



JUNE 6, 2017, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session on June 6, 2017, in the City Hall Auditorium. At its May 2, 2017, city council meeting, City Council approved beginning at 5:30 PM for discussion with a firm regarding the city manager's search. Mayor Starling presided. Present were Councilmembers Strickland, Turlington, Stefanovich, Bryant and Mayor Pro Tem Becton. It was noted that Councilmember Stefanovich was not present at the beginning of the meeting because of a prior engagement; however, he was present before the concluding of the meeting.

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; HR Director Lisa Carter; and Developmental Associates, LLC's representative, Dr. Heather A. Lee, Senior Partner.

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

CLOSED SESSION

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Bryant, it passed unanimously to enter closed session at approximately 5:37 PM to discuss a matter relating to personnel.

Upon a motion made by Councilmember Stefanovich, seconded by Mayor Pro Tem Becton, 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;

Officer Donald Fisher; Chris Medlin, of the Public Works Department; Angie Bell, of the Finance Department; Lisa Osthues and Neil Carroll, of the Wastewater Treatment Plant Division.

Sylvia Chestnutt, of the Sampson Weekly; and Chris Berendt, of the Sampson Independent, were also present.

Mayor Starling called upon Miss Lauren E. McCollister, Minister of Music & Director of Children's Ministry at First Baptist Church, 408 College Street, to introduce herself and give the invocation. Miss McCollister stated that she is from the Eastern Shore of Maryland. She stated that recently, she was hired at First Baptist Church. She gave the invocation.

CITY COUNCIL

Upon a motion made by Councilmember Strickland, seconded by Councilmember Turlington, the minutes of the May 2, 2017, regular and May 16, 2017, Budget Workshop city council meetings were unanimously approved.

PRESENTATION – MUNICIPAL DOG PARK

Mayor Starling called upon Parks and Recreation Director Jonathan Allen to present this item. Mr. Allen called upon Public Works Director Jeff Vreugdenhil to present and excitedly, he did so. First, Mr. Vreugdenhil stated that he has been employed with the City of Clinton since 1988 and this is the first meeting Mrs. Vreugdenhil ever attended. He stated that Councilmember Stefanovich asked him to research a dog park in Clinton in the vicinity of Fisher Drive Park. He stated that the dog park would be built incrementally.

Mr. Vreugdenhil briefed everyone on the "bark park" rules, which included that dogs have to be on leashes with the owners present. He showed via PowerPoint, a layout of the park. He stated that there will be insurance coverage with the premium totaling approximately \$250 annually. Mr. Vreugdenhil stated that this project should be funded privately and not with tax dollars. He stated that general maintenance will be handled by the Recreation Department; waste pick up will be handled by the Sanitation Division; and Animal Control Officer will enforce animal control. Mr. Vreugdenhil stated that bleachers will be removed and a fence will be constructed. He stated that he feels sponsors will come forth eagerly and they can be acknowledged by plaques in the park. Mr. Vreugdenhil concluded that the construction of the fence, removal of the bleachers, etc., should be completed by July 18th.

Councilmember Strickland asked how the City's dog park would compare to the dog park in Kinston. Mr. Vreugdenhil stated that the fence material is the same—commercial grade fence

good for approximately 20 years. Also, he stated that the majority of money invested in the Kinston's dog park has been donated privately.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, it passed unanimously to proceed with the creation of the dog park in the Fisher Drive Park.

RECOGNITION – KAYLIN JONES

Mayor Starling asked City Council to approve the addition of this item—Recognition of Kaylin Jones. Upon a motion made by Councilmember Bryant, seconded by Mayor Pro Tem Becton, it passed unanimously to add, "Recognition of Kaylin Jones." Mayor Starling asked Mayor Pro Tem Becton to present this item.

Mayor Pro Tem Becton stated that on this morning, he had the pleasure of attending a ceremony honoring a young person who did a heroic deed. He stated the young person saved her mother's life. He asked the mother, Kuya Jones to come forth and tell the story.

Ms. Jones stated that she was on her way to a dentist appointment and she began to feel badly. She stated that she pulled beside the highway and then, she passed out. She stated that her daughter, Kaylin, who is only 6 years old called 911 and also a family member to let them know what had occurred.

Mayor Starling stated that we are so proud of Kaylin Jones for her heroic efforts. He thanked Mayor Pro Tem Becton, Councilmember Bryant, Clinton Fire Department's staff, and Clinton Police Department's staff, for attending the ceremony service at L. C. Kerr School and representing the City of Clinton. Mayor Starling stated that the following Commendation of Recognition was presented to Miss Kaylin Jones on this morning:

COMMENDATION

WHEREAS, it has come to the attention of the Mayor of the City of Clinton, North Carolina that one of our children recently exhibited exemplary actions; and

WHEREAS, we recognize at this time, Kaylin Jones, a first grade student at L.C. Kerr School, for her heroic efforts; and

WHEREAS, Miss Jones recognized an emergency situation and acted quickly and courageously to aid her mother, Kuya Jones by calling 911; and

WHEREAS, EMS workers feel that the quick thinking and quick response of Kaylin Jones, saved her mother's life.

NOW, THEREFORE, I, Luther D. Starling, Jr., Mayor of the City of Clinton, on behalf of the Clinton City Council and the citizens of Clinton do hereby commend and recognize Kaylin Jones, the great-niece of the late Mayor Pro Tem Maxine Harris for her exemplary conduct.

RECOGNITION – NATIONAL NIGHT OUT

Mayor Starling asked City Council to approve the addition of this item—Recognition of “NATIONAL NIGHT OUT” at Newkirk Park. Upon a motion made by Councilmember Strickland, seconded by Councilmember Turlington, it passed unanimously to add, “Recognition of “NATIONAL NIGHT OUT” at Newkirk Park. Mayor Starling asked Nettie Pernell to elaborate on this event.

Mrs. Pernell stated that “National Night Out Day,” is observed annually on the first Tuesday in August. It was further stated that this is a community police awareness event in the United States. Mrs. Pernell stated that on August 1st, this event will be observed at Newkirk Park beginning at 6:00 PM. She stated that residents are asked to spend an evening outside. She stated that they are planning a block party to stand together and promote safety and neighborhood unity. Mrs. Pernell stated that she realizes August 1st is city council meeting date; however, everyone is invited to attend to help give crime and drugs, “a going away party.”

Mayor Starling stated that representation from the City of Clinton will be at the event.

PUBLIC HEARING -- OATHS

Oaths were not needed during the June 6, 2017, city council meeting for the public hearing which was regarding the proposed budget for FY2017-2018

BUDGET – FY2017-2018

Mayor Starling opened a public hearing to receive input on the FY 2017-2018 Fiscal Year Budget.

Interim City Manager Robert Hyatt stated that former City Manager Shawn Purvis presented the proposed FY2017-2018 Budget and budget message to City Council before leaving to go to the Town of Apex. He stated that Finance Director Kristin Stafford would present the FY2017-2018 Budget. Mrs. Stafford presented highlights regarding the proposed budget:

- General Fund = \$9,297,300
 - Water & Sewer Fund = \$4,911,700
 - Non-major Fund = \$119,200
-

Total Operating Budget = \$14,328,200

Finance Director Stafford stated that there is no recommended tax increase; 2% increase for Water and Sewer utility rates; a \$5.00 increase in the vehicle tag tax; there was no usage of the General Fund balance; and the class and compensation study have been implemented which will be completed over a two-year span.

Mrs. Stafford stated that the ad valorem tax increased from \$2,929,300 to \$2,998,500. She stated that a slight increase in salaries due to receiving cost of living adjustments in July instead of during the employees' anniversary months. Other increases mentioned by Finance Director Stafford that derived after the May 16th Budget Workshop are as follows:

- Increase in sidewalk projects from \$25,000 to \$53,000
- Increase in contributions to other agencies for the History Museum painting and military initiatives from \$12,000 to \$16,000
- Increase in estimated medical insurance rates from 5% estimated increase to 10% estimated increase

Big projects stated were: new police vehicles, street resurfacing, public works equipment, and the Royal Lane Park Phase 1A Project. Mrs. Stafford stated that all current services will be maintained. She further assured City Council that we have a responsible budget in place for FY2017-2018.

Interim City Manager Hyatt requested that City Council delay adopting the budget until the convening of a special meeting on Tuesday, June 20, 2017, at 6:00 PM, in the Clinton City Hall Auditorium.

City Council had no questions. No one else wished to be heard, and the public hearing was closed.

Mayor Starling stated that no action will be taken tonight; however, City Council is asked to adopt the budget on Tuesday, June 20, 2017, at 6:00 PM.

CONTRACT – LAW ENFORCEMENT – CLINTON ABC BOARD

Upon a motion made by Councilmember Strickland, seconded by Mayor Pro Tem Becton, a contract between the City of Clinton and Clinton ABC Board for ABC law enforcement passed unanimously.

The City of Clinton shall provide law enforcement in the Clinton School District in return for the sum of \$5,000/more to be paid by September 30, 2017, dependent upon revenues

collected. It was noted that this contract has been in existence for many years and the City has had no problems with the Clinton ABC Board and this partnership.

AGREEMENT – DIVISION OF CRIMINAL INFORMATION ACCESS – SAMPSON COUNTY COMMUNICATION CENTER

Upon a motion made by Councilmember Turlington, seconded by Mayor Pro Tem Becton, an agreement between Sampson County Communication Center and the Clinton Police Department for Division of Criminal Information access passed unanimously.

This agreement outlines the responsibilities of each agency in regards to record transactions to the Division of Criminal Information (DCI); the verification, validation and “hit” confirmations of such transaction; and the use of information obtained from a Division of Criminal Information terminal through this agency.

Termination of the agreement and services may be implemented by either agency upon determining that an applicable law, rule or regulation has been violated and/or the terms of this agreement have been violated.

RESOLUTION -- ALLOWING CLINTON ABC BOARD TO ADOPT CITY'S TRAVEL POLICY

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

**RESOLUTION ALLOWING THE ADOPTION
OF THE
CITY OF CLINTON'S TRAVEL POLICY
BY THE
CLINTON ABC BOARD**

WHEREAS, the North Carolina Alcoholic Beverage Control Commission is requesting that all local liquor boards adopt travel policies as pursuant to Statutory Authority G.S. 18B-702(e) and legislation *HB 1717* Modernization of the State ABC System; and

WHEREAS, the Clinton ABC Board requests written confirmation from the Clinton City Council to allow the Board permission to adopt its current Travel Policy which was adopted in April 2012 and revised in November 2015.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Clinton hereby grants the Clinton ABC Board's request to use during the FY2017-2018, the City's Travel Policy which was adopted in April 2012 and revised in November 2015.

AMENDMENT – AUDITORIUM RENTAL POLICY

Interim City Manager Robert Hyatt stated that the current Auditorium Rental Policy has been in place since 2008. He stated that initially, the policy was intended for any for-profit, non-profit agency, organization or business. He further stated that over time, it has expanded to include non-business activities, such as: birthday parties, baby showers, reunions, etc. He stated that this was not the intent of this policy. Interim City Manager Hyatt stated that staff felt it necessary to amend the policy.

Upon a motion made by Councilmember Turlington, seconded by Councilmember Stefanovich, the following amendment to the Auditorium Rental Policy passed unanimously:

CITY OF CLINTON Auditorium Rental Policy

BE IT RESOLVED by the City Council of the City of Clinton, North Carolina that the following policy is hereby revised in its entirety:

The City Hall Auditorium when not in use for City related activities may be rented any day of the week between the hours of 8:00 a.m. to 10:00 p.m. The City reserves the right to cancel a rental reservation when an unanticipated need arises requiring the City's use of the auditorium.

The auditorium may be rented to organizations, both for profit and not for profit (government agencies, non-profits, civic groups and committees / boards associated with these organizations) for business related activities.

These organizations shall not use the auditorium for non-business related activities including but not limited to dances, birthday parties, baby showers, and class and family reunions.

No organization will be permitted to rent the auditorium more than one time per month, except newly formed organizations (1 year or less) may use it weekly for up to 3 months.

The fee for using the City Hall auditorium shall be \$50 for less than 5 hours and \$100 for 5 hours or more per day.

A refundable deposit of \$100 is due before receiving the auditorium key for any event. The refundable deposit is not part of the rental fee. No dates will be reserved without receipt of deposit. Upon the completion of the event, the refundable deposit will be refunded to the organization renting the auditorium provided that no fees for damages or additional services

are required. Refunds will be made on/or approximately, the 10th and 25th day of each month. The City reserves the right to cancel this agreement should rental fee not be paid by dates requested. All refunds shall be paid by the City of Clinton Finance Department.

This policy does not apply to the Administration Conference Room or the City Hall Training Room. Use of these rooms by organizations not associated with the City shall be at the discretion of the City Manager or City Clerk.

Any variation from the above policy must be approved by the City Manager or in his / her absence, the City Clerk.

ORDINANCE AMENDMENT – CHAPTER 6. CEMETERIES OF THE CLINTON CITY CODE OF 1987

Public Works Director Vreugdenhil stated that the Cemetery Advisory Board, City Attorney Howard, and staff met several months ago and unanimously agreed upon the proposed amendments relating to Chapter 6. Cemeteries of the City Code and vandalism, violation of the ordinance, powers, etc. He asked City Council to adopt the amendment(s) to the Clinton City Code of 1987.

Upon a motion made by Councilmember Bryant, seconded by Mayor Pro Tem Becton, the following amendment(s) passed unanimously:

Ordinance #2017.06.01

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina that Chapter 6, primarily Section 6-5. Markers, monuments or other physical objects; Section 6-7. Powers; and Section 6-8. Violation of ordinance of the Clinton City Code of 1987 are hereby amended to read as follows:

Sec. 6-1. Burial permits.

(a) No human body shall be buried within the City unless a permit has been first obtained from the City Manager or his designee.

(b) Burial permits shall not be issued by the City Manager or his designee unless satisfactory evidence of ownership of a burial plot consisting of a registered deed, affidavits or other such evidence of ownership is provided by the person seeking a burial permit.

(Code 1975, 6-1)

Sec. 6-2. Interment of bodies.

No person shall inter, cause to be interred, or aid and abet in the interment of any dead human body anywhere within the City limits, except in the cemeteries owned, maintained or cared for by the City.

There are excepted from these requirements the interment of cremated human remains in approved Columbaria within the City limits.

Sec. 6-3. Minimum requirements for repository and interment.

- (a) No human body or remains shall be interred or otherwise deposited in any cemetery within the City in an urn, casket, vault or any other type of repository that is not buried at a minimum of eighteen (18) inches beneath the surface of the ground.
- (b) The surface of the ground above the repository shall be level with the surrounding ground except for any natural gradient existing at the time the grave is dug. Excess soil must be removed immediately following interment. All graves shall be level, and no grave mound shall be permitted.
- (c) No interment shall be permitted without the installation of, at a minimum, a commercially available grave liner or vault capable of withstanding 4000 pounds of pressure per square inch. After each interment, the grave shall be filled with soil that is mechanically packed in six (6) inch lifts.
- (d) No plot shall be opened and no burial shall take place in a City cemetery except by a licensed funeral director or his employees.
- (e) All gravediggers contracted by the licensed funeral directors must be approved by the City of Clinton and provide evidence of insurance as required by the City of Clinton.
- (f) Any human body interred within the City limits shall be placed with the head to the West and the feet to the East.
- (g) The Placement of human bodies, family markers, and head and footstones shall be in accordance with the cemetery placement requirements appearing on the most recent cemetery survey maps recorded in the Sampson County Registry.
- (h) There are excepted from these requirements urns, caskets, vaults or other repositories for human bodies or cremated human remains which are entombed in an approved Columbarium or a mausoleum that has a floor of stone or concrete upon which the repository is placed.

Sec. 6-4. Entering City cemeteries at night.

No person shall go upon the grounds of any City cemetery during the time between sunset and sunrise.

(Code 1975, 6-3)

Sec. 6-5. Markers, monuments or other physical objects.

- (a) Other than natural or artificial flowers, no grave marker, family monument, or stone monument, or marker of any kind, including a bench or seat used in lieu of a headstone, shall be placed at any grave or on a cemetery lot except in accordance with the cemetery placement requirements appearing on the

most recent cemetery survey maps recorded in the Sampson County Registry. Monuments must be set in a concrete foundation and no single grave marker or monument shall have a base larger than 16 inches by 30 inches, and no double grave marker or monument shall have a base size larger than 16 inches by 84 inches and must be within the space allocated as shown on the inset of typical lots on the most recent cemetery survey maps recorded in the Sampson County Registry. All grave monuments shall be of a minimum thickness of four (4) inches at its thinnest point and made of granite, marble, or other natural stone material of minimum thickness of four (4) inches at its thinnest point, or materials that consist of at least eighty-seven (87) percent copper and shall otherwise conform to the cemetery placement requirements appearing on the most recent cemetery survey maps recorded in the Sampson County Registry.

(b) All permanent type vases placed on said lot shall be of the type which do not extend above the ground level and all graves shall otherwise conform to the cemetery placement requirements appearing on the most recent cemetery survey maps recorded in the Sampson County Registry.

(c) Any marker, monument or other physical object shall not be placed anywhere in any cemetery located in the City without there first being obtained from the City's Director of Public Works or his duly authorized personal representative, a certificate of compliance with the requirements of the preceding paragraph or other rules and regulations combined with a permit to erect or install. Any physical borders delineating family plots shall be at grade level so as not to interfere with mowers.

(d) Certificates of compliance and permits to install or erect shall not be issued except upon certification by the owner of the cemetery property or his authorized representative that the marker, monument or physical object consists of permitted materials.

(e) The City shall not be responsible for vandalism to cemetery lots or markers, monuments and other physical objects erected or installed by owners of the cemetery lots and the City shall not otherwise be liable for damages to cemetery lots or markers, monuments and other physical objects erected or installed by owners of the cemetery lots unless such damage is the result of intentional or negligent acts by the City.

(Ord. No 99.11.2, 11-2-99)

Sec. 6-6. Sale and resale of burial spaces and burial lots.

All sales of cemetery lots require photo identification for address verification. All sales are to be done at the Public Works Department, 200 W. John Street, or City Hall, 221 Lisbon Street, during normal business hours with a public works staff member. Before a grave is located it must be paid for in full. The price for cemetery lots and portions thereof in the Clinton municipal cemeteries shall be by resolution adopted by the City Council from time to time. No person shall convey any interest in any municipal cemetery property without the concurrence of the City as evidenced by the signature of the City Clerk and affixation of the City seal; and the Register of Deeds of Sampson County shall not record any deed conveying any interest in any municipal cemetery property without its having been first signed by the Clinton City Clerk and affixed with the City seal.

(Ord. No. 00.3.2, 3-7-2000; Ord. No. 2009. 11.01, 11-4-2009, eff. 12-1-2009 Ord. No. 2014.07.01, 7-1-2014)

Sec. 6-7. Powers.

The city manager or his designee is hereby authorized and empowered to adopt from time to time reasonable rules and regulations to carry out the purposes of this Ordinance not inconsistent therewith.

Sec. 6-8. Violation of Ordinance.

A violation of any provision of this Chapter shall be a misdemeanor punishable with a fine not to exceed five hundred dollars (\$500.00) as provided in N.C.G.S. 14-4.

AWARD – LAND APPLICATION SERVICES

Public Works Director Jeff Vreugdenhil stated that in December 2016, an unfortunate accident occurred. A driver was carrying sludge to Faircloth Farms and was killed. He stated that although the truck belonged to someone else, the trailer carrying the sludge belonged to the City. The City has a long standing relationship with Buffalo Investments. He further stated that historically, the City has supplied tankers and managed the land application permitting process, while Buffalo Investments was the contracted hauler and truck owner. Mr. Vreugdenhil stated that Buffalo Investments has asked the City to consider allowing them to terminate the existing contract and utilize Granville Farms to be the contract hauler and become the permittee.

Mr. Vreugdenhil stated that under this new contract, the City would no longer be required to own equipment to dispose of waste treatment plant bio solids at the land application site, and would thereby be relieved of costs and responsibilities related to this equipment. He stated that the City has worked with Granville Farms in the past. He also stated that a gross majority of liability will be removed from the City if City Council approves Granville Farms as the contract hauler and permittee.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, it passed unanimously to award the contract for land application services to Granville Farms for the City of Clinton.

DEED FOR HIGHWAY RIGHT OF WAY – BRIDGE REPLACEMENT – BEAMAN STREET

Interim City Manager Robert Hyatt stated that NCDOT is preparing to replace the Beaman Street Bridge. He stated that Mr. Reggie Smith, with NCDOT visited him recently and presented a request—a contingent offer to purchase real property due to the acquisition of right of way and damages. He stated that NCDOT has identified the right of way and easement area that they need which is on the City's property. He stated that the contingent offer based on fair market value totaled \$19,725. Mr. Hyatt recommended approval of the request by Mr. Reggie Smith.

Councilmember Neal Strickland, a NCDOT employee, asked to be recused from voting on this matter. Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Stefanovich, it passed unanimously to recuse Councilmember Strickland from voting on this request.

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Turlington, it passed unanimously to approve a Deed for Highway Right of Way to allow NCDOT to purchase right of way needed for the bridge replacement on Beaman Street for the fair market value of \$19,725.

CITY COUNCIL – RESCHEDULING OF MEETING

Upon a motion made by Councilmember Turlington, seconded by Councilmember Bryant, it passed unanimously to reschedule the regular July 4, 2017, city council meeting to Tuesday, July 11, 2017, at 7:00 PM.

ORDINANCES—BUDGET

Finance Director Kristin Stafford briefed City Council regarding this item. She stated that it is clean up time and these budget amendments are to keep the general ledger balanced in various line items and to reflect expenditures more accurately. She stated that General Fund revenues, \$10,400, include money received from the Department of Justice Grant. She also informed the group that Water and Sewer Fund revenues, \$77,300, include FEMA reimbursement in the amount of \$69,000.

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Strickland, the following amendment #2017.06.02 was unanimously adopted:

**Budget Ordinance Amendment
Fiscal Year 2016-2017 Budget**

#2017.06.02

BE IT ORDAINED by the City Council of the City of Clinton, NC, that the following amendment be made to the Annual Budget Ordinance for the fiscal year ending June 30, 2017, amended on October 4, 2016; November 1, 2016; December 6, 2016; February 7, 2017; and May 2, 2017; is hereby amended as follows:

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

Account #	Account Title	Increase	Decrease	Total
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10-3040-0200	Insurance revenue	\$9,400		
10-3900-0200	Dept. of Justice Grant	\$1,000		
TOTAL REVENUES		\$10,400	\$0	\$10,400

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

Account #	Account Title	Increase	Decrease	Total
30-6600-0400	Misc professional service		\$2,000	
30-6600-1500	Utility billing maintenance		\$4,000	
30-6600-4500	Contract service		\$4,000	
30-6600-5600	Safety committee		\$2,500	
30-6600-5900	Employee relations	\$1,000		
30-6600-7300	Non-departmental improvements	\$3,700		
30-6600-7400	Capital outlay	\$5,900		
30-6600-8000	Contingency		\$20,000	
30-8100-1100	Telephone	\$500		
30-8100-3301	Small tools and equip.	\$1,000		
30-8100-3303	Serv Pipe and meter box	\$1,000		
30-8100-4501	Maint/repair lines	\$28,000		
30-8100-7400	Capital outlay equipment	\$11,500		
30-8100-5300	Dues and subscriptions		\$1,300	
30-8200-1400	Travel and education		\$1,000	
30-8200-1600	Maint/repair equip.	\$34,100		
30-8200-1700	Maint/repair auto	\$500		
30-8200-3100	Fuel	\$3,000		
30-8200-3300	Dept. supplies	\$1,500		
30-8200-4500	Contract services	\$15,900		
30-8200-5301	Plant certifications	\$2,000		
30-8200-5403	Insurance building and equip.	\$1,400		
30-8200-7300	Capital outlay improvements	\$5,400		
30-8200-7400	Capital outlay		\$5,400	
30-8300-1602	Maint/repair meters	\$2,500		
30-8300-1700	Maint/repair auto	\$1,700		
30-8300-3302	Water chemicals	\$9,500		
30-8300-3303	Water analysis		\$10,000	
30-8300-4500	Contract service		\$5,000	

30-8300-5310	Dues and subscriptions		\$2,000	
30-8400-0201	Part time salaries	\$4,000		
30-8400-0800	Dental insurance	\$300		
30-8400-1401	Auto Allowance	\$600		
30-8400-3300	Dept. supplies	\$1,000		
30-8400-1200	Printing		\$1,500	
	TOTAL EXPENDITURES	\$136,000	\$58,700	\$77,300

Section 4. To amend the Water and Sewer Fund, the revenues are to be changed as follows:

Account #	Account Title	Increase	Decrease	Total
30-3040-0000	Insurance revenue	\$8,300		
30-3040-0100	FEMA reimbursement	\$69,000		
	TOTAL REVENUES	\$77,300	\$0	\$77,300

Section 5. To amend the Downtown Fund, the expenditures are to be changed as follows:

Account #	Account Title	Increase	Decrease	Total
71-6910-2500	Craft Fair	\$2,300		
71-6910-3300	Supplies and materials		\$300	
71-6910-4500	Contract Services	\$2,000		
71-6910-6900	Downtown Façade Grant Program	\$1,000		
71-6910-7200	Fundraising Expenditures		\$3,000	
71-6910-8100	Special Events		\$2,000	
	TOTAL EXPENDITURES	\$5,300	\$5,300	\$0

Section 6. Copies of this budget amendment shall be furnished to the City Clerk, City Manager, and Finance Director for their direction.

RESOLUTION—SURPLUS PROPERTY

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

RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTIES BY THE METHODS OF GOVDEALS AND 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 Recreation Departments are hereby declared to be surplus to the needs of the City of Clinton:

One (1) 1984 Koehring excavator Estimated value: \$2,000.00
(Asset: ST24)

One (1) 8,000 gallon fiberglass water tank Est. value: \$2,500.00

One (1) 1986 Case backhoe Estimated value: \$5,000.00
(Asset: RC18)

- (2) The Financial Analyst is authorized to receive on behalf of the City Council of the City of Clinton bids via GovDeals for the purchases of the 8,000 gallon fiberglass water tank and 1986 Case backhoe and private negotiated sale for the 1984 Koehring excavator.
- (3) GovDeals and private negotiation will begin the sale of the described properties on or about June 10, 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.

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

Mayor Starling asked anyone speaking on this matter to come forth and take the oath. Tony Watson, Sampson County Building Inspector; Mary Rose, Planning Director; Jimmy Fannin, Code Enforcement Officer; and Willard I. Swinson, were sworn in to speak.

Ms. Rose introduced this item. She stated that Mr. Willard Swinson, owner of 425 McKoy Street, has requested City Council consider an appeal as authorized by NC General Statutes 160A-430 under NC General Statutes 160A-426 Unsafe Buildings Condemned. She stated that City Council is to receive evidence from the claimant and staff. She read the letter of appeal from Mr. Swinson (**SEE EXHIBIT 1**). Ms. Rose informed City Council that after all testimony and evidence have been presented, Mayor Starling should call for a motion to affirm the decision of the Code Enforcement Officer, modify and affirm the decision of the Code Enforcement Officer, or revoke the order of the Code Enforcement Officer. Ms. Rose presented Exhibits 2-13 to City Clerk Hunt and asked that the Exhibits be recorded within the minutes. (**SEE EXHIBITS 2-13**).

Testimonies were given by Jimmy Fannin, Tony Watson, and Willard Swinson. They identified themselves for the public and for the records. Briefly, Mr. Fannin spoke. Mr. Watson stated that the entire roof, walls, floor—all need to be repaired.

Mr. Swinson read a letter from Mr. Fannin dated August 17, 2016. He stated that he was living in the house during the time that he received this letter and has lived at 425 McKoy Street, for eight (8) years. He asked City Council to allow him more time to bring the structure in compliance with city code.

City Council presented concerns; such as:

Did Mr. Swinson have a plan in place to bring the structure in compliance?

Did Mr. Swinson have estimates to repair the structure?

Has an engineer visited the site?

Did he have any documentation from any resource who has agreed to assist in repairing the structure?

How quickly can his resource come to assist him?

It was stated that this structure is an endangerment and eyesore for the neighborhood.

Mr. Swinson responded, respectively, to the above concerns:

He stated he has received two application—one from the military and one from the agriculture department. He needs to complete the applications.

He stated that no specifications were given to him from the Code Enforcement Officer.

Mr. Swinson stated that VA visited the site; however, he was requested to leave. He stated that he could give City Council a phone number and they could call VA and speak to someone regarding this matter.

He stated that it takes approximately 30 days for a decision regarding his applications.

City Council asked to see photos from 2016. Planning Director Rose stated that they have photos in the files. Mr. Fannin and Mr. Watson were asked to come back to the podium. It was stated that when they inspected the structure in 2016, it was already collapsing—no foundation. Mayor Pro Tem Becton asked if the structure was worth repairing and Inspector Watson replied, “No, not in my opinion.”

Johnny Boykin, 421 Still Street, asked to speak. Mayor Starling gave him the oath. He stated that he is willing to assist Mr. Swinson.

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

Although City Council identified the abovementioned conditions to exist, upon a motion made by Councilmember Strickland, seconded by Councilmember Stefanovich, it passed unanimously to allow Mr. Willard Swinson until July 11, 2017, to bring the structure up to city code.

APPOINTMENT(S)

Notification of appointment/reappointment was given for the following:

- a. ABC Board – 3 year terms

Dempsey Craig currently holds this position; however, he does not wish to be reappointed. At the July 11, 2017, city council meeting, City Council will be asked to appoint an individual to the ABC Board.

REPORTS

The code enforcement, Public Works Project Status Update, and fire reports were acknowledged.

STAFF REPORTS

City Clerk and Safety Coordinator Hunt spoke regarding the Safety Awards Program sponsored by the NC Department of Labor. She stated that this is the 4th year which the City of Clinton participated. Ms. Hunt informed the group that:

- In 2013, 3 departments/divisions received awards: Police, Street, and WWTP
- In 2014, 7 departments/divisions received awards: City of Clinton, Fire, Street, Recreation, WWTP, Water & Sewer, and Sanitation
- In 2015, 6 departments/divisions received awards: City Hall & Annex, Sanitation, Police, Recreation, WWTP, and Street Division

Ms. Hunt stated that for 2016, the City received more awards than ever before. She stated that 9 departments/divisions received awards: City of Clinton, City Hall & Annex, Fire, Police, Recreation, Sanitation, Street, WWTP, and Water & Sewer.

She stated that each award level is based on days away from work, job transfer, and work restriction that is below the industry rate. She further stated that less time missed due to injuries mean better services for the citizens of Clinton. She stated that auto liability rates have reduced; general liability rates have reduced, as well as municipal equipment rates. She announced that the overall rate for FY2017-2018, pool revenue reduced approximately 2% due to the reduced rates mentioned. She concluded by stating that safety is a choice that one makes and the employees here in the City of Clinton have chosen to be safe and not sorry.

Parks and Recreation Director Allen stated that the Royal Lane Park Phase 1A Project is coming along nicely. He further stated that the erosion control measures have been implemented.

Acting Chief Donald Edwards stated that the Dogwood Substation opened on June 1st. He stated that approximately 60 residents from the community attended the opening ceremony. He stated that the Eastern Carolina Housing Authority reached out to them and Clinton Police Department “jumped on” the opportunity to partner in this endeavor.

Finance Director Kristin Stafford stated that an error was found to be in the FY2015-2016 financial statement that was presented to City Council in December. She stated that the new auditors discovered the error which involved component units entered incorrectly. She asked City Council to receive the corrected version of the FY2015-2016 financial statement.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, it passed unanimously to receive and accept the corrected copies of the FY2015-2016 financial statement.

CITY MANAGER REPORTS

Interim City Manager Hyatt made mention of an error within the Fire Department monthly report. He stated that the error was corrected—it was the incorrect month on one of the pages. He informed City Council that as of October 2015, cities must conduct a public hearing for all economic development expenditures pursuant to NCGS 158-7.1, 7.2. He stated that this public hearing usually corresponds with allocations in the FY2017-2018 Proposed Budget. He asked City Council to call for a public hearing to be held at the June 20th city council meeting when the proposed budget is scheduled to be adopted.

Upon a motion made by Councilmember Bryant, seconded by Mayor Pro Tem Becton, it passed unanimously to call a public hearing for June 20, 2017, on expenditures for economic development purposes in the proposed FY2017-2018 Budget.

PUBLIC COMMENTS

Mr. William T. Pope, 403 Isaac Road, voiced concerns regarding a recent encounter with an officer within the Clinton Police Department. He stated that he was a retiree from the former Lundy Packing Company. He stated that he was arrested by Officer Matthew Davis—charged with assault by pointing a gun. He stated that the charges were dismissed. He alleged that Officer Davis failed to read him his rights. Mr. Pope stated that he met with former City Manager Shawn Purvis and former Police Chief Jay Tilley. He alleged a racist behavior was demonstrated on the part of Officer Davis. Mr. Pope stated that a claim has been filed about Clinton Police Department.

Mayor Starling stated that “they do not approve of anyone being treated improperly.” He apologized to Mr. Pope; however, he stated that City Council can not interfere with personnel. He stated that they can only fire the city manager and city attorney. He told Mr. Pope that he had no knowledge of this incident; nevertheless, if Mr. Pope felt the need to bring a suit against the City, please do so.

CONTINUATION

Mayor Starling read a card from former City Manager Shaw Purvis thanking Mayor and City Council for the generous gift given to him upon his leaving. He thanked them for the opportunity to serve as city manager.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, it passed unanimously to continue this meeting until Tuesday, June 20th at 6:00 PM in the City Hall Auditorium for the purpose of adopting the FY2017-2018 Budget and other business as deemed necessary.

The June 6, 2017, city council meeting adjourned at approximately 8.41PM.

Elaine F. Hunt, City Clerk, MMC, NCCMC

Lew Starling, Mayor