



## September 5, 2023, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in a regular session at 7:00 PM on September 5, 2023, in the City Hall Auditorium. Mayor Starling presided. Councilmembers Ruggles, Corbett, DuBose, Strickland, and Mayor Pro Tem Becton were present.

City Attorney Tim Howard of Howard and Carr, PLLC, was present.

Also present were City Clerk Elaine F. Hunt; City Manager James Duncan; Finance Director Kristin Stafford; Public Works Director Chris Medlin; Public Works Engineer Russell Byrd; HR Director Natalie Blue; Parks and Recreation Director Jonathan Allen; Senior Planner Lyle Moore; Planning Director Mary Rose; and Assistant Police Chief Adrian Mathews.

Absent was Police Chief Anthony Davis.

Jack Tunnell of The Sampson Independent was present. Sylvia Chestnutt of The Sampson Weekly was absent.

Mayor Starling called upon Mayor Pro Tem Becton to give the invocation.

### CITY COUNCIL

Upon a motion made by Councilmember Strickland, seconded by Councilmember Ruggles, it passed unanimously to approve the August 1, 2023, regular city council minutes.

### PROCLAMATION – FIRST RESPONDERS APPRECIATION DAY

Upon a motion made by Councilmember DuBose, seconded by Councilmember Strickland, the following First Responders Appreciation Day Proclamation was unanimously approved:

***Proclamation***  
***First Responders Appreciation Day***

**WHEREAS**, as cited by the Governor of North Carolina, individuals, both career and volunteer, including law enforcement personnel, emergency operators and dispatchers, firefighters, emergency medical technicians (EMTs), hospital and medical facility staff, search and rescue personnel, and many others serve the public as first responders in the event of an emergency; and

**WHEREAS**, First Responders are vital members of our communities, protecting our neighbors and loved ones from existing threats and remaining vigilant for new threats that may emerge; and

**WHEREAS**, each day, our first responders stand ready to aid all who are in need, often risking their own personal safety to rescue others; and

**WHEREAS**, First Responders undergo extensive education and training to achieve the expertise required to respond to emergency situations; and

**WHEREAS**, the City of Clinton is thankful to the men and women who perform these services at great risk to their own safety and well-being.

**NOW, THEREFORE**, I, Lew D. Starling, Jr., Mayor of the City of Clinton, do hereby proclaim September 11, 2023, as:

***“First Responders Appreciation Day”***

**IN WITNESS WHEREOF**, I have set my hand and caused the seal of the City of Clinton, North Carolina to be affixed this 5<sup>th</sup> day of September 2023.

**PUBLIC HEARING -- OATHS**

Oaths were given to Senior Planner Lyle Moore and Gayla Hitching, 504 Smithfield Road, Clinton, NC 28328.

**P & Z – 702 SUNSET AVENUE – ANA ACOSTA**

Mayor Starling opened a continued public hearing on a request by Ana Acosta to rezone approximately 3.20 acres at 702 Sunset Avenue from R-8 Residential District to O & I Office and Institutional District.

Planning Director Rose informed the City Council that Ms. Acosta withdrew this request to rezone at 702 Sunset Avenue.

**P & Z – 227 MCKOY STREET – TIM AND NICOLE BOYKIN**

Mayor Starling opened a public hearing on a request by Tim and Nicole Boykin to rezone approximately 0.25 acres at 227 McKoy Street from CB-Central Business to NS-Neighborhood Shopping.

Planning Director Rose explained the request and gave the staff and Planning and Zoning Board's recommendation to approve the request upon the findings of fact and zoning consistency statement. She stated that there was no opposition regarding this request.

No one else appeared to be heard and Mayor Starling closed the public hearing.

Upon a motion made by Councilmember Strickland, seconded by Mayor Pro Tem Becton, the following amendment #2023.09.01 to the Zoning Ordinance was unanimously adopted:

**WHEREAS**, in accordance with the provisions of North Carolina General Statute 160A-383, the City of Clinton Planning Board does hereby find and determine that the recommendation of map amendment RZ-8-23-1 is consistent with the goals and objectives of the Clinton 2035 Comprehensive Plan. The Clinton 2035 Comprehensive Plan encourages commercial development to occur in clusters. There is existing commercial development and NS-Neighborhood Shopping zoned property across Faison Street.

**P & Z – ALONG SOUTHEAST BOULEVARD – PETERSON INVESTMENTS, LLC**

Mayor Starling opened a public hearing on a request by Peterson Investments, LLC, to rezone approximately 1.51 acres along Southeast Boulevard from RA-20 Residential Agriculture to HC-Highway Commercial.

Senior Planner Lyle Moore explained the request and gave the staff and Planning and Zoning Board's recommendation to approve the request upon the findings of fact and zoning consistency statement. He stated that there was no opposition regarding this request.

No one else appeared to be heard and Mayor Starling closed the public hearing.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Ruggles, the following amendment #2023.09.02 to the Zoning Ordinance was unanimously adopted:

**WHEREAS**, in accordance with the provisions of North Carolina General Statute 160A-383, the City of Clinton Planning Board does hereby find and determine that the recommendation of ordinance amendment RZ-8-23-2 is consistent with the goals and objectives of the Clinton 2035 Comprehensive Plan. Section 7 Goals and Implementing Strategies, of the Clinton 2035 Comprehensive Plan, encourages commercial development to occur in clusters along major thoroughfares such as US 701. The properties adjoin existing HC-Highway Commercial zoning.

**P & Z – 103 WILSON STREET – J. LINDSAY, LLC**

Mayor Starling opened a public hearing on a special use request by J. Lindsay, LLC to convert an existing residential structure located at 103 Wilson Street in an R-8 Residential District into a duplex.

Before Senior Planner Lyle Moore presented the findings, Mayor Starling stated that although he works for J. Lindsay, LLC, he knew nothing about this project. He wanted to state this to be placed within the minutes.

Senior Planner Lyle Moore presented the following findings:

1. The property under consideration contains approximately 12,351 square feet.
2. Gayla Hitching and Michael Lindsay have signed the application as the applicants.
3. The property is currently zoned R-8 Residential.
4. The property is bordered to the north by HC-Highway Commercial. To the south, east, and west by R-8 Residential.
5. The applicant is proposing to convert an existing dwelling into a duplex with two separate driveways. The applicant has provided a site plan showing the proposed duplex meets the minimum setback requirements of the Clinton Land Development Ordinance.
6. Section 6 B. Future Land Use Sectors 5. Residential in the Clinton 2035

Comprehensive Plan encourages more dense residential development within the existing corporate limits for parcels with access to water and/or sewer service. This

property has access to both City water and sewer. The comprehensive plan further states that residential density will be dictated by the applicable zoning district, in this case R-8.

7. The following Special Use standards from Section 11.4 Step 6, B.2 of the City of Clinton Land Development Ordinance shall be considered by City Council.

Mayor Starling asked if anyone else wished to speak. Gayla Hitching spoke briefly stating that all requirements by the City were executed.

No one else appeared to be heard, and the hearing was closed.

Mayor Starling read Standard 1: If completed as proposed, the development will comply with all of the requirements of this Ordinance. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met.

Mayor Starling read Standard 2: The use will not materially endanger the public health or safety. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met.

Mayor Starling read Standard 3: The use will not substantially injure the value of adjoining or abutting property. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met.

Mayor Starling read Standard 4: The use will be in harmony with the area in which it is to be located. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met.

Mayor Starling read Standard 5: The use will be in general conformity with the Land Development Ordinance, thoroughfare plan, or other plan officially adopted by the Council. He then called for a vote on whether the requested use would meet this standard. Five voted that the standard would be met.

Upon a motion made by Councilmember DuBose, seconded by Councilmember Ruggles, a special use permit was unanimously approved for J. Lindsay, LLC to convert an existing residential structure located at 103 Wilson Street in an R-8 Residential District into a duplex.

## STREET CLOSINGS –ANNUAL SQUARE FAIR AND BARBEQUE COOK-OFF

Planning Director Rose requested the City Council close Vance Street from Sampson to Wall Street and the parking lot at the west end of the Sampson County Courthouse from 2:00 PM on Friday, October 13<sup>th</sup> to 5:00 PM on Saturday, October 14<sup>th</sup>. At 9:00 PM, on Friday evening, she requested Main Street from Wall Street to Lisbon Street, and Wall Street from Fayetteville Street to Main Street be closed until 5:00 PM on Saturday, October 14<sup>th</sup>.

In addition, Mrs. Rose requested the Lisbon Street parking lot, Elizabeth Street from Lisbon Street to Wall Street, Lisbon Street from John Street to Main Street, College Street from Devane Street to Main Street, Connestee Street, Milling Around public art piece parking lot, Sampson Street from Main Street to Loop Street, Vance Street from Fisher Drive to Sampson Street, and a short section of Graham Street adjacent to the Lisbon Street parking lot be closed from 5:00 AM until 5:00 PM on Saturday, October 14<sup>th</sup>.

Upon a motion made by Councilmember Strickland, seconded by Mayor Pro Tem Becton, it passed unanimously to close the abovementioned streets and parking lots for the “Annual Square Fair and Annual Barbeque Cook-off.”

## UNPAID WATER AND SEWER BILLING ACCOUNTS – CHARGE- OFFS

Upon a motion made by Councilmember DuBose, seconded by Councilmember Strickland, the following unpaid water and sewer billing accounts that the City of Clinton is unable to collect were unanimously written off:

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ACCOUNT #	NAME	ADDRESS	FINALIZED DATE	CURRENT BALANCE
1324	KATHRINE HARGROVE	88 RUSSELL ST.	2/23/2021	\$ 136.45
1544	DORA FAISON	231 JACOBS ST.	11/23/2020	\$ 142.07
1793	SALVADOR FONSECA	115 CAROLINA VE.	4/23/2020	\$ 87.02
2083	GLENDA VANN	702 UNDERWOOD ST.	11/23/2020	\$ 126.30
2540	LILLIE GRANTHAM	106 WILSON ST.	10/23/2020	\$ 158.47
4232	DEXTER ANTONIO BRYANT	701 MCKOY ST.	4/23/2021	\$ 125.14
4518	NORTH CLINTON MANOR APTS	415 SAMPSON ST. B	4/23/2021	\$ 92.26
4627	MARSHA WOODLEY UNDEWOOD	100 SAMPSON ST.	9/23/2021	\$ 307.95
4757	MAYRA Y BETRAND MENDEZ	109 E BONEY ST.	11/23/2020	\$ 168.93
5111	JOSIE HENRY	608 WINFREY ST.	9/23/2020	\$ 200.40
5229	WILLA DEAN JOYNER	534 MARGARET ST.	4/23/2021	\$ 582.38
5517	P H HEATON	200 KERR ST.	10/23/2020	\$ 103.27
5891	ROMEO MCPHAIL	317 STETSON ST.	9/23/2020	\$ 299.71
5969	MERITA KERR LANE	507 PINE ST.	9/23/2020	\$ 603.19
6062	MARIO WHITE	209 W MORRISEY BLVD.	2/23/2021	\$ 121.96
6093	MOSES WILLIAMS	200 W MAPLE ST.	9/23/2020	\$ 27.91
6191	PAULA M. BROWN JACOBS	305 STILL ST.	5/23/2021	\$ 60.08
6895	ARTIS SMITH	66 CLIVE JACOBS RD.	12/23/2020	\$ 169.79
7433	PAUL HAWKINS	422 E POWELL ST.	1/23/2021	\$ 65.50
7459	MONALISA JULIET FLANAGAN	419 MORRISEY BLVD.	5/23/2021	\$ 578.27
7728	DENISSA MARTHA ZAL I ARCILES	2264 HOBBDON HWY.	9/23/2020	\$ 94.90
8016	SHANNON MARIE HERRING	401 NORTH BLVD.	12/23/2020	\$ 75.84
8370	ROBERT SHERRILL LEE	623 ISAAC WEEKS RD.	9/23/2023	\$ 85.36
8744	ENGENE HOLLAND	905 WARREN ST.	10/23/2020	\$ 115.63
9385	LISA LAMBERT	104 FOREST DR.	6/23/2021	\$ 59.27
9730	DR. ALLYN DAMBECK	312 FOX LAKE DR.	9/23/2020	\$ 51.52
10162	LINCOLN HOLLIDAY	105 BRINKLEY ST.	6/23/2021	\$ 82.02
10875	KRISTOPHER MCLAMB	708 CUTCHIN ST.	2/23/2021	\$ 51.02
10913	SWEETWATER ENTERPRISES, LLC	622 SANDERS ST.	6/23/2021	\$ 99.10
11159	BELINDA LINDSEY	119 KIMBROUGH RD.	3/23/2021	\$ 54.42
11202	JMS BUILDERS GROUP	127 COVE PLACE	9/23/2020	\$ 278.77
11640	JESSIE FAIRCLOTH	612 FERRELL ST.	7/23/2021	\$ 127.73
11719	CLINTON NC FROG LLC	935 SUNSET AVE.	12/23/2020	\$ 227.11
11807	JOJUAN MOSLEY	400 W BONEY ST.	10/23/2020	\$ 58.05
11838	MARTHA L SANCHEZ	603 PETERSON ST.	4/23/2021	\$ 127.77
11897	SHANAS CALDWELL	314 JACOBS ST. B	11/23/2020	\$ 132.57
12084	GERALD M. FULLER	103 CHESTNUTT ST.	12/23/2020	\$ 544.85
12176	DIKIA CHEVALLIER	407 WEEKS ST	11/23/2020	\$ 87.82
12321	BOBBIE J UGBOAJA	511 EARL ST.	9/23/2020	\$ 174.06
12338	PHILIP JAKE NELSON	703 CUTCHIN ST.	7/23/2021	\$ 163.79
12369	BRITNI MINNICH	616 COLLEGE ST.	2/23/2021	\$ 154.86
12583	JONATHAN BLAKE ROBINSON	302 WILLOW RD.	4/23/2021	\$ 128.92







**CITY OF CLINTON  
2024 HOLIDAY SCHEDULE**

<u>HOLIDAY</u>	<u>OBSERVANCE DATE</u>	<u>DAY OF WEEK</u>
New Year's Day	January 1, 2024	Monday
Martin L. King Jr.'s Birthday	January 15, 2024	Monday
Good Friday	March 29, 2024	Friday
Memorial Day	May 27, 2024	Monday
*Juneteenth Holiday	June 19, 2024	Wednesday
Independence Day	July 4, 2024	Thursday
Labor Day	September 2, 2024	Monday
Veteran's Day	November 11, 2024	Monday
Thanksgiving	November 28 & 29, 2024	Thursday & Friday
Christmas	December 24, 25, & 26, 2024	Tuesday, Wednesday, & Thursday

\*Floating holiday per City Council's adoption on December 6, 2022

City Manager Duncan presented for informational purposes the Cemetery Advisory Board's Annual Report. The Board mentioned that the Sandhill Cemetery expansion is complete.

## OTHER BUSINESS

Mr. Larry Bell, Jr., presented a letter to Mayor Starling and the City Council requesting a Letter of Support in naming approximately 5 miles of Interstate 40, passing through Sampson County, as the “Representative Larry M. Bell Highway.”

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Ruggles, it passed unanimously to adopt a Letter of Support in naming approximately 5 miles of Interstate 40, passing through Sampson County, as the “Representative Larry M. Bell Highway.”

Ms. Stephanie Graham informed the group that on August 12<sup>th</sup>, a “Back to School” event was sponsored by The Uplift Project. She explained the purpose of The Uplift Project and what they do. She stated that they bought clothes, shoes, and hygiene items for all the children. Ms. Graham stated that Mayor Starling spoke at the event. Ms. Graham asked Mayor Starling to come down and a booklet of the event was presented to him.

Lastly, Ms. Graham announced that on September 30<sup>th</sup> at 3:00 PM, Clinton will be observing a Day of Hope and Healing. Furthermore, she stated that last year, there were approximately 300 people at James Newkirk Park. She declared that this year, the observance will be bigger and better.

Mayor Starling praised Ms. Graham for a great job with the “Back to School” event. Also, he mentioned the great job Dr. Angela Harding did as well.

## CLOSED SESSION

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Ruggles, the following resolution passed unanimously to enter closed session pursuant to G. S. 143-318.11(a)(3)(6) to consult with the attorney in order to preserve the attorney-client privilege and personnel at approximately 7:21 PM:

### RESOLUTION TO ENTER CLOSED SESSION

Be It Resolved that the regular meeting of the City Council of the City of Clinton, North Carolina held at 7:00 PM on September 5, 2023, entered closed session as allowed by G. S. 143-318.11(a)(3)(6) to consult with the attorney in order to preserve the attorney-client privilege and personnel.

Upon a motion made by Councilmember DuBose, seconded by Mayor Pro Tem Becton, it passed unanimously for Council to re-enter regular session.

Mayor Starling stated that the City Council entered closed session to consult with the attorney in order to preserve the attorney-client privilege and personnel. He stated that it was the consensus of the City Council to approve an easement with Smithfield Foods; therefore, he asked for a motion.

Upon a motion made by Councilmember Strickland, seconded by Councilmember DuBose, it passed unanimously to approve an easement between The City of Clinton and Smithfield Foods.

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Ruggles, it passed unanimously to adjourn the September 5, 2023, City Council meeting.

The meeting adjourned at approximately 8:15 PM.



Elaine F. Hunt, City Clerk, MMC, NCCMC



Lew Starling, Jr., Mayor