

Minutes
Kinston City Council
Monday, February 19, 2018
Work Session at 5:30 pm · Regular Meeting at 7:00 pm

Mayor Don Hardy called the City Council Work Session to order at 5:33pm.

Those present: Councilmembers Robert Swinson, Sammy Aiken, Joseph Tyson, Kristal Suggs, Mayor Pro Tem Felicia Solomon and Mayor Don Hardy

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

Adoption of the Agenda

Councilmember Swinson made the motion seconded by Mayor Pro Tem Solomon and upon a unanimous vote the agenda was adopted.

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| ITEMS FOR DISCUSSION |
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**1. Fiscal Year 2017 Comprehensive Annual Financial Report.....Donna Goodson
Cassie Wilson, Martin Starnes & Associates**

Cassie Wilson, Martin Starnes & Associates, stated we issued an unmodified opinion for financial statements for the fiscal year June 30, 2017, and it is a clean audit opinion. The General Fund Fund Balance decreased \$973,018 before transfers and long term debt issued. General Fund revenues are \$19,895,177 and are comparable to prior years; and expenditures ended at \$20,868,195 and increased by \$492,000. The General Fund Fund Balance has a decrease of \$323,904. The General Fund Fund Balance available, a Local Government Commission (LGC) calculation number, is \$6,505,551 which is a decrease of \$1,874,598. There is a piece that is a State statute requirement. Available fund balance percentage for 2017 is 31% which is a decrease from the prior year. Ad Valorem taxes are \$10,357,976 and comparable to prior year. Other Taxes increased by \$314,000 which was a result in the increase in sales tax received compared to 2016. Sales and Services were comparable with a \$57,000 change. Top expenditures for Public Safety had an increase. Parks and Recreation ended with an increase of \$206,000. General Government had an increase by \$111,000 in various operating expenses. Other Governmental Funds fund balance is \$958,194. For the major Enterprise Funds [Electric, Water and Wastewater], the unrestricted net position for Electric Fund was \$18,493,640, the Water Fund was \$7,076,264 and the Wastewater Fund was \$2,477,167. For the other Enterprise Funds, in total was \$1,230,218 and the other Internal Service Funds was \$3,886,137. There are upcoming changes issued by Governmental Standards which is GASB 75-OPEB and it is now effective. There will be a reinstatement in the financial statement. OPEB is significantly more

of a liability. You will see it in the Enterprise Funds where OPEB is allocated. About five years ago it was implemented. It went from doing it in a 30 year span to now it has to be done in six years.

2. Interim Financial Update as of December 31, 2017.....Donna Goodson

Donna Goodson, Finance Director, stated the interim financial report shows six months or 50% of the year complete and it represents July through December. The City received \$44,940,250 in revenues and expended \$41,781,328. We have collected approximately \$3.1 million or 37% in property taxes which is typical. State Shared Revenue and Franchise Tax are \$1,146,580 which is about 48% of the budgeted amount. \$414,282 has been received in debt setoff since 2012, and for this year we have collected \$4,585. Overall expenditures are around 43.65% which is proportional to the time elapsed. This is for informational purposes only.

**3. South Queen Street Bridge Entryway Update.....Adam Short
Jeff Lackey, NCDOT**

Jeff Lackey, NCDOT Roadside Environmental Unit in Aesthetic Engineering, stated we have a program called the Aesthetic Roadside Management Program (ARM-P). We use a 3 tier classification system to develop our plans. He showed examples of projects in Salisbury, Wilmington, and Mars Hill. The City can take advantage of funding that is available. These are preliminary concepts and NCDOT has the money to install the project, but we need to make sure we are in alignment with the City’s vision as well as buy-in from the City for maintaining it. We will preserve some of the existing vegetation. We will focus on South Queen Street and Highway 70 areas around the bridges. The City has unique architecture and the use of public art. The project has been going on several years. The City needs way-finding for downtown from Highway 70 to make drivers aware of what is going on downtown. We have been working with the Pride of Kinston on this project. This is a landmark design that makes up the ARM-P. We looked at the gateway including hardscape, softscapes and public art to highlight and create the first impression as people travel along Highway 70. We use a combination of hard and soft scape and coordinate them with existing art sculpture. We want to extend the sidewalk to make the connection and showcase the community. We have discussed using landscape lighting to create the gateway. Also the bridge details will be incorporated. There are two bridges and we could add special features such as columns on the bridges where public art can be attached. We will use vegetation to create a canopy where we can. If this is what the City wants, we need a commitment that the City will maintain the design through a resolution and a municipal agreement.

Tony Sears, City Manager, stated we are trying to show the ideas and what is possible. There are three options and this one is the Cadillac version. It will include an agreement that will take

financial commitment for maintenance. This is an opportunity for City Council to work with NCDOT and the options to make it ours and to make it unique.

Mr. Lackey stated we have money to do the project, we just ask the municipality for a resolution to accept maintenance. We design a project for Salisbury, and they budgeted for a contractor to maintain the project to make a great first impression. We want to create a desire to make visitors want to come back.

Councilmember Swinson asked if the items presented include the signage. Mr. Sears stated we would partner with the Chamber and Pride for the way-finder signs.

Mr. Lackey stated NCDOT’s funding is primarily for the landscape elements. Way finders are an inexpensive way to let people know the unique qualities are in your community.

Councilmember Tyson asked if the maintenance would be done in-house or privatize? Mr. Sears stated until it is designed, we do not know the maintenance cost. If we commit, we need to hire someone externally. To be a showpiece, it needs to be done by someone with expertise.

Mr. Lackey stated that NCDOT will put a one year establishment on the project. Our concern is after the establishment who will maintain it.

Mayor Hardy asked how much Salisbury pays their contractor for maintenance. Mr. Lackey stated they pay a contractor roughly \$30,000 per year. Also note that their interchange is about three times the size of the proposed gateway for Kinston. We typically pay \$1,500-\$2,500 a month to maintain a design like this. It could be a local contractor who could use it as a means to market their business. Mayor Pro Tem Solomon stated she has concerns about the maintenance.

Mr. Lackey stated a lot of bridge elements were part of an initiative called, Art That Moves You. This project was chosen because we were working with the NC Department of Cultural Resources and this was a smart initiative project. This is not the typical project as far as the architectural details. It is a unique situation for Kinston. Once the resolution is approved, we will move the plans to 80% and the details will become more specific. We encourage community collaboration.

**4. Carey Road Extension Resolution.....Adam Short
Maria Rogerson, NCDOT**

Adam Short, Planning Director, stated the Carey Road extension project, Project U-3618, was funded in 2017. The project connects the existing Carey Road to the existing Highway 258 North and Paul’s Path Road which provides a better east west connection to Highway 258. The project

is roughly 2 miles long. It would be a four lane median divided project with the possibility of sidewalks, with a municipal agreement. The majority of the project would be in the County, so the sidewalk part would be incumbent on the County.

Councilmember Aiken asked if this project is part of the trees being cleared along Hull Road. Tony Sears, City Manager, stated no. That is timbering of private property.

Mr. Short stated there are two alternates, one with a southern drop and northern alternate 2 was the one selected. He showed the proposed new road design which includes a 5' bike lane, a 23' median, two lanes of traffic on each side and the possibility of sidewalks on each side. Hull Road has a cul de sac added so that Cherry Energy and Garris Body Shop would have access. They would put a cul de sac at the end of Daly Waldrop Road. Carey and Rouse would become a signalized intersection. The project cost is \$25,710,680 with the scheduled finish in 2022.

Councilmember Tyson asked if a confirmed decision has been made about sidewalks. Mr. Short stated with the majority of the project in the County, they would make that determination.

Councilmember Tyson stated he would not support a project unless the County would pay for their portion of the sidewalks. Mr. Sears stated that he does not believe the sidewalks will be part of the project.

Maria Rogerson, NCDOT, arrived at 6:36 pm.

Maria Rogerson, NCDOT, stated there will be a vehicle access break in front of the Fire Department on Carey Road. The sidewalks would start right after the Fire department and church if the City chose to include sidewalks without the County. The Right of Way acquisitions will cost approximately \$3.5 million, utilities \$475,000 and construction \$21.7 million. The increased cost in construction was due to a bridge crossing the railroad tracks. We are wrapping up the environmental documents. The project will take approximately 2 years to construct. This is Alternate 2 with Option 3 which is the modified Hull Road and bridge with the least environmental impact. We need a resolution showing support of the project from the City.

5. Vernon Avenue Circuit Upgrade Engineering ContractRhonda Barwick

Rhonda Barwick, Public Services Director, stated in the Electric Fund budget there is \$1.5 million to recondition circuits that feed the Vernon Avenue area. It will include about 200 poles from the POD on Atlantic Avenue to Highway 11 North and to the Food Lion on Vernon Avenue. We will change the lines and make sure the circuit has enough capacity. While we replace the poles we will replace the wire. It is roughly 3 miles of work, and we need to assign an engineer to help design the new wiring. We received 3 bids and Booth and Associates scored the

most points and had more experience with this type of project. It will be estimated at \$167,065 which includes a contingency.

Mr. Sears stated this will be paid with cash from the sale of the assets.

Councilmember Tyson asked about the dollar contingency versus percentage. Mrs. Barwick stated we are requesting 15%. If we don't need it, we won't use it, but we just wanted to have flexibility in the design.

Councilmember Aiken asked for an update on poles that are being replaced. Mrs. Barwick stated there were poles in the Vernon Avenue area that had damage, and we replaced the ones that were in dire need and that is part of this project. We are also working with the telephone and cable companies because some poles have shared ownership and we are splitting the cost for those. We are working on a review of all of our poles.

Councilmember Aiken asked if money can be saved by putting the electric underground. Mrs. Barwick stated underground is very expensive.

6. Advertisement of Property Tax Liens.....Donna Goodson

Donna Goodson, Finance Director, stated NCGS 105-369 requires the tax collector to report to the governing body the total of unpaid tax that are liens on real property, and the governing body shall order the tax collector to advertise such liens. We received a memo from Darryl Parrish, Lenoir County Tax Administrator, advising that the total of unpaid taxes for 2017 is \$652,375. The Lenoir County tax office will advertise the liens in the Free Press on March 28, 2018.

Councilmember Tyson asked if the letters have been mailed to the customers. Mrs. Goodson stated the letters will go out by February 21, 2018.

RECESS

Mayor Hardy recessed at 6:54 pm.

REGULAR MEETING

Mayor Don Hardy called the regular City Council meeting to order at 7:06 pm.

Councilmember Sammy Aiken led the prayer followed by the Pledge of Allegiance.

CITIZEN COMMENT

Brenda Stewart, 907 B College Street, stated Tylisha Bell bought this matter to her attention. The building [313 East Peyton Avenue] where Ms. Bell lives has been condemned and there is no place for her to go. The landlord didn't response to her request to make the property livable. The high water bill is due to the poor condition of the house. She showed photos of the poor condition of the house and added that the toilet upstairs is leaking down to the bottom floor and the ceiling has caved in. The house was condemned January 6th but she still lives there because she has no place to go. We want to make the City aware of the condition of the property. It is deplorable.

Mayor Pro Tem Solomon asked how many children are in the house. Ms. Bell stated she has four children. Only one lives with her and sometimes the others visit over the weekend.

Councilmember Tyson asked if Ms. Bell has applied to HUD. Ms. Bell stated she could not get housing due to a debt that she owes.

Councilmember Tyson stated the landlord should be taken to small claims court. He will try to help her find somewhere to rent.

Ms. Stewart stated that Ms. Bell is in a catch 22 because if she finds a place that she can afford, she still has to have money to pay the past due utilities. Councilmember Tyson stated if Ms. Bell finds a place, he will personally help her with her utilities.

Mayor Hardy advised Ms. Bell that Tony Sears, City Manager, will meet with her to assist her.

Councilmember Aiken stated that this scenario is just the tip of the iceberg. He has heard others talk about the conditions where they live, and that is why at the last meeting he mentioned Greenville and Fayetteville's Landlord Associations. We deserve more for our citizens. He said that he would go in half with Councilmember Tyson in assisting Ms. Bell. We may need to have a city registry of who is renting to make sure the properties are up to code.

MINUTES

Consider approval of the minutes of the City Council meeting held on Monday, February 5, 2018Monique Hicks

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

PRESENTATIONS AND RECOGNITIONS

1. Black History Month.....Malcolm Beech

Malcolm Beech was introduced by Travel Noel of the African American Museum and Cultural Center located at 242 South Queen Street. Mr. Beech stated our mission is to preserve, protect and promote African American history, culture, art and economically empower the community that we serve. He showed a PowerPoint presentation on the history of black people’s economic achievements in Africa. In America, in the late 1600s slavery was introduced in Virginia and became part of the economic system. He shared historic occurrences from 1700s through the late 1800’s after the Civil War. He shared African American History in Kinston as it related to the Civil Rights Movement and historic places and landmarks in Kinston. We are doing things at the museum to generate a record of Kinston’s African American history.

Councilmember Tyson introduced the following Consent Agenda:

CONSENT AGENDA

1. Consider adoption of a Resolution supporting the North Carolina Department of Transportation’s STIP Project U-3618 for the extension of Carey Road to Highway 258 North and Paul’s Path Road.....Adam Short

3-2018

RESOLUTION IN SUPPORT OF NCDOT
STIP PROJECT U-3618 THE EXTENSION OF CAREY ROAD (SR 1571)
TO US 258 NORTH, PAULS PATH ROAD (SR1001) IN KINSTON/LENOIR COUNTY

WHEREAS, the proposed 2.0-mile long project would be an extension of the existing Carey Road (SR 1571) , from the existing intersection of US 258, Paul’s Path Road (SR 1001) and Hull Road (SR 1557) eastward to the existing intersection of Carey Road and Rouse Road (SR 1572); and

WHEREAS, the project would be a four-lane, median-divided facility with five foot bicycle lanes and possible sidewalks (pending municipal agreements); and

WHEREAS, Alternative Two/Option Three with a bridge at the NC GTP rail crossing takes the extension through a southern alignment. This alternative has the least environmental impacts with respect to the other proposed alternatives and options; and

WHEREAS, The North Carolina Department of Transportation is requesting support of the Kinston City Council members on the preferred alternative and option proposed.

NOW, THEREFORE, BE IT RESOLVED that the Kinston City Council do hereby support NCDOT STIP Project U-3168, an extension of Carey Road (SR 1571) to US 258, Pauls Path Road (SR 1001) in Kinston, NC to provide a direct local link between US 258 and the northern portion of downtown Kinston, N.C.

2. Consider approval of a bid award to Booth and Associates for the engineering contract for the Vernon Avenue electric upgrade in the amount of \$145,275 with a contingency of \$21,790 for a total cost of \$167,065.....Rhonda Barwick

3. Consider adoption of a Resolution Ordering the Advertisement of Property Tax Liens.....Donna Goodson

4-2018

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KINSTON TO PROVIDE FOR THE ADVERTISEMENT OF TAX LIENS ON REAL PROPERTY FOR FAILURE TO PAY TAXES

The Tax Collector of the City of Kinston having reported to the governing body the total amount of unpaid taxes for the current fiscal year that are liens on real property, in accordance with subsection (a) Section 105-369 of the General Statutes;

NOW THEREFORE, be it and it is hereby resolved by the City Council of the City of Kinston:

Section 1. That the Lenoir County Tax Collector be and is hereby authorized, empowered and directed to make the advertisement of the tax lien on said real property of the said taxpayers, such advertisement to be held at one of the times prescribed in subsection (c) of Section 105-369 of the General Statutes.

Section 2. Advertisement of tax liens will be published at least one time in the Kinston Daily Free Press. Such advertisement shall comply with the provisions of subsection (c) of Section 105-369 of the General Statutes.

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

ACTION AGENDA

1. Consider approval of a Special Events Permit for BBQ Festival on the NeuseAlonzo Jaynes

Alonzo Jaynes, Police Chief, stated this is for the Barbecue Festival on the Neuse which is scheduled for May 4th and 5th. Street closures will take place starting Friday at 1:00 pm and will reopen Saturday at 9:00 pm. Residents and businesses that will be impacted have been notified.

Councilmember Swinson made the motion, seconded by Councilmember Suggs and upon a unanimous vote the Special Events Permit was approved.

INFORMATION AND UPDATES

1. Annual Temporary Change in Water Disinfectant.....Rhonda Barwick

Rhonda Barwick, Public Services Director, stated the switch from chloramines to chlorine has been taking place once a year since around 2009 shortly after we switch from our ground wells to surface water (NRWASA).

Brian Lucas, Water Resources Manager, stated this is for our annual conversion from chloramines to chlorine. We do this every year about the same time. We use chloramines as our disinfectant eleven months out of the year and we switch to chlorine for four weeks. This is recommended by the State’s drinking water guidelines. The switch will take place March 12th through April 16th. There may be a slight chlorine smell and taste, but it is not hazardous or harmful. We do it to disinfect our system and to keep our drinking water as clean as possible. We sent out a bill insert to all of our customers. All industries have received hand delivered notices that they have to sign to receive. We will also run an article in the newspaper the week before the switch.

Councilmember Tyson asked does this have an impact on water heaters. Mr. Lucas stated no, not to his knowledge.

Councilmember Aiken asked if we have reduced the amount of water we flush through hydrants. Mr. Lucas stated when we started we were trying to figure out the best way. We used to aggressively flush for 3 days to get the chlorine into our system and it created some problems, so now we allow customers to bring it in at a normal pace and it causes less problems, we aren’t flushing as much and we have less water on the ground. We were putting 35 million gallons on the ground to get the chlorine in the system and the same to get it out. We have done it this way for a couple of years and there is no difference in the aggressive flushing and what we do today.

Councilmember Aiken stated citizens have asked if water bills go up due to the flushing. Mr. Lucas stated no. If the water does not go through the customer’s meter, it does not cost them.

2. Demolition Update.....David Rief

David Rief, Cauley Pridgen Attorneys, stated there are five rounds of condemnation taking place. Several months ago City Council approved a list of approximately 50 properties for condemnation. Condemnation prompts the owner to take action. They are done in groups of 10 and each requires title work to identify the property owners. We have notified the property owners that the condemnation process has begun. The process begins by posting the property, identifying the owners, and then notifying the owners by mail. General Statute requires the property owner to be given at least 30 days to make adjustments to the property. After the 30 days, we can restart the process by issuing a notice of hearing to give the owner an opportunity to explain why their property should be preserved. At the end of the hearing there is an order to abate and the General Statutes require at least 60 days to demolish or improve the property and after the 60 days and no action has been taken, the City can move forward with the demolition. From there the City would put out bids, receives bids back, the bids are awarded and the property is demolished. There are options during the process. The best option is for the property owner to take action themselves by repairing or demolishing the property. If the owner does not demolish

the property, then the City can step in and do it. Some property owners are not in a financial position to demolish or repair the property. The owner can waive the condemnation process and the cost of the demolition becomes a lien on the property. If the lien isn't paid, the City's only other option to collect is through a tax foreclosure. Once the lien goes unpaid for more than 30 days, it is treated like property taxes. The worst result is the property owner does nothing, the City goes through this lengthy process, the City tears down the property, the City bills the property owner, the property owner doesn't pay and the City has the lien again. If the City wants to recoup any of the costs, it must go through the foreclosure process. An alternative is the property owner donates the property to the City. The City would be responsible for the cost of demolition and this eliminates the foreclosure process. This option is not available for all situations. We have a challenging time identifying the third generation property owners. Gifting the property would be a much better alternative. We started the process on 54 properties and owners have agreed to repair or demolish 3, we are ready to submit bids for 4, and 2 property owners have given verbal consent to demo and accept a lien. There are 9 abatement orders. One property is owned by the County. 29 properties are being prepped for hearings in March. There are 6 of the 54 that property owners have asked if the City would be willing to accept. We suspect that number will increase after the hearings in March because the property owners recognized their inability to pay for the demolition or lien. Jackie Rogers, Code Enforcement Officer, has been great with conducting hearings and he needs direction.

Councilmember Tyson stated he does not like for the City to be in the real estate business. Every time property is turned over to the City, we lose property taxes and we have to pay to maintain the property. Even though I hate to do this, I realize the citizens want the abandoned houses out of their neighborhoods. If we don't do anything, the houses will be there forever.

Councilmember Aiken stated that it has been suggested that the houses be used for vocational training. Kinston Teens has a program where you can apply to maintain a vacant lot for two years, then the property can be given to the person and it goes back on the tax records. If their program has more vacant lots, we can have less mowing costs.

Councilmember Tyson stated he wants to commend Hope Restoration for going throughout the community and repairing some of the homes to rent to low income citizens. He also wants citizens to understand that through the process and the removal of properties from the tax records, property taxes may have to go up. Citizens are paying to have the houses torn down.

Mr. Rief added that all of the properties on the list are uninhabited properties. There is a property on Railfence Drive and the owner has identified Hope Restoration as a potential donee of the property. It is possible for the property to be repaired. It sustained fire damage and sat vacant for a number of years. Hope Restoration has asked to be given until the end of the year to make repairs. They would do work to make it more visually appealing on the outside. Mr. Rogers was concern about giving such a long time to complete the repairs.

Councilmember Tyson stated he recommends that the City doesn't change the procedures, but enter into a contract with Hope Restoration and give them sixty days at a time to complete certain tasks.

Mr. Sears recommend that staff be given the latitude to extend the sixty days.

Chris Jenkins, Hope Restoration, clarified that they did not want to start on the project until the end of the year due to current ongoing projects and available funds. Listening to the presentation, he recognizes that a big thing that should be done is to educate the property owners. The property on Railfence should have been intervened on several years ago to stop the decline. Trees are growing into the roof structure. If we can receive it as a donation, we can go in within 30 days, cut the trees down that are too close to the house, try to stop the damage and be a presence to keep the lawn mowed. We have quite a few significant repair projects that we cannot stop, so it could be February before we begin any significant renovation. It would be ashamed for the community for that structure to be torn down if the City can tolerate it waiting until 2019.

Councilmember Tyson confirmed that the house is included in the 50 structures. He suggested that it be taken off the list and add another house to the list. Mr. Sears stated the easiest process would be to remove it from the list, but not add one.

Councilmember Aiken asked if any wood or other items can be salvaged and reused from properties on the list. Mr. Jenkins stated one of the issues they have is not having adequate storage space for such items. If they had space they could accommodate additional donated items and save money. We received our startup funding through the Duke Endowment and our long term vision is to become self-sustaining as a social enterprise through the sales and/or rental proceeds of the houses we renovate. Our main focus is to provide paid employment and training and other support to adults who are recovering from addictions and incarceration. Our two current targeted neighborhoods are Greenmeade and the neighborhood around Rochelle Middle School. We received a donation on Dixon Street, and we spent \$35,000 to \$40,000 to renovate it to modern, energy efficiency standards. One of our end goals is to help tenants to become home owners. We will sell it for the appraised value or the investment, whichever is less. This is for the good of all and the property goes back on the tax record. As long as we rent it as low income housing, it is tax exempted. We want to get the houses before they are in such a terrible state.

Mr. Rief confirmed with City Council that the house should be removed from the list.

Councilmember Suggs stated that her son, Christopher Suggs, acquired one of the homes on the list, 818 Tower Hill Road. There has been a lot of repair work in the neighborhood around the house. We have applied for a loan to get the repairs started.

James Cauley, City Attorney, asked if the ownership has changed. Councilmember Suggs stated the ownership has changed from Magdeline Moore to Christopher Suggs, and they have received the paperwork from White and Allen Attorneys.

Mr. Rief stated he had not been made aware of the transfer of ownership. He believes the property was owned by Lenoir County and purchased by an LLC.

Councilmember Tyson made a motion to remove 1321 Railfence Road and 818 Tower Hill Road from the list of properties to be demolished, seconded by Councilmember Swinson and upon a unanimous vote both houses were removed from the list.

Mr. Cauley asked City Council if they were giving their consensus to accept the properties offered in lieu of condemnation. **City Council gave their consensus for the City to accept property in lieu of condemnation.**

Mr. Reif stated there is a particular property is off of Alberta Street in the flood plain and completely surrounded by City property. The property owner believes it was an oversight in the conveyance of a number of properties from her father to the City. The property is landlocked and the tax value is \$500. It would be a donation. It was one of the many properties owned by Harvey Beech Sr. **City Council gave their consensus to accept the property as a donation.**

**3. Update on the Former Super 8 Motel Property.....David Rief
THIS ITEM WAS ADDED TO THE AGENDA.**

David Rief, Cauley Pridgen Attorneys, stated there is the property owner who would be responsible for the property taxes and a separate business owner who would have been responsible for the occupancy taxes. We have received a judgement for the LLC. Currently, there is about \$27,000 in property taxes owed. The County has or is going to start the tax foreclosure process. It is owned by Kinston Hospitality LLC out of Raleigh. She has created several entities and transferred ownership from one to the other. She also owned the Days Inn in New Bern that was on the news that was demolished.

Councilmember Tyson stated that the Tourism Development Authority has been trying to collect approximately \$40,000 in occupancy taxes from this motel for the past several years.

CITY MANAGER’S REPORT

**1. Navy and Air Force Freedom Classic.....Galen Treble
THIS ITEM WAS ADDED TO THE AGENDA.**

Galen Treble, Interim Parks and Recreation Director, stated we are looking forward to the Freedom Classic. Friday the game starts at 6:00, Saturday at 2:00 and Sunday at 12:00.

**2. Emma Webb Pool Update.....Galen Treble
THIS ITEM WAS ADDED TO THE AGENDA.**

Councilmember Solomon asked for an update on Emma Webb. Mr. Treble stated several months ago, we received informal bids, but it had to go out for formal sealed bid. The sealed bids came back and we are in a waiting mode to see how we should proceed.

**3. City Council Retreat.....Tony Sears
THIS ITEM WAS ADDED TO THE AGENDA.**

Mr. Sears suggested that City Council check their calendars for a date to set the retreat so that Emma Webb and other projects can be discussed. The projects need to be prioritized so we can determine what we will fund and will not fund. We cannot financially do all the projects that we need to do.

Councilmember Tyson stated the Mayor and Councilmembers should come to the retreat with their top five priorities.

Mr. Sears stated staff is working with Davenport to discuss the City’s debt capacity, and we hope to know that number by the retreat.

CITY ATTORNEY’S REPORT

The City Attorney had no report.

MAYOR AND COUNCILMEMBER REPORTS

Councilmember Swinson thanked Rhonda Barwick and the Public Services staff for publishing topics on understanding utility bills and making arrangements for those who needed extra time to pay bill. He has also asked the City Manager if it is possible to have telephone recording capability for customers who call in irate or who make accusations against staff.

Councilmember Suggs stated she is taking a group of students to the Black Wax Museum which will be featured at NC State Saturday February 24th. Also, the Harlem Dance Theatre will be at East Carolina University on Saturday, February 24th. Both events are for Black History month. Mayor Pro Tem Solomon thanked Chief Jaynes and Councilmember Suggs who joined several men to celebrate, motivate, inspire and encourage the young boys at Rochelle Middle school for Male Motivational Monday.

Councilmember Aiken stated he is a member of the 37th US Colored Troops reenactors. The first weekend in March we will do Living History at Tryon Place and the first weekend in April, we will do a symposium in Goldsboro. Our group has been together for over 10 years and traveled across the Country. In July there will be a monument of the US Colored Troops will be erected in Washington, DC.

Mayor Hardy thanked everyone who attended the meeting. He thanked department heads and their staff for what they do. We must not make excuses about the things we can change, we must change them. Excuses are monuments of nothingness, and those who continue to use those tools of incompetence are seldom anything, but nothing at all.

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| ADJOURNMENT |
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Mayor Pro Tem Solomon made the motion, seconded by Councilmember Tyson and upon a unanimous vote the City Council meeting adjourned at 8:49 pm.

Respectfully submitted,

Monique Hicks, City Clerk