by Robert J. Salmon, Jr., to rezone approximately 0.90 acres along Southeast Boulevard from HC Highway Commercial to I-1 Light Industrial.

Senior Planner Lyle Moore explained the request and gave the staff and Planning and Zoning Board’s recommendation to approve the request upon the findings of fact and zoning consistency statement.

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

Upon a motion made by Councilmember Strickland, seconded by Councilmember Becton, the following amendment **#2016.08.03** to the Zoning Ordinance was unanimously adopted:

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City of Clinton Planning Board does hereby find and determine that the recommendation of ordinance amendment RZ-7-16-2 to be rezoned from HC Highway Commercial to I-1 Light Industrial is consistent with the goals and objectives of the Clinton 2035 Comprehensive Plan. Section 7.I.6 Implementing Strategies – Industrial of the Clinton 2035 Comprehensive Plan encourages industrial development in urbanized areas to take advantage of available services and to minimize travel distances.

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, does enact as follows: The Zoning Ordinance of the City of Clinton be and the same is hereby amended as follows: That approximately 0.90 acres along Southeast Boulevard, is hereby rezoned from HC Highway Commercial to I-1 Light Industrial.

P & Z— LAND DEVELOPMENT ORDINANCE – CHAPTER 3. ZONING DISTRICTS

Mayor Starling opened a public hearing on a text amendment request by Planning Staff to amend Chapter 3. Zoning Districts of the Clinton Land Development Ordinance.

Senior Planner Lyle Moore appeared before City Council to speak regarding the request. He stated that this item and the following item are the last two text amendments to bring before City Council that derived from the Clinton 2035 Comprehensive Plan. He stated that two zoning districts are being added: Planned Residential District and Mixed Use District.

Mr. Moore stated that the Planned Residential District allows for design flexibility of development and is intended to encourage efficient use of the land and public services and to promote high quality design that will provide a variety of dwelling types as well as support services and open space for the residents of the development. He further stated that these regulations are intended to permit integration with adjacent non-residential uses and to promote compatibility with existing and emerging patterns of development.

Mr. Moore stated that the Mixed Use District is intended to provide for the coordinated development of office, commercial, and residential uses and their necessary support functions. He further stated that Mixed Use Districts shall encourage developments within which mutually supporting residential, commercial, and office uses are scaled, balanced, and located to reduce general traffic congestion by providing housing close to principal destinations, and convenient pedestrian circulation systems and mass transit to further reduce the need for automobile usage.

Councilmember Strickland asked City Attorney Howard if City Council will be able to ask specific questions if they approved this text amendment. Attorney Howard responded in the affirmative.

Councilmember Stefanovich stated that he reviewed the proposed text amendment and he asked Senior Planner Moore to review each page in depth. Mr. Moore began to elaborate on this amendment.

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

It was agreed upon that City Council would like more time to review this item; therefore, it was the consensus of Mayor and City Council to continue this item, "Public hearing on a text amendment request by Planning Staff to amend Chapter 3. Zoning Districts of the Clinton Land Development Ordinance," until the September 6th city council meeting.

P & Z— LAND DEVELOPMENT ORDINANCE – CHAPTER 4. SPECIAL REQUIREMENTS

Mayor Starling opened a public hearing on a text amendment request by Planning Staff to amend Chapter 4. Special Requirements of the Clinton Land Development Ordinance. Senior Planner Lyle Moore suggested that City Council continue this item also because it corresponds with the previous text amendment.

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

It was the consensus of Mayor and City Council to continue this item, "Public hearing on a text amendment request by Planning Staff to amend Chapter 4. Special Requirements of the Clinton Land Development Ordinance," until the September 6th city council meeting.

UNPAID UTILITY ACCOUNTS AND PROPERTY MAINTENANCE – CHARGE OFFS

Upon a motion made by Councilmember Becton, seconded by Councilmember Turlington, the following unpaid utility accounts and property maintenance that the City of Clinton is unable to collect were unanimously written off:

ACCOUNT NUMBER	STATUS - NAME/SERVICE ADDRESS	FINAL TYPE	FINAL DATE	UNCOLLECTED BALANCE
10399	Finalized BENEDICTO MEDINA 147 ROWAN RD CLINTON, NC 28328	RESOUT	05/23/2013	0.40
10466	Finalized TONYA NICOLE MATHIS 270 HAMILTON DR CLINTON, NC 28328	RESOUT	04/23/2013	4.62
3430	Finalized BARBARA MARIE SIX LIGHTLE 704 NICHOLSON ST CLINTON, NC 28328	RESINS	04/23/2013	38.81
3921	Finalized FRANCENE DAUPHIN 114 BYRD ST CLINTON, NC 28328	RESINS	03/25/2013	30.89
4080	Finalized SAADIA RAINES 404 MCKOY ST # A CLINTON, NC 28328	RESINS	06/24/2013	32.50
4129	Finalized MARTA MORALES HERNANDEZ 424 MCKOY ST # C CLINTON, NC 28328	RESINS	04/23/2013	6.24
4985	Finalized EDDIE FITZGERALD CALDWELL 208 W CARTER ST CLINTON, NC 28328	RESINS	06/24/2013	29.02
5335	Finalized VONDA K. BREWINGTON 109 E FAISON ST # D CLINTON, NC 28328	RESINS	04/23/2013	46.30
5360	Finalized SILVIO ELIUD MEZA-COLEMAN 113 SYCAMORE ST (DWN RGH) #A CLINTON, NC 28328	RESINS	05/23/2013	2.71

6011	Finalized JOYCE LONG SMITH 308 FERRELL ST CLINTON, NC 28328	RESINS 02/25/2013	43.32
6067	Finalized WILLETHA RUSS 405 W MORISEY BLVD CLINTON, NC 28328	RESINS 03/25/2013	47.53
6152	Finalized REGINA ELIZABETH WILLIAMSON 608 PINE ST CLINTON, NC 28328	RESINS 03/25/2013	43.11
6433	Finalized CLARENCE CARTER LODGE 401 E BUTLER AVE CLINTON, NC 28328	COMINS 07/23/2013	105.95 14.91
6563	Finalized CANDACE S. JOHNSON 939 SOUTHWEST BLVD # A CLINTON, NC 28328	RESINS 03/25/2013	
6917	Finalized DENISE CAROL HARGROVE 265 CLIVE JACOBS RD CLINTON, NC 28328	RESOUT 02/25/2013	171.46
7846	Finalized MISHHELL FENNELL NEWKIRK 200 ELIZA LN CLINTON, NC 28328	RESOUT 05/23/2013	28.97 6.18
7933	Finalized DIEUCIBON POLISSAINT 109 DEE ST CLINTON, NC 28328	RESINS 03/26/2012	
8624	Finalized LOOKING GOOD HAIR DESIGN 738 NORTHWEST BLVD # B CLINTON, NC 28328	COMINS 02/25/2013	16.17
8835	Finalized DIANE N MORTON 219 ELLEN ST # A CLINTON, NC 28328	RESINS 04/23/2013	7.23
8903	Finalized AMANDA BELL 104 OAKLAND BLVD CLINTON, NC 28328	RESINS 03/25/2013	8.77

9010	Finalized LAURIE ANN PEREZ 616 ROYAL LN # B CLINTON, NC 28328 CLINTON, NC 28328	06/24/2013 09/24/2012	7.87
		RESINS	
9878	Finalized KATIE OATES 208 SHAMROCK DR CLINTON, NC 28328		725.39
		RESINS	
		Total	\$1,418.35

UNPAID NUISANCE LOT MAINTENANCE DEBTS – CHARGE OFFS

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following unpaid nuisance lot maintenance debts that the City of Clinton is unable to collect were unanimously written off:

FY2016-2017 City of Clinton Nuisance Lot Account Write-off List

Parcel ID	Name	Address	Amount
12106448002	Mark & Isabel Allen	106 E Faison St	374.03
12018824801	C R Beamon Heirs	Off Faison Hwy/ 403	572.40
12012379801	Crown Farms	Robinson Ln	1784.71
15061392001	Flat Iron Holdings	628 Lisbon St	573.29
12037524001	Cleveland Gilford	401 Weeks St	369.36
12058188001	Claude D Greene	403 Park Ave	343.89
12092820001	Mary Jones	105 Jacobs St	393.45
12057247005	Kerr Living Trust	1101 Lisbon St	513.79
12088332101	Silas King	612 Winfrey St	186.74
15061392001	Mom Haven 14 LP	628 Lisbon St	233.04
15054104001	Roy Junior Robinson	816 W Elizabeth St	502.96
12033972001	Barbara Torres	417 E Morrisey Blvd	895.76
12060272501	Abrham Ernesto Meraz Zelaya	Williams St	694.64
		Total	\$7,438.06

AWARD OF BID – WATER EXPANSION PROJECT -- CONSTRUCTION CONTRACTS

City Manager Purvis stated that just on this evening we had a bid opening for the Water Expansion Project. He stated that Contract 2 for this project had to be prolonged because

initially, only two bids were received. He requested that this item be continued until the September 6th city council meeting, so that the proper steps might be taken to award a bid.

It was the consensus of Mayor and City Council to continue this item, "Consideration of award of bid for construction contracts of the Water Expansion Project, subject to, LGC and USDA Rural approval," until the September 6th city council meeting.

RESOLUTION – GRANTING CITY MANAGER THE AUTHORITY TO SIGN USDA DOCUMENTS

City Manager Purvis stated that the delays and difficulty in the wellsite construction phase have increased the overall budget of the Water Plant Expansion Project with an exact amount yet to be determined, but expected to be between \$1 million to \$1.3 million. He stated that staff is exploring options to finance the additional amount including a request for USDA to increase our loan amount. Mr. Purvis stated that the process to request the increase is time sensitive and to keep the project moving forward, he asked City Council to grant him the authority to sign the necessary letters to request additional funding from USDA once the bids for the Water Plant Expansion Project is received. He informed City Council that although they might authorize him to sign these letters for additional funding, they will still need to approve the bid award and final financing at the September 6th city council meeting.

Councilmember Strickland asked Public Works Director Vreugdenhil, who provided the City its estimate(s) for this Project. Mr. Vreugdenhil stated that the estimate is 3 years old and at the time the estimate was provided, it was a good estimate. He stated that the estimate is not going to get cheaper. Mr. Vreugdenhil stated that we could do 2/3 of the work now; however, permits will have to be renewed at a later date. He interjected that the wells that have been developed are very, very good.

Councilmember Stefanovich shared his uneasiness regarding this matter. He stated that he would like to revisit the budget. Mayor Starling agreed that we need to analyze this matter more in depth because we do not want to make a bad decision.

Mr. Vreugdenhil suggested doing 2/3 of the project and waiting on the remainder. He stated that the 2/3 project has been estimated to be \$6.3 to \$6.4 million.

The question was asked regarding the overage cost for the NC Hwy 24 Improvement Project. City Manager Purvis stated that the plans have changed totally; however, these are NCDOT changes.

Although the award of bid for the construction contracts of the Water Plant Expansion Project will continue at the September 6th city council meeting, upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following resolution passed unanimously:

RESOLUTION DESIGNATING OFFICIAL TO SIGN PAPERS AND TO OTHERWISE REPRESENT THE BOARD IN CONNECTION WITH A USDA LOAN

WHEREAS, it has been requested that the city manager, as agent for the City of Clinton be granted authorization to sign and execute documents as it relates to the contracts of the Water Expansion Project; and

WHEREAS, upon a motion of Councilmember Steve Stefanovich and seconded by Councilmember Neal Strickland, it is hereby ordered that Shawn Purvis, City Manager, as agent for City of Clinton, is hereby authorized and empowered to sign and execute an amended letter of conditions for an USDA loan not to exceed \$6,500,000.00 (six million five hundred thousand dollars) as it relates to the Water Expansion Project.

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

The City Manager is hereby directed to sign and execute an amended letter of conditions for an USDA loan not to exceed \$6,500,000.00 (six million five hundred thousand dollars).

RESOLUTION – ISSUANCE OF REVENUE BONDS

City Manager Purvis stated that the Water Plant Expansion Project requires interim financing before the final closing of the USDA loan. The interim financing is to be provided through revenue bonds per the USDA agreement. He stated that the issuance of the bonds require LGC approval, which requires a resolution of findings from City Council. Mr. Purvis stated that the estimated interest on the interim financing is between \$125,000 and \$150,000, and this cost is included in the FY2016-2017 budget. He asked City Council to approve the resolution of findings.

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLINTON, NORTH CAROLINA, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A WATER AND SEWER REVENUE BOND ANTICIPATION NOTE AND SUBSEQUENT WATER AND SEWER REVENUE BONDS; MAKING CERTAIN FINDINGS OF FACT; AND REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY’S WATER AND SEWER REVENUE BOND ANTICIPATION NOTE AND SUBSEQUENT WATER AND SEWER REVENUE BONDS

WHEREAS, the City Council (the “*City Council*”) of the City of Clinton, North Carolina (the “*City*”) hereby determines that it is necessary to improve its water and sewer system (the “*System*”);

WHEREAS, the City Council is considering the issuance of up to \$6,500,000.00, City of Clinton, North Carolina Water and Sewer Revenue Bond Anticipation Note (the “*Note*”) to finance, together with other funds, various improvements to the City’s water and sewer system, including the construction of new wells and improvements to the City’s water treatment plant (collectively, the “*Project*”), and has received a commitment from the United States Department of Agriculture (“*USDA*”) to provide long-term financing for the Project on completion of construction, at which time the City will issue its Water and Sewer Revenue Bonds (the “*Bonds*”) to refund the Note;

WHEREAS, the City has retained Parker Poe Adams & Bernstein LLP, as bond counsel;

WHEREAS, the City Council desires that the Finance Director (1) file with the Local Government Commission of North Carolina (the “*Commission*”) an application for its approval of the Note and the Bonds, on a form prescribed by the Commission, requesting in such application that the Commission approve (a) the sale of the Note through a competitive sale, (b) the sale of the Bonds to USDA on completion of the Project and (c) the City’s use of Parker Poe Adams & Bernstein LLP, as bond counsel for the City, and (2) state in such application such facts and to attach thereto such exhibits in regard to the Note, the Bonds, the City and the City’s financial condition as may be required by the Commission, and to take all other action necessary to issue the Note and the Bonds; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLINTON, NORTH CAROLINA, AS FOLLOWS:

Section 1. The Note and the Bonds are to be issued by the City for the purpose of providing funds to finance the Project and to pay the costs of issuing the Note and the Bonds, all as set out fully in the documents attached to the City’s application to the Commission.

Section 2. Parker Poe Adams & Bernstein LLP, has been retained to serve as bond counsel.

Section 3. The Finance Director, with advice from the City Manager and bond counsel, is hereby authorized, directed and designated to file an application with the Commission for its approval of the issuance of the Note and the Bonds.

Section 4. The City Council finds and determines, and asks the Commission to find and determine from the City’s application and supporting documentation, the following:

(a) The issuance of the Note (and the subsequent issuance of the Bonds) is necessary or expedient;

(b) The stated principal amount of the Note and the Bonds will be sufficient but is not excessive, when added to other moneys available to the System, for the proposed Project;

- (c) The Project is feasible;
- (d) The City's debt management procedure and policies are excellent;
and
- (e) The Note and the Bonds can be marketed at a reasonable interest cost to the City.

Section 5. The Mayor, the City Manager, the City Attorney and the Finance Director are hereby authorized, individually and collectively, to do any and all things necessary to complete the steps necessary to issue the Note and the Bonds.

Section 6. This Resolution is effective on the date of its adoption.

APPOINTMENT(S)

Notifications of appointments/reappointments were given for the Airport Authority. Currently, Robert Jerol Kivett and Dean Jordan are the appointees. Mayor Starling stated that Mr. Kivett has been elected to the Sampson County Board of Commissioners; therefore, someone needs to be considered for this Board. These are three-year terms.

At the September 2016 city council meeting, City Council will be asked to make the appointments/reappointments.

REPORTS

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

STAFF REPORTS

Planning Director Mary Rose announced that the City has received a grant in the amount of \$11,250.00. She stated that this grant will be used to obtain 12 downtown parking lot identification signs and two primary trailblazers. She stated that the grant is from the North Carolina Division of Public Health's Community & Clinical Connections for Prevention & Health.

Also, she noted that brand new signs will be popping up in and around downtown Clinton over the coming week(s).

CITY MANAGER REPORTS

City Manager Purvis stated that City Council has received his monthly report and he stands ready to address any concerns.

He stated that the City has received a CDBG grant for the Commerce Fellows/Building Community through Capacity and Knowledge program in the amount of \$19,000+. He stated that this grant is for the purpose of training for staff, in which, Senior Planner Lyle Moore will take full advantage.

PUBLIC COMMENTS

No one appeared with public comments.

ADJOURNMENT

Upon a motion made by Councilmember Strickland, seconded by Councilmember Stefanovich, it passed unanimously to adjourn this meeting.

The August 2, 2016, city council meeting ended at 8:05 PM.

Elaine F. Hunt, City Clerk, MMC, NCCMC

Lew Starling, Mayor