



## December 6, 2022, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on December 6, 2022, in the City Hall Auditorium. Mayor Starling presided. Present were Councilmembers Ruggles, Corbett, DuBose, Strickland, and Mayor Pro Tem Becton.

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

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

Chris Berendt, of The Sampson Independent, and Sylvia Chestnutt, of The Sampson Weekly, were also present.

Mayor Starling called upon Ms. Margo Montgomery, Director of the Children's Ministry, First Baptist Church, 408 College Street, Clinton, NC, to give the invocation. Before giving the invocation, Ms. Montgomery introduced herself to the group.

### CITY COUNCIL

Upon a motion made by Councilmember Strickland, seconded by Councilmember Ruggles, it passed unanimously to approve the November 1, 2022, regular and November 15, 2022, strategic planning city council minutes.

### PRESENTATION – ABC BOARD

Mr. Perry Solice, Chairman of the ABC Board, appeared before City Council, along with Mr. Tyler Baxter and Mr. Ray Jordan. He gave an update on the happenings in and around the ABC Store. Chairman Solice stated that the store had been remodeled. He praised Ms. Barbara Bailey for her diligence and work ethics.

Mr. Solice asked Chief Anthony Davis to come forth and he presented a check to law enforcement in the amount of \$22,157.56. He presented a check to Mayor Starling for the City of Clinton in the amount of \$403,828.00. Also, he presented the audit to Mayor Starling. He thanked the City of Clinton for the excellent service which they provide.

Mayor Starling thanked Mr. Solice and the ABC Board for their hard work and contributions to the City of Clinton.

#### **STREET CLOSINGS -- CHRISTMAS PARADE**

Upon a motion made by Councilmember Ruggles, seconded by Mayor Pro Tem Becton, and unanimously passed, approval was given for the temporary closing of the streets described in the parade route as follows for the December 10, 2022, Christmas Parade: "Entries will depart from the Agri-Exposition Center on Warsaw Road. The parade starting point will be at the Clinton City Schools Administrative Offices (Old College Street School) and will go through downtown Clinton and around the courthouse on the Vance Street side. The parade will continue down Fayetteville Street turning left onto Chestnut Street and then left onto West Main Street. The parade will continue down Main Street making a right onto Lisbon Street. The official parade route ends at the Clinton City Market.."

#### **PURCHASE OF PARCEL – LOCATED BETWEEN 625 AND 631 WILLIAMS STREET**

City Manager Duncan stated that at the November 1, 2022, city council meeting, it passed unanimously to accept the offer by Mr. and Mrs. Lloyd Thompson, 536 Edgar Street, to purchase the small parcel of city property located between 625 and 631 Williams Street for the amount of \$1,500.00.

It was stated that the City Clerk advertised the offer on November 5, 2022, in The Sampson Independent and no one contacted the City to upset Mr. and Mrs. Thompson's bid.

Upon a motion made by Councilmember Strickland, seconded by Mayor Pro Tem Becton, it passed unanimously to accept the offer from Mr. and Mrs. Lloyd Thompson, to purchase the small parcel located between 625 and 631 Williams Street owned by the City – Parcel ID# 12080290001 for the amount of \$1,500.00.

RESOLUTION—SURPLUS PROPERTY

Upon a motion made by Councilmember DuBose, seconded by Councilmember Ruggles, it passed unanimously to approve the following resolution authorizing the disposition of personal property by GovDeals sale:

**RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTY BY THE METHOD KNOWN AS: "GOVDEALS"**

**WHEREAS**, the City Council of the City of Clinton, NC desires to dispose of certain surplus properties of the City of Clinton.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council that:

- (1) The following described properties are hereby declared to be surplus to the needs of the City of Clinton:

One (1) 2011 ODB Leaf Wagon                      Estimated value \$2,000.00  
VIN# 1Z9PL1612AR168002

One (1) 2004 ODB Leaf Wagon                      Estimated value \$2,500.00  
VIN# 11044094

One (1) 1997 Ford – 800 Dump Truck              Estimated value \$5,000.00  
VIN# 1FDNF80C1VVA01371

One (1) 1995 PowerBoss Armadillo 9XR          Estimated value \$2,500.00

- (2) The Financial Analyst is authorized to receive on behalf of the City Council of the City of Clinton bids via GovDeals for the purchase of the described properties.
- (3) GovDeals will begin the sale of the described properties on or about December 16, 2022, and will continue the sale until the described properties are sold. The terms of sale shall be Pay Pal, credit card, or wire transfer.
- (4) The City Clerk will not cause a notice of the electronic public auction to be published in accordance with G. S. 160A-266 (c).
- (5) The highest bid, if it complies with the terms of sale, may be accepted by the Financial Analyst and the sale consummated.

## **ANNEXATION – LONNIE W. GLASPIE, JR. – 1285 HOBBDON HIGHWAY**

City Manager Duncan stated that the property owner is petitioning for voluntary non-contiguous annexation. He asked City Council to direct City Clerk Hunt to investigate the sufficiency of the petition presented by Lonnie W. Glaspie, Jr., property owner. Ms. Hunt will report back to City Council at the January 3, 2023, city council meeting.

Upon a motion made by Councilmember Ruggles, seconded by Mayor Pro Tem Becton, the following resolution directing the clerk to investigate the sufficiency of a petition for annexation received from Lonnie W. Glaspie, Jr., passed unanimously:

### **RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-58.1**

#### **Voluntary Non-contiguous Annexation**

**WHEREAS**, a petition requesting annexation of an area described in said petition was received on November 1, 2022, by the City Council of the City of Clinton, NC; and

**WHEREAS**, G.S. 160A-58.1 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 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 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.

## **PERSONNEL POLICY – AMENDMENT**

City Manager Duncan stated that City Council is asked to approve an amendment to the Personnel Policy. He stated that he is asking the City Council to adopt an amendment to allow Juneteenth as a “floating” holiday.

Councilmember Strickland wanted clarification and he asked, “Is it being requested as a day to be recognized by the City as a whole or as a floating holiday?” City Manager Duncan stated that it would be a floating holiday. He stated that, “we will do the best that we can to allow employees that day off.”

Councilmember Corbett stated that was her question as well and she stated, "So, if an employee wishes to take that day off, he can?" City Manager Duncan stated that employees will be allowed to take that day off.

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Strickland, the following amendment to the Personnel Policy was unanimously adopted:

### **Personnel Policy Amendment**

#### **ARTICLE VII. HOLIDAYS AND LEAVES OF ABSENCE**

Whereas, upon the recommendation of the city manager, City Council is requested to amend Article VII. Holidays and Leaves of Absence, Section 3. Holidays to read as follows:

The City of Clinton observes the same holiday schedule as designated by the North Carolina Office of State Human Resources with twelve (12) paid holidays per year. Additionally, a floating holiday will be given to employees to allow for the observance of Juneteenth. The following are the designated holidays: ~~days, and other such days as the City Council may designate, are holidays with full pay for employees and officers of the City:~~

New Year's Day  
Martin Luther King Jr.'s Birthday  
Good Friday  
Memorial Day  
Independence Day

Labor Day  
Veteran's Day  
Thanksgiving (Thursday & Friday)  
Christmas (~~two or~~ three days)

~~When any recognized holiday falls on Saturday or Sunday, either Friday or Monday will be observed as the holiday, coordinated with Sampson County or other governmental agencies, banks, etc., so that the day taken will be uniform throughout the community. Any conflict in the date of the holiday shall be decided by the City Manager or designee. The City Manager shall designate the Christmas holidays each year.~~ When any recognized holiday falls on a Saturday, the preceding Friday will be the designated holiday. When any recognized holiday falls on a Sunday, the following Monday will be the designated holiday.

~~In order to receive a paid holiday, an employee must have worked the day before and the day after the holiday(s), or have been given approved leave.~~ Holidays are equivalent to eight (8) hours straight-time pay for all regular full-time employees regardless of their typical workweek schedule and are excluded from hours worked in calculating overtime. In order to receive a paid holiday, an employee must have worked the day before and the day after the holiday(s) or have been given

approved leave. Fire and law enforcement employees whose work schedule differs from the standard Monday through Friday schedule, and who work greater than eight (8) hour shifts, will meet this requirement by working the “scheduled work shift” before and the “scheduled work shift” after the holiday or have been given approved leave.

**BUDGET –PROJECT ORDINANCE AMENDMENT – GENERAL AMERICAN RESCUE PLAN FUND**

City Manager Duncan stated that it is being requested that an amendment be done to the General American Rescue Plan Fund Project Ordinance, so that, each employee might receive a bonus in the amount of seven hundred and twenty-five dollars (\$725.00). He stated that after deductions, the majority of the employees will receive five hundred dollars (\$500.00). When asked by a councilmember, how soon before this occurs, Finance Director Stafford stated, “this Friday.”

Upon a motion made by Councilmember Ruggles, seconded by Mayor Pro Tem Becton, it passed unanimously to adopt the following budget project ordinance amendment:

**PROJECT ORDINANCE AMENDMENT  
General American Rescue Plan Fund Project  
#2022.12.01**

**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 project ordinance adopted June 7, 2022, is hereby amended as follows:

**Section 1.** To amend the General American Rescue Plan Fund, the expenditures are to be changed as follows:

<u>ACCOUNT #</u>	<u>ACCOUNT TITLE</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>TOTAL</u>
49-4070-8300	Generator		\$20,000	
49-4170-8300	FY2023 Employee Bonus	\$76,100		
49-4770-0400	Stormwater		41,100	
49-4770-0500	Knuckleboom Truck		15,000	
<b>TOTAL EXPENDITURES</b>		<b>\$76,100</b>	<b>\$76,100</b>	<b>\$0</b>

**Section 2.** Copies of this budget amendment shall be furnished to the City Clerk, City Manager, and Finance Director for their direction.

## APPOINTMENTS

Upon a motion made by Councilmember DuBose, seconded by Councilmember Ruggles, it passed unanimously to reappoint Beth Stewart, District 4, to the Planning and Zoning Board for a five-year term.

Upon a motion made by Councilmember DuBose, seconded by Councilmember Ruggles, it passed unanimously to reappoint Billy Ray Jordan, Jr., District 1, and Curtis Barwick, District 4, to the Board of Adjustment for three-year terms.

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember DuBose, it passed unanimously to reappoint Anthony Worley and Vernon Clifton to the Cemetery Advisory Board for three-year terms.

Notification was given for the appointment to the Recreation Advisory Board to replace Troy Fardy, At large. At the January 3, 2023, city council meeting, City Council will be asked to appoint someone to this Board.

## REPORTS

The monthly combined staff report was acknowledged.

## STAFF REPORTS

Police Chief Davis gave an update on a spill that occurred earlier that day. He stated that at approximately 5:15 PM, officers responded to reports of an agriculture protein spill located in the eastbound lane of Highway 24 near the Clinton city limits. Chief Davis stated that after arriving on scene, officers discovered a semi-truck parked on the shoulder of the road and an apparent agriculture spill at the location consisting of animal byproducts. He stated that a subcontractor was involved, and two (2) citations were given: failing to secure a load and littering.

Mayor Starling asked Chief Davis how many spills had occurred within the last twenty-four (24) months, and Chief Davis replied, "approximately 15 spills."

## CITY MANAGER REPORTS

City Manager Duncan had no more items to report.

## PUBLIC COMMENTS

No one appeared for public comments.

## OTHER BUSINESS

There was no other business for discussion.

## ADJOURNMENT


Before adjourning, Mayor Starling asked Planning Director Rose to brief the City Council regarding the Christmas in the City events. Mrs. Rose came forth and excitedly, she stated that the citizens and residents of Clinton will have two opportunities to celebrate Christmas—on this past Thursday, December 1<sup>st</sup>, and on this upcoming Thursday, December 8<sup>th</sup>. She stated that this upcoming Thursday will be the carriage rides and this event was sold out. Planning Director Rose talked about the making of ornaments at Grace United Methodist Church, 800 Smith Street, and the nativity scene display at First Methodist Church, 208 Sampson Street.

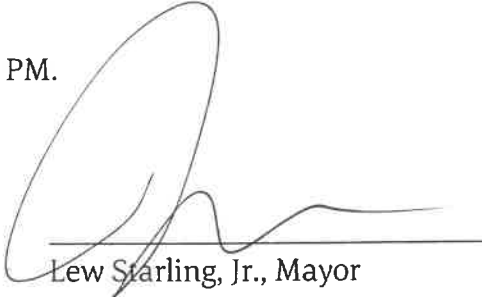
Planning Director Rose stated that there were eighty-three (83) decorating teams and approximately 300-400 individuals participated. Furthermore, she stated that WRAL-TV's Scott Mason, Tar Heel Traveler, would be spotlighting our community on tomorrow evening.

Mayor Starling and the City Council asked Mrs. Rose to invite the participants in the Downtown Clinton's events to come to the January 3, 2023, city council meeting. The City Council inquired about who won the decorating contest. Mrs. Rose announced that Heat Wave Hair & Tanning, 201 Vance Street, was the winner. The salon owner is Natalie Sanderson.

Being no further discussion, a motion was made by Mayor Pro Tem Becton, seconded by Councilmember Strickland, and it passed unanimously to adjourn the December 6, 2022, city council meeting.

The meeting adjourned at approximately 7:27 PM.

  
Elaine F. Hunt, City Clerk, MMC, NCCMC

  
Lew Starling, Jr., Mayor