



JULY 11, 2017, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session on July 11, 2017, in the City Hall Auditorium. At its June 22, 2017, special city council meeting, City Council approved beginning at 5:30 PM for discussion regarding the city manager's search. Mayor Starling presided. Present were Councilmembers Strickland, Turlington, Stefanovich, Bryant and Mayor Pro Tem Becton.

Also present during this meeting was City Attorney Tim Howard, Howard and Carr, PLLC.

Also present were Interim City Manager Robert Hyatt; City Clerk Elaine F. Hunt; and HR Director Lisa Carter.

Developmental Associates, LLC's representative, Dr. Heather A. Lee, participated via telephone.

Mayor Starling called the meeting to order. He called for a closed session.

CLOSED SESSION

Upon a motion made by Councilmember Strickland, seconded by Mayor Pro Tem Becton, it passed unanimously to enter closed session at approximately 5:35 PM to discuss a matter relating to personnel.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Turlington, it passed unanimously at approximately 7:00 PM for Council to re-enter regular session.

Mayor Starling stated that City Council entered into a closed session to discuss a personnel matter; however, no action was taken.

Other staff members in attendance were: Planning Director Mary Rose; Public Works Engineer Russell Byrd; Fire Chief Scott Phillips; Recreation Director Jonathan Allen; Acting Police

Chief Donald Edwards; Public Works Director Jeff Vreugdenhil; Finance Director Kristin Stafford; Captain Todd Solice; Code Enforcement Officer Jimmy Fannin; Police Officer Mark Horne; and Chris Medlin, of the Public Works Department.

Bill Roberson, of the Sampson Weekly; and Chris Berendt, of the Sampson Independent, were also present.

Mayor Starling called upon Councilmember Stefanovich to give the invocation.

CITY COUNCIL

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Bryant, the minutes of the June 6, 2017; regular, June 20, 2017; and June 22, 2017; special city council meetings were unanimously approved.

PROCLAMATION

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Turlington, the following proclamation passed unanimously designating July as “Park and Recreation Month:”



PROCLAMATION

DESIGNATION OF JULY AS PARK AND RECREATION MONTH

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including the City of Clinton; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Clinton recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, I, Luther D. Starling, Jr., Mayor, and the Clinton City Council do recognize July as "Park and Recreation Month," in the City of Clinton.

WALK-ON -- RECOGNITION – DACIYA SOLICE

Mayor Starling recognized the "2017 National American Miss North Carolina," DaCiya Solice. He asked her to come forth and speak. Miss Solice stated that on June 25, 2017, she was crowned, "National American Miss NC 2017." She stated that during the Thanksgiving week, November 20-26, 2017, she will be attending the National Pageant to be held in Anaheim, California, representing the State of North Carolina.

Mayor Starling announced that the City of Clinton will show support of Miss Solice by submitting a resolution to the appropriate individuals. Miss Solice was given a round of applause from the group.

RECOGNITION – JEFF VREUGDENHIL

Mayor Starling recognized Public Works Director Jeff Vreugdenhil who will be retiring effective July 27, 2017, after approximately 30 years of service with the City. Mr. Vreugdenhil stated that he will be moving to Beaufort, North Carolina, where his mother and daughter live currently. He stated that he will be working with a private firm. Mr. Vreugdenhil thanked Mayor and City Council for giving him the opportunity to work with the City of Clinton. He stated that certainly, it has been a pleasure. Mayor Starling presented a gift to Mr. Vreugdenhil. One last

picture in this type setting was taken of Mayor Starling and Mr. Vreugdenhil. The audience applauded Mr. Vreugdenhil for his dedication and service to the City.

Councilmember Jean Turlington stated that, “Mr. Vreugdenhil has left his legacy in the City of Clinton.” All agreed.

PUBLIC HEARING -- OATHS

Oaths were given by Mayor Starling to the following individuals: Lyle Moore, Senior Planner; Planning and Zoning Director Mary Rose; Joseph Snider; Brett T. Hanna; Jeremy Spaeth; Tom Hester; and Louis Iannone.

P & Z – INTERSECTION OF SOUTHEAST BOULEVARD AND PUGH ROAD – JOSEPH SNIDER

Mayor Starling opened a public hearing on a request by Joseph Snider, for a conditional use permit to operate a Special Event, at the intersection of Southeast Boulevard and Pugh Road, in an HC-Highway Commercial District.

Senior Planner Lyle Moore presented the following findings:

1. The property under consideration contains approximately 20,400 square feet.
2. Felipe and Nelly Gutierrez have signed the application as the owners.
3. The property is currently zoned HC-Highway Commercial.
4. The property is bordered on the north by I-2 Heavy Industrial. The properties to the south, east, and west are zoned HC-Highway Commercial. **(SEE ATTACHMENT 1)**
5. The applicant will be responsible for any tipping fees associated with using City owned trash dumpsters. The applicant is proposing to have 6 portable toilets that must remain inside the proposed area identified on the site map.
6. The event will include amusement style rides, games, and food, but no games of chance.
7. Employees will arrive for setup and state inspections on August 14th and 15th. The event will operate from 6:00 PM to 10:00 PM on August 16th and 17th; from 6:00 PM to 11:00 PM on August 18th; from 11:00 AM to 11:00 PM on August 19th; and from 1:00 PM to 9:00 PM on August 20th.
8. The applicant is proposing 2 million dollars of liability insurance coverage in the event of an accident.

9. The conditional use standards from Section 11.4 Step 6, B.2 of the City of Clinton Land Development Ordinance shall be considered by City Council.

Mr. Moore presented a Certificate of Recommendation from the City of Clinton Planning Board.

Mr. Joseph Snider was present and spoke briefly. He stated that this conditional use request is the same as presented to City Council at the April 4, 2017, city council meeting—but the dates were changed from May dates to dates in August.

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

Mayor Starling read Standard 1: If completed as proposed, the development will comply with all of the requirements of this Ordinance. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met. No one voted no.

Mayor Starling read Standard 2: The use will not materially endanger the public health or safety. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met. No one voted no.

Mayor Starling read Standard 3: The use will not substantially injure the value of adjoining or abutting property. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met. No one voted no.

Mayor Starling read Standard 4: The use will be in harmony with the area in which it is to be located. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met. No one voted no.

Mayor Starling read Standard 5: The use will be in general conformity with the Land Development Ordinance, thoroughfare plan, or other plan officially adopted by the Council. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met. No one voted no.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, and with the incorporation into the minutes of the following Certificate of Recommendation, which was executed on June 29, 2017, a conditional use permit was unanimously approved for Joseph Snider to operate a Special Event, at the intersection of Southeast Boulevard and Pugh Road, in an HC- Highway Commercial District:

**Certificate of
Recommendation
Conditional Use Permit
CU-6-17-1**

In accordance with the provisions of the Clinton Land Development Ordinance, on Monday, June 19, 2017 the City of Clinton Planning Board unanimously (7-0) recommended approval of Conditional Use Permit 6-17-1 to permit the operation of a special event in the Roses parking lot at the intersection of Pugh Road and US Highway 701/Southeast Boulevard in an HC-Highway Commercial District, further identified by Parcel Identification 12023276203. This recommendation was based upon the following findings of fact as related to the corresponding conditional use standard:

Conditional Use Standards

1. If completed as proposed, the development will comply with all of the requirements of this Ordinance.

FACT: *The facts as noted in the meeting minutes and presented during the Planning Board meeting demonstrate the proposed event as presented meets all requirements of the Clinton Land Development Ordinance.*

2. The use will not materially endanger the public health or safety; and,

FACT: *The facts as presented during the Planning Board meeting demonstrate the proposed use would not materially endanger public health or safety.*

3. The use will not substantially injure the value of adjoining or abutting property; and,

FACT: *The facts as presented during the Planning Board meeting demonstrate the proposed use would not substantially injure the value of adjoining or abutting properties.*

4. The use will be in harmony with the area in which it is to be located; and,

FACT: *The facts as presented during the Planning Board meeting demonstrate the proposed use will be in harmony with the area in which it is to be located.*

5. The use will be in general conformity with the Land Development Ordinance, thoroughfare plan, or other plan officially adopted by the Council.

FACT: *The facts as presented during the Planning Board meeting demonstrate the proposed event is in general conformity with the Clinton Land Development Ordinance. The proposed event would meet all requirements of Section 4.9.6 of the Clinton Land Development Ordinance. Section 6. Future Land Use B. Future Land Use Sectors identifies the HC Highway Commercial district as the commercial district which is designed to accommodate the widest range of commercial activities.*

Approved by:

Donald Summerlin, Planning Board Chair

Date

Planning Director:

Mary M. Rose, Staff

Date

P & Z – ALONG FIVE BRIDGE ROAD – STARR FARM, LLC

Mayor Starling opened a public hearing for a conditional use permit request by Starr Farm, LLC, to develop a solar farm under Utility Facility (Neighborhood) along Five Bridge Road, in an RA-20 Residential Agriculture District.

Senior Planner Lyle Moore presented the following findings:

1. The property under consideration contains approximately 56.84 acres.
2. Clyde Honeycutt, Donald Lamm and Nona Honeycutt have signed the application as the owners.
3. The properties are currently zoned RA-20 Residential.
4. The proposed site is bordered on the north by I-1 Light Industrial, to the south and west by RA-20 Residential, and to the east by HC-Highway Commercial and RA-20 Residential. **(SEE ATTACHMENT 2)**
5. The proposed development will meet all setback requirements of the Clinton LDO. The proposed development will be enclosed by a 6' tall security fence. The area proposed to be developed encompasses approximately 31.62 acres of the total 56.84 acre tract and does not have access to City Water or Sewer.
6. The property proposed for development is located in a low density residential area as identified by Section 6. Future Land Use B. Future Land Use Sectors 5. Residential. Low density residential land uses have been identified where development pressures are the least due to a lack of available water, sewer, and other public services.
7. The conditional use standards from Section 11.4 Step 6, B.2 of the City of Clinton Land Development Ordinance shall be considered by City Council.

Mr. Moore presented a Certificate of Recommendation from the City of Clinton Planning Board.

Mr. Brett T. Hanna, Smith, Moore, Leatherwood, Attorneys-at-law, 434 Fayetteville Street, Suite 2800, Raleigh, NC 27601 spoke briefly. He stated that accompanying him was Tom Hester, Real Estate Appraiser, 228 Fayetteville Street, Raleigh, NC 27601; Jeremy Spaeth, Civil Engineer II, 50101 Governors Drive, Chapel Hill, NC 27517; and Louis Iannone, Site Acquisition Manager, Strata Solar, 50101 Governors Drive, Chapel Hill, NC 27517.

Mr. Hanna stated that it is very unlikely that a solar business would close because these businesses normally, are financed by large investors—large banks. City Council had concerns regarding setback and vegetation. Mr. Hanna stated that setback from the road will be about 250 feet and there will be no vegetation above approximately 10 feet. He stated that the proposed development will be in size similar to other solar farms in the area.

Mr. Tom Hester, Real Estate Appraiser, stated that he had reviewed the site, site plan, adjoining sites, etc. He stated that he sees no evidence of any disruptions. He further stated that the Planning and Zoning Board unanimously passed the request.

City Council asked Planning and Zoning Director Rose if she was satisfied with the request and she responded, “Yes, I am satisfied.” Also, Ms. Rose stated that the proposed development would be in the ETJ area.

Councilmember Strickland questioned if some type barrier might be placed at the property line(s). He asked if it was permissible to make this request. Mr. Hanna stated that they would be satisfied with a buffer being placed along the property. Senior Planner Moore stated that a 15 ft. wide 6 ft. high buffer can be placed in the requested area.

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

Mayor Starling read Standard 1: If completed as proposed, the development will comply with all of the requirements of this Ordinance. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met. No one voted no.

Mayor Starling read Standard 2: The use will not materially endanger the public health or safety. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met. No one voted no.

Mayor Starling read Standard 3: The use will not substantially injure the value of adjoining or abutting property. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met. No one voted no.

Mayor Starling read Standard 4: The use will be in harmony with the area in which it is to be located. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met. No one voted no.

Mayor Starling read Standard 5: The use will be in general conformity with the Land Development Ordinance, thoroughfare plan, or other plan officially adopted by the Council. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met. No one voted no.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, and with the incorporation into the minutes of the following Certificate of Recommendation, which was executed on June 29, 2017, a conditional use permit was unanimously approved for Starr Farm, LLC to develop a solar farm under Utility Facility (Neighborhood) along Five Bridge Road, in an RA-20 Residential Agriculture District with the installation of a 15 ft. wide 6 ft. high buffer along the property:

**Certificate of
Recommendation
Conditional Use Permit
CU-6-17-2**

In accordance with the provisions of the Clinton Land Development Ordinance, on Monday, June 19, 2017, the City of Clinton Planning Board unanimously (7-0) recommended approval of Conditional Use Permit 6-17-2 to permit the operation of a Utility Facility (Neighborhood), solar farm, along Five Bridge Road in an RA-20 Residential Agriculture District, further identified by Parcel Identification numbers 12044604008, 12005757501, 12005315801, 12004721001, 12004835101, and 12041200001. This recommendation was based upon the following findings of fact as related to the corresponding conditional use standard:

Conditional Use Standards

1. If completed as proposed, the development will comply with all of the requirements of this Ordinance.

FACT: *The facts and site plan as presented during the Planning Board meeting demonstrate the proposed use as presented meets all requirements of the Clinton Land Development Ordinance.*

2. The use will not materially endanger the public health or safety; and,

FACT: *The facts as presented during the Planning Board meeting demonstrate the proposed use would not materially endanger public health or safety.*

3. The use will not substantially injure the value of adjoining or abutting property; and,

FACT: *The facts as presented during the Planning Board meeting demonstrate the proposed use would not substantially injure the value of adjoining or abutting properties.*

4. The use will be in harmony with the area in which it is to be located; and,

FACT: *The facts as presented during the Planning Board meeting demonstrate the proposed use will be in harmony with the area in which it is to be located.*

5. The use will be in general conformity with the Land Development Ordinance, thoroughfare plan, or other plan officially adopted by the Council.

FACT: *The facts as presented during the Planning Board meeting demonstrate the proposed use is in general conformity with the Clinton Land Development Ordinance. The property proposed for development is located in a low density residential area as identified by Section 6. Future Land Use B. Future Land Use Sectors 5. Residential. Low density residential land uses have been identified where development pressures are the least due to a lack of available water, sewer, and other public services.*

Approved by: _____
Donald Summerlin, Planning Board Chair

Date

Planning Director: _____
Mary M. Rose, Staff

Date

P & Z – ALONG PUGH ROAD – PLANNING STAFF

Mayor Starling opened a public hearing on a request by Planning Staff to rezone approximately 9.65 acres along Pugh Road from R-8 Residential to R-6 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 Strickland, seconded by Mayor Pro Tem Becton, the following amendment **#2017.07.01** 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-6-17-1 to be rezoned from R-8 Residential to R-6 Residential is consistent with the goals and objectives of the Clinton 2035 Comprehensive Plan and other long range planning documents. Section 6. B. Future Land Use Sectors of the Clinton 2035 Comprehensive Plan encourages higher density 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 R-8 Residential to R-6 Residential.

UNSAFE STRUCTURE – 425 MCKOY STREET – APPEAL BY WILLARD I. SWINSON

Ms. Rose introduced this continued item. She asked Mr. Willard Swinson, owner of 425 McKoy Street, to come forth and present any new evidence that he might have as it relates to his request to appeal the Code Enforcement Officer's findings.

Mr. Swinson stated that he has found some grants. He stated that he had spoken to two individuals: Juanita Brewington and Angela Faircloth. He stated Ms. Faircloth's agency offered

small grants. He stated that there are grants offered through an agency known as Military Missions in Action. He stated that grants in the amount of \$25,000 are available. Mr. Swinson stated that approximately 195 grants are available to him because of his military service, injury, and age.

City Council had several questions for Mr. Swinson:

“Had he applied for any of the grants?”

“Do any of the grants have a time frame for approval?”

“Does he have to match any of the grants?”

Mr. Swinson responded to the abovementioned questions as follows, respectively:

“No, waiting for approval from City Council to apply for any grants.”

“Grants have a time frame for approval anywhere from 2 to 3 weeks.”

“Does not have to match to his knowledge.”

Mayor Starling reiterated that the City has a health and safety emergency as it relates to the structure located at 425 McKoy Street. Code Enforcement Officer Jimmy Fannin was called upon and asked if the structure might be encompassed with tape. Mr. Fannin stated that only City Council can make that decision. Mr. Fannin stated that he does not believe the structure will last too much longer. Furthermore, he stated that in his opinion, no signs of improvement have been shown.

Director Mary Rose asked City Council to affirm/not affirm the findings of the Code Enforcement Officer. She stated that if City Council affirmed, consideration of an ordinance of condemnation would be placed on the August 1, 2017, city council agenda.

Upon a motion made by Councilmember Bryant, seconded by Councilmember Stefanovich, it passed unanimously to affirm/uphold the findings of the Code Enforcement Officer. City Council identified the following conditions to exist based upon the evidence presented:

- a. Constitutes a fire or safety hazard
- b. Is dangerous to life, health, or other property
- c. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children
- d. Has a tendency to attract person intent on criminal activities or other activities which would constitute a public nuisance

City Council identified and affirmed the abovementioned conditions. It was stated that at

the August 1st, city council meeting, an ordinance of condemnation would be considered; however, Mr. Swinson may bring any new information to City Council regarding his property located at 425 McKoy Street.

CONTRACT WITH SAMPSON COUNTY—PLANNING SERVICES

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the contract between Sampson County and the City for planning services; whereas, the parties agree that the division of funding for the initial term of this revised contract will require the County to pay **\$175,050 or 50 percent** of the proposed budget passed unanimously.

This contract is for a one-year term and has been in existence since approximately 2004. Interim City Manager Hyatt stated that Sampson County approved the contract on last evening; however, they will be reviewing the contract in the near future.

ORDINANCE AMENDMENT – CHAPTER 15. MOTOR VEHICLES AND TRAFFIC OF THE CLINTON CITY CODE OF 1987

Planning and Zoning Director Mary Rose stated that citizens have voiced their concerns regarding commercial trucks parking on city streets. She stated that she and Acting Chief Donald Edwards met and created the proposed amendment to Chapter 15. Motor Vehicles and Traffic. Ms. Rose stated that the proposed amendment was modeled from another municipality. She stated that if commercial truck drivers wish to park on their property in residential districts, they need a permit.

Mayor Pro Tem Becton stated that citizens have voiced concerns to him regarding commercial truck parking. He stated that in his opinion, certain areas/locations should be designated for commercial truck parking. He stated that he is uncertain as to what should be done; however, he feels something needs to be done. He further stated that commercial trucking is some individuals' livelihood and assistance is needed for them regarding places to park. Acting Chief Edwards stated that Clinton Police Department will work with truckers and assist them in finding a location to park commercial trucks.

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Strickland, the following amendment passed unanimously:

#2017.07.02

ORDINANCE AMENDING CHAPTER 15 MOTOR VEHICLES AND TRAFFIC ARTICLE III. STOPPING, STANDING AND PARKING* DIVISION 1. GENERALLY

BE IT ORDAINED by the Clinton City Council of the City of Clinton, North Carolina that the Clinton City Code of 1987 is hereby amended by adding at Sec. 15-53. Reserved, the following to read as follows:

Sec. 15-53. Truck parking.

All motor truck carriers operating as either common or contract carriers over regular or irregular routes, all passenger bus carriers, and all other owners of motor trucks or trailers of any kind, including house trailers, whose trucks, truck-trailers, trailers, semi-trailers, house trailers or buses at any time are operated into, out of, through, or within the corporate limits of the City and the drivers and operators of any such vehicles shall use private property for parking and storing those vehicles within the corporate limits, and they are hereby prohibited from using the public streets of the City except for the purposes of travel and transporting, loading and unloading passengers and except for temporary parking in cases of emergency involving a mechanical breakdown necessitating repairs to any such vehicle. The provisions of this section shall not apply to trucks of three-fourths-ton capacity or less, nor shall it apply to school buses parked in conformity with permits issued by the Police Department.

(Ord. No. 2017.07__, 7-11-2017)

RESOLUTION—SURPLUS PROPERTY

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

RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTIES BY THE METHODS OF PRIVATE NEGOTIATED SALE

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

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

- (1) The following described properties being removed from the Public Works and Utilities Department are hereby declared to be surplus to the needs of the City of Clinton:

One (1) 1958 Trailmobile Tanker Serial #5-04004	Estimated value: \$2,500.00
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One (1) 1974 Heil Tanker Serial #926967	Estimated value: \$2,500.00
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- (2) The Financial Analyst is authorized to receive on behalf of the City Council of the City of Clinton bids via private negotiated sale.
- (3) Private negotiation will begin the sale of the described properties on or about July 20, 2017, and will continue until the described properties are 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 Financial Analyst and the sale consummated.

CONTRACT – RESIDUAL BIOSOLIDS PROGRAM – GRANVILLE FARMS, INC.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Stefanovich, a contract between the City of Clinton and Granville Farms, Inc., for the disposition of residual biosolids at the Wastewater Treatment Plant, passed unanimously. It was further stated that the biosolids from the Norman H. Larkins Water Pollution Control Facility pertain to the liquid and dried waste.

This contract will replace the contract that the City of Clinton currently has with Ms. Anne Faircloth and Buffalo Investments, a division of Faircloth Farms.

ELIMINATION OF “CAN ON WHEELS” SERVICE

Public Works Director Vreugdenhil requested that City Council removed the “can on wheels,” from the fee schedule. He stated that the eight yard dumpster on wheels is in very poor condition. He stated that citizens can rent the dumpster for \$45 for the first dump, and \$40 for each additional dump up to 4 dumps per household. Mr. Vreugdenhil further noted that this service poses a significant liability to the town because we are hauling an unlicensed vehicle and operating on private property while operating at a deficit.

Mr. Vreugdenhil stated that Waste Industries will provide roll-off style containers to property owners for \$75 and an additional charge of \$30 per ton of contents. Also, he stated that city residents may take debris to the landfill without charge with a valid ID.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, it passed unanimously to eliminate the “can on wheels” service.

AGREEMENTS WITH NCDOT – BRIDGE UTILITY RELOCATION

Interim City Manager Hyatt stated that the Utility Relocation Agreement with NCDOT is the second agreement, that addresses construction related expenses. He stated that under this agreement, the City will be required to bid and contract for the proposed relocation of water and sewer mains. The Utility Preliminary Engineering Agreement with NCDOT, which was executed in February 2017, includes professional engineering services for design and permitting. It was further noted that the cost for the design and permitting services with WithersRavenel, Inc., is \$46,400; while, the estimated construction cost under the proposed agreement is \$411,000, which includes estimated construction costs as well as bid preparation, construction administration, and inspection services.

Russell Byrd, Public Works Engineer, reminded the group in a memo that although initially, the City incurs the costs as it relates to the existing NCDOT Utility Preliminary Engineering Agreement and the Utility Relocation Agreement, NCDOT fully reimburses the City.

Upon a motion made by Councilmember Bryant, seconded by Mayor Pro Tem Becton, approval of the Beaman Street Bridge Utility Relocation Agreements and Professional Services Agreements passed unanimously.

AMENDMENT -- ENGINEERING SERVICES AGREEMENTS WITH WITHERSRAVENEL, INC. -- BEAMAN STREET BRIDGE UTILITY RELOCATION

Upon a motion made by Councilmember Strickland, seconded by Mayor Pro Tem Becton, it passed unanimously to approve the amendment to the professional services contract with WithersRavenel, Inc. This amendment is for construction administration and observation services to the current agreement regarding the Beaman Street Bridge Utility Relocation Project.

APPOINTMENT(S)

City Council continued the appointment to the ABC Board until the August 1, 2017, city council meeting. This appointment is a three-year term and currently, Dempsey Craig holds this position. Mr. Craig does not wish to be reappointed.

REPORTS

The personnel report was acknowledged.

STAFF REPORTS

Planning and Zoning Director Rose stated that this year, the City received \$94,000 from General Assembly and with the money, we purchased recycle bins, bike racks, and NCDOT, striped and painted the streets downtown. She announced that we are being refunded \$9,000,

for the restriping that was done downtown. Ms. Rose stated that Duke Energy will repaint the light poles around the court square—no cost to the City. She concluded by announcing that the City of Clinton Mainstreet has received national accreditation again this year. Proudly, she stated that approximately thirty (30) active committee members participate in the Mainstreet Program.

Acting Chief Donald Edwards placed a memo in Mayor and City Council’s agenda packets updating them on the happenings of the Clinton Police Department.

CITY MANAGER REPORTS

Interim City Manager Hyatt announced that Planning and Zoning Director Mary Rose has been selected as President Elect of the North Carolina Downtown Development Association. She received a round of applause.

PUBLIC COMMENTS

Mr. Johnny Boykin, 413 Still Street, voiced his concern regarding a fallen tree and the unleveled/bumpy street. Mayor Starling asked Chris Medlin to check into this concern.

Mrs. Nettie Pernell stood and invited everyone to the “National Night Out,” on August 1st. Mrs. Pernell presented this event at the June 6, 2017, city council meeting.

OTHER BUSINESS

Public Works Director Vreugdenhil stood and formally, introduced Chris Medlin. He stated that his duties will be divided between Chris Medlin and Public Works Engineer Russell Byrd.

ADJOURNMENT

Before adjourning, Mayor Starling asked City Council and others to meet him at Newkirk Park on August 1, 2017, at 6:00 PM, for the “National Night Out,” event.

The July 11, 2017, city council meeting adjourned at approximately 8:10 PM.

Elaine F. Hunt, City Clerk, MMC, NCCMC

Lew Starling, Mayor