

SEPTEMBER 5, 2006 CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina met in regular session at 7:00 p.m. on September 5, 2006 at city hall auditorium. Mayor Starling presided. All councilmembers were present. 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; public works director Chris Doherty; and recreation director Judi Nicholson were present.

Rev. Willie Bowden gave the invocation.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Strickland, the minutes of the August 1, and 8, 2006 city council meetings were unanimously approved.

RECOGNITIONS

Mayor Starling presented a certificate of commendation to Eagle Scout Phillip Strickland, Troup 27.

P & Z—OATHS

Mayor Starling administered oaths to Jeff Vreugdenhil and Howell Edwards who plan to present testimony during a public hearing for a conditional use permit as requested by Edwards' Enterprises.

P & Z—JOHNSON STREET--NAYLOR

Mayor Starling reopened a public hearing on a request by Edwards's Enterprises for a conditional use permit to construct a Planned Unit Development off Pugh Road, a RA-20 Residential District. Planning Director Vreugdenhil explained the request and gave the staff and Planning and Zoning Board recommendation to approve the request with the following conditions imposed: 1) the proposed site plan is followed as provided by ordinance and 2) sewer be extended to the property at the expense of the developer. He stated that council may impose conditions. 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 Strickland, a conditional use permit was unanimously approved for Edwards's Enterprises to construct a 26 unit Planned Unit Development off Pugh Road subject to the following conditions: 1) the proposed site plan is followed as provided by ordinance and 2) sewer be extended to the property at the expense of the developer.

P & Z—SECTION 8.11

Mayor Starling opened a public hearing on a staff request to amend the City of Clinton Zoning Ordinance to provide for off premise directional signs. Planning Director Vreugdenhil explained the request and presented the staff and Planning and Zoning Board recommendations to amend the ordinance. No one else wished to be heard, and the hearing was closed.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Becton the following ordinance #2006.09.01 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 by adding a new Section, 8.11, Off Premises Directional Signs which reads as follows:

8.11 Off Premise Directional Signs

1. Maximum size of any off premise directional sign shall be sixteen square feet.
2. Off premise directional signs shall be located no less than twelve feet from the street right-of-way line or behind the building setback line, whichever is greater.
3. No off premise directional sign shall be located within ten feet of the side property line.
4. Off premise directional signs shall only be located upon undeveloped parcels of land which contain no other signs. When the parcel is developed, the off premise directional sign must be moved.
5. Off premise directional signs may only delineate the name of the business and distance the business is from the site of the sign, no other advertisement of products or services is permitted.
6. Off premise directional signs may not be lighted.
7. Off premise directional signs are not permitted on residentially zoned property.
8. Not more than one off premise directional sign shall be permitted per property.

APPOINTMENTS

Appointments to the Board of Adjustment and Planning and Zoning Board were continued.

CONDEMNATIONS—COLONIAL DRIVE—SMALL

Evangeline Small, owner of 107 Colonial Drive, asked council to delay condemnation of her property. She stated she will soon sign a contract with a building contractor to rehab the property. The general contractor appeared but was unable to say when he will begin or finish the project. It was the consensus of the council to continue the matter for thirty days.

ANNEXATIONS—TURNER—TRAM ROAD

City Manager Connet presented a petition for contiguous annexation property owned by Beth Anne Turner off Tram Road. He asked council to adopt a resolution instructing the clerk to investigate the petition. Upon a motion made by Councilmember Harris, seconded by Councilmember Strickland, the following resolution was unanimously adopted:

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31

Whereas, a petition requesting annexation of an area described in said petition was received on August 16, 2006 by the City Council of the City of Clinton, N. C.; and

Whereas, G. S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

Whereas, the City Council of the City of Clinton, NC deems it advisable to proceed in response to this request for annexation;

Now, Therefore, Be It Resolved by the City Council of the City of Clinton, NC that: The City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

City Manager Connet said the clerk investigated the petition upon receipt, and presented a Certificate of Sufficiency. He presented for consideration a resolution calling for a public hearing on the annexation. Upon a motion made by Councilmember Harris, seconded by Councilmember Strickland, the following resolution was unanimously adopted:

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

WHEREAS, a petition requesting annexation of the non-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 petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has 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 P.M. on October 3, 2006.

Section 2. The area proposed for annexation is described as follows: BEGINNING at an existing iron pipe no. 8, a corner with the lands of Clinton Enterprises, Inc., said beginning iron stake being located from N.C.G.S. Station "Clifton", No. 11 on the map hereinafter referenced, N.C. Grid Coordinates X=2,2030610.392: Y=449,098.531 (1983 N.A. Datum), North 38 degrees 04 minutes 25 seconds West 704.33 feet; thence from said BEGINNING, so located, and runs thence with the Eastern edge of the right-of-way of U. S. Highways Nos. 421 and 701, North 37 degrees 08 minutes 45 minutes West 438.20 feet to a right-of-way concrete monument no. 42; North 34 degrees 05 minutes 07 seconds West 440.39 feet to a right-of-way concrete monument no. 43 and North 43 degrees 13 minutes 49 seconds West 166.04 feet to an existing iron stake no. 29; thence with the line of Cecil James Little, South 86 degrees 24 minutes 13 seconds East 1222.78 feet to an existing iron stake no. 31 in the centerline of State Secondary Road No. 1227 (Tram Road), another corner with Cecil James Little; thence with the centerline of State Secondary Road No. 1227, South 07 degrees 56 minutes 23 seconds West 458.83 feet to an iron stake set no. 39, a corner with the lands of Clifton Enterprises, Inc.; thence with the lands of Clinton Enterprises, Inc. the following course and distance: North 66 degrees 23 minutes 33 seconds West 368.84 feet to an iron stake set no. 24; South 02 degrees 16 minutes 27 seconds West 234.00 feet to an iron stake set no. 23; South 29 degrees 46 minutes 27 seconds West 189.00 feet to the point of beginning containing 12.05 acres, more or less.

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.

ALL-AMERICA CITY

City Manager Connet reported on the findings of a scout team comprised of five members of the All America City Steering Committee who attended the 2006 All America City competition. After discussion of whether to apply in 2007 versus waiting until 2008 and upon a motion made by Councilmember Strickland, seconded by Councilmember Turlington, unanimous approval was given to seeking the All-America City designation in 2007.

CLEAN UP WEEK

City Manager Connet asked council to designate October 9 - 15, 2006 as Fall Clean Up Week and suspend sections 11-4 (e)(g) and (i, except the collection of batteries) of the City Code during Fall Clean Up Week unless hazardous to city staff or items that the landfill will not accept. Upon a motion made by Councilmember Becton, seconded by Councilmember Harris, the request to suspend sections of the city code was unanimously approved and Fall Clean Up Week was designated October 9-15, 2006.

AGREEMENTS—WATER

City Manager Connet presented a two year utility billing service agreement between the city and SouthData, Inc. for the billing of water and sewer charges. Councilmember Stefanovich made a motion to enter into an agreement with SouthData, Inc. for utility billing for a two year period at a monthly cost of \$.405 per account billed. Councilmember Strickland seconded the motion and it passed unanimously.

ORDINANCES—BUDGET—DOWNTOWN

Upon a motion made by Councilmember Strickland, seconded by Councilmember Becton, the following amendment #2006.09.02 to the 06-07 Budget was unanimously adopted:

Be it ordained by the City Council of the City of Clinton, NC that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2007.

Section 1. To amend the General Fund the expenditures are to be changed as follows:

Account Number	Title	Increase	Decrease
10-6600-6700	Transfer to Downtown CP	\$119,364.75	

Section 2. The following General Fund revenues are anticipated to be available to fund these changes:

10-3990-0000	Fund Balance Appropriated	\$ 119,364.75	
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Section 3. To amend the Water and Sewer Fund the expenditures are to be changed as follows:

Account Number	Title	Increase	Decrease
30-6600-6300	Transfer to Downtown CP	\$ 7,160.00	

Section 4. The following Water and Sewer revenues are anticipated to be available to fund these changes:

30-3990-0000	Fund Balance Appropriated	\$ 7,160.00	
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Section 5. To amend the Housing Rehab Fund the expenditures are to be changed as follows:

Account Number	Title	Increase	Decrease
52-4970-7900	Transfer to Comm Dev. Fund	\$ 40,000.00	

Section 6. The following Housing Rehab Fund revenues are anticipated to be available to fund these changes:

52-3990-0000 Fund Balance Appropriated \$ 40,000.00

Section 7. Copies of this 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 Turlington, the following amendment #2006.09.03 to the Community Development Fund was unanimously adopted:

ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT FUND

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following fund budget ordinance adopted June 7, 2005 is hereby amended as follows:

Section 1. The appropriations for the project are changed as follows:

	Increase	Decrease
534970.7300 Transfer to Downtown, Phase II	\$40,000.00	\$ 4,757.05
Total	\$40,000.00	\$ 4,757.05

Section 2. The revenues anticipated to be available to complete this project are changed as follows:

533030.000 From Housing Rehab Fund	\$40,000.00	
533290.000 Interest Earned		\$ 4,757.05
Total	\$40,000.00	\$ 4,747.05

Section 3. Copies of this 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 Strickland, the following amendment #2006.09.04 to the Downtown Capital Project Fund budget was unanimously adopted:

**CAPITAL PROJECT ORDINANCE
Amendment to Downtown Revitalization, Phase II**

BE IT ORDAINED by the City Council of the City of Clinton, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance adopted June 6, 2006 is hereby amended as follows:

Section 1. The project authorized is the construction of a downtown revitalization project.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the grant documents and the budget contained herein.

Section 3. The following amounts are appropriated for the project:

<u>Code</u>	<u>Account</u>	<u>Increase</u>	<u>Decrease</u>
554970.0400	Engineering and Design	\$	\$ 8,000.00
554970.0401	Administrative & Legal	1,500.00	
554970.5000	Embarq	37,217.75	
554970.6000	Materials Testing	10,000.00	
554970.6500	Church St. Sewer Relocation	115,000.00	
554970.7000	Progress Energy	72,000.00	
554970.7300	Construction (Base Bid)	789,547.00	
554970.7301	Construction Observation	30,000.00	
554970.8000	Contingency	41,500.00	
	TOTAL	\$1,096,764.75	\$ 8,000.00

Section 4. The following revenues are anticipated to be available to complete this project.

<u>Code</u>	<u>Account</u>	<u>Increase</u>	<u>Decrease</u>
553010.0000	From General Fund	\$ 119,364.75	
553020.0000	From Community Dev. Fund	60,000.00	
553030.0000	From Water & Sewer Fund	7,160.00	
553040.0000	USDA Loan	750,000.00	
553050.0000	Clinton Development Corp.	25,000.00	
553060.0000	Graves Presbyterian Church	127,240.00	
	TOTAL	\$1, 088,764.75	

Section 5. Copies of this amendment shall be furnished to the City Clerk, City Manager and Finance Director for their direction

RESOLUTIONS—GRANTS

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

Be It Resolved that the City of Clinton accepts the conditions set forth in a Letter of Conditions dated September 5, 2006 and Form RD 1942-47-1, "Loan Resolution", and

That the City Council of the City of Clinton approves the budget as shown on Form RD 442-7 – Operating Budget, and

That the Mayor and City Clerk be authorized to execute all forms necessary to obtain a loan from Rural Development, including, but not limited to the following forms:

- Form RD 1942-47-1 Loan Resolution
- Form RD 1942-46 Letter of Intent to Meet Conditions

Form RD 442-7	Operating Budget
Form RD 400-1	Equal Opportunity Agreement
Form RD 400-4	Assurance Agreement
Form RD 1940-1	Request for Obligation of Funds
Form RD 1910-11	Application Certification Federal Collection Policies
Form RD AD-1047	Certification Regarding Debarment Primary Covered Transactions
Form AD-1048	Certification Regarding Debarment Lower Tier Covered Transactions
1940-Q, Exhibit A-1	Certification for Contracts, Grants and Loans
Unnumbered Form	Certificate of Compliance

That if the interest rate charged by Rural Development should change between this date and the date of the actual approval, the Mayor and City Clerk be authorized to execute new forms reflecting the current interest rate and revised payment as required by Rural Development.

That the City Council elects to have the interest charged by Rural Development to be the lower of the rate in effect at either the time of loan approval or loan closing.

This resolution is to become a part of the official minutes of the Council meeting held on September 5, 2006.

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

LOAN RESOLUTION
(Public Bodies)
(Real Estate Only)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLINTON AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING AND/OR EXTENDING ITS DOWNTOWN REVITALIZATION PHASE II (HEREINAFTER CALLED FACILITY) TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

Whereas, it is necessary for the City of Clinton (Herein after called the Public Body) to raise a portion of the cost of such undertaking by the approval and execution of an Installment/Purchase Contract (herein after called Contract) in the principal amount of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000) pursuant to the provision of NORTH CAROLINA GENERAL STATUTES; and

WHEREAS, the Public Body intends to obtain assistance from Rural Development, United States Department of Agriculture (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking.

NOW THEREFORE, in consideration of the premises the Public Body hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the adoption of the Contract containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of the Contract upon the request of the Government if at any time it shall appear to the Government that the Public Body is able to refinance its debt obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333© of said Consolidated Farm and rural Development Act [U.S.C.1983©].
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement", including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.00.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Public Body. Such indemnification shall be payable from the same source of funds pledged to pay the loan or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the loan or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the loan or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan maybe construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Public Body, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the Contract, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the indebtedness.
8. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
9. To provide for the receipt of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by Rural Development.

10. To acquire and maintain such insurance and fidelity bond coverage as may be required by the government.
11. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
12. To provide the Government at all reasonable times, access to all books and records relating to the facility and access to the facility so that the Government may ascertain that the Public Body is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
13. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:
 - (a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.
 - (b) Repairing or replacing short-lived assets.
 - (c) Making extensions or improvements to the facility.

Any time funds are disbursed from the reserve account; additional deposits will be required until the reserve account has reached the required funded level.
14. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain Rural Development's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right or action against the Public Body.
15. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
16. To accept a grant in an amount not to exceed \$0.00 under the terms offered by the Government; that the MAYOR and CITY CLERK of the Public Body are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant, and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instruments, shall be binding upon the Public Body for the life of the loan. The provisions of sections 6 through 16 hereof may be provided for in more specific detail in the Contract, to the extent that the provisions contained in such Contract should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Public Body and the Government or assignee.

The vote was: Yeas 5 Nays 0 Absent 0

IN WITNESS WHEREOF, the City Council of the City of Clinton has duly adopted this resolution and caused it to be executed

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

RESOLUTION FOR PLAN APPROVAL

WHEREAS, a Funding Commitment has been received from USDA – Rural Development for the construction of the Downtown Revitalization, Phase II, serving the City of Clinton and Sampson County, and

WHEREAS, Plans and Specifications for the Downtown Revitalization, Phase II have been prepared by the Wooten Company, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE CLINTON CITY COUNCIL,

That plans and specifications for the construction of the Downtown Revitalization, Phase II facility are approved, and

That the Mayor is authorized to execute and file all supporting documents with the funding and permitting agencies.

BIDS—DOWNTOWN

City Manager Connet presented the construction bids for Phase II of the downtown revitalization. He said bids were over the estimated project revenue, thus the engineer negotiated with the apparent low bidder, Colt Contracting Co., Inc. As a result, the contract amount is \$904,547.00.

<u>Company</u>	<u>Bid</u>
Colt Contracting Co., Inc.	\$ 961,000.00
Lanier Construction Co., Inc.	\$1,026,248.79
Triangle Grading & Paving	\$ 992,985.15

Upon a motion made by Councilmember Harris, seconded by Councilmember Stefanovich, a negotiated bid for Downtown Revitalization, Phase II was awarded to Colt Contracting Co., Inc. for \$904,547.00 subject to USDA approving the contract.

ORDINANCES—FEE SCHEDULE

City Manager Connet presented for consideration an increase in the driveway permit fees and a new fee for communication towers. He said currently the driveway permit fee is addressed in the city code, but suggested removing it from the code and including it in the fee schedule adopted as a part of the yearly budget ordinance.

Upon a motion made by Councilmember Turlington, seconded by Councilmember Harris, the following ordinance #2006.09.05 was unanimously adopted:

ORDINANCE AMENDING SECTION 20.32(b) DRIVEWAY PERMITS

Be It Ordained that Section 20.32(b) of the Clinton City Code of 1987 is hereby amended to read as follows:

(b) Fees. Fees for permits shall be set forth in the fee schedule and shall be paid to the director of public works or his designee at the time of issuance of permit.

Upon a motion made by Councilmember Turlington, seconded by Councilmember Harris, the 2006-07 fee schedule adopted June 20, 2006 is amended to include the following:

Planning and Zoning

New Communication Tower	\$1,000.00
Co-location on existing communication tower	500.00

Public Works

Residential Driveway Permit	\$ 10.00
Commercial/Industrial Driveway Permit	25.00

AGREEMENTS—INTERSTAR—ADMINISTRATION

City Manager Connet presented for consideration an agreement to upgrade the city's computer network. Mike Steed, Interstar general manager, explained two means to connect the city operations. A fiber network will cost approximately \$15,000. It will have a thirty to fifty year life expectancy, will provide a high level of security and is upgradeable. A wireless network will cost approximately \$3,300, but will not be as secure, will not have the life expectancy of a fiber network and upgrading will require the purchase of new radios for each location. Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Becton, the city manager was unanimously instructed to proceed with the fiber network.

CONDEMNATIONS

City Manager Connet presented an ordinance of condemnation for 510 Margaret Street. Mrs. Maith Robinson appeared to request additional time to secure a buyer for her property. It was the consensus of the council to postpone action for thirty days.

City Manager Connet presented an ordinance of condemnation for 522 Faison Highway. Planning Director Vreugdenhil presented a request from Ben Warrick, attorney for the owner, for additional time to secure a buyer for her property. It was the consensus of the council to postpone action for thirty days.

AGREEMENTS

City Manager Connet presented umbrella engineering service agreements and task orders with Cavanaugh and Associates for sewer design to the new high school not to exceed \$27,950 and Withers and Ravenel for sewer and pump station design to the Edwards's

development off Pugh Road not to exceed \$76,900 for consideration. Upon a motion made by Councilmember Harris, seconded by Councilmember Becton, the agreements were unanimously approved.

REPORTS

The finance, fire, personnel, and police reports were acknowledged.

City Manager Connet told of an effort by the Clinton Soccer Association to raise funds to erect a concession stand at the Royal Lane soccer complex.

City Manager Connet recognized Police Chief Mike Brim who recently received a Masters of Business Administration.

US 701/NC 24 CONNECTOR ROAD

Councilmember Stefanovich presented plans showing three phases of a connector road between US 701 and NC 24.

RESOLUTIONS—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 September 5, 2006 enter closed session as allowed by G. S. 143-318.11 (a)(3) to discuss litigation.

Council re-entered regular session. Mayor Starling reported council was briefed on possible litigation.

Upon a motion made by Councilmember Stefanovich, seconded by Councilmember Turlington, and unanimously passed, the meeting was adjourned at 8:49 p.m.

City Clerk

Mayor