

OCTOBER 7, 2008 CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina met in regular session at 7:00 PM on October 7, 2008 in the city hall auditorium. Mayor Starling presided. Councilmembers Becton, Harris, Stefanovich, Strickland, and Turlington were present. City Attorney Dale Johnson; city clerk Elaine F. Hunt; city manager John Connet; assistant city manager Shawn Purvis; finance director Betty Brewer; fire chief Philip Miller; planning and community development director Jeff Vreugdenhil; planner Mary Rose; public works director Chris Doherty; human resource manager Lisa Carter; police chief Mike Brim; and recreation director Judi Nicholson were present.

Councilmember Marcus Becton gave the invocation.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the minutes of the September 2, 2008 city council regular meeting were unanimously approved.

ABC

ABC Board members Shurley McCullen and Cary Taylor presented City Council with a check in the amount of \$97,840 and Clinton Police Department with a check in the amount of \$6,140, which are the estimated proceeds from sales at the ABC store. Ms. McCullen stated that a check in the amount of \$24,460 was also presented to Clinton City Schools.

PROCLAMATION

City Manager Connet read the following proclamation in support of afterschool programs in the City of Clinton:

Keeping the Lights on Afterschool

WHEREAS, the citizens of Clinton North Carolina stand firmly committed to quality afterschool programs and opportunities because they:

- Provide safe, challenging, engaging and fun learning experiences to help children and youth develop their social, emotional, physical, cultural and academic skills.
- Support working families by ensuring their children are safe and productive after the regular school day ends.
- Build stronger communities by involving our students, parents, business leaders and adult volunteers in the lives of our young people, thereby promoting positive relationships among children, youth, families and adults.
- Engage families, schools and diverse community partners in advancing the welfare of our children; and

WHEREAS, Clinton City Schools' Community Technology Learning Center and the 21st Century Community Learning Center have provided significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the principle that quality afterschool programs are key to helping our children become successful adults; and

WHEREAS, Lights On Afterschool, a national celebration of afterschool programs on October 16, 2008 promotes the critical importance of quality afterschool programs in the lives of children, their families and their communities. More than 28 million children in the U.S. have parents who work outside the home, and 14.3 million children have no place to go afterschool; and

WHEREAS, many afterschool programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights.

NOW, THEREFORE, I LEW STARLING, MAYOR of the City of Clinton, North Carolina do hereby proclaim October 16, 2008, as "**Lights on Afterschool Day**".

BE IT FURTHER RESOLVED that the **City of Clinton, North Carolina, an All-American City**, enthusiastically endorses **Lights on Afterschool** and commits our city to engage in innovative afterschool programs and activities that ensure the lights stay on and the doors stay open for all children afterschool.

PARADE

Latisha Blue, Clinton High School SGA Senior Advisor Coordinator, appeared before City Council to ask approval of a Homecoming Parade on October 24, 2008 at 4:00 PM.

Upon a motion made by Councilmember Harris, seconded by Councilmember Strickland, the request by the Clinton High School SGA to have a Homecoming Parade passed unanimously subject to meeting with Police Chief Brim to make certain all concerns were resolved.

OATHS

Mayor Starling administered oaths to Mary Rose and Lisa Riddles.

P & Z – 114 EASTOVER AVENUE – LISA RIDDLES

Mayor Starling opened a public hearing on a request by Lisa Riddles for a conditional use permit to operate a beauty salon as a home occupation at 114 Eastover Avenue in an R-8 Residential district. City Planner Mary Rose explained the request and gave the staff, Planning, and Zoning Board recommendation to approve the request. She stated that Council might impose conditions. Councilmember Turlington stated that should the request be approved, it should be subject to all parking taking place in the rear yard. No one else wished to be heard, and the hearing was closed.

Mayor Starling read Standard 1: The use will not endanger the public health, safety, or general welfare if located where proposed and developed according to plan. 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 meets all required conditions and specifications as outlined in the conditional use application, and/or as imposed by the city 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.

Mayor Starling read Standard 3: The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the neighborhood, or is a public necessity. 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 location and character of the use if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in conformity with the Clinton Development Plan. 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 Becton, seconded by Councilmember Harris, and after determination that this request is in accordance with the provisions of NCGS 160A-383, a conditional use permit was unanimously approved for Lisa Riddles to operate a beauty salon as a home occupation at 114 Eastover Avenue subject to all parking taking place in the rear yard.

P & Z – 707 COLLEGE STREET – PATRICIA GREEN

Mayor Starling opened a public hearing on a request by Patricia Green for the rezoning of approximately 18,000 square feet of the property located at 707 College Street from R-8 Residential to O & I Office and Institutional. City Planner Mary Rose explained the request and gave the staff, Planning, and Zoning Board recommendation to approve the request upon the findings of fact and zoning consistency statement. No one appeared to be heard, and the hearing was closed.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the following amendment #2008.10.01 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-9-08-1 is consistent with the goals and objectives of the City of Clinton Land Use Plan and other long range planning documents; and

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 18,000 square feet of the property located at 707 College Street is hereby rezoned from R-8 Residential to O & I Office and Institutional.

APPOINTMENTS

Notification was given of expiration term of Glenda Bunker on the Library Board and of the unexpired term of Brian DeMay on the Recreation Advisory Board. City Manager Connet stated that Mr. DeMay represented District 2.

TAYLOR AGENCY – DOWNTOWN DISTRICT

At the September 2, 2008 city council meeting, City Manager Connet was directed to bring some resolution to Council regarding Buck Taylor's request to be removed from the downtown district, due to the fact that Mr. Taylor is the only commercial property on this end of the district.

City Manager Connet stated that he is recommending expansion of the Downtown Special Tax District and establishing an incentive program for the redevelopment and renovation of properties within the Downtown Special Tax District.

Planning and Zoning Director Vreugdenhil stated that approximately \$25,000-\$26,000 is generated in the special tax district per year. He stated that this money is used for the renovation of downtown. In the past, this money has paid for free parking lots.

Mr. Vreugdenhil stated that a grant incentive is being proposed to be given for approximately five years to property owners who do improvements to their property. For example, a property owner who does property improvements totaling approximately \$100,000 would receive an incentive as follows:

\$0.845 = \$845 Annual County Tax
\$0.41 = \$410 Annual City of Clinton Tax
\$0.20 = \$200 Annual Downtown Special Tax
\$1455 x 5 years = \$7275.00

Mayor Starling stated that the City's intent is to upgrade downtown. City Manager Connet stated that no matter how Council choose to proceed, a formal public hearing will need to be conducted, property owners notified, and all changes will not be effective until July 1, 2009. City Council directed City Manager Connet to move forward with what needs to be done.

STREET CLOSINGS

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, and unanimously passed, approval was given to close Vance Street between Sampson and Wall Streets, Wall Street between Vance and Main Streets, and Main Street between Wall and Lisbon Streets from 5:30 PM until 9:30 PM on October 31, 2008 for the activities sponsored by the Police Department and downtown merchants for Halloween-on-the-Square.

STREET CLOSINGS

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, and unanimously passed, Vance Street from Sampson Street to Wall Street from 7:00 PM on October 10, 2008 until 5:00 PM on October 11, 2008 and Main Street from Wall Street to Lisbon Street, Graham Street along the parking lot to College Street and the all day portion of the Lisbon Street parking lot and the portion of the Lisbon Street parking lot from Elizabeth Street southward on October 11, 2008 from 5:00 AM until 5:00 PM are to be closed in order to hold the street fair, car show and cook-offs.

CITY COUNCIL

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, and unanimously passed, the regular council meeting scheduled for November 4, 2008 was rescheduled to November 5, 2008 at 7:00 PM.

ANNEXATION—N C HWY 403

City Manager Connet said at the September 2, 2008 city council meeting, the city clerk was instructed to investigate the sufficiency of the petitions of property owners along NC Hwy 403. He stated that at this time, we present to Council the City Clerk's Certificate of Sufficiency.

City Manager Connet presented for consideration resolutions calling for a public hearing on the annexation. Upon a motion made by Councilmember Harris, seconded by Councilmember Turlington, the following resolutions were unanimously adopted:

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF CONTIGUOUS ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, petitions requesting annexation of the contiguous area described herein has been received; and

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

WHEREAS, certification by the City Clerk as to the sufficiency of the petitions have been made;

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

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at City Hall Auditorium at 7:00 PM on **November 5, 2008.**

Section 2. The area proposed for annexation is described as follows:

All that certain lot or parcel of land lying and being in North Clinton Township, Sampson County, North Carolina, and more particularly described as follows:

BEGINNING at a stake on the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway) in the property line between Campbell Oil Company of Clinton, Inc. (see Deed Book 1030 Page 108) and T. Carroll Hobbs (see Deed Book 923 Page 44), said stake being located North 71 degrees 42 minutes 50 seconds East 1197.64 feet and South 09 degrees 05 minutes 00 seconds West about 50.00 feet from the center line intersection of N. C. Highway No. 403 (Faison Highway) and U. S. Highway No. 701 (Business); running thence from said beginning point with the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway) 50 feet from the center line and with the Northern line of Campbell Oil Company of Clinton, Inc. (see Deed Book 1030 Page 108), North 71 degrees 42 minutes 50 seconds East about 168.91 feet to an existing iron stake; thence with Junius Davison Tyndall (see Deed Book 1593 Page 88 and Map Book 59 Page 84), North 67 degrees 42 minutes 41 seconds East 160.07 feet to an existing iron stake, a corner of Lennie I. House (see Deed Book 722 Page 175); thence leaving N. C. Highway No. 403 (Faison Highway), the dividing line between Tyndall and Lennie House, South 22 degrees 38 minutes 05 seconds East 299.88 feet to an existing iron stake and North 69 degrees 11 minutes 03 seconds East 59.86 feet to an existing iron pipe, a corner with Lawrence Melson; thence the dividing line between Lennie House and Lawrence Melson (see Deed Book 1465 Page 994 and Map Book 44 Page 79) and with the Sampson County Water and Sewer District II (see Deed Book 1458 Page 827 and Map Book 44 Page 79), North 22 degrees 36 minutes 09 seconds West 301.69 feet to an iron stake in the Southern edge of the N. C. Highway No. 403 (Faison Highway) right-of-way; thence with the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway) and with Sampson County Water and Sewer District II "Meter Vault" (see Deed Book 1458 Page 827 and Map Book 44 Page 79), North 67 degrees 27 minutes 11 seconds East 30.00 feet to an iron stake; thence with the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway) and with Lawrence E. Melson (see Deed Book 1465 Page 994 and Map Book 44 Page 79), North 67 degrees 27 minutes 11 seconds East 90.00 feet to an existing iron stake; thence with the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway), and with Lot No. 1 of A & M Oliver Properties, LLC (see Deed Book 1591 Page 474 and Map Book 56 Page 12), North 67 degrees 24 minutes 45 seconds East 150.00 feet to an existing iron stake; thence the same course continued with Lot No. 2 of A & M Oliver Properties, LLC, North 67 degrees 24 minutes 45 seconds East 208.06 feet to an existing iron stake; thence leaving N. C. Highway No. 403 (Faison Highway) and with Lot No. 3 owned by Gary Wayne Straughn (see Deed Book 1706 Page 541 and Map Book 56 Page 12), South 22 degrees 35 minutes 15 seconds East

354.38 feet to an existing iron pipe, a joint corner between Ellen Robinson Jones and Patricia Robinson Hering (see Deed Book 1524 Page 721) and Sharon McPhail (see Deed Book 1207 Page 361); thence with McPhail, South 72 degrees 28 minutes 29 seconds West 179.74 feet to an existing iron pipe; thence with McPhail and then with Moses J. McRae (see Deed Book 1239 Page 122), South 63 degrees 01 minutes 14 seconds West 173.73 feet to an existing iron pipe; thence the dividing line between Lawrence Melson and with Moses J. McRae, South 10 degrees 23 minutes 18 seconds West 100.05 feet to an existing iron stake; thence the dividing line between Melson and with Daisy B. Stokes (see Deed Book 803 Page 624), South 87 degrees 29 minutes 22 seconds West 97.66 feet to an existing iron pipe at the Northeast end of Maple Street (never open); thence crossing Maple Street, South 87 degrees 30 minutes 22 seconds West 20.00 feet to an existing iron stake; thence with the West side of Maple Street and with Junious Davison Tyndall, South 06 degrees 48 minutes 48 seconds West 90.67 feet to an existing iron pipe; thence the dividing line between Junious Davison Tyndall (see Map Book 59 page 84), and Anna Belle Ashley (see Deed Book 708 Page 95) and with Jessie L. Brewington (see Deed Book 708 Page 128), North 66 degrees 01 minutes 12 seconds West 192.80 feet to an existing iron pipe in the East edge of Oak Street; thence with the East edge of Oak Street, North 06 degrees 48 minutes 48 seconds East 40.22 feet to an existing iron pipe; thence again with Tyndall and crossing Oak Street, South 67 degrees 36 minutes 23 seconds West 13.10 feet to an existing iron pipe and North 65 degrees 20 minutes 04 seconds West 9.00 feet to an existing iron pipe; thence with Tyndall and with the Western edge of Oak Street, South 06 degrees 48 minutes 48 seconds West 79.00 feet to an existing iron stake; thence the dividing line with Tyndall and with Willie F. Royal (see Deed Book 600 Page 353), North 66 degrees 01 minutes 12 seconds West 50.00 feet to an existing iron stake; thence continuing with Tyndall, North 64 degrees 49 minutes 30 seconds West 105.51 feet to an existing iron stake, Tyndall's Southwest corner and the Southeast corner of Campbell Oil Company of Clinton, Inc. (see Deed Book 1030 page 108); thence with Campbell Oil Company of Clinton, Inc., North 65 degrees 42 minutes 40 seconds West 143.43 feet to a point marked by a concrete monument and North 09 degrees 05 minutes East about 176.77 feet to the point of **BEGINNING**, containing 7 acres, more or less, as computed from various maps and deeds of record during September, 2008 and may be found to be inaccurate when a complete survey is done. Note: In this description, all deeds and maps used for this description call for the right-of-way of N. C. Highway No. 403 (Faison Highway) to be 50 feet from the center line, but according to J. Keith Jackson with the N. C. D. O. T., the State of North Carolina is only claiming 30 feet from the center line.

Section 3. Notice of the public hearing shall be published once in The Sampson Independent, a newspaper having general circulation in the City of Clinton, at least ten (10) days prior to the date of the public hearing.

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF SATELLITE ANNEXATION PURSUANT TO G.S. 160A-58.2**

WHEREAS, petitions requesting annexation of the satellite area described herein has been received; and

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

WHEREAS, certification by the City Clerk as to the sufficiency of the petitions have been made;

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

Section 1. A public hearing on the question of annexation of the satellite area described herein will be held at City Hall Auditorium at 7:00 PM on **November 5, 2008.**

Section 2. The area proposed for annexation is described as follows:

All that certain lot or parcel of land lying and being in North Clinton Township, Sampson County, North Carolina, and more particularly described as follows:

BEGINNING at a stake on the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway), said stake being located North 70 degrees 17 minutes 09 seconds East 2249.18 feet and South 22 degrees 31 minutes 20 seconds East 50.00 feet from N. C. G. S. Station "Tractor" having N. C. Grid Coordinates of X = 2,205,807.990 and Y = 457,967.171 (1983 N. A. Datum); running thence from said beginning point with the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway) 50 feet from the center line and with the Northern line of Lot No. 3 of the Robinson Property owned by Robinson and Son Machine, Inc. (see Deed Book 1033 Page 781), North 67 degrees 28 minutes 40 seconds East 60.00 feet to an existing iron stake; thence the same course continued with the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway) and the Northern line of Lot No. 2 owned by Walter Thomas Robinson (see Deed Book 1125 Page 396), North 67 degrees 28 minutes 40 seconds East 111.47 feet to an existing iron stake; thence the same course continued with the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway) and the Northern line of Lot No. 1 owned by Ellen Robinson Jones and Patricia Robinson Hering (see Deed Book 1659 Page 772), North 67 degrees 28 minutes 40 seconds East 71.30 feet to an existing iron stake; thence the same course continued with the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway) and with the Northern line of the Burgess Group Consolidated, LLC property (see Deed Book 1641 Page 996 and shown as Lot No. 1 in Map Book 59 Page 10), North 67 degrees 28 minutes 40 seconds East 240.00 feet to an existing iron pipe; thence with the Northern line of Quality Farm Equipment Company, Inc. (see Deed Book 1647 Page 430), North 71 degrees East 100.00 feet to a stake; thence the same course continued with the Northern line of Quality Land, LLC (see Deed Book 1554 Page 610 "Tract No. 2"), North 71

degrees East 100.00 feet to a stake; thence the same course continued with the Northern line of Quality Land, LLC (see Deed Book 1554 Page 610 "Tract No. 3") and with the Southern right-of-way line of said N. C. Highway No. 403 (Faison Highway), North 71 degrees East 90.00 feet to a stake; thence with Quality Land, LLC (see Deed Book 1554 Page 610 "Tract No. 5") and continuing with the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway), North 73 degrees East 272.19 feet to a stake at the point of intersection of the Southern right-of-way line of N. C. Highway No. 403 (Faison Highway) and Northwestern right-of-way line of Secondary Road No. 1751 (Pugh Road); thence with the Northwestern right-of-way line of Secondary Road No. 1751 (Pugh Road) (30 feet from the centerline) and with Quality Land, LLC (see Deed Book 1554 Page 610 "Tract No. 5"), the following courses and distances: South 19 degrees 55 minutes West 41.43 feet to a stake, South 19 degrees 55 minutes West 85.43 feet to stake, South 23 degrees 42 minutes West 97.10 feet to a stake, South 30 degrees 59 minutes West 96.32 feet to a stake, and South 37 degrees 45 minutes West 76.75 feet to a stake; thence with Quality Land, LLC (see Deed Book 1554 Page 610 "Tract No. 4"), South 41 degrees 35 minutes West 194.00 feet to a stake and South 48 degrees 15 minutes West 134.00 feet to an existing iron stake in the edge of Secondary Road No. 1751 (Pugh Road); thence with Quality Land, LLC (see Deed Book 1554 Page 610 "Tract No. 1"), South 48 degrees 15 minutes West 169.60 feet to an existing concrete monument, the Easternmost corner of the Robinson Property on the Northwest side of Secondary Road No. 1751 (Pugh Road); thence with Lot No. 4 of the Robinson Property now owned by Walter Thomas Robinson (see Deed Book 1125 Page 396 "Tract No. 2"), South 45 degrees 08 minutes 46 seconds West 415.20 feet to an existing concrete monument and North 21 degrees 38 minutes 38 seconds West 223.09 feet to an existing iron stake; thence with Lot No. 3 of the Robinson Property now owned by Robinson and Son Machine, Inc. (see Deed Book 1033 Page 781), North 21 degrees 38 minutes 38 seconds West 273.99 feet to an existing concrete monument, North 33 degrees 04 minutes 38 seconds East 64.23 feet to an existing iron pipe, and North 22 degrees 31 minutes 20 seconds West 124.75 feet to the point of **BEGINNING**, containing 9.94 acres, more or less, as computed from various maps and deeds of record during September, 2008 and may be found to be inaccurate when a complete survey is done. Note: In this description, all deeds and maps used for this description call for the right-of-way of N. C. Highway No. 403 (Faison Highway) to be 50 feet from the center line, but according to J. Keith Jackson with the N. C. D. O. T., the State of North Carolina is only claiming 30 feet from the center line.

Section 3. Notice of the public hearing shall be published once in The Sampson Independent, a newspaper having general circulation in the City of Clinton, at least ten (10) days prior to the date of the public hearing.

RESOLUTION ORDERING CLOSING – NE SIDE OF 314 SAMPSON STREET

City Manager Connet stated that at the September 2, 2008 city council meeting, Council adopted a Resolution Declaring the Intention of the City Council to consider the closing of a 30' wide easement on the Northeast side of 314 Sampson Street. He stated that we have a resolution ordering the closing of this particular property at this meeting. Mr. Connet further stated that all adjoining property owners had been notified and no objections had been received to the closing of the easement.

Mr. Jimmie Lewis of 314 Sampson Street, appeared before City Council. Mr. Lewis stated that what they actually request is to be able to move their fence over upon adding on to their property.

Mr. Bill Packer, of 301 Fisher Drive, spoke in opposition of closing the 30' easement. He recommended narrowing the alley to obliged Mr. Lewis. Randy Pope, of 302 Johnson Street, appeared before City Council in opposition of closing the entire 30' easement. Mr. Pope stated that he felt it would be fair to close one half of the easement. In closing one half of the easement, Mr. Pope stated he would have access to his property.

The resolution ordering the closing of a portion of a 30' wide easement on the northeast side of 314 Sampson Street was continued until the November 5, 2008 city council meeting.

CHANGE ORDER – PUGH ROAD LIFT STATION & GRAVITY SEWER PROJECT

Public Works Director Doherty presented a change order totaling \$46,384.20 from contingency to the contract with Seaside Environmental Constructors, Inc. Mr. Doherty stated that the funds have already been budgeted. He further stated that the primary reason for the change order is the finding of unsuitable soils that were replaced while installing the sewer main and manholes.

Upon a motion made by Councilmember Harris, seconded by Councilmember Turlington, the change order totaling \$46,384.20 was approved unanimously.

AGREEMENT – WOOTEN COMPANY – WTP IMPROVEMENTS 2008 PROJECT

Public Works Director Doherty stated that our water treatment plant is the main supply of finished water for our customers. He stated that several areas where expansion of the plant had been identified would improve the City's ability to serve our customers. He said the expansion would take several years and requires some initial planning and engineering work. Mr. Doherty further stated that the funds for this project were budgeted as part of the 2008-2009 Budget.

City Manager Connet stated we are requesting the approval of an engineering services agreement with The Wooten Company to perform the engineering work for a future expansion project.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Turlington, the agreement between the City of Clinton and The Wooten Company for Water Treatment Plant Improvements 2008 passed unanimously.

RESOLUTION -- AUTHORIZING THE PURCHASING OF PROPERTY

City Manager Connet stated that KS Bank approached the City regarding purchasing properties adjacent to 704 Williams Street that the City approved purchasing of at the August city council meeting. He stated the location of the properties is 700, 702 Williams Street, and 118 West Lee Street. He stated that KS Bank foreclosed on the properties and after the foreclosure, approached the City of Clinton concerning purchasing the properties for \$45,000. Upon Council's approval, the properties can be purchased for \$45,000.

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

RESOLUTION AUTHORIZING CITY MANAGER TO PURCHASE PROPERTY

WHEREAS, the City Council of the City of Clinton, NC desires to purchase property located at 700 and 702 Williams Street and 118 West Lee Street from KS Bank, Inc. of 1031 North Brightleaf Boulevard, Smithfield, NC 27577; and

WHEREAS, the city manager on October 7, 2008 was instructed to pursue the purchase of the abovementioned property; and

WHEREAS, the city manager recommends the City of Clinton purchases 700 and 702 Williams Street, and 118 West Lee Street for the amount of \$45,000.

NOW, THEREFORE, BE IT RESOLVED that John F. Connet, City Manager, is hereby authorized to purchase 700 and 702 Williams Street, and 118 West Lee Street for \$45,000 (plus legal fees, taxes, etc.) from KS Bank, Inc.

PANDEMIC INFLUENZA CONTINUITY OF OPERATIONS PLAN (COOP)

Assistant City Manager Purvis presented the City of Clinton Pandemic Influenza Continuity of Operations Plan (COOP) to City Council for their review. He stated the plan consisted of updates to our emergency operations plan. He stated that the threat of pandemic influenza forced the state to require all hundred counties to develop a plan. Mr. Purvis further stated that the plan addresses how the City will maintain continuity to ensure essential services in the event of a pandemic.

Assistant City Manager Purvis stated that formal adoption of the plan will be requested at the November city council meeting.

BIDS – AIRPORT TAXIWAY EXTENSION PROJECT

At the September 2, 2008 city council meeting, City Manager Connet stated that the Clinton-Sampson Airport Advisory Board received bids for the Taxiway Extension Project. He stated that Triangle Grading and Paving was the low bidder with a bid of \$1,100,600; however, they did not make a good faith effort to meet the Minority Business Enterprise (MBE) or Women Business Enterprise (WBE) goals of 6% required on federally funded projects. City Manager stated that the Airport Advisory Board recommended that Barnhill

Construction Company be awarded the bid with a bid of \$1,235,589.75 contingent upon giving Triangle Grading and Paving ten (10) days to appeal this recommendation and showing that they made a good faith effort to meet the MBE/WBE goals.

City Manager Connet stated that Triangle Grading and Paving appealed and did a good job; therefore, it is recommended that the airport taxiway project be awarded to them.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, it pass unanimously to uphold the Airport Advisory Board's recommendation to award the bid to Triangle Grading and Paving for the amount of \$1,100,600.00.

CITY COUNCIL WORKSHOPS

City Manager Connet stated that it is time to start preparing for the annual fall planning workshops. He stated that during the workshops, a formal mission statement will be developed and specific goals to accomplish the mission will be established. City Manager Connet further stated that these goals will be given to the management team to develop specific objectives to be implemented as part of the 2009-2010 Fiscal Year Budget. He stated he would like to schedule these workshops on October 28, 2008 and November 20, 2008 at 6:00 PM.

Upon a motion made by Councilmember Turlington, seconded by Councilmember Strickland, it passed unanimously to schedule the workshops on October 28, 2008 and November 20, 2008 at 6:00 PM.

REPORTS

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

City Manager reported that he, along with, Councilmembers Becton and Turlington will be attending the NCLM Conference in Charlotte, NC on next week. He further stated that all city council minutes have now been indexed by a company in Wilmington, NC and are on CDs. He stated that the minutes date back as far as 1929.

OTHER BUSINESS

City Planner Mary Rose announced that the City of Clinton is the recipient of the North Carolina Main Street 2008 Best Public Private Partnership Award because of the Clinton City Grill Project. Ms. Rose stated that each year the North Carolina Main Street Center holds the North Carolina Main Street Awards ceremony honoring communities and their achievements in the four points of the Main Street Approach to downtown revitalization: organization, economic restructuring, design, and promotion. She further stated that the City of Clinton has been a NC Main Street Community since 1982 and one of currently 57 NC Main Street Communities. The Award will be given out to the City on January 29, 2009 in Statesville, NC.

Finance Director Betty Brewer briefed City Council on the City's financial status with economy as is. She stated that our funds are safe. She further stated that the City's funds are not invested in stocks but in cash.

RESOLUTIONS—CLOSED SESSION

Mayor Starling stated that he would not, however, Ben Warwick would sit in on the closed session. Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Harris, the following resolution was unanimously adopted:

RESOLUTION TO ENTER CLOSED SESSION

Be It Resolved that the regular meeting of the City Council of the City of Clinton, North Carolina held at 7:00 PM on October 7, 2008 entered closed session as allowed by G. S. 143-318.11 (a) (3) to discuss potential litigation.

Council re-entered regular session at 8:33 PM. Mayor Starling reported he did not sit in on the first item; however, the second item he did, and no action was taken.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, and unanimously passed, the meeting adjourned at 8:38 PM.

City Clerk

Mayor