

JANUARY 3, 2006 CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina met in regular session at 7:00 PM on January 3, 2006 at city hall auditorium. All councilmembers were present: Marcus Becton, Mayor Pro Tem Maxine Harris, Steve Stefanovich, Neal Strickland, and Jean Turlington. The city attorney Dale Johnson; deputy clerk Elaine F. Hunt; city manager John Connet; director of administration Joe Best; fire chief Philip Miller; planning and community development director Jeff Vreugdenhil; police chief Mike Brim; public works director Chris Doherty; senior planner Mary Rose; and recreation director Judi Nicholson were present. Absent were city clerk Betty Fortner and finance director Betty Brewer.

Mayor Starling called the meeting to order and recognized deputy clerk Elaine Hunt on her recent accomplishment of graduating from Mount Olive College.

Deputy clerk Hunt gave the invocation.

PROCLAMATION

The following proclamation was presented to Coach Steve Mallard, Coaching staff Kevin Ellis, and players:

PROCLAMATION Honoring the 2005 Clinton High School Football Team

WHEREAS, the Clinton High School football team coached by Steve Mallard and coaching staff, Jeff Davidson, Kevin Ellis, Mark Fields, Alfonza Hooper, Chris Owens, and Jeff Sawvel and trainer Jamie Johnson, are to be recognized and commended for their outstanding 2005 football season; and

WHEREAS, by their extraordinary team efforts, they won the North Carolina High School Athletic Association 2-A State Football Championship on December 10, 2005; and

WHEREAS, the excellent performance, dedication, and commitment of these young men, along with the coaching staff, have proven to be a source of pride and inspiration to the citizens of the city of Clinton.

WHEREAS, three team members received recognition for their outstanding game performance. Jamel Henry was named as the game's Most Valuable Player, Nick Cooper was named as the game's Most Valuable Offensive Player, and Cody Stanley was named as the game's Most Valuable Defensive Player; and

NOW, THEREFORE, I, Lew Starling, by virtue of the authority vested in me as Mayor of the city of Clinton, North Carolina, and on behalf of our city council and all of our citizens, hereby extend this expression of our pride in your accomplishment, and our appreciation for the fine publicity you continue to bring to our community by your good sportsmanship and team play.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the minutes of the December 6 and December 13, 2005 city council meetings were unanimously approved.

OATHS

Deputy Clerk Hunt administered an oath to Jeff Vreugdenhil and Wesley Barefoot who presented testimony before council during the public hearing for a conditional use permit.

P & Z – SOUTHEAST BOULEVARD – BAREFOOT

Mayor Starling opened a public hearing on a request by Wesley Barefoot for a conditional use permit to operate a Bingo Entertainment Facility at 407 Southeast Boulevard. Jeff Vreugdenhil presented the request and the Planning and Zoning Board's recommendation to unanimously approve the request. Mr. Barefoot spoke. He stated that he presently has/had bingo entertainment facilities in Mount Olive, Goldsboro, New Bern, Kinston, and other areas. He stated the hours of operation would vary with an estimate of 30-50 players per night and this bingo entertainment was considered a social event not gambling. Council wanted more information concerning this request before making a decision; therefore, they instructed Police Chief Mike Brim to observe Mr. Barefoot's Wayne County facility and report back to council.

Upon a motion made by Councilmember Harris, seconded by Councilmember Becton, this public hearing was continued until the February 7, 2006 city council meeting at 7:00 PM.

APPOINTMENTS

Upon a motion made by Councilmember Strickland, seconded by Councilmember Turlington, Donald Summerlin was unanimously reappointed to the Planning and Zoning Board for a five-year term ending January 2011.

Upon a motion made by Councilmember Becton, seconded by Councilmember Strickland, Homer Faison was unanimously reappointed to the Board of Adjustment for a three-year term ending January 2009.

Upon a motion made by Councilmember Harris, seconded by Councilmember Becton, Barbara Faison was unanimously reappointed to the Board of Adjustment for a three-year term ending January 2009.

AUDIT

Jim Black, CPA, Black & Chestnutt, PA, presented the 2004-2005 Audit of city financial operations. He stated, that “the City is in good shape. Services brought in more revenues than expenditures”. Mr. Black further stated that the city is doing an excellent job of collecting taxes.

STARVISION CATV

Randy Jacobs appeared before city council on behalf of StarVision. StarVision wants to tape city council meetings on a monthly basis and replay the meetings at a later date. Mr. Jacobs stated that they would like to begin the taping with the March meeting. After a brief discussion, a motion was made by Councilmember Turlington, seconded by Councilmember Stefanovich and unanimously approved to continue this request until the February 7, 2006 city council meeting.

PRELIMINARY PLATS

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, a preliminary plat for a three lot subdivision off NC 403 proposed by Michael and Ann Oliver was unanimously approved.

Upon a motion made by Councilmember Becton, seconded by Councilmember Stefanovich, a preliminary plat for a four lot subdivision off West Main Street and Boykin Bridge Road proposed by Johnny Bennett, Mary Higginbotham, Arlena B. Daughtry, and Elizabeth B. Boykin was unanimously approved.

REPORTS

The fire, personnel, code violations, public works, tax and police reports were acknowledged. City Manager Connet reported that also attached was a letter and proclamation signed by Governor Michael Easley offering a reward of up to \$5,000 for information leading to the arrest and conviction of the person or persons responsible for the murder of Willie Andrea Whitted that took place on August 10, 2005.

RESOLUTION – CLOSED SESSION

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

“Be It Resolved that the meeting of the City Council of the City of Clinton, North Carolina held January 3, 2006 enter closed session as allowed by NCGS 143-318.11(a)(3) to consult with the city attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure.”

At approximately 7:58 PM, council re-entered regular session. Mayor Starling reported a citation brought against the City of Clinton by the Occupational Safety and Health Division (OSH) was discussed.

Upon a motion made by Councilmember Harris, seconded by Councilmember Becton, it was unanimously approved to resolve the issue with the Occupational Safety and Health Division.

At 8:00 PM and upon a motion made by Councilmember Becton, seconded by Councilmember Stefanovich and unanimously passed, the meeting was continued until 7:00 PM on January 24, 2006.

Deputy City Clerk

Mayor

January 3, 2006 Closed Session Minutes

Mayor Lew Starling called the Closed Session to order and asked City Manager Connet to update the City Council on the following issues:

City Manager Connet stated that the North Carolina Division of Labor, Division of Occupational Safety and Health (NCDOL – OSH) had cited a Public Works crew for failure to wear proper Personal Protective Equipment (PPE) and missing safety pieces from the chainsaw. He stated Public Works Director Doherty met with OSH personnel on December 14, 2005 to ask for a reduction in the fine. Originally, the fine was \$7,000; however, it was reduced to \$1,120.

City Manager Connet updated the City Council on a matter being worked on by the public works director, city attorney, and himself regarding a Ms. Denise Hargrove and Mr. Bobby Joyner. He stated the city was cleaning wells and while cleaning Well Site No. 18 located off Clive Jacobs Road, water allegedly damaged Ms. Hargrove's and Mr. Joyner's pumpkins. He further stated that Mr. Joyner has filed suit against the City of Clinton; however, it is questionable as to whether or not the city actually damaged the pumpkins. City Manager Connet said that Joyner is requesting \$9.00 per pumpkin and they stated there were a total of 220 pumpkins. City Council directed City Attorney Johnson to work with City Manager Connet to resolve this matter with Ms. Hargrove and Mr. Joyner.

City Manager Connet updated the City Council on an issue concerning the Masonic Lodge and the parking lot located at the top of College Street hill—the Old Clinton Hotel Property Re-Subdivision. He stated the Lodge is requesting a rent increase of \$150 a month. The City is willing to pay \$100 a month.

Upon a motion made by Councilmember Harris, seconded by Councilmember Becton, and unanimously passed, City Council exited closed session.

Deputy City Clerk

Mayor