



January 3, 2023, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on January 3, 2023, 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 absent.

Mayor Starling called upon Miss Lensey Cabral, Student, Clinton High School, to give the invocation. Before doing so, Miss Cabral, briefly introduced herself stating that she is a Junior at Clinton High School.

CITY COUNCIL

Mayor Starling administered the following oath of City Attorney to City Attorney Timothy W. Howard:

**NORTH CAROLINA
SAMPSON COUNTY**

OATH OF OFFICE

“I, Timothy W. Howard, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will endeavor to defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as **City Attorney**, for the City of Clinton, so help me God.”

CITY COUNCIL

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember Ruggles, it passed unanimously to approve the December 6, 2022, regular city council minutes.

RECOGNITION – DECORATORS AND VOLUNTEERS – CHRISTMAS IN THE CITY OF DOWNTOWN CLINTON

Planning Director Mary Rose stood to talk about the participants in the Downtown Clinton’s Christmas events. She began by recognizing the “two ring leaders” who spearheaded the events—Debbie Roberts and Kaye Raynor. She stated that had it not been for Mrs. Roberts and Mrs. Raynor, the events would not have been all that they were. Mrs. Rose asked all in the audience who participated in the events to please stand. It seemed as if the entire audience stood. Mrs. Rose stated that eighty-three (83) buildings were decorated. Excitedly, she commented on the various cities that had reached out to her and others—Smithfield, Raleigh, and Durham.

Mrs. Rose thanked Mayor Starling and the City Council for recognizing the decorators and volunteers. Before returning to her seat, Planning Director Rose recognized

the winners of the decorating contest: Heat Wave Hair & Tanning Salon, 201 Vance Street, Natalie Sanderson, Owner.

Mayor Starling stated that the downtown events spurred a feeling of togetherness. He thanked everyone and shared a story regarding Mrs. Kaye Raynor. He stated that he was coming through downtown Clinton and saw a tree moving and soon afterwards, Mrs. Kaye Raynor came from behind the tree. All of the councilmembers joined in thanking Mrs. Roberts, Mrs. Raynor, Mrs. Rose, and all the participants for what they did to make the City of Clinton a Hallmark scene. The City Council was very impressed that WRAL came down and interacted with the residents.

Mrs. Debbie Roberts shared her hopes for this year's Christmas downtown. She stated that she is hoping to have carousels for two nights.

Again, Mayor Starling and the City Council thanked the participants for their service to the City of Clinton.

RECOGNITION – 2022 POLICE OFFICER OF THE YEAR

Police Chief Anthony Davis presented the recipient for the “2022 Police Officer of the Year.” He stated that this award is one of the proudest awards within the Clinton Police Department because peers and former winners nominate and select the recipient. Chief Davis stated that this individual exemplifies the core values of the Department—integrity, professionalism, and teamwork.

Police Chief Davis stated that the recipient started in November 2020 with the City, and has taken on the responsibilities of the K9 Officer, has obtained 350 hours of diverse training and has proven to be a true asset to the Clinton Police Department.

Before introducing the “2022 Police Officer of the Year,” K9 Officer Antwan Weathersby, Chief Davis added that the recipient is a great mentor and a great leader. Mayor Starling, Mayor Pro Tem Becton, and Chief Davis presented a plaque to Officer Weathersby and pictures were taken.

PRESENTATION -- 2021-2022 FINANCIAL AUDIT

The presentation of the 2021-2022 Financial Audit was continued until the February 7, 2023, city council meeting.

VOTING DELEGATE – NCLM – 2023-2024 BIENNIUM LEGISLATIVE – MUNICIPAL ADVOCACY GOALS

Upon a motion made by Councilmember Strickland, seconded by Councilmember Ruggles, it passed unanimously to appoint Mayor Pro Tem Becton as the voting delegate for the 2023-2024 Biennium Legislative goals development process to submit the City of Clinton’s ten (10) proposed advocacy goals.

ANNEXATION— 1285 HOBBDON HIGHWAY – LONNIE W. GLASPIE, JR.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Ruggles, the following Report of Sufficiency from City Clerk Hunt was approved unanimously.

**CERTIFICATE OF SUFFICIENCY
(1285 Hobbdon Highway, Clinton, NC – Lonnie W. Glaspie, Jr.)**

TO: City Council of the City of Clinton, North Carolina

I, Elaine F. Hunt, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all property owner(s) of real property lying in the area described therein, in accordance with G.S. 160A-58.1.

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember DuBose, the following resolution was unanimously adopted:

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

WHEREAS, a petition requesting annexation of a non-contiguous area described herein have 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 non-contiguous area described herein will be held at Clinton City Hall Auditorium at 7:00 PM on February 7, 2023.

Section 2. The area proposed for annexation is described as follows:

DESCRIPTION FOR
1285 HOBBDON HIGHWAY, CLINTON, NORTH CAROLINA
OWNED BY
LONNIE W. GLASPIE, JR.

LOCATED IN
NORTH CLINTON TOWNSHIP, SAMPSON COUNTY, NORTH CAROLINA

BEGINNING at the Southwestern corner of Lot No. 1 of the Freddie A. Robinson Subdivision as shown on map recorded in Plat Book 7 at Page 27 in the Sampson County Registry, and runs thence with the southern boundary of said Lot No. 1 North 88 degrees West 100 feet to a point in the Easterly edge of Lot 17 of said Subdivision; thence with the Easterly corner of Lot 17 South 02 degrees West 50 feet to the Southeastern corner of said Lot 17; thence South 88 degrees East 100 feet to a point in the Westerly edge of the right-of-way of U. S. Highway 701 ; thence with the Westerly edge of U. S. Highway 701 North 02 degrees East 50 feet to the BEGINNING POINT, and being the property devised by Freddie A. Robinson to Lewis Jerome Robinson and Eliza V. Robinson by Item Six (b) as will appear on the Will of Freddie A. Robinson recorded in the Office of the Clerk of Court of Sampson County. This is the same land conveyed to North Carolina Real Estate Services by deed dated July 8, 1993, and recorded in Book 1162 at Page 787 of the Sampson County Registry.

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.

RESOLUTION –FOR A TENTATIVE AWARD OF A CONSTRUCTION CONTRACT FOR WWTP RESILIENCY IMPROVEMENTS

City Manager Duncan stated that the following bids were received for the Clinton WWTP Resiliency Improvements – Influent Pump Station Relocation Project No. CS370425-07, SRP-W-ARPA-0146:

TA Loving Construction Company.....	\$5,240,100.00
WGK Construction	\$5,541,400.00

Crowder Construction Company	\$5,754,200.00
State Utility	\$7,135,000.00
Haren Construction	\$7,662,000.00

City Manager Duncan stated that TA Loving Construction Company was the lowest responsive and responsible bidder with a total bid amount of \$5,240,100.00, and requested the City Council to recommend the tentative award to TA Loving Construction Company.

Upon a motion made by Councilmember Ruggles, seconded by Councilmember Strickland, the following resolution was adopted unanimously:

**RESOLUTION OF THE CITY OF CLINTON CITY COUNCIL
TENTATIVE AWARD OF CONSTRUCTION CONTRACT FOR
WWTP RESILIENCY IMPROVEMENTS –
INFLUENT PUMP STATION REPLACEMENT /RELOCATION**

WHEREAS, the City of Clinton, North Carolina has received bids, pursuant to a duly published advertisement notice dated October 25, 2022, for construction of WWTP Resiliency Improvements Project for the Influent Pump Station Replacement/Relocation, Project Numbers: CS370425-07 (ASADRA funds) and SRP-W-ARP-0146 (ARP funds); and

WHEREAS, WithersRavenel, the City of Clinton’s Consulting Engineers, have reviewed and tabulated the five bids received on December 15, 2022; and

WHEREAS, TA Loving Construction Company was the lowest responsive and responsible bidder for the WWTP Resiliency Improvements Influent Pump Station Replacement/Relocation Project, in the total bid amount of \$5,240,100.00; and

WHEREAS, WithersRavenel recommends **TENTATIVE AWARD** of this contract to TA Loving Construction Company, the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED that The Clinton City Council makes this **TENTATIVE CONTRACT AWARD** to TA Loving Construction Company for this project in the Total Bid/Contract Amount of \$5,240,100.00.

BE IT FURTHER RESOLVED that such **TENTATIVE AWARD** be contingent upon the approval of the North Carolina Department of Environmental Quality, Division of Water Infrastructure; and

BE IT FURTHER RESOLVED, that upon the approval of the North Carolina Department of Environmental Quality, Division of Water Infrastructure, that James P.

Duncan, City Manager, is hereby authorized to execute the construction contract for this project.

RESOLUTION—SURPLUS PROPERTY

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

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

WHEREAS, the City Council of the City of Clinton, NC is requested to rescind the action taken at the December 6, 2022, city council meeting regarding the surplus of the following certain personal property:

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

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

- (2) The following described property is hereby declared to be surplus to the needs of the City of Clinton:

One (1) 2008 PowerBoss Armadillo 9XR Estimated value \$2,500.00

- (3) The Financial Analyst is authorized to rescind any actions taken regarding the purchase of the (1) 1995 PowerBoss Armadillo 9XR and is authorized to receive on behalf of the City Council of the City of Clinton bids via GovDeals for the purchase of the (1) 2008 PowerBoss Armadillo 9XR.
- (4) GovDeals will begin the sale of the described properties on or about January 13, 2023, and will continue the sale until the described properties are sold. The terms of sale shall be Pay Pal, credit card, or wire transfer.
- (5) The City Clerk will not cause a notice of the electronic public auction to be published in accordance with G. S. 160A-266 (c).
- (6) The highest bid, if it complies with the terms of sale, may be accepted by the Financial Analyst and the sale consummated.

ADOPTION -- CLINTON-SAMPSON COUNTY AIRPORT LAYOUT PLAN (ALP)

It was stated that the North Carolina Division of Aviation recommends that airports update their airport layout plans every ten (10) years. Also, it was mentioned that the last airport layout plan was adopted in November 2009, and a new proposed airport layout plan has been created.

Upon a motion made by Councilmember Ruggles, seconded by Councilmember DuBose, the Clinton-Sampson County Airport Layout Plan presented on December 14, 2022, to the Clinton-Sampson County Advisory Board was adopted unanimously.

OFFER BY PIEDMONT NATURAL GAS –PURCHASE PIPELINE EASEMENT(S)

Public Works Director Medlin spoke regarding the offer by Piedmont Natural Gas to purchase pipeline easements from the City of Clinton, to expand lines in the vicinity of Pierce Street and Clive Jacobs Road. Mr. David Harper, Senior Right of Way Agent, ORC Utility & Infrastructure Land Services, LLC, was present to answer any concerns of the City Council.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Ruggles, it passed unanimously to approve the offer by Piedmont Natural Gas to purchase pipeline easements from the City of Clinton.

STREETS CLOSING -- MCKINLEY AND RALEIGH STREETS

City Attorney Howard stated that a property owner has requested the closing of McKinley and Raleigh Streets in its entirety. He stated that in approximately 1920, a subdivision was established on the north side of College Street. He stated that two streets in this area are McKinley Street, which is approximately 100 feet long and Raleigh Street, which is approximately half McKinley Street distance. City Attorney Howard stated that the request to close these two streets would be appropriate street closings.

Upon a motion made by Councilmember Ruggles, seconded by Mayor Pro Tem Becton, the following resolution was unanimously adopted by the City Council of the City of Clinton, at 7:25 PM on the 3rd day of January 2023, at a meeting held in the City Hall Auditorium:

**RESOLUTION DECLARING THE INTENT OF THE CITY COUNCIL OF THE CITY OF
CLINTON TO CONSIDER THE CLOSING OF MCKINLEY STREET AND RALEIGH STREET
IN THEIR ENTIRETY AND FIXING A PUBLIC HEARING THEREON**

WHEREAS, G.S. 160A-299 authorizes the City Council to permanently close public streets or alleys; and

WHEREAS, in the City of Clinton, there are streets named McKinley Street and Raleigh Street as both are shown on a map of the W.J. Hudson Subdivision recorded in Plat Book 1 at Page 60 of the Sampson County Registry, but said streets are not shown on the map of the City of Clinton; and

WHEREAS, neither McKinley Street nor Raleigh Street has ever been opened or used by public or private persons nor has the offer of dedication by the recordation of said map been accepted by a governmental authority as to either McKinley Street or Raleigh Street; and

WHEREAS, the closing of said streets will not deprive any individual owning property in the vicinity of said streets of reasonable means of ingress and egress in the properties abutting said streets as such properties are located adjacent to public streets; and

WHEREAS, it is not contrary to the public interest that said streets be closed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clinton:

Section 1. Pursuant to G.S. 160A-299, the City Council declares its intent to close Raleigh Street and McKinley Street in their entirety as said streets are shown on a map of the W.J. Hudson Subdivision recorded in Plat Book 1 at Page 60 of the Sampson County Registry.

Section 2. A public hearing on the question of closing said streets are hereby called at Clinton City Hall Auditorium, 221 Lisbon Street, Clinton, NC 28328, at 7:00 PM on Tuesday, February 7, 2023.

Section 3. Following the public hearing called hereby, the City Council shall consider the passage of an order closing the streets identified above.

Section 4. The City of Clinton Clerk is hereby directed to publish this Resolution once a week for four successive weeks in the Sampson Independent Newspaper, or other newspaper of general circulation in the area.

Section 5. The City of Clinton Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution.

Section 6. The City of Clinton Clerk is further directed to cause adequate notices of the proposed closing and of the public hearing to be posted as required by G. S. 160A-299.

APPOINTMENTS

Appointment to the Recreation Advisory Board to replace Troy Fardy, At large was continued until the February 7, 2023, city council meeting. City Council will be asked to appoint someone to this Board at this upcoming meeting.

REPORTS

The monthly combined staff report was acknowledged.

STAFF REPORTS

No staff appeared before the City Council to speak; however, Police Chief Davis presented information regarding the CALEA Accreditation at each councilmember's desk for informational purposes.

CITY MANAGER REPORTS

Mayor Starling announced the Tuesday, January 17, 2023, CIP Workshop in the City Hall Auditorium at 6:00 PM.

Mayor Starling mentioned the district meetings and asked the City Council to contact City Clerk Hunt if they desired to have a meeting this year.

PUBLIC COMMENTS

No one appeared for public comments.

OTHER BUSINESS

There was no other business for discussion.

CONTINUATION

Being no further discussion, a motion was made by Councilmember Ruggles, seconded by Mayor Pro Tem Becton, and it passed unanimously to continue this January 3, 2023, city council meeting until Tuesday, January 17, 2023, at 6:00 PM for a CIP Workshop to be held in the City Council Auditorium.

The meeting adjourned at approximately 7:29 PM.



Elaine F. Hunt, City Clerk, MMC, NCCMC



Lew Starling, Jr., Mayor