

**Minutes  
Kinston City Council  
Tuesday, January 3, 2017 at 5:30 pm**

Mayor BJ Murphy called the Kinston City Council meeting to order at 5:30 pm.

Councilmember Whittington led the prayer followed by the Pledge of Allegiance.

Those present: Councilmembers Sammy Aiken, Wynn Whittington, Felicia Solomon, Joseph Tyson, Mayor Pro Tem Robert Swinson and Mayor BJ Murphy

Also present: Tony Sears, City Manager and James P. Cauley, City Attorney

**ADOPTION OF THE AGENDA**

Tony Sears, City Manager, stated that Cary Joshi needs to be removed from Presentations and Lloyd Jones, a retiree, needs to be added.

Mayor Pro Tem Swinson made the motion, seconded by Councilmember Whittington and upon a unanimous vote the agenda was adopted with the changes.

<b>CITIZEN COMMENT</b>
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**Michael Moran, 1108 Pollock Street**, stated he is a retired chemical engineer and he was an environmental service manager. He referenced the article in the Free Press regarding the biosolids dryer. He wanted to caution City Council about the amount of chemicals and heavy metals in the end product. His concern is the product being sold to farmers and it being applied to food crops. If the economics for the project is dependent upon selling it to food crop farmers, the City needs to look carefully. Non-food crops and ornamental plants would not be an issue.

Tony Sears, City Manager, stated others have had the same concerns. The City has already agreed to purchase the biosolids dryer. The primary purpose of the biosolids dryer is to help us remove our waste. The selling of the produce is an ancillary or secondary benefit. There is a company that wants to use the end product as a fuel source. The City is already land applying the solid waste with the moisture content. The principle way we are looking to get rid of it is to dispose of it in the landfill, not land application.

Mr. Moran stated his only objection is application to food crops.

Mr. Sears stated the City is permitted to land apply, but he doesn't know what crops. Land application is the number one disposal method.

Mayor Murphy asked if the decision to purchase the biosolids dryer was based on our ability to sell the product. Mr. Sears stated no, it was based on controlling the escalating cost of disposal.

MINUTES

**Consider approval of the minutes of the Kinston City Council meeting held on Monday, December 5, 2016.....Monique Hicks**

Councilmember Tyson made the motion, seconded by Councilmember Solomon and upon a unanimous vote the minutes were approved.

PRESENTATIONS AND RECOGNITIONS

**Cary Joshi of Social House Vodka.....Tony Sears**  
*(THIS ITEM WAS REMOVED FROM THE AGENDA.)*

**Retirement of Lloyd Jones.....Rhonda Barwick**  
*(THIS ITEM WAS ADDED TO THE AGENDA.)*

Rhonda Barwick, Public Services Director, stated Lloyd Jones has worked for the City for 8 years, most recently in Fleet Maintenance.

Mayor Murphy congratulated and presented a retirement plaque to Mr. Jones.

Lloyd Jones, Retiree, stated he has really enjoyed working for the City of Kinston. It is a wonderful place to work and he appreciates everything that everyone has done.

ACTION AGENDA

**1. Consider approval of an Assistance and Procurement Policy for the Single Family Rehab Loan Program.....Adam Short**

Adam Short, Planning Director, stated as part of the ongoing administrative requirements for the North Carolina Housing Finance Agency's Single Family Rehab Loan Program, we are requesting approval of the Assistance and the Procurement policy which is a standard form which is the review and approval process standards for any applicant for the loan program.

Mayor Murphy stated he received a letter regarding Hurricane Matthew and asked how the City will communicate to those citizens who would possibly benefit from the program. Mr. Short stated it is an additional program for the disaster recovery. He has requested a subsequent application for that program. City Council's approval will be required for that later, but the policies for the program should fall relatively within the same guidelines. For this particular program we have considered putting notices in the newspaper. We are limited in funds so it may be very competitive. With the disaster recovery funds, it may take some stress off of this program if we can work it the right way.

Mayor Murphy asked since fewer people were affected in 2016 than in 1999, is it possibly to identify homes that may qualify and send them a direct mail. Mr. Short stated yes. We have a notification list for substantial damage notices and to encourage citizens to register with FEMA. We sent a notice to every structure in the flood plain within the City's zoning district. Once we receive more information on the program, we will flush it out, but there are no problems in terms of notification.

Councilmember Tyson asked that Mr. Short consider other means of advertising, including putting letters in with the utility bills. Mr. Short stated he is happy to advertise by any means, and including it in the utility bill is a great way and a relatively low cost.

Councilmember Whittington asked who will serve as the Rehabilitation Specialist. Mr. Short stated it would be himself in communication with the Wooten Company who is the grant administrator.

Councilmember Tyson asked who will do the ranking. Mr. Short stated it comes down to the criteria, and it would be a review committee to avoid conflict or preferences.

Councilmember Solomon asked if the January 30<sup>th</sup> deadline is in stone and added it would be good to put it on social media to make people aware. Mr. Short stated the deadline can be moved, and we can work with NCHAF to move the date, especially if we are going to send out notices in the billing cycles. We will definitely take advantage of social media.

Councilmember Whittington asked if it is feasible to include a mailer in the utility bill. Social media is a great avenue but a lot of people aren't on social media. Mr. Short stated yes it is a low cost way to get the word out. Between direct mail, the newspaper and social media, we will do well. The property has to be owner occupied for the applicant to be eligible, so the utility bill mailing is the most inclusive way to get to everybody. Councilmember Whittington suggested we also offer assistance with filling out the applications.

Mayor Pro Tem Swinson made the motion, second by Councilmember Tyson and upon a unanimous vote the policy was approved.

**2. Consider adoption of an Ordinance to amend the Biosolids Dryer Wastewater Capital Project.....Catherine Gwynn**

Catherine Gwynn, Finance Director, stated in April 2016 City Council received an update on the biosolids dryer and the application for additional funds for the project. The Clean Water State Revolving Fund has granted the funding. We are requesting a budget amendment to appropriate the revenue and additional expenditures for the project.

Mayor Pro Tem Swinson introduced the following Ordinance:

**2017-01**

**AN ORDINANCE AMENDING THE KINSTON REGIONAL WATER RECLAMATION FACILITY  
 BIOSOLIDS DRYER PROJECT (S9203)**

**WHEREAS**, June 15, 2015 City Council established a capital project budget for the purchase and installation of a Biosolids Dryer at the Kinston Regional Water Reclamation Facility to produce Class A biosolids material which will allow the City to reduce operating costs, make the treatment plant a true reclamation facility handling materials in an environmentally friendly manner, reduce waste produced for landfill or other disposal facilities, and produce a highly valued product that can be recycled and applied to improve and maintain productive soils and stimulate plant growth, and

**WHEREAS**, this project is unique, and as such during the request for quotation phase of the project during the past year, the supply of contractors and manufacturers has changed and thus resulting in increased costs to the project, and

**WHEREAS**, the City applied for and has been awarded additional loan funds from the Clean Water State Revolving Fund Loan to pay for these additional construction costs, and

**WHEREAS**, it is necessary to appropriate funds for the additional construction costs and loan closing costs which will be funded with an increase in debt issued and a transfer from the Waste Water Fund.

**NOW THEREFORE**, be it resolved by the City Council of the City of Kinston, North Carolina that the following capital project budget is hereby amended:

<u>Biosolids Dryer Project S9203</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Increase (Decrease)</u>
Revenues:			
Debt Issued - SRF Loan	\$ 1,600,000.00	\$ 2,590,192.00	\$ 990,192.00
Transfer from Wastewater Fund	32,000.00	51,818.00	19,818.00
Total Revenues	<u>\$ 1,632,000.00</u>	<u>\$ 2,642,010.00</u>	<u>\$ 1,010,010.00</u>
Expenditures:			
Loan Closing Cost	\$ 32,000.00	\$ 51,818.00	\$ 19,818.00
Construction Biosolids Dryer	1,600,000.00	2,590,192.00	990,192.00
Total Expenditures	<u>\$ 1,632,000.00</u>	<u>\$ 2,642,010.00</u>	<u>\$ 1,010,010.00</u>

Councilmember Tyson made the motion, seconded by Councilmember Aiken and upon a unanimous roll call vote the Ordinance was adopted.

**3. Consider approval of an outside sewer request for property located at 3101 Highway 11 North .....Steve Miller**

Steve Miller, Assistant Public Services Director, stated the Jacksons approached staff about the opportunity to connect to the city’s sewer. The property is located on Highway 11 North well pass Cunningham Road outside of the city limits. We have gravity sewer available at the location. We also advised them of the annexation requirements to receive services.

Adam Short, Planning Director, displayed a map and stated he would not recommend considering a satellite annexation for this location. The parcel is well outside of the city's zoning jurisdiction. Considering the distance outside of the city limits, with annexation the city would be required to provide the same services we provide inside the city limits. The primary concern would be police and fire response and would draw resources too far from the city's center.

Tony Sears, City Manager, clarified that staff's recommendation is not to annex, but to provide sewer services for the outside rate.

Mayor Murphy asked about the cost to the city. Mr. Miller stated the customer would be charged the regular tap fee and the customer would be responsible for running the line from the property to the city's sewer.

Mayor Pro Tem Swinson made the motion, seconded by Councilmember Solomon and upon a unanimous vote the request was approved.

**4. Consider approval of a bid award to Altec Industries for a 2017 Bucket Truck in the amount of \$139,886 for the Electric Division.....Rhonda Barwick**

Rhonda Barwick, Public Services Director, stated City Council appropriated \$144,200 to replace vehicle # 239 which is a 2005. We are using the National Joint Purchasing Alliance which is similar to State contract. Altec is the provider and provides an extended warranty.

Mayor Pro Tem Swinson made the motion, seconded by Councilmember Solomon and upon a unanimous vote the bid award was approved.

**5. Social House Vodka Economic Development Agreement.....Tony Sears  
(THIS ITEM WAS ADDED TO THE AGENDA.)**

Tony Sears, City Manager, stated Social House Vodka received state grant funds and they have to have local matches. This economic development agreement is done jointly by the City and County. It is a boiler plate agreement for the \$2.5 million investment. It is the same three year period and is based on jobs. There would not be a payment in 2017, but payments would be in 2018 and 2019. Lenoir County gives a little more based on the formula and the rebate. Lenoir County is participating at \$29,500 and the City at \$22,600. Lenoir County approved this agreement at their meeting earlier today.

Councilmember Aiken asked when they expect to be open. Mr. Sears stated from his understanding they hope to be in production in February.

Councilmember Whittington made the motion, seconded by Mayor Pro Tem Swinson and upon a unanimous vote the agreement was approved.

**6. NCDOT Road Project off Mitchell Street.....Rhonda Barwick**  
*(THIS ITEM WAS ADDED TO THE AGENDA.)*

Rhonda Barwick, Public Services Director, stated the City Manager has been in contact with Lenoir County regarding an opportunity on Mitchell Street.

Mr. Sears stated the City, County and NCDOT are looking at a development on Mitchell Street. Mr. Stephen Hill is looking for a way that trucks can service his business (former Big D Tires) and not have to back out into the street. If the City and County provide easements, NCDOT will build a road and maintain it. We are happy to grant the easement. We could approve the easement pending the survey.

Mrs. Barwick stated the City has utilities in the area which is why we want to have it surveyed. We will need to have access.

Councilmember Whittington made the motion, seconded by Mayor Pro Tem Swinson and upon a unanimous vote the easement was approved, subject to the survey results.

CITY MANAGER'S REPORT
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Alonzo Jaynes, Police Chief, stated we had three people shot in the past two days; two were on Lincoln Street and one in Mitchell Wooten Courts. We are doing everything we can to get in front of this. These actions are unacceptable and our actions will reiterate that message. We are tapping into our over time budget and we are starting a number of initiatives. Our goal is to saturate the area and we have communicated with the community to engage the residents. We have communicated with Kinston Housing Authority and we are in the process of coordinating community meetings at Mitchell Wooten and Carver Court. We are compiling data to identify individuals who are problematic, and we will take appropriate action on those individuals in the near future.

Mayor Murphy confirmed that each time there is a press release, everyone is being informed that the Crimestoppers and tip lines are available.

CITY ATTORNEY'S REPORT
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COUNCILMEMBER REPORTS
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Councilmember Whittington asked for a **Grainger Stadium Update.**

Bill Ellis, Parks and Recreation Director, stated we have the walls up, all the plumbing and electrical roughed in. Hopefully by the end of February, we will have it completed. The decorative block is the only hold up and it is expected to be delivered January 8<sup>th</sup>. The locker room is about 80% complete. We started tearing down the old Salt Wood Products building

today. The one building closest to the access road will be saved. The painting is 100% complete and we are getting ready to get started on the lights.

Tony Sears, City Manager, added once the concession stands are done, the Rangers will be responsible for the inside equipment. On Wednesday, January 11<sup>th</sup>, they are announcing the logo and then they will have the Hot Stove Banquet at Kings.

Councilmember Solomon asked for a **Demolition of Dilapidated Houses Update.**

Tony Sears, City Manager, stated he has sent a list to City Council, but he will have to defer to Adam Short, Planning Director. The process for demolition has changed based on legislative changes, so the process is lengthier. We hope to expend all of the money by the end of the year.

Adam Short, Planning Director, stated he can provide an updated list of all the properties that are in the queue. We have done a new round of condemnations. The first round was about five homes, and there are seven in this round. We are teeing up for beyond what we have budgeted in the event we have more money budgeted next year, we will have gone through the legal processes for condemnation, and we can just bid the demolition.

Mr. Sears stated the five properties we had he bid opening for were 911 East King, 806 Candlewood, 407 East Washington, 714 East Caswell and 405 Lenoir. There are others that will be on the list.

Mr. Short stated the contractor typically has 30 days from the award date to demolish a property.

Councilmember Aiken asked for a **Queen Street Bridge Update.**

Mr. Sears stated that is a NCDOT project, and we do not have an update at this time.

Rhonda Barwick, Public Services Director, stated NCDOT has not provided a projection completion date.

Adam Short, Planning Director, stated we have a transportation meeting later this month so we hopefully will receive an update then.

Councilmember Tyson asked when City Council will receive the **Annual Budget Update.**

Catherine Gwynn, Finance Director, stated it will be presented the first meeting in February.

Councilmember Aiken asked for the **Nature Center Reopening Update.**

Bill Ellis, Parks and Recreation Director, stated it is a County-owned facility. The Planetarium and meeting room had very little damage. The Nature Center received substantial damage and it is being renovated and it is about three months to open. The train was removed before the flood and we have volunteers to put it back together. We are excited and it will be bigger and better than ever.

ADJOURNMENT

Mayor Pro Tem Swinson made the motion, seconded by Councilmember Whittington and upon a unanimous vote the City Council meeting adjourned at 6:21 pm.

Respectfully submitted,

Monique Hicks, City Clerk