

## JULY 6, 2010, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on July 6, 2010 in the Clinton City Hall Auditorium. Mayor Starling presided. Councilmembers Becton, Strickland, Turlington, Stefanovich, and Mayor Pro Tem Harris were present. City Attorney Dale Johnson; City Clerk Elaine F. Hunt; City Manager John F. Connet; Assistant City Manager Shawn Purvis; Finance Director Betty Brewer; Planning and Community Development Director Jeff Vreugdenhil; Recreation Director Judi Nicholson; Public Works Director Chris Doherty; Police Chief Mike Brim; Fire Chief Todd Solice; and Human Resource Manager Lisa Carter were present. Intern Michael James was present. Absent were Senior Planner Mary M. Rose and Chris Berendt, of the Sampson Independent.

Councilmember Marcus O. Becton, Pastor of Way of the Cross Church, Turkey, NC gave the invocation.

### **CITY COUNCIL**

Upon a motion made by Councilmember Stefanovich, seconded by Mayor Pro Tem Harris, the minutes of the June 1, 2010 regular, and the June 29, 2010 special city council meeting were approved unanimously.

### **OATHS**

Mayor Starling administered oaths to Planning and Zoning Director Vreugdenhil and W. F. Carr.

### **P & Z – CLINTON PENTECOSTAL HOLINESS CHURCH – EDWARDS DRIVE**

Mayor Starling opened a public hearing on a request by Clinton Pentecostal Holiness Church for a conditional use permit to operate a commercial daycare for 180 children off Edwards Drive in an HC Highway Commercial district. Planning Director Vreugdenhil explained the request and gave the staff and Planning and Zoning Board recommendation to approve the request upon the findings of fact. Mr. W. F. Carr thanked Mayor and City Council for their consideration of this request. He stated that approval of this request will allow the church to grow. Mr. Carr further stated that all requirements by the Planning and Zoning Department have been met. 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 Stefanovich, seconded by Councilmember Becton, a conditional use permit was unanimously approved for Clinton Pentecostal Holiness Church to operate a commercial daycare for 180 children off Edwards Drive in an HC Highway Commercial district.

#### **AGREEMENT BETWEEN THE CITY OF CLINTON & PRATT INDUSTRIES**

City Manager Connet stated that this item has been on the agenda over the last two months. He stated that an agreement has been reached with Pratt Industries as it relates to the City of Clinton's recycling. He stated that Pratt Industries has agreed to change the contracts to meet the City's requirements. He further stated that a termination clause has been placed within the contracts so that the City of Clinton may withdraw from this agreement for any reason that it deems reasonable with a six month notice to Pratt Industries. City Manager Connet recommended approval of the agreements regarding supply of corrugated waste paper and supply of single stream waste materials.

Upon a motion made by Mayor Pro Tem Harris, seconded by Councilmember Strickland, the agreements between the City of Clinton and Pratt Industries relating to corrugated waste paper and single stream waste materials passed unanimously.

#### **AGREEMENT BETWEEN THE CITY OF CLINTON AND THE NORTH CAROLINA WATER AND WASTEWATER AGENCY RESPONSE NETWORK (WARN)**

Public Works Director Chris Doherty stated that in an effort to better prepare the City in the event of a natural disaster or other emergency, City Council is asked to approve an agreement between the City of Clinton and the North Carolina Water and Wastewater Agency Response Network better known as "WARN." Mr. Doherty stated that WARN is a statewide mutual aid response network for water and wastewater utilities both public and private. He further stated that there is no cost to the City and joining this network will allow us to share valuable resources during emergency situations. He concluded that there

have been informal arrangements between utilities for many years; however, approval of this agreement will formalize the process for providing assistance.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Turlington, the agreement between the City of Clinton and the North Carolina Water and Wastewater Agency Response Network better known as "WARN" passed unanimously.

**RESOLUTION – SEALING AND UNSEALING OF CLOSED SESSION MINUTES**

City Clerk Hunt stated that at a recent regional meeting of the municipal clerks, Fleming Bell, Professor of Law and Government at the School of Government, stated that closed session minutes are not automatically sealed. She presented a resolution for the sealing and unsealing of closed session minutes and asked City Council to consider adopting.

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

**A RESOLUTION FOR THE SEALING AND UNSEALING OF CLOSED SESSION MINUTES**

**WHEREAS**, for the purposes of improvement, maintenance, and clarification, it is prudent to establish a clear policy outlining the procedure for the handling of sealed and unsealed closed session minutes and general accounts by the City of Clinton; and

**WHEREAS**, the City Clerk of the City of Clinton is charged with overseeing the closed and open session minutes and the closed session general accounts of council meetings, as required by NCGS §143-318.10; and

**WHEREAS**, it is necessary and legally permissible to withhold closed session minutes and general accounts from public inspection so long as public inspection would frustrate the purpose of a closed session.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLINTON, NORTH CAROLINA THAT:**

- (1) Full and accurate written minutes shall be kept of all meetings, including both open and closed sessions.
- (2) A written general account shall be kept of each closed session in a form so that a person not in attendance would have a reasonable understanding of what transpired.
- (3) Each set of closed session minutes and each general account shall be approved by the City Council at a regular council meeting.

- (4) The City Council of the City of Clinton shall require that all minutes and general accounts of closed sessions be sealed, if sealing is legally permissible, until the City Council officially unseals them.
- (5) The City Manager, City Clerk, and City Attorney shall periodically review each set of closed session minutes and each general account to determine if their disclosure no longer frustrates the purpose for which the closed session was held.
- (6) Upon such determination by the City Manager, the City Clerk, and the City Attorney, the minutes and general account shall be presented for unsealing at a regular council meeting.
- (7) Following the unsealing by the City Council, the closed session minutes and general account shall be returned to the City Clerk to release and make available for public inspection.

This Resolution shall become effective upon its adoption and shall apply both retroactively and prospectively.

### **CODE OF ETHICS POLICY**

City Clerk Hunt stated that in 2009, the North Carolina General Assembly passed legislation that requires governing boards to adopt codes of ethics policies. She stated that this policy is required to be adopted on or before January 1, 2011. Ms. Hunt stated that the following Code of Ethics Policy is being presented to Mayor and City Council for their review; however, at the August 3, 2010 city council meeting, she will ask that they consider adopting:

### **Code of Ethics for the City Council of Clinton, North Carolina**

**WHEREAS**, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics, and

**WHEREAS**, as elected local government officials, we are charged with upholding the trust of the citizens of the City of Clinton, North Carolina and with obeying relevant laws.

**NOW, THEREFORE, BE IT RESOLVED** in recognition of our obligations as citizens of the State of North Carolina and as elected local government officials representing the citizens of the City of Clinton, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the

City Council of Clinton, North Carolina, do hereby adopt the following general principles and code of ethics to guide the City Council in its lawful decision-making. (Hereinafter the terms “elected local government official(s) or elected official(s), the board, board member(s) or elected member(s),” shall be used interchangeably when referring to the City of Clinton City Council.)

### **GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS**

- The stability and proper operation of democratic representative government depends upon public confidence in the integrity of the government, and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Elected local government officials must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent.
- Elected local government officials must always remain aware that at various times they play different roles:
  - **As advocates**, who strive to advance the legitimate needs of their citizens,
  - **As legislators**, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions, and
  - **As fair and impartial decision-makers**, when making quasi-judicial and administrative determinations.

Elected local government officials must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.

- Elected local government officials must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

## **CODE OF ETHICS**

**Purpose.** The purpose of this code of ethics is to establish guidelines for ethical standards of conduct for board members and to provide guidance in determining what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

**Section 1.** Board members should take care to obey all laws that apply to their official actions as board members. Board members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, board members should feel free to assert policy positions and opinions without fear of reprisal from fellow board members or citizens. To assert that a board member is behaving unethically based upon a disagreement with that board member based on a question of policy (and not on the board member's ethical behavior) is unfair, dishonest, irresponsible, and itself unethical.

The board shall endeavor to keep itself up-to-date, through its attorney or other sources, of new or on-going legal or ethical quandaries or difficulties that they may face in their official positions.

**Section 2.** Board members should act with integrity and with independence from improper influence as they exercise the functions of their offices.

Board members should use their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner. They should be self-governing and not subject to improper influence, while at the same time being able to consider the opinions and ideas of others.

At the same time, however, board members should recognize that they are part of a larger group and should act accordingly. They should respect their office and not behave in ways that reflect badly on it. They should treat other board members and the public with respect, and should honor the opinions of others even when they disagree. They should recognize that they are not generally authorized to act on behalf of the board, since the board must take official action as a body.

**Section 3.** Board members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. A board member is considered to be acting with impropriety if a reasonable person who was made aware of the totality of the circumstances surrounding the board member's action would conclude that it was more likely than not that the behavior did not befit someone in the board member's position.

If a board member concludes that his or her actions, while legal and ethical, may be misunderstood, he or she may seek the advice of the board's attorney. He or she may also state on the record the facts of the situation and the steps taken to resolve it.

**Section 4.** Board members of local governing boards should be faithful in the performance of the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect.

Board members should be faithful in their attendance at meetings and in their preparation for those meetings. They should carefully analyze all credible information that is provided to them.

As a group of citizens to whom much has been entrusted, the board should demand full accountability from those over whom it has authority. The board should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

Board members should be willing to bear their fair share of the board's workload. To the extent appropriate, they should be willing to put the board's interests ahead of their own.

**Section 5.** Board members of local governing boards should conduct the affairs of their boards in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. This recognition includes sensitivity to those matters recognized by law. The board should remember when meeting that they are conducting the public's business. They should also remember that the records of their local government belong to the public and not to them or their employees. They should make clear that a climate of openness is to be maintained at all times in their governmental units.

In order to ensure strict compliance with the laws governing openness, governing board members should strive to be open. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps before they go into closed session for any reason, to ensure that the closed session will be lawful.

**Censure Procedures.** If the elected board has reason to believe that one of its board members has violated a provision of this code of ethics, it may open

an investigation into the matter. All information compiled, including the grounds for the finding of probable cause, shall be shared with the board member when it is received. All information pertaining to the case shall be open to public inspection and copying as pursuant to the North Carolina General Statute §132-1.

Should the board determine, by a minimum two-thirds majority, that it wishes to proceed further with censure proceedings, it shall call for a quasi-judicial hearing at a regular meeting or at a special meeting convened for that purpose. Notice of the hearing stating its time, place, and purpose shall be published twice in two separate calendar weeks in a newspaper of general circulation or shall be advertised for the same amount of time on the jurisdiction's website. The notice shall state that a detailed list of the allegations against the board member is available for public inspection and copying in the office of the city clerk.

The hearing shall be convened at the time and place specified. Any and all votes during the hearing and any deliberations that follow shall be taken by the "ayes" and "noes" and recorded in the board's minutes. The hearing and any deliberations shall be conducted in open session in accordance with the requirements of the North Carolina open meetings statutes – General Statutes §143-318.9 and §143-318.10. The rules governing the hearing shall be those that apply to a standard quasi-judicial hearing. For purposes of illustration but not limitation, the accused board member shall have the right to have counsel present, to present and cross-examine expert and other witnesses, and to offer evidence. An audio or video recording of the proceedings shall be prepared.

The accused board member shall have the right to challenge the participation of any other board member or the presiding officer based on bias or

self-interest. If such a challenge is made, the board shall immediately hear evidence and vote on the challenge. Neither the accused board member nor the board member whose participation is challenged may vote, although both may offer evidence. The challenge shall be decided by a majority vote of those present and voting, a quorum being present. <sup>1</sup>

Once the hearing is concluded, it shall be closed by vote of the board. The presiding officer shall next entertain a motion to adopt a non-binding resolution censuring the board member based on specified violations of the code of ethics. Any motion made must be an affirmative one in favor of adopting a non-binding resolution of censure. If the motion or resolution does not state particular grounds for censure under the code of ethics, the presiding officer shall rule it out of order.

If a motion to adopt a non-binding resolution of censure stating particular grounds under the code of ethics has been made, the board shall debate the motion. The accused board member and any other board members who have been removed from participation because of bias or self-interest may remain present, but shall not be allowed to participate in the debate. At the conclusion of the debate, the board members shall vote, except for the accused board member and any other board members who have been removed from participation. If the motion is approved by a minimum two-thirds vote of those present and voting, a quorum being present, the motion is approved and the non-binding resolution of censure is adopted.

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<sup>1</sup> Under both the city and the county voting statutes, persons may be excused from voting on matters involving their own financial interest or official conduct. See G.S. 160A-75 and 153A-43, respectively. A censure proceeding is a matter involving a member's official conduct, and the member accused in the proceeding should not take part in any votes that take place. Since a censure proceeding is a quasi-judicial matter, board members should also be excused from voting if they are impermissibly biased in the matter under consideration. This is the basis for excusing members other than the person who is being directly accused.

The non-binding resolution of censure shall be made a part of the minutes of the board. Any recording of the board's quasi-judicial proceedings shall be approved by the board as a permanent part of the board's minutes. The proceedings shall then be considered concluded, the board having done all that it legally can with respect to the matter in question.

**Legal Enforcement.** As explained in the prior section and elsewhere in the code of ethics, local governing boards have no legal power to bring criminal or other charges against each other, or otherwise to control each other's behavior directly. At the same time, the board expects that individual board members will probably wish to behave in a manner that is both legal and ethical.

We offer the following legal rules<sup>2</sup> that also relate to ethical principles to help meet this need. Local governing board members should consider legal restrictions in terms of behavior that they should avoid. While requirements found in the law should be viewed as a minimum standard, board members should always consider whether there are ethical problems with other behavior, even if it does not violate criminal or other statutes dealing with conflicts of interest or other subjects:

- Avoid deriving a direct benefit from contracts in which you are involved in making or administering on behalf of the public agency. (G.S. 14-234(a)(1); criminal penalty; note defined terms in the statute: direct benefit, involved in making or administering a contract.)

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<sup>2</sup> The committee thanks Professor Frayda Bluestein of the UNC School of Government for this part of the code documents.

- Avoid attempting to influence others who are involved in making or administering a contract on behalf of the public agency, even if you aren't involved, if you will derive a direct benefit from the contract. (G.S. 14-234 (a)(2); criminal penalty; note defined terms in the statute: direct benefit, involved in making or administering a contract.)
- Avoid soliciting or receiving any gift or reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency you serve. (G.S. 14-234 (a)(3); criminal penalty.)
- Consider the ethical and practical consequences of deriving a direct benefit from a contract that is authorized under any exception to the statute, and weigh these considerations against the potential advantage to the public agency and to yourself.  
Follow reporting requirements to ensure transparency. (G.S. 14-234 (b); (d1).)
- Avoid participating in deliberations about or voting on a contract in which you have a direct benefit, when the contract is undertaken as allowed under any exception to the statute. (G.S. 14-234 (b1); criminal penalty.)
- Avoid using your knowledge of contemplated action by you or your unit, or information known to you in your official capacity and not made public, to acquire a financial interest in any property, transaction, or enterprise, or to gain a financial benefit that may be affected by the information or contemplated action. Avoid intentionally aiding another to do any of these things. (G.S. 14-234.1; criminal penalty.)
- Avoid receiving any gift or favor from a current, past, or potential contractor. (G.S. 133-32(a); criminal penalty.)

- Consider the ethical and practical consequences of accepting a gift or favor under any exception to the statutory prohibition, and follow reporting requirements to ensure transparency. (G.S. 133-32(d).)
- Avoid voting on matters involving your own financial interest or official conduct. (G.S. 160A-75; 153A-44.) Disclose the existence of the direct financial interest in advance, and, when in doubt, obtain an opinion from your local attorney about whether you must vote or may be excused.
- Avoid voting on any zoning map or text amendment where the outcome of the vote is reasonably likely to have a direct, substantial, and readily identifiable financial impact on you.
- Do not participate in or vote on any quasi-judicial matter, including matters that come before the board when acting in a quasi-judicial capacity under G.S. 160A-388 or 153A-345, if participation would violate affected persons' constitutional right to an impartial decision-maker. Impermissible conflicts under this standard include having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. (G.S. 381(d), 160A-388(e1), 153A-340(g), 153A-345(e1); violation of constitutional standard by one board member invalidates the entire vote.)
- Fulfill your statutory obligation to vote on all matters that come before you even when there are appearances of conflict, and only refrain from voting when there is a legal basis for or requirement to be excused from voting.
- Avoid secret meeting(s) before the actual city council meeting.

**Code of Ethics for the  
City Council of  
Clinton, North Carolina**

I, a member of the City of Clinton City Council, acknowledge that I have received and reviewed a copy of the Code of Ethics for the City Council of Clinton, North Carolina, in accordance with N.C. Gen. Stat. § 160A-86.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

No action was taken at this July 6, 2010 city council meeting.

**PRELIMINARY PLAT – OFF NC HWY 701/SOUTHEAST BOULEVARD – MYRTIE P. LEOCARTA**

Upon a motion made by Councilmember Turlington, seconded by Councilmember Becton, a preliminary plat request by Myrtie P. Leocarta, for a one-lot subdivision consisting of approximately 0.48 acres off NC Hwy 701/Southeast Boulevard was unanimously approved.

**FEDERAL LAW ENFORCEMENT STIMULUS GRANT FUNDS**

Police Chief Mike Brim stated that last year, the Clinton Police Department was awarded \$46,000 in federal government stimulus funds. He stated that this year, the City of Clinton has been awarded \$10,554. He stated that in order to receive these funds, the Clinton Police Department must notify publicly to City Council that they have applied for the grant and been awarded the stimulus grant funds for the purchase of equipment.

No action was necessary.

**AWARD OF BID – FIREFIGHTERS’ MEDICAL PHYSICALS**

Fire Chief Todd Solice stated that the City of Clinton Fire and Rescue Department advertised for proposals for the firefighters’ annual physicals. He stated that two proposals were received from (1) Sampson Regional Medical Center in the amount of \$400.00 per physical, and (2) North Greenville Fitness and Cardiac Rehabilitation Clinic in the amount of \$435.00 per physical. Fire Chief Solice asked Mayor and City Council to consider approving the contract with Sampson Regional Medical Center.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the proposal/contract from Sampson Regional Medical Center in the amount of \$400.00 per firefighter's physical was unanimously approved.

### **CONDEMNATION – 618 WILLIAMS STREET – HARRY EUBANKS**

Planning and Zoning Director Jeff Vreugdenhil presented an ordinance of condemnation for 618 Williams Street. Harry Eubanks was instructed on March 5, 2010 to remove or demolish the unsafe structure, but it has not been done.

Upon a motion by Mayor Pro Tem Harris, seconded by Councilmember Becton, the following ordinance **#2010.07.01** was unanimously adopted:

AN ORDINANCE DIRECTING THE CODE ENFORCEMENT OFFICER TO REMOVE OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNSAFE AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED  
**#2010.07.01**

**WHEREAS**, the City Council of the City of Clinton finds that the structure described herein is unsafe pursuant to G.S. 160A-426; and

**WHEREAS**, this structure should be removed or demolished as directed by the Code Enforcement Officer; and should be placarded by placing thereon a notice prohibiting use; and

**WHEREAS**, Harry Eubanks, the owner of this structure has been given a reasonable opportunity to bring the structure to the standards of the Housing Code in accordance with G.S. 160A-426 pursuant to an order issued by the Code Enforcement Officer on March 5, 2010, the owners have failed to comply with this order.

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

**Section 1.** The Code Enforcement Officer is hereby authorized and directed to place a placard containing the legend:

“This structure is unsafe; the use or occupation of this structure is prohibited and unlawful.”

on the structure located at 618 Williams Street and in the City of Clinton.

**Section 2.** The Code Enforcement Officer is hereby authorized and directed to proceed to remove or demolish the above-described structure in accordance with his order to the owners thereof dated March 5, 2010, and in accordance with the Code and G.S. 160A-426.

**Section 3(a).** The cost of removal or demolition shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed in the office of the Sampson County Tax Collector, and shall have the same priority and be collected in the same manner as the lien for special assessments in Article 10 of G.S. Chapter 160A.

**Section 3(b).** Upon completion of the required removal or demolition, the Code Enforcement Officer shall sell the materials of the structure and credit the proceeds against the cost of removal or demolition. The Code Enforcement Officer shall certify the remaining balance to the Tax Collector. If a surplus remains after sale of the materials and satisfaction of the cost of removal or demolition, the Code Enforcement Officer shall deposit the surplus in the Superior Court where it shall be secured and disbursed.

**Section 4.** It shall be unlawful for any person to remove or cause to be removed the placard from any structure to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any structure therein declared to be unsafe.

**Section 5.** This ordinance shall become effective upon adoption.

## **APPOINTMENTS**

Upon a motion made by Councilmember Turlington, seconded by Mayor Pro Tem Harris and unanimously passed, Perry Solice was reappointed to the ABC Board for a three year term ending August 2013.

Mayor and City Council continued until the August 3, 2010 city council meeting, the appointment on the Board of Adjustment that Burl Williamson presently holds. City Manager Connet stated that this is a County appointment; however, the County wants a recommendation from the City.

## **REPORTS**

City Manager Connet acknowledged that the financial, police, code enforcement, city council action, personnel, fire, and public works reports were received and he stands ready to answer any questions from City Council regarding the reports.

City Manager Connet presented to Mayor and City Council a proposed lease agreement between Moore Aerial Applicators, Sampson County, and the City of Clinton. He stated that the Clinton-Sampson Airport has been working for several months to develop a new lease agreement for Moore Aerial Applicators. He stated that an agreement has been reached with Mr. Henry Moore and a new lease has been developed. He further stated that this lease may be terminated within thirty (30) days of notice. City Manager Connet asked City Council to approve the lease.

Upon a motion made by Councilmember Turlington, seconded by Councilmember Becton, the lease agreement between Moore Aerial Applicators, Sampson County, and the City of Clinton, passed unanimously.

**ORDINANCE—BUDGET – POLICE DEPARTMENT PUBLIC SAFETY GRANT**

Upon a motion made by Councilmember Strickland, seconded by Councilmember Becton, the following amendment **#2010.07.02** Public Safety Grant Amendment was unanimously adopted:

**Public Safety Grant Amendment  
Third Year  
Fiscal Year 2010-2011**

**#2010.07.02**

Be It Ordained by the City Council of the City of Clinton, NC, that the following amendment be made to the Public Safety Grant Ordinance that was adopted on May 5, 2009, and amended on July 14, 2009, May 5, 2010, and June 29, 2010 is hereby amended as follows:

**Section 1.** The expenditures are to be changed as follows:

<b><u>Account #</u></b>	<b><u>Account Title</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
765300.0200	Salary	\$ 36,000	
765300.0400	Professional Service	8,000	
765300.0401	Program Evaluation	10,000	
765300.0500	FICA Payroll Tax	2,770	
765300.0600	Group Insurance	4,730	
765300.0700	Retirement	2,370	
765300.1000	Employee/CAP Member Training	6,200	
765300.1100	Communication/Postage	3,400	
765300.1200	Office Supplies & Materials	13,600	
765300.1201	Printing & Binding	12,000	
765300.1300	Utilities	500	
765300.1400	Travel	6,200	
765300.1600	Computer Supplies & Software	1,500	
765300.2400	Meeting/Conf Expense	2,000	
765300.3300	Building Improvements	1,500	
765300.4500	Advertising/media	38,000	
765300.5401	Worker's Comp	<u>1,230</u>	
	<b>Total Expenditures</b>	<b>\$ 150,000</b>	

**Section 2.** The revenues are to be changed as follows:

<b><u>Account #</u></b>	<b><u>Account Title</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
763030.0000	Grant 3 <sup>rd</sup> Year	<u>\$150,000</u>	

**Total Revenues**                      **\$ 150,000**

**Section 3.** Copies of this budget amendment shall be furnished to the City Clerk, City Manager, and Finance Director for their direction.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, and unanimously passed, the meeting adjourned at 7:21 PM.

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Elaine F. Hunt, City Clerk

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Lew Starling, Mayor