



January 4, 2022, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on January 4, 2022, in the City Hall Auditorium. Mayor Starling presided. Present were Councilmembers DuBose, Ruggles, Strickland, and Mayor Pro Tem Becton.

Councilmember Bryant was absent.

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 Tom Hart; Police Chief Anthony Davis; Assistant Police Chief Adrian Mathews; Finance Director Kristin Stafford; Public Works Director Chris Medlin; Public Works Engineer Russell Byrd; and Fire Chief Stephen Lovette. Also, present were Cameron Adams, Clinton Fire Department; Lt. Jeremy Honeycutt; Cpl. Christian Simmons; and Officer Timothy Stroud—all from the Clinton Police Department.

HR Director Shelvia Ashford and Parks and Recreation Director Jonathan Allen were absent.

Emily M. Williams, of the Sampson Independent, and Sylvia Chestnutt, of the Sampson Weekly, were present.

Mayor Starling called the meeting to order.

Mayor Starling called upon Councilmember Daniel Ruggles, District 1, to give the invocation.

CITY COUNCIL

Upon a motion made by Councilmember Strickland, seconded by Mayor Pro Tem Becton, the minutes of the December 7, 2021, regular city council meeting were approved unanimously.

## RECOGNITION – 2021 FIREFIGHTER OF THE YEAR

Fire Chief Stephen Lovette appeared before City Council to present the “2021 Firefighter of the Year.” Chief Lovette stated that Firefighter Cameron Adams was selected based on the nominations of his peers. Chief Lovette stated that Firefighter Adams has demonstrated the core values of the Fire Department which are respect, professionalism, and teamwork.

Fire Chief Lovette informed the group that Firefighter Adams started with the City as a part-time employee in 2013. He stated that Firefighter Adams volunteers with Taylor Bridge’s Fire Department, has a willingness to serve, and has no problem placing himself in imminent danger.

Fire Chief Lovette concluded by stating that Firefighter Adams’ plaque will be presented at a later date. Currently, Firefighter Adams works at Station 2 on the C Shift. The Sampson Independent’s representative and The Sampson Weekly’s representative took pictures of Firefighter Adams with Mayor Starling, Mayor Pro Tem Becton, Chief Lovette, and his family.

## RECOGNITION – 2021 POLICE OFFICER OF THE YEAR

Police Chief Anthony Davis presented the recipient for the “2021 Police Officer of the Year.” Chief Davis stated that this award is one of the proudest awards within the Police Department because peers and former winners nominate and select the recipient. Chief Davis stated that this individual joined the Clinton Police Department in January 2019 and has served professionally and with integrity throughout his short career. Chief Davis said that in January 2021, this individual became the K-9 Officer, and with K-9 Brembo, they detect drugs and apprehend suspects.

Before introducing the “2021 Police Officer of the Year,” Chief Davis stated, this individual “is truly the kind of person we all want on our team.” He presented Corporal Christian Simmons – “2021 Police Officer of the Year.”

The Sampson Independent and The Sampson Weekly’s representatives took pictures of Corporal Simmons, Mayor Starling, Mayor Pro Tem Becton, and Simmons’ family.

## PUBLIC HEARING – OATHS

Oaths were not needed during the January 4, 2022, city council meeting.

## P & Z – AT THE INTERSECTION OF MARTHA LANE AND US HIGHWAY 421 NORTH – GARY AND MINNIE WEBB

Mayor Starling opened a public hearing on a request by Gary and Minnie Webb to rezone approximately 110.4 acres at the intersection of Martha Lane and US Highway 421 North from R-20 Residential Agriculture/R-8 Residential to R-8 Residential.

Planning Director Mary Rose explained the request. She stated that the property under consideration is currently, split zoned by RA-20 Residential Agriculture and R-8 Residential. Also, she stated that:

The property is bordered to the north, east, and west by RA-20 Residential Agriculture, and the properties to the south are zoned R-8 Residential; and

The property has been posted and all property owners within 100' have been notified by mail.

Mrs. Rose informed the City Council that an adjoining property owner was present, and he came before the group to speak. The adjoining property owner identified later as Mr. Tim Lindsay, said that they own a turkey farm, and they were located in the area first. Mr. Lindsay sought clarification regarding this rezoning request.

Mayor Starling asked Attorney Tim Howard to elaborate on the concern. Attorney Howard stated, "Historically speaking, if they move where you are, it is not considered a nuisance. You were there first. It is hard to say it is a nuisance."

Mayor Starling stated that the turkey farm is grandfathered in, and the Webbs will have to come back before the City Council for any sewer request.

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

Upon a motion made by Councilmember Ruggles, seconded by Mayor Pro Tem Becton, the following amendment #2022.01.01 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-12-21-1 to be rezoned from R-20 Residential Agriculture/R-8 Residential to R-8 Residential is consistent with the goals and objectives of the Clinton 2035 Comprehensive Plan. Section 6, Future Land Use Sectors, in the Clinton 2035 Comprehensive Plan addresses encouraging "infill" development or development on vacant parcels accessible 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.

**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, does enact as follows: The Zoning Ordinance of the City of Clinton be and the same is hereby amended as follows: That approximately 110.4 acres at the intersection of Martha Lane and US Highway 421 North is hereby rezoned from R-20 Residential Agriculture/R-8 Residential to R-8 Residential.

## HAZARDOUS SPILLS – ALONG THE ROADWAYS -- CITY OF CLINTON

Mayor Starling introduced this item. He stated that last month, he wrote a letter to Mr. J. J. Smith, Chief Executive Officer, Valley Proteins, Inc., and invited Mr. Smith and others to the January 4, 2022, city council meeting to discuss the concern of hazardous spills within the City of Clinton. (SEE ATTACHMENT #1).

City Manager Hart stated that in November 2021, a meeting occurred, and discussions involved trucks hauling animal parts with hazardous spills along the roadways. City Manager Hart said Chief Anthony Davis may elaborate on this concern if necessary. City Manager Hart informed the group that he does not feel the spills are reducing. He mentioned that two (2) spills have happened since the Mayor's letter to Mr. J. J. Smith.

City Manager Hart said someone should be held accountable for these spills. Furthermore, he stated that in the last three years, there have been twenty (20) spills and before the Thanksgiving Holiday in November 2021, Faircloth Freeway was closed for approximately 6 hours because of a spill.

Police Chief Davis stated that there were eleven spills in 2021 and regarding seven of the spills, the truckers left the scene. He stated that he has called the Valley Proteins office several times and always gets the voicemail.

A highway patrol officer appeared before the City Council. He stated that the penalty for spills is not hefty, and the primary problem is the drivers are third party contractors. He concluded by stating that although he has not tried to contact Valley Proteins, Inc., others within the division have.

Mr. Sandy Huggins, Corporate Truckload Manager, spoke. Initially, he informed the group that Valley Proteins, Inc. is a billion dollars company, and they take this matter seriously. Mayor Starling asked Mr. Huggins where he resides and he replied, "I live in Hunts Mill, North Carolina. He introduced Valley Proteins, Inc.'s representatives who were present: President J. J. Smith, Owner; Mr. Paul White, District Manager; Mr. Joe Wilson, Transportation Division; and Mr. Jamie Faison, Routing Division. Mr. Huggins stated that Valley Proteins, Inc., is located in thirty-two (32) states and operate over six hundred (600) commercial vehicles.

Mr. Huggins proceeded to say President Smith has invested over \$9 million for equipment designed to haul wet sloppy materials to disposal sites like in Sampson County. Also, Mr. Huggins stated that a couple of years ago under the direction of President Smith, they rerouted all the trucks around Sampson County. He gave the various routes trucks were taking to avoid coming through the City of Clinton. Mr. Huggins informed the group that they have devices on the trucks to determine where the trucks are, as well as cameras so that driving behaviors can be addressed. He stated \$2.5 million have been invested to reroute trucks around the City.

Mr. Huggins stated that they take offense that all these spills are Valley Proteins, Inc. He stated that the City Council does not know in actuality who these spills are; however, he understands that Valley Proteins, Inc., is the big dog in the park. Furthermore, he informed the group that in 2021, they sent clean-up crews to the "orphan" spills. They absorbed the cost because they want to be good neighbor. Mr. Huggins said one-third of their employees work in the State of North Carolina.

Mr. Huggins admitted that they would like to have an improved telephone system, so that callers would not wait for hours to be received. He asked for questions from the City Council.

Mayor Starling asked, "Why would you have any spills if you have the proper equipment?" Mr. Huggins stated that Valley Proteins, Inc. is an agriculture company as well.

Councilmember Strickland asked, "We should not see a Valley Proteins' truck on Sunset Avenue, correct?" He proceeded to say that he witnessed a truck on Sunset Avenue. He stated, "What may help Valley Proteins is if the City had a list showing the times and locations of the various spills."

Councilmember Strickland requested that Chief Davis provide Valley Proteins with a list of the spills. Mr. Huggins thanked Councilmember Strickland for that suggestion.

President/Owner J. J. Smith came forth and acknowledged the concern of everyone. He stated that although they do not know the locations of the contractors, they know where the trucks are because of the newly installed devices. Mr. Smith stated that he gives individuals the benefit of a doubt until proven otherwise. With that said, Mr. Smith chose to believe the drivers left the spills unknowing that a spill occurred. President Smith informed the group that they are unable to pinpoint contractors' whereabouts.

Mr. Smith wanted to make it clear that \$8 million sales do not equal billions of dollars. Also, he stated that their biggest problem is the scarcity of drivers. Furthermore, he stated that the spills occur mostly with contractors. He said that they will try their best to keep trucks out of the City of Clinton.

Mayor Starling thanked President Smith for coming; however, he continued to ask, "What can we do to solve this problem?" Mr. Smith replied, "If money could fix it, it would be fixed." Councilmember Strickland asked, "Would it help if so many products were not put in the trucks?"

Mr. Smith said that the Department of Agriculture fines them \$5,000; nevertheless, they will try to better control the problem.

Mayor Starling asked for a "good number" that the City can call and get someone right away. Mr. Smith agreed to the request, and he asked for a card with the City's numbers.

Councilmember Ruggles thanked President Smith and his team for coming to discuss this matter with Mayor Starling and the City Council.

### APPOINTMENT

Mr. Stephen Stewart, Cemetery Advisory Board, stated that he no longer wishes to serve on the Board. It was stated that someone will need to be appointed to this Board; therefore, this appointment was continued.

Upon a motion made by Councilmember Strickland, seconded by Mayor Pro Tem Becton, Timothy Butler was reappointed to the Cemetery Advisory Board. The motion passed unanimously. Mr. Butler's term will expire in February 2025.

### REPORTS

City Manager Hart informed the group that the monthly combined staff report was included within the agenda. He made mention of the new look of the cover page—Clinton's Bicentennial 1822-2022 recognition, along with a new logo. It should be noted that along with the abovementioned addition, the following was included:

*"The community known as 'Clinton Courthouse' was first incorporated as 'Clinton' on November 18, 1822, making 2022 the City's bicentennial. Join us in celebrating Clinton's Bicentennial."*

### STAFF REPORTS

There were no reports from Staff.

### CITY MANAGER REPORTS

City Manager Hart stated that a Strategic Planning and CIP Workshop is scheduled for Tuesday, January 18, 2022, at 6:00 PM, at the Bellamy Center.

### PUBLIC COMMENTS

No one appeared before the City Council with public comments.

### OTHER BUSINESS

Mayor Starling announced that Councilmember Darue Bryant recently, submitted a letter of resignation. Mayor Starling stated that Mr. Bryant's letter would be accepted. (SEE ATTACHMENT #2).



December 15, 2021

Mr. J. J. Smith, Chief Executive Officer  
Valley Proteins, Inc.  
P. O. Box 3588  
Winchester, VA 22604-2586

Dear Mr. Smith,

Over the last few years, numerous protein or agriculture by-product spills have occurred along the roadways in the City of Clinton. In the month of November 2021, city employees responded to three such spills. These incidents occur when trucks carrying by-products, stop or turn suddenly, spilling portions of their loads onto the road. These spills are a hazard and inconvenience to the motoring public, deteriorate the quality of life in our community, and require a great deal of the City's resources to rectify. A notable number of these spills are related to your company, either directly or by contract.

I intend to add this matter to the agenda of the Clinton City Council's January meeting. The meeting will take place at the Clinton City Hall, 221 Lisbon Street, on January 4<sup>th</sup> at 7:00 pm. I encourage you and any relevant contractors or representatives to attend, so that we can address this matter and work toward a solution.

Sincerely,

  
Luther D. Starling, Jr.  
Mayor

# THE BIBLE CHURCH OF CHRIST, INC.



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**BISHOP DARUE L. BRYANT D.D.**  
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01/01/2022

Bishop Darue L. Bryant  
316 Sampson St  
Clinton NC 28328

Dear Councilmen,

I have been proud to serve the city of Clinton for the last couple of terms as a city Councilman so it is with great gratitude, and a little bit of sorrow, that I must resign from this position. I am convinced that I leave behind a solid record that demonstrated my leadership, dedication and personal passions towards building a more equitable community. It was a pleasure to work with such a strong team who also shared the same sentiments. However, I intend to go on to other opportunities that will further help me to fulfil my purpose, which will require my service outside of our community. Howbeit, this journey will grant opportunities that will enable me to continue to serve the public through faith and deed on a broader platform.

Sincerely,

Bishop Darue L. Bryant



Mayor Starling proceeded to say that District 5 needs a representative and anyone interested in being considered should submit a letter of interest to City Manager Hart or City Clerk Hunt by January 25, 2022. Furthermore, Mayor Starling stated that these individuals will be asked to attend the February 1, 2022, city council meeting and speak. He stated that City Council will decide at this meeting, and he will swear in/affirm the individual.

Mayor Starling asked the news media to assist in getting this information to the public.

Mayor Pro Tem Becton questioned, "Will the person need to be from District 5?" Mayor Starling stated, "Yes."

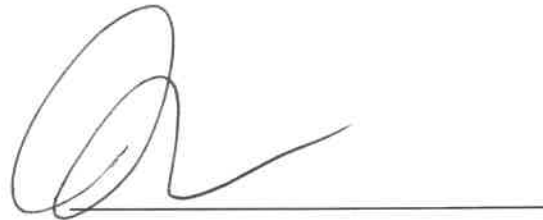
**CONTINUATION**

Being no further business, a motion was made by Councilmember Ruggles, seconded by Councilmember DuBose, and it passed unanimously to continue this January 4, 2022, regular city council meeting until January 18, 2022, at 6:00 PM.

The January 4, 2022, regular city council meeting adjourned at approximately 8:10 PM.



Elaine F. Hunt, City Clerk, MMC, NCCMC



Lew Starling, Jr., Mayor