

AUGUST 1, 2006 CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina met in regular session at 7:00 p.m. on August 1, 2006 at city hall auditorium. Mayor Starling presided. Councilmembers Becton, Stefanovich, Strickland and Turlington were present. Councilmember Harris was absent. The city attorney Dale Johnson; city clerk Betty Fortner; deputy clerk Elaine Hunt; city manager John Connet; director of administration Joe Best; finance director Betty Brewer; fire chief Phillip Miller; planning and community development director Jeff Vreugdenhil; police chief Mike Brim; and public works director Chris Doherty were present. Recreation director Judi Nicholson was absent.

Herbie Jordan gave the invocation.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the minutes of the July 11, 2006 city council meeting were unanimously approved.

City Manager Connet read a proclamation proclaiming August 20 – 26, 2006 as National Truck Driver Appreciation Week.

APPEARANCE

Jefferson Strickland and Scott Sauer summarized the findings of a NC 24 Environment Impact document and asked that the document be placed on file for public review.

P & Z—OATHS

Mayor Starling administered oaths to Jeff Vreugdenhil and Ann Naylor who plan to present testimony during a public hearing for a conditional use permit as requested by Mrs. Naylor.

P & Z—JOHNSON STREET

Mayor Starling opened a public hearing on a request by Ann Naylor to rezone .29 acres located at 403 East Johnson Street from R-15 Residential to R-8 Residential. Planning Director Vreugdenhil presented the Planning and Zoning Board and staff recommendations to approve the request. Ms. Naylor spoke in support of the request. No one else wished to be heard and the hearing was closed.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the following amendment #2006.08.01 to the Zoning Ordinance was unanimously adopted: 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 do enact as follows: That the Zoning Ordinance of the city of Clinton be and the same is hereby amended as follows: That .29 acres located at 403 East Johnson Street is hereby rezoned from R-15 to R-8 Residential.

P & Z—ORDINANCE—TATTOO SHOPS

Mayor Starling reopened a public hearing continued from July 11, 2006 on a request by Rory Powell and Brandon Powers to amend Section 9.10.2 and 9.11.2 of the Zoning Ordinance to allow Tattoo Shops as conditional uses in Highway Commercial and Central Business zoning districts. Planning Director Vreugdenhil presented the Planning and Zoning Board's recommendation to allow tattoo shops in Highway Commercial districts. He said staff recommends not allowing tattoo shops in either district. In response to questions from the council, Jeff described district boundaries for both districts. No one else appeared to be heard and the hearing was closed.

Councilmember Becton made a motion to deny the request to amend the zoning ordinance. No one seconded the motion.

Upon a motion made by Councilmember Turlington, seconded by Councilmember Strickland, the following ordinance 2006.08.02 was adopted 3-1, with Councilmember Becton voting against the motion:

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 do enact as follows: That the Zoning Ordinance of the city of Clinton be and the same is hereby amended as follows: That Section 9.10.2, Highway Commercial, Conditional Uses is hereby amended by adding Tattoo Shops.

P & Z—JOHNSON STREET--NAYLOR

Mayor Starling reopened a public hearing on a request by Ann Naylor for a conditional use permit to operate a real estate office at 403 East Johnson Street. Planning Director Vreugdenhil explained the request and gave the staff and Planning and Zoning Board recommendation to approve the request without any conditions imposed. He stated that council may impose conditions. Councilmember Stefanovich asked if there is room for parking to be located in front of the office instead of the rear. Ms. Naylor said there is and is willing to provide parking in the front and would install a circular drive so customers can drive out and not have to back into traffic. No one else wished to be heard, and the hearing was closed.

Councilmember Stefanovich made a motion to allow parking only at the front of the lot. Councilmember Strickland seconded the motion and it passed unanimously.

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. Four 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. Four 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. Four 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. Four 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 Ann Naylor to operate a real estate office at 304 East Johnson Street subject to the following conditions: allow parking only at the front of the lot.

P & Z—MCARTHUR LANE--DAW

Mayor Starling said council will consider a request by Steven Daw to rezone approximately one acre at 110 McArthur Lane from R15 Residential to HC Highway Commercial. This public hearing for this request was held July 11, 2006, but the vote was delayed until the August 1, 2006 meeting. Planning Director Vreugdenhil restated the Planning and Zoning Board's recommendation to deny the request.

Mr. Daw appeared in support of his request to continue operating his business from his residence. He said a residence is located on one side of his property, a body shop and a church are on the other sides, and the property across Northeast Blvd. is zoned commercial. He further stated neighboring property owners are not against the request. In response to a question from council, Mr. Daw said he does not have another location to park equipment. Rev. Lynn Blackburn appeared in support of Mr. Daw's request.

Councilmember Turlington made a motion to deny the rezoning request. Councilmember Strickland seconded the motion. Motion passed 3-1, with Councilmember Becton voting against.

APPOINTMENTS

Upon a motion made by Councilmember Strickland, seconded by Councilmember Stefanovich and unanimously passed Shurley McCullen was reappointed to a three year term ending August 2009 on the ABC Board.

Notification was given of the vacant seat on the Board of Adjustment formerly held by Ken Simmons and on the Planning and Zoning Board formerly held by Ariel McLamb.

RESOLUTION

City Manager Connet presented the financing proposals for the lease purchase of police radios and a fire rescue truck and recommended accepting First Citizens Bank’s financing offer:

<u>Bank</u>	<u>Rate</u>
Branch Banking & Trust	4.09%
First Citizens Bank	3.96%
RBC Centura	4.13%

Mayor Starling disclosed he is a member of First Citizens Bank Board of Directors

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INSTALLEMNT PURCHASE CONTRACT FOR THE PURCHASE OF POLICE RADIOS AND FIRE RESCUE TRUCK.

WHEREAS, the City of Clinton solicited and received competitive proposals from financial institutions for the purchase of police radios and a fire rescue truck;

WHEREAS, First Citizens Bank offers the lowest fixed interest rate of 3.96% for a five year term for this purchase;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Clinton, that the Council authorizes the City Manager to enter into a contract with First Citizens Bank on behalf of the City for the purchase of police radios and a fire rescue truck .

BE IT FURTHER RESOLVED that the aforesaid contracts by and between the City of Clinton, various State contracts and other vendors, and First Citizens Bank, together with the amounts to be paid thereunder, be and the same are hereby designated as qualified tax-exempt obligations of the City of Clinton for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

BE IT FURTHER RESOLVED that the Council does not reasonably expect that the Purchaser (and any subordinate entities) will issue more than \$10,000,000 in qualified tax-exempt obligations pursuant to such Sections 265(b)(3)(ii) during the current calendar year.

POLICY—DESIGN CONSULTANTS

City Manager Connet presented a Policy and Procedure Statement for Design Consultants which conforms with N.C.G.S. 154-64.31 and recommended adoption. Upon a motion made by Councilmember Strickland, seconded by Councilmember Becton, the following policy was unanimously adopted:

Policy & Procedure Statement for Design Consultants

PURPOSE:

The purpose of this policy is to establish procedures to be followed in selecting design consultants. Procedures as established by this policy are for the purpose of ensuring that design consultants are selected in a fair and uniform manner, that those selected for work are qualified and experienced in designing facilities desired by the City of Clinton City Council and to ensure that every qualified design consultant has the opportunity to be considered for providing professional services to the City of Clinton.

DEFINITIONS:

Design Consultant: Means any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice architecture, engineering, landscape architecture, or surveying in the State of North Carolina.

Professional Services: Means those services within the scope of the practice of architecture, engineering, landscape architecture, or surveying as defined by the public laws of North Carolina.

Project Manager: City Manager or other Department Head, responsible for the project.

APPLICATION OF THIS POLICY:

This policy shall apply to the selection of design consultants for the City of Clinton projects where professional services are required.

SELECTION PROCEDURES:

A. List of Design Consultants:

The Public Works Director shall encourage design consultants to submit and maintain statements of current qualifications and performance data for reference purposes. The Public Works Director shall cause to be established and maintained in the Public Works Director's Office, a file containing this reference material. From this file, the Public Works Director shall maintain a current list of design consultants interested in providing public service to the City, to be updated every three years.

B. Pre-selection for Engineering Firms:

The Public Works Director shall cause a Request for Qualifications or Proposals to be mailed to those qualified firms listed in the American Council of Engineering Companies Directory every three years, beginning July 1, 2006. A pre-selection committee shall interview firms that are interested in performing professional services for the City of Clinton. This pre-selection committee shall consist of the City Manager, Public Works Director and Director of Planning and Zoning.

The pre-selection committee shall screen the list of engineering consultant respondents and select at least three firms to perform professional services for the next three years. These firms shall be selected based on the following criteria:

1. Specialized or appropriate expertise in the type of project.
2. Past performance on similar projects.
3. Adequate staff and proposed design team for the project.
4. Current workload.
5. Proposed design approach for the project.
6. Recent experience with project cost control and maintaining design schedules.
7. Construction administration capabilities.
8. Proximity to and familiarity with the area where the project is located.
9. Record of successfully completed projects without major legal or technical problems.
10. Design consultants' estimate of fees for performing work and basis for fees (if an RFP process is used).
11. Capabilities and proven experience in evaluating facility energy consumption and life cycle cost analyses during the design of similar projects.
12. Other factors that may be appropriate for the project.

C. Exemption to Pre-Selection:

Nothing in this policy shall exclude the City of Clinton from selecting a firm not listed on the pre-selection list, if the firm is specially qualified to perform the desired professional services. It is the responsibility of the Project Manager to submit in writing to the City Manager and City Council these special qualifications.

D. Contract Negotiations:

Upon selection of a design consultant(s), the Project Manager and/or the pre-selection committee will discuss with the design consultant appropriate information about the project, the scope of services to be provided, and the City's design/review/construction process. The Project Manager and/or the pre-selection committee will attempt to negotiate final fees consistent with the standard terms of similar contracts as well as the specific services required for the particular project. In the event a fee and/or contract cannot be agreed upon, the Project Manager will begin negotiations with the second ranked consultant. The process will be repeated until an acceptable contract has been negotiated. Upon negotiation of an acceptable contract, the Project Manager will present the proposal to the City Manager and the City Council for approval and authorization to execute a contract.

E. Project Announcement (For Projects that exceed the Formal Bid Threshold):

The Project Manager shall, on an individual project basis, cause to be prepared and mailed, an announcement of the need for professional services to those firms on the current list of pre-approved design consultants. The announcement will contain a brief description of the professional services desired, the scope of the work, and any schedule requirements, including the deadline for responding to the project announcement, and the amount of funds authorized and other appropriate information related to the specific project (if known). The City will generally issue such announcements in the form of an RFQ (Request for

Qualifications) or RFP (Request for Proposal), excluding cost information. For some specific projects, a cost proposal may be desired, in which case a resolution to exempt the project from N.C.G.S. 143-64.31 will be executed by the City Council, and the announcement may be issued in the form of an RFP (Request for Proposals) with costs included.

F. Design Consultant Response:

A letter of interest and fully completed proposal (RFQ or RFP as stated above) for each project must be received by the office of the Project Manager within the time established in the project announcement.

G. Final Selection:

The Project Manager shall present a recommendation for consultant selection to the City Manager and the City Council for approval prior to entering into fee negotiations with the selected consultant. The recommendation shall include the two top consulting firms and shall authorize negotiations with the second firm if negotiations fail with the first one.

H. Prohibited Gifts and Favors (G.S. 133-32)

It is the policy of the City of Clinton to prohibit any officer or employee to accept gifts or favors from any design consultant.

I. Performance Evaluations:

Upon close-out of individual projects, the pre-selection committee will evaluate the performance of the design consultant(s). The resulting written evaluation will be given to the City Council, and copies will be maintained in the design consultant's file located in the Public Works Director's office. These evaluations will be used for reference in the future selection of design consultants.

DESIGN CONSULTANTS

City Manager Connet presented a Pre-Selection List of design consultants for approval and reviewed the requested qualifications. He said invitations to submit proposals were sent to 46 firms. Sixteen firms submitted proposals and seven firms were interviewed. He added it is the interview committee's and his recommendation to pre-approve the following firms for future needs: Cavanaugh and Associates, Hobbs and Upchurch, Logan and Associates, Withers and Ravenel and the Wooten Company. Upon a motion made by Councilmember Strickland, seconded by Councilmember Stefanovich, and unanimously passed the Design Consultants Pre-Selection List for a three year beginning July 1, 2006 is as follows: Cavanaugh and Associates, Hobbs and Upchurch, Logan and Associates, Withers and Ravenel and the Wooten Company.

ECONOMIC DEVELOPMENT

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, unanimous approval was given to purchase a quarter page ad for \$858.00 in the January 2007 issue of *North Carolina Magazine* featuring Sampson County

ORDINANCES—CONDEMNATIONS

Upon a motion made by Councilmember Becton, seconded by Councilmember Strickland, the following ordinance #3006.08.03 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

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, the House of Prayer, 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 July 21 2006, the owner has 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 **Loop Road** and identified as tax identification number 12-0101177-01 and in the city of Clinton’s extraterritorial zoning jurisdiction.

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 owner thereof dated July 21, 2006, 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 City of Clinton 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

Evageline Small requested council delay the condemnation of **107 Colonial Drive** for sixty days. Mrs. Small said she is seeking additional compensation from her insurer and has not signed a construction contract.

Councilmember Stefanovich moved to continue the issue until the September 5, 2006 council meeting. Councilmember Becton seconded the motion, and it passed unanimously.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the following ordinance #3006.08.04 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

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, Alexander Daniels, Jr., 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 July 21, 2006, the owner has 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 **316 Still 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 owner thereof dated July 21, 2006, 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 City of Clinton 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.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Becton, the following ordinance #3006.08.05 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

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, Ivory Stokes, 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 July 21, 2006, the owner has 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 **Russell Street** and in the city of Clinton’s extraterritorial zoning jurisdiction and further identified by tax identification numbers 12-096236-05, 06 and 07.

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 owner thereof dated July 21, 2006, 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 City of Clinton 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.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Becton, the following ordinance #3006.08.06 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

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, Annie Bell Ashley, 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 July 21, 2006, the owner has 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 **Russell Street** and in the city of Clinton’s extraterritorial zoning jurisdiction and further identified by tax identification numbers 12-0017800-01.

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 owner thereof dated July 21, 2006, 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 City of Clinton 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.

REPORTS

The code violations, finance, fire, personnel, police, and tax reports were acknowledged.

RESOLUTIONS—CLOSED SESSION

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

RESOLUTION TO ENTER CLOSED SESSION

Be It Resolved that the regular meeting of the City Council of the City of Clinton, North Carolina held August 1, 2006 enter closed session as allowed by G. S. 143-318.11(a)(4) to discuss property acquisition and disposition.

Council re-entered regular session. Mayor Starling reported council discussed the disposition of city-owned property and no action was taken. Also discussed was the acquisition of property owned by the McRae family on Lewis Street.

Councilmember Stefanovich moved to purchase 201, 203, 205, 207, 209, 211, 213, 215, 217, 219 and 221 Lewis Street for \$190,000.00. Councilmember Becton, seconded the motion, and it passed unanimously.

At 8:39 p.m. and upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, and unanimously passed, the meeting was continued until 7:00 p.m. on August 8, 2006.

City Clerk

Mayor