



July 11, 2023, CITY COUNCIL MEETING

The City Council of the City of Clinton, North Carolina, met in regular session at 7:00 PM on July 11, 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; Parks and Recreation Director Jonathan Allen; and Assistant Police Chief Adrian Mathews.

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

Mayor Starling called upon Jessica Bashlor to give the invocation.

CITY COUNCIL

Upon a motion made by Councilmember Strickland, seconded by Councilmember Ruggles, it passed unanimously to approve the June 6, 2023, regular and June 20, 2023, special city council minutes.

RECOGNITION

Planning Director Mary Rose appeared before the City Council to recognize a special individual—Mr. Pat Dixon, a “1957 Graduate of Clinton High School.” It was stated that Mr. Dixon is WCLN General Manager-President, and he has been featured in “Our State Magazine,” and an episode of the WRAL Tarheel Traveler with Scott Mason. Ms. Rose stated that Mr. Dixon was the Grand Marshal of the first “Celebrate America Cruise In” parade held on Saturday, July 1st. Planning Director Rose announced that the “2023

Christmas ornament” will feature Mr. Dixon’s radio station, WCLN. Mr. Dixon was asked to come forth and he was asked if he had any remarks.

Before posing for pictures, Mr. Dixon stated that, “The City has been good to us, and we hope you feel that we have been good to the City.”

APPROVAL OF THE REVISED AGENDA

Upon a motion made by Councilmember Corbett, seconded by Councilmember Ruggles, it passed unanimously to approve the Revised Agenda of July 11, 2023.

PRESENTATION

Captain Matthew Booth and The City of Clinton Fire Department requested that the City Council recognize Walker Dixon. Walker Dixon is the son of Firefighter Joe Dixon, who is a recipient of the NC State Firefighters Association Scholarship Award in the amount of \$2,000.00.

WALK-ON: SPECIAL RECOGNITION & THE SWEARING IN OF POLICE CHIEF ANTHONY DAVIS

City Manager Duncan informed the group of Police Chief Anthony Davis recent appointment to the North Carolina Criminal Justice Information Network Governing Board. It was stated that the term will expire on June 30, 2027. He was appointed by Governor Roy Cooper, and Chief Davis will represent the North Carolina Association of Chiefs of Police. Mayor Starling gave the oath to Chief Davis.

Chief Davis’ family was called up for pictures.

PROCLAMATION

Upon a motion made by Councilmember Strickland, seconded by Councilmember Ruggles, the following proclamation passed unanimously designating July as “Park and Recreation Month:”



Designation of July as Park and Recreation Month

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including the City of Clinton; and

WHEREAS, our parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, parks and recreation programs promote time spent in nature, which positively impact mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer; and

WHEREAS, parks and recreation programs encourage physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS, parks and recreation is a leading provider of healthy meals, nutrition services and education; and

WHEREAS, parks and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS, our parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation programming is fundamental to the environmental well-being of our community; and

WHEREAS, parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U. S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Clinton recognizes the benefits derived from parks and recreation resources.

WHEREAS, this year’s theme is: **“WHERE COMMUNITY GROWS”**.

NOW THEREFORE, BE IT RESOLVED BY I, Lew Starling, Jr., Mayor, and the Clinton City Council that July is recognized as “Park and Recreation Month,” in the City of Clinton.

PUBLIC HEARING -- OATHS

No oaths were necessary at the July 11, 2023, City Council meeting.

P & Z – RAIFORD STREET – STREET CLOSING IN ITS ENTIRETY

Mayor Starling opened a public hearing on the intent of Clinton City Council to close Raiford Street in its entirety, and consideration of adoption of a street closing order.

Planning Director Rose stated that all necessary reviews were completed; therefore, the next step is for the City Council to approve closing Raiford Street and adopting a street closing order.

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

Upon a motion made by Mayor Pro Tem Becton, seconded by Councilmember DuBose, the following street closing order to close Raiford Street in its entirety, effective July 11, 2023, was unanimously adopted at approximately 7:15 PM:

STREET CLOSING ORDER

A RESOLUTION ORDERING THE CLOSING OF RAIFORD STREET IN ITS ENTIRETY

WHEREAS, on the 6th day of June 2023, the Clinton City Council adopted a resolution entitled “Resolution Declaring the Intent of the Clinton City Council of the City of Clinton of Sampson County, North Carolina to Consider the Closing of Raiford Street in its entirety and fixing a Public Hearing thereon,” (hereinafter called the “Resolution”); and

WHEREAS, pursuant to the Resolution the City of Clinton Clerk was directed to publish the Resolution in the Sampson Independent newspaper or other newspaper of general circulation in the area once each week for four successive weeks; and

WHEREAS, the City of Clinton Clerk has advised the Clinton City Council that the Resolution was published in the Sampson Independent as directed; and

WHEREAS, pursuant to the Resolution the City of Clinton Clerk was directed to notify all persons owning property abutting Raiford Street, as shown on the county tax records, by registered or certified mail, enclosing with such notification a copy of the Resolution; and

WHEREAS, the City of Clinton Clerk has advised the Clinton City Council that a letter was sent to each of the abutting property owners advising them of the day, time, and place of the public hearing, enclosing a copy of the Resolution, and advising the abutting property owners that the question as to closing Raiford Street in its entirety would be acted upon, said letters having been sent by registered or certified mail; and

WHEREAS, pursuant to the Resolution the City of Clinton Clerk was directed to cause adequate notices of the proposed closing and of the public hearing to be posted as required by G.S. 160A-299; and

WHEREAS, the City of Clinton Clerk has advised the Clinton City Council that adequate notices were posted on the applicable street as required by G.S. 160A-299; and

WHEREAS, pursuant to the Resolution, a public hearing was held on the 11th day of July, 2023, at which time all persons were granted full and complete opportunity to appear and be heard on the question of whether or not the closing would be detrimental to the public or the property rights of any individual; and

WHEREAS, after said public hearing and full and complete consideration of the matter, it now appears to the satisfaction of the Clinton City Council that the closing of said street is not contrary to the public interest, and that no individual owning property, either abutting the street or in the vicinity of the street or in the subdivision in which the street is located, will as a result of the closing be thereby deprived of a reasonable means of ingress and egress to his or her property;

NOW, THEREFORE, the entirety of Raiford Street as such street is shown on the survey map entitled "Map of the R.I. Herring lots" recorded in Map Book 2 at Page 42 of the Sampson County Registry and on the City of Clinton's municipal street map is hereby ordered closed, and all right, title, and interest that may be vested in the public to said area for street purposes is hereby released and quitclaimed to the abutting property owners in accordance with the provisions of G.S. 160A-299.

The City of Clinton Clerk is hereby ordered and directed to file in the Office of the Register of Deeds of Sampson County a certified copy of this order.

COLLECTION OF PROPERTY TAXES BY SAMPSON COUNTY

Upon a motion made by Councilmember Ruggles, seconded by Councilmember DuBose, the following authorization form passed unanimously:

State of North Carolina
County of Sampson

To the Tax Collector of the County of Sampson:

You are hereby authorized, empowered and commanded to collect the taxes set forth in the tax records filed in the Sampson County Tax Office and in the tax receipts herewith delivered to you, in the amount and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the City of Clinton and/or County of Sampson, and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

ANNEXATION— ALONG INDUSTRIAL DRIVE AND ARMORY ROAD – SAMPSON COUNTY BOARD OF COMMISSIONERS

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

(Along Industrial Drive and Armory Road – The Sampson County Board of Commissioners)

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 the property owner(s) of the real property lying in the area described therein, in accordance with G.S. 160A-31.

Upon a motion made by Councilmember DuBose, seconded by Councilmember Corbett, the following resolution was unanimously adopted:

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

WHEREAS, a petition requesting annexation of the 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 in the City Hall Auditorium at 7:00 PM during the August 1, 2023, City Council meeting.

Section 2. The area proposed for annexation consists of three (3) tracts consisting of 122.324 acres, more or less, and described as follows:

Owner: County of Sampson, NC
406 County Complex Road – Building C
Clinton, North Carolina 28328
PIN: 12019288005 and 12026556002

Legal Description:

FIRST TRACT: Commencing at a MAG Nail found in the centerline intersection of Industrial Drive, SR 1834, being 60 feet in width, over a 48" CMP pipe under the road, also being the southwest corner of South River Electric Membership Corporation (SREMC) property, Deed Book 1662, Page 921, thence with the western line of SREMC property and along the center of a canal, N 28°49'29" W, 791.86 feet to a computed point in the canal, the **Point of Beginning**; thence continuing with the canal, N 28°49'29" W, 1545.49 feet to an iron pipe found in the southern line of Paul H. Oxendine property, Deed Book 777, Page 148; thence with the southern line of Oxendine property, N 45°27'53" E, 885.00 feet to a 5/8" rebar set in the common line of Carr property and Summer Berry property, Deed Book 2054, Page 937, being S 45°27'53" W, 200.51 feet from an existing axle; thence with the

Carr and Berry line, S 38°22'42" E, 2007.82 feet to nail found in the centerline intersection of Industrial Drive over a 30" pipe in a ditch; thence leaving the centerline of said road, the following 9 courses along the center of an existing ditch; N 78°25'07" W, 148.29 feet; N 79°20'57" W, 145.74 feet; N 68°15'15" W, 164.82 feet; N 84°05'45" W, 134.02 feet; S 76°13'49" W, 139.00 feet; N 79°32'39" W, 29.85 feet; N 63°47'26" W, 85.80 feet; N 71°01'11" W, 73.60 feet; N 83°33'52" W, 103.33 feet, to a 5/8" rebar set in the centerline of an existing 60 foot right-of-way per Plat Book 105 Page 74; thence with the centerline of said right-of-way, S 28°52'26" E, 436.84 feet to 5/8" rebar set in the center of said right-of-way; thence, S 61°08'31" W, 30.00 feet to an iron rod found, the northeast corner of SREMC property, thence with the northern line of SREMC property, S 61°08'31" W, 362.30 feet to an iron rod found, being 12.71 feet from the centerline of a canal, thence, S 61°08'31" W, 12.71 feet to a computed point in the canal, the **Point of Beginning**, containing **36.324 acres** more or less. See Map Book 106 on Page 23 of the Sampson County Registry.

SECOND TRACT: Beginning at a MAG Nail found in the centerline intersection of Industrial Drive, (SR 1834), being 60 feet in width, over a 48" CMP pipe under the road, also being the southwest corner of South River Electric Membership Corporation (SREMC) property, Deed Book 1662, Page 921; thence with the centerline of Industrial Drive, N 34°26'40" E, 420.00 feet to an iron rod found; thence continuing with the centerline, N 34°06'14" E, 286.60 feet to an iron rod found in the centerline intersection of Industrial Drive, and Armory Road, (SR 1867), being 60 feet in width, thence with the centerline of Armory Road, S 56°11'18" E, 1151.97 feet a 5/8" rebar set at a bent iron rod found, the northeast corner of Southern Produce, LLC, Deed Book 2027, Page 220, Plat Book 87 Page 78, also being N 56°11'18" W, 100.00 feet from an iron rod found in the center of a 65 foot radius cul-de-sac; thence with the northern line of Southern Produce, LLC, S 33°50'44" W, 1000.53 feet to an iron rod found on the bank of Mill Branch, thence with the run of Mill Branch, the following 7 courses, N 43°33'54" W 76.11 feet to an iron pipe found; N 73°05'20" W 204.92 feet to an iron pipe found; N 36°05'23" W 149.30 feet to an iron rod found; N 38°43'20" W 119.82 feet to an iron pipe found; N 5°39'27" W 164.17 feet to an iron pipe found; N 32°52'25" W 204.23 feet to an iron pipe found; N 49°09'03" W 343.31 feet to the **Point of Beginning**, containing **23.264 acres**, more or less. Less and excepting the area within the right-of-way of Industrial Drive (SR 1834) and Armory Road (SR 1867). See Map Book 106 on Page 23 of the Sampson County Registry.

THIRD TRACT: Beginning at a cotton spindle found in the centerline intersection of Industrial Drive, (SR 1834), being 60 feet in width, and Industrial Drive, (SR 1835), being 60 feet in width, also being the northeast corner of Dubose National Energy Services, INC property, Deed Book 2054, Page 383, being N 10°24'59" W, 791.07 feet from an iron rod found; thence with centerline of Industrial Drive, (SR 1834), S 79°56'57" W, 753.27 feet to an iron rod found; thence, S 79°59'11" W, 106.88 feet to an iron rod found; thence leaving said road, S 21°02'12" W, 48.48 feet to an iron rebar found in the run of Little Mill Branch; thence with the run of the branch, S 2°37'14" W, 262.73 feet to a computed point; thence , S

25°49'54" W, 160.74 feet to an iron rod found; thence, S 5°18'09" E, 157.86 feet to an iron rod found, the centerline intersection of Little Mill Branch and a ditch; thence, following the ditch, S 77°27'28" W, 55.85 feet to a computed point; thence, N 76°58'34" W, 186.42 feet to an iron rod found; thence, S 72°31'37" W, 86.00 feet to iron rod found; thence, N 69°41'45" W, 172.09 feet to a nail found in the centerline intersection of Industrial Drive (SR 1834) and a 30" pipe in a ditch; thence, with the common line of Stanley Carr, Deed Book 911 Page 261 and Berry property, N 38°22'42" W, 2007.82 feet to a 5/8" iron rod set in the Paul H. Oxendine southern line, Deed Book 777 Page 148; thence with the southern line of Oxendine property, N 45°27'53" E, 200.51 feet to and axle found, the southwest corner of Paul H. Oxendine property, Deed Book 945 Page 891; thence, with Oxendine property, N 74°54'13" E, 953.87 feet to an iron rod found, in the western line of the Clinton 100 Committee, INC, Joseph I. Weeks Jr. tract, Plat Book 66 Page 74, thence with said western line, S 28°30'02" E, 710.52 feet to an iron rod found; thence, N 80°02'49" E, 1137.02 feet to an iron rod found in the centerline of Industrial Drive (SR 1835) being 90 feet in width; thence with the centerline of said road, S 4°57'43" E, 108.64 feet to spike found, being 60 feet in width; thence, S 7°41'29" E, 182.46 feet to a spike found; thence, S 10°17'00" E, 262.52 feet to an iron rod found; thence, S 10°33'45" E, 297.00 feet to the **Point of Beginning**, containing **62.736** acres more or less. Less and excepting the area within the right-of-way of Industrial Drive (SR 1834) and Industrial Drive (SR 1835). See Map Book 106 on Page 26 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.

MUNICIPAL CERTIFICATION DECLARATION FORM & RESOLUTION FOR THE ENACTMENT OF LOWERING THE SPEED LIMIT FOR JEFFERSON AND CLEVELAND STREETS AND COLONIAL DRIVE

Police Chief Anthony Davis stated that following an engineering and traffic investigation, the North Carolina Department of Transportation has decided to lower the speed limit for Secondary Road 1288 Jefferson Street, Cleveland Street, and Colonial Drive from statutory 35 mph to 25 mph. Chief Davis recommended reducing the speed as requested.

Upon a motion made by Councilmember Strickland, seconded by Councilmember Ruggles, the following resolution and Municipal Certification Declaration Form regarding the lowering of speed limit for Jefferson Street, Cleveland Street, and Colonial Drive to 25 mph passed unanimously:

RESOLUTION AMENDING OFFICIAL TRAFFIC MAP TO REDUCE
THE SPEED LIMIT ON
JEFFERSON STREET, CLEVELAND STREET, AND COLONIAL DRIVE

BE IT RESOLVED that it shall be unlawful for any motor vehicle to exceed a speed limit of 25 miles per hour on Jefferson Street, Cleveland Street, and Colonial Drive.

BE IT FURTHER RESOLVED that the Chief of Police/North Carolina Department of Transportation be and is hereby directed to post the appropriate signs prohibiting speed above 25 miles per hour in the areas designated above.

BE IT FURTHER RESOLVED that the above change be appropriately reflected on the Official Traffic Map of the City of Clinton.

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1084171

Division: 3 **County:** SAMPSON **Municipality:** CLINTON

Type: Municipal Speed Zones

Road: SR 1288 **Car:** 25 MPH **Truck:** 25 MPH

Description: (Jefferson Street/Cleveland Street/Colonial Drive) between the southwest and northeast intersections with SR 1214 (Elizabeth Street).

Municipal Certification

I, Elaine F. Hunt, Clerk of The City of Clinton and Clinton City Council do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the 11th day of July, 2023, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

In witness whereof, I have hereunto set my hand and the municipal seal this 11th day of July, 2023.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

**CLINTON ABC BOARD –EXPANSION OF STOCK ROOM AND ADDING A LOADING DOCK
– FY 2023-2024**

The Clinton ABC Board was present and presently, had presented a letter to the City Council requesting approval of an expansion project at 414 Southeast Boulevard. The Clinton ABC Board wishes to transfer \$250,000 from revenue generated during the 2022-2023 Fiscal Year to the 2023-2024 Fiscal Year.

Upon a motion made by Councilmember Strickland, seconded by Councilmember DuBose, it passed unanimously to approve the expansion project for the Clinton ABC Board and to transfer \$250,000 from revenue generated during the 2022-2023 Fiscal Year to the 2023-2024 Fiscal Year.

REPORTS

The monthly combined staff report was acknowledged.

STAFF REPORTS

Parks and Recreation Director Allen updated the group regarding the July Fireworks Spectacular at the beginning of the city council meeting during the designation of July as Park and Recreation Month.

Chief Anthony Davis announced that the National Night Out Event would occur on Tuesday, August 1st beginning at 6 pm until 8 pm in Newkirk Park. He stated that the Committee and staff have worked hard to make this event a success.

CITY MANAGER REPORTS

City Manager Duncan announced that during the June 21, 2023, Annual Safety Awards Banquet at the Coharie Country Club, the following departments/divisions received awards:

Fire Department – First Year Gold Award
Water & Sewer Division – First Year Gold Award
City of Clinton – First Year Gold Award
Sanitation Division – First Year Gold Award
Recreation Department – Second Consecutive Year Gold Award
Police Department – Third Consecutive Year Gold Award
City Hall – City Hall Annex – Third Consecutive Year Gold Award
Street Division – Eighth Consecutive Year Gold Award
Wastewater Treatment – Tenth Consecutive Year Gold Award (plaque)

PUBLIC COMMENTS

No one appeared with any concerns during the Public Comments section.

OTHER BUSINESS

There was no other business for discussion.

CLOSED SESSION

Upon a motion made by Councilmember Strickland, seconded by Councilmember Ruggles, the following resolution passed unanimously to enter closed session pursuant to G. S. 143-318.11(a)(3)(5)(6) to consult with the attorney in order to preserve the attorney-client privilege, to discuss the acquisition of real property, and personnel:

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 July 11, 2023, entered closed session as allowed by G. S. 143-318.11(a)(3)(5)(6) to consult with the attorney in order to preserve the attorney-client privilege, to discuss the acquisition of real property, and personnel.

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

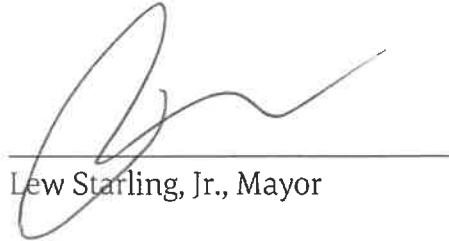
Mayor Starling stated that the City Council entered into closed session to consult with the attorney in order to preserve the attorney-client privilege, to discuss the acquisition of real property, and personnel; however, no action was taken.

Upon a motion made by Councilmember Corbett, seconded by Councilmember DuBose, it passed unanimously to adjourn the July 11, 2023, City Council meeting.

The meeting adjourned at approximately 8:33 PM.



Elaine F. Hunt, City Clerk, MMC, NCCMC



Lew Starling, Jr., Mayor