

AUGUST 8, 2006 CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina met in special session at 7:00 p.m. on August 8, 2006 at city hall auditorium. Mayor Starling presided. All council members were present. City attorney Dale Johnson; city clerk Betty Fortner; clerk city manager John Connet; finance director Betty Brewer; planning and community development director Jeff Vreugdenhil and planner Mary Rose were present.

Councilmember Becton gave the invocation.

ORDINANCES—CONDEMNATION

Upon a motion made by Councilmember Stefanovich, seconded by Council member Strickland the following ordinance #3006.08.07 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, Milford McRae, 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 10, 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 201 Lewis 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 10, 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.

RESOLUTIONS—INSURANCE

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

RESOLUTION REGARDING WORKERS' COMPENSATION AGREEMENT

WHEREAS, certain municipalities and other units of local government of the State of North Carolina, as defined in G. S. 160A-460(2), have agreed to create the North Carolina Interlocal Risk Management Agency and have agreed to pool the risks of their workers' compensation liabilities and payment of claims for employers' liability coverage pursuant to, and to be governed by, the provisions of N.C.G.S. 160A-460 *et seq.* (Part 1 of Article 20 of Chapter 160A);

NOW, THEREFORE, BE IT RESOLVED that the city of Clinton elects to become a member of the North Carolina Interlocal Risk Management Agency upon the terms and conditions stated in the "Interlocal Agreement for a Group Self-Insurance Pool for Workers' Compensation Risk Sharing," with such future policy renewals constituting a continuing ratification of this decision to be a member of the Agency and to abide by the terms and conditions of the Interlocal Agreement.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the duly authorized officials of the city of Clinton are directed to execute in the name of said city the "Interlocal Agreement for a Group Self-Insurance Pool for Workers' Compensation Risk Sharing," which shall become a part of this Resolution by reference.

DOWNTOWN

City Manager Connet and Planning Director Vreugdenhil updated council on the status of the phase II of the downtown revitalization project. If sewer line relocation is necessary due to the closing of Church Street, Graves Memorial Presbyterian Church will pay all costs involved in the relocation.

Mr. Connet presented a proposed budget for future consideration. He said since Fayetteville Street is a state-owned street, the city requested state funding. If approved for state funding, the amount coming from the city's general fund will be reduced. Mayor Starling said the city continues to look for revenue sources.

MISCELLANEOUS

Mayor Starling removed discussion of the Highway 24/701 connector project from the agenda since the city is still gathering information.

Upon a motion duly made, seconded and passed, the meeting adjourned at 7:19 p.m.

Clerk

Mayor