

Agenda
Kinston City Council
City Hall · 207 East King Street

Handicapped parking and access ramp are available for the Independence Street entrance.

Monday, April 1, 2019
5:30 pm

Mayor Don Hardy called the meeting to order at 5:00 pm.

PRAYER----- Mayor Don Hardy

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

If a Councilmember wishes to revise the agenda, the Motion to add or delete an item will be entertained prior to Adoption of the Agenda.

Mayor Pro Tem made the motion, seconded by Councilmember Tyson and with a unanimous vote [5-0] the motion to adopt the agenda was approved.

CITIZEN COMMENT

Citizens must sign in prior to the start of the meeting if they wish to address the City Council.
Citizens should state their name and address prior to beginning their comments and may speak up to a maximum of 3 minutes.
Citizens seeking assistance or asking questions will be contacted by a member of the Governing Body or by appropriate City Staff.

1. Yolonda Munoz 1588 Savannah Heights Drive Kinston, NC stated she was here with her brother for moral support.

2. John Munoz Kinston addressed the Council explained that he wanted to put the community first, and shared that it is important that we assist the leadership of the community in identifying common goals and policies. He stated it is important that we as a team are responsible to the community member's needs and ideas. There has been no public engagement as key stakeholders such as community leaders as yourself and himself. Leaders from services and programs valued by the community should have identified who to involve, how to conduct outreach and gave a public participation opportunity during the time we were looking for another organization to assist with the Water Park. These include workshops, open houses, community meetings and public hearings. We should not only have public meetings because we want awareness and draw feedback by using online surveys, websites and social media. Instead we use only one method and that limited the ability to reach people in in the community. We created a time line for goals that was so tight that we ignored the people in the community. He stated that to him it meant we have failed to be great leaders for the community. It is our job to create employment opportunities for students and adults in hopes they will appreciate and understand that we are leaders that care for the community. In Kinston roughly 65% of the population is Black/African American and we do not have a swim program to teach teenagers, especially to minority groups in hopes that we can train and pay for their certifications to become lifeguards in our Water Park. Mr. Munoz asked if the Manager and Council knew the last time we had a swim team and stated it was the Holloway Sharks in 1965. He questioned using \$15,000 of taxpayer money to pay the aquatics manager

and not giving it to the lifeguards whose pay is only \$8.05 to help run a water park. Maybe this is the reason each year the number of guards drop. Mr. Munoz shared concern with cleanliness, safety, safety equipment. He and stated there are no new features added to the Water Park so how do we plan on attracting new patrons. He asked if we will start working as a team or will we continue to work as an individual. Ms. Munoz asked if there would be follow-up questions and Mayor Hardy stated there will be a follow-up to schedule a meeting.

3. Stephanie Ormond of 210 Hillman Road

Ms. Ormond stated has worked for Mr. Hill for the past three years and felt that we shared a common goal and that is to make Kinston thrive. She was seeking to implement a golf cart ordinance. She related that the guests take great pleasure in the shuttle offered to and from around downtown Kinston. Ms. Ormond stated the City’s law is clear and this ordinance would give both residential and commercial golf cart owners the opportunity to use recreational golf carts on the street without penalty and allow the locals to transport items and people in an environmentally and cost-effective manner. She stated their properties would use the golf cart to transport supplies and laundry to the facilities as well as shuttle guest. An ordinance of this nature can have a positive impact on the downtown area because tourism is at an all-time high in over 40 years in Kinston. Ms. Ormond said they want Kinston to be the place people want to be their weekend getaway and spend their money here. She read a 5-star quote from Trip Advisor. She provided a copy of the ordinance with the detail of fees and restrictions and stated she believes there is a need for the carts in the downtown area to boost tourism, positively impact business opportunities and increase City revenue.

Councilmember Tyson asked if the ordinance was just for downtown and Ms. Ormand said it would be city-wide.

Councilmember Swinson asked that each member of the Council be given a copy of the ordinance.

MINUTES

Consider approval of the minutes of the Kinston City Council meeting held on Monday, March 18, 2019----- Debra Thompson

Mayor Pro Tem Solomon made the motion, seconded by Councilmember Tyson and upon a unanimous vote [5-0] the minutes for Kinston City Council Meeting held on Monday, March 18, 2019 were approved.

PRESENTATIONS

1. FY 2018 Annual Financial Report -----Jay E. Sharpe, CPA – Rives & Associates, LLP

Donna Goodson, Finance Director introduced Mr. Jay E. Sharpe with Rives and Associates of Raleigh, and shared they are our auditors for FY 2018 and Mr. Sharpe is here to present the annual audit.

Mr. Sharpe stated the field work has been completed and the financial statements and notes have been prepared and are currently in draft form. He stated he is awaiting completion of management's discussion and analysis and the scheduled in the back of the financials and some information from Ms. Goodson. When that is completed, they will submit the audit to the Local Government Commission for approval and once they are approved, they will issue the June 30, 2018 audit.

Mr. Sharpe shared that they came in during the summer for preliminary work which concentrated on internal controls, gained an understanding of key internal controls the City has and performed some test certain controls. This year we performed the test over cash disbursement and payroll. With the understanding of key internal controls in place the results of the test controls they perform a risk assessment. Risks will be assigned and will concentrate on the high-risk areas during the audit. They will obtain sufficient evidence to render an opinion of the financial statement. The opinion concentrates on whether the financial statements are free from material misstatement. There was some compliance testing performed in addition.

The results for the June 30, 2018 audit. The scope and timing were off this year. He is issuing a report with an unmodified opinion on the financial statements. That is the best possible opinion you can receive. There are two financial statement findings and they are segregation of duties and deficit fund balances (same as last year). Audit proceedings there were several adjusting journal entries, but they were nothing uncommon.

There will be a letter letting the City know how the audit went from their perspective. The key points of the letter are: major accounting policy change (GASB 75), estimates, no disagreements with management, no difficulties encountered and complete cooperation with staff (looked at different departments).

Mr. Sharpe shared the numbers. General Fund: last four years expenditures outnumbered the revenues; revenues have gone up slightly in the last four years. Fund Balance has increased since 2015 (\$8.2million in 2015 and \$2.5million on June 30, 2018).

Councilmember Tyson asked the date of the data. Mr. Sharpe answered as of June 20, 2018.

Mr. Sharpe showed the breakdown of the Fund Balance in three key categories: restriction by general statutes, inventories and unassigned General Fund Balance (\$6.5million)

Mr. Sharpe present the Ratios calculated for the General Fund: Adequacy of resources is the cash reserves for the City to continue operating if no more cash in-flux based on the expenditures after year end. (2018 – 134 days); Fund Balance as a percent of expenditures: LGC recommends 8% but that number is low. In 2015 the number was 35% and in 2018 at about 32% which is well above where LGC recommends.

Mr. Sharpe talked about revenues. Two major sources for the General Fund are property taxes and other taxes and licenses. Property taxes in each of the last three years has decreased (\$9.9million in 2018). Other taxes and licenses have gone up (almost \$7million) and enabled us to make up the property tax decrease.

Councilmember Aiken questioned whether the de-annexation of Hillcrest affect us quite a bit. Mr. Sharpe informed that it is base on the valuation of the property taxes times the tax rate. Mr.

Sears stated that the equivalent of the de-annexation of Hill Crest was about one penny, and one penny is about \$138,000.

Mr. Sharp showed the expenditures for 2018 versus 2017. He stated there are some major categories that the City spends its money for and the highest is Public Safety both in 2017 and 2018. In 2018 that made up 40% of expenditures and 2017 43%. The second highest is Parks and Recreation at about 22% in both 2017 and 2018. The third highest is Public Services and Mr. Sharpe stated overall the percentages are being spent in the same places each year.

Mr. Sharpe reviewed the Proprietary Funds (Business-type, Electric, Water and Sewer, and Wastewater Funds). Being the opposite of the General Funds, we are showing a profit in each of the last four years. The Adequacy of Resources shows we could continue operating if we receive no more cash in-flux after year end (2018 – 193 days).

Mr. Sharpe said if there were any upcoming standards or pronouncements, he would change the financial reporting for the City. In 2018/2019 it will be relatively quiet with no major standard changes that would change the financial reporting for the City. There are a couple things out there for the future; one has to do with leases and should not have any major affect on the City. There will be a complete reporting overhaul but will take about six or seven years to get out there.

Mayor Hardy thanked Mr. Sharpe for his presentation.

2. Announcement of \$2,000,000 in CDBG Funds for Lawrence Heights Sewer Replacement

Project and Recognition of Community Surveyors ----- Steve Miller

Steve Miller, Assistant Public Services Director shared he has stood before Council and talked about Lawrence Heights numerous times of the last few years. He stated he has asking for decisions, resolution, hearings and come back two years in a row with bad news of two years in a row and not getting the sought-after grant. Today he is breaking the trend. We are very happy to say that we have received a \$2,000,000 grant from CDBGI (Community Block Grant Infrastructure) program to move forward with the Lawrence Heights sewer. He recognized the groups that assisted as Kinston Teens and the Star of Bethlehem Church. Mr. Miller asked that any representative present please stand.

Councilmember Tyson asked Mr. Miller to give the area that encompasses Lawrence Heights for those that do not know. Mr. Miller stated Lawrence Heights is located in the area of Old Snow Hill Road and Highland Ave. and includes 12 streets in that neighborhood. He named Hyman Ave. Lawrence Lane, Charlotte Ave., Stadium Drive, Nobles Lane, Jackson Lane. He shared that these groups went door-to-door in the neighborhood that consists of 294 properties. The CDBGI grant is so strict and requires funds be provided for low to middle-income that nearly every property needed to be surveyed. These groups got together and of the occupied properties they received response from over 90% of people in that neighborhood. He shared that these folks were persistent, and the effort was performed over two years. He also commended the residents for stepping up and completing the surveys. When completed both the sewer and water lines will be done. He thanked the groups again.

Councilmember Aiken stated that the survey asked any employment was available to the local residents would they be willing to work and wanted us to hold ourselves responsible to that. Mr.

Miller related that information will be passed to the contractors doing the work. He stated we should be receiving a formal letter and a resolution to pass by the end of the month. They have already started the design plans and hopes to get this bid out and start construction by the end of the year. Mayor Pro Tem asked if a photo could be taken to post on the City's website of the representatives of the groups involved in making this happen. Mr. Short took the photo and Mayor Hardy thanked the group for the work put in.

ACTION AGENDA

1. Consider Adoption of Ordinance Revisions -----Adam Short (Public Hearing)

Mr. Adam Short, Planning and Inspections Director shared a series of changes received over years and would amend Sections 6, 7, 9 and appendix A.

In Section 6, adding permitted and conditional uses to the I B zone to match current development trends, adding a use category for internet sweepstakes and addressing those with specific standards in the B 1 and I-2 heavy industrial zoning districts, adding storage inside a completely enclosed facility in RA 20, RA 15 and RA 12 (the most rural zoning districts); typically on the outskirts of the ETJ), adding tattoo parlors as conditional uses in the downtown and shopping center districts and relaxing some of those standards that address tattoo parlors. He shared that the specific standards are itemized in Section 7 for sweepstakes and are restrictive and limiting-cannot be within 1,500 ft. of a residential district, existing dwelling, place of worship, school, daycare restaurant, public park, etc., limited to two per location and not allowed as accessory uses, removing the tree resource management ordinance because it has had limited enforcement and staff does not have the capacity for enforcement of such an ordinance and updating and clarifying several definitions in Appendix A.

Councilmember Tyson state his confusion on internet sweepstakes. He recalls that they were illegal in the state. Mr. Short stated that they continue to be illegal, but it gives a better mechanism for enforcement. Mr. Sears stated there is not been a clear direction and we must find a better way to control the situation versus continuing to say they can't. The restrictions keep them in an area that we believe they are better suited. He stated we have been to court and if you get challenged there is a chance that you will not win the argument that it is illegal because other people are allowing it. Mayor Pro Tem Solomon asked if the two-machine limit was moving forward. Mr. Short stated that is moving forward, they would not be grandfathered in because technically they are not legal uses of the property. Mr. Sears shared that when they went to the ETJ and started issuing notice of violation and fines, the response was they were happy to pay the fine. Mr. Short stated that the civil penalty is no longer a threat and may be a conversation for the budget. The penalty says up to \$50 per day for as long as the violation continues; if the fine was \$100 or \$200 per day it may make folks think twice.

Councilmember Aiken stated he has seen some in convenience stores are they able to continue to operate. Mr. Short stated that would be considered as an accessory use because the primary use is a gas station and they are proposing that accessory use not be allowed. Mr. Aiken shared that that in the county there are some places with 10-15 machines. He shared the County is charging a minimum of \$500 per machine and asked if we would be charging for

the two machines. Mr. Short stated they are not proposing any fees would have to go through the budget process, they are not part of the UDO.

Mayor Hardy asked how many were in the City limits now. Mr. Short answered he did not know of any unless they were in stores that he did not know about. He shared there are some internal control for notification if any change in occupancy is seen, they will be notified. Mayor Hardy asked the Chief if he had seen any issues derived from any sweepstakes around the City and the response was no.

Councilmember Aiken stated they are a target for robbery and a lady was murdered. He also shared that the hours of operation were changed.

Mr. Sears related this was not for approval tonight, it was the introduction of the issue, offer a solution and have these conversations. The City spent more money to shut down sweepstakes than we received in penalties. He stated this is for citizen input and the beginning of our proposal for a larger conversation to get us to a better solution. Mr. Cauley asked if this was for public hearing tonight and had it been advertised. Mr. Short answered yes to both.

Mayor Hardy asked Mr. Short to reiterate the details before going to the public hearing. Mr. Short reviewed that this is some general amendments, predominantly for the internet sweepstakes ordinance allowing that, with conditional use permits approval with B-1 (General Business) and I-2 (Heavy Industrial) which would be for Council approval, other additional changes matching current development trends in I-B (Industrial Business), updating tattoo parlor regulations, removing the tree resource management regulations and updating and clarifying several definitions in Appendix A.

Mayor Pro Tem Solomon asked Mr. Short to give the definitions of adult care homes, group homes and drug rehab facilities. Mr. Short stated the definitions in our ordinance in the last update, the language was to match the State definitions and was confusing to staff. We have clarified the definition and added the drug rehab facility. He stated the appendix has been left out and would get more clarifying information on what was meant. He stated there was not a church definition and has come into question, and for restaurant we wanted to clarify because there are discrepancies in what's a restaurant and what's a bar. Ms. Solomon stated he assisted her regarding a neighborhood and a group home facility. She stated she was interested to see those. When we look at these facilities pop up in neighborhood and the residents have not been made aware and having young children in the neighborhood. She stated the homes and facilities need to follow proper protocol or they need to feel the fines. Mr. Short stated clarifying those definitions to assist in helping the community.

Councilmember Tyson stated he was under the impression that you were not allowed to have certain number of certain homes within a certain proximity of another and asked if that had been changed. Mr. Short stated that there is a half mile buffer requirement and is still in the ordinance. Mr. Tyson stated this would mandate that we have listings of all of these. Mr. Short added that the State manages those, and you can find the list and staff does keep check. Mr. Sears directed to call Mr. Short with any concerns on locations.

Councilmember Aiken asked if we have bingo in the City Limits and Mr. Short stated there were no proposed changes to bingo regulations.

Councilmember Swinson made the motion, seconded by Councilmember Sugg and with a unanimous vote [5-0] the motion to enter a public hearing for Adoption of Ordinance Revisions was approved.

Mayor Hardy called for anyone to for or in opposition of the adoption of ordinance revision.

The public hearing was closed for lack of any public response.

Mr. Short asked that no action was needed tonight and would like to table and return at the first meeting in May with answers to the questions asked tonight.

Mayor Hardy asked if that was the consensus of the Council and it was affirmative.

2. Consider Approval of Fiscal Year Ending 2019 Audit Contract -----Donna Goodson

Donna Goodson, Finance Director stated the contract for the 2019 audit completed by Rives & Associates, LLP, the maximum contract fee for that year will be \$44,538. The contract must be approved and signed by the City and forwarded to the LGC and approved before any interim field work may begin. She stated they are looking to begin in May, and she is bringing the request for the City Council to approve the contract as well and the authorization for the City Manager and the Finance Director to execute the contract.

Councilmember Tyson asked if we have given any organization within the City of Kinston that has the capability of doing an audit the consideration. Mr. Sears stated yes, it is bid out every three years and it is a competitive process. Ms. Goodson shared that we had no one from the surrounding area to offer a bid. The LGC has a list of those who have their RFPs out and they can respond. We are not seeing a lot of local auditors being able to accomplish that.

Mayor Hardy asked where this auditor was located and Ms. Goodson shared, they were out of Raleigh.

Councilmember Swinson made the motion, seconded by Councilmember Tyson and after a unanimous vote [5-0] the Fiscal Year Ending 2019 Audit Contract was approved.

3. Consider Approval for Mother Earth Brewing Ironclad Half Marathon + 5K -----Alonzo Jaynes

Alonzo Jaynes, Police Chief presented the permit request, stated they had worked this event for four years and would need approximately 26 officers working the event.

Mayor Hardy asked Mr. Cauley if the insurance was correct and Mr. Cauley stated everything was in order.

Councilmember Tyson made the motion, seconded by Councilmember Suggs and after a unanimous vote [5-0] Mother Earth Brewing Ironclad Half Marathon + 5K was approved.

4. Consider Approval for BBQ Festival on the Neuse -----Alonzo Jaynes

Alonzo Jaynes, Police Chief presented the permit request to be held on May 3, 2019 at 4:00 pm and closing May 4, 2019 at 9:00 pm.

Councilmember Aiken asked if the construction would impact the festival. Chief Jaynes stated that construction ceased on the weekend in most cases and felt we would be okay.

Councilmember Suggs made the motion, seconded by Councilmember Swinson and after a unanimous vote [5-0] the BBQ Festival on the Neuse was approved.

5. Consider Approval Eastern Pregnancy Information Clinic 5K Run for Life -----Alonzo Jaynes

Alonzo Jaynes, Police Chief presented the permit request to be held on April 6, 2019 from 10:00 am to 10:00 pm. and will have one officer and two deputies working this event.

Councilmember Suggs made the motion, seconded by Councilmember Swinson and after a unanimous vote [5-0] the Eastern Pregnancy Information Clinic 5K Run for Life was approved.

6. Consider Approval to Accept or Reject Initial Bid and Authorize City Attorney to Advertise for Upset Bids -----Adam Short

Adam Short, Planning and Inspections Director shared that there were two property bids with one being for four parcels in the Upland Park Subdivision submitted by Diane Adams on behalf of Ministry of Availability Apostolic Church with the parcel identification numbers listed in the memo and the bid amount is \$900 for each property totaling \$3,600 and was submitted with the appropriate deposit. There is also a bid from Nina Hooks for two properties with the parcel identification numbers listed in the memo and the bid amount is \$750 for each property totaling \$1,500 and was submitted with the appropriate deposit.

Mayor Hardy asked is he say any issues with these, and Mr. Short responded he did not.

Councilmember Swinson made the motion, seconded by Councilmember Suggs and after a unanimous vote [5-0] Accept or Reject Initial Bid and Authorize City Attorney to Advertise for Upset Bids was approved.

7. Consider Approval of Resolution to Adopt the Municipal Records Retention and Disposition Schedule----- Debra Thompson

Debra Thompson, City Clerk explained this is an update to the Municipal Records Retention and Disposition Schedule and the last update was in March of 2012.

Councilmember Aiken made the motion, seconded by Mayor Pro Tem Solomon and after a unanimous vote [5-0] Resolution to Adopt the Municipal Records Retention and Disposition Schedule was approved.

APPOINTMENT

Consider an appointment to the Parks & Recreation Commission to serve three-year terms beginning March 5, 2019 through March 5, 2022 ----- Corey Povar

Corey Povar, Parks and Recreation Director shared the appointment was for Ms. Sue Ellen Maddux. She has served on the Commission for six years in the past, is involved with Kinston Youth Baseball. She lives next to Fairfield Park and is part of the crime watch. He would like to consider her for approval.

Councilmember Swinson made the motion, seconded by Mayor Pro Tem Solomon and after a unanimous vote [5-0] appointment to the Parks & Recreation Commission to serve three-year terms beginning March 5, 2019 through March 5, 2022 was approved.

CITY MANAGER'S REPORT

No report from the City Manager.

CITY ATTORNEY'S REPORT

No report from the City Attorney.

COUNCILMEMBER REPORTS

Councilmember Aiken stated one of the residents on Rochelle Blvd. had put a storage unit in the front yard and asked Mr. Short to expound on the issue. Mr. Short stated a Code Enforcement Officer visited the location and it is a zoning violation. However, with any zoning violation there is due process and had spoken to the homeowner and the intent is to move the structure to the rear. She indicated some financial constraints and staff are working with her on that. Mr. Aiken stated that repairmen place temporary containers on the yard, but it is understood that it is temporary. He shared that there are cars in yards and asked if there were any ordinances for that. Mr. Short stated he spoke with Chief Jaynes and shared that Code Enforcement would handle that. He also asked that anyone with concerns regarding nuisance vehicles call him at 939-3269 or the Inspections Department at 939-4021 and they would be happy to take a look, and in conjunction with the Police Department will get that remedied. Mr. Aiken shared that at one time there was an officer for that, but we no longer question if we have that practice. Mayor Hardy quipped that Councilmember Aiken visited the sweepstakes and violated City code. Mr. Sears stated you can have one unregistered vehicle in your yard but not more or will be in violation of the ordinance. Mr. Cauley stated in Councilmember Aiken was performing research for his office at the time.

Councilmember Swinson congratulated the Sports Hall of Fame Inductees.

Councilmember Suggs shared that her son Chris Suggs will be testifying before Congress this week. He is testifying through the Environmental Department about the effects of the hurricanes in Eastern North Carolina on young people. She expressed that this is a big recognition for someone from our area to be asked to come and make a statement about our neighborhoods, our community, our City, our county and our State. She wanted everyone to be aware that he was asked to come to DC to testifying about what we are doing, what we need, and the help we need. Unfortunately, we don't have a Representative there now, but our former Representative G. K. Butterfield has offered to meet with him and talk with him personally following his testimony. Mayor Hardy thanked Ms. Suggs and congratulated Chris.

Mayor Pro Tem Solomon shared a sobering moment regarding the greatest members of public safety are the members of our local community. They are the greatest assets to our public safety departments. There was a video taken of a street fight. The fight occurred on Bright Street and in watching (because we all have a responsibility to bring those to justice) a gentleman was severely injured and hospitalized. While looking she saw several adults and the first thing, she said was everyone had their cameras and not their phones to dial 911. She stated there is something terribly wrong when we sensationalize street violence. When we created young folk hurt each other and no one called the police. This situation could have been resolved by grown folks. She stated we have got to do better. We are blessed that it was not a fatality. If someone would have gotten shot, we would have been together again on the sidewalk to hold a vigil. She stated we can prevent a lot of the things that go on. When you see clusters and they are participating in mischievous behavior. A lot of things that occur in the City funnel into the schools. People say, well they are used to that, but no one should get used to hearing gunfire in their neighborhoods. When we start minimizing, there is something wrong when you are in your neighborhood when a child tells you that you need to go home because it is almost 6 o'clock and they start shooting at six. There is something wrong with that. Ms. Solomon stated we have to start being parents and controlling what we allow in our homes, the people we allow around our children, the illegal drugs you smoke around your children, the music that you constantly pump into the ears of your children,; we've got to do better. She shared that the officers are doing one heck of a job but we, as citizens would report out and say enough is enough. The same way those beautiful ones came and after years to get the \$2,000,000 grant. When the foot soldiers got out there and said they wouldn't stop until we get that grant, that's when you saw it happen. She related that this is the same thing and it is not impossible. Mayor Hardy thanked Ms. Solomon

Mayor Hardy shared that he had an experience with the Police Department which was good. He had an occasion of a mental health patient getting into someone's home. Thank God they were able to recover the person safely and return them. He thanked the Chief for the entire shift and stated he appreciated them and would be speaking to them in the future. Mayor stated he will follow-up with the homeowner to hear their concerns. He shared that it was scary and could have been different if the person had run into the wrong house.

Mayor Hardy gave kudos to the 27 scholarship recipients from Chic-Fil-A. He expressed his appreciation to Chic-Fil-A for the scholarships and hopefully the recipients will return here to work.

Mayor Hardy shared that the Down East Wood Ducks will have the first exhibition game tonight and the first game is on April 6th. He visited them today and they are excited and ready to go. If you have the opportunity to go to a game, please go.

Mayor Hardy stated the 10th Annual Illusion Open Mike Night was very good, and the young lady Clevette Roberts has been doing poetry at the Arts Council for 10 years. He asked everyone that gets the chance to go, please do so. He also asked for support of the private citizen events as well as the City-sponsored activities and events. He stated that the power of we is much more powerful than any one person could ever be.

Councilmember Swinson made the motion, seconded by Councilmember Tyson and after a unanimous vote [5-0] the Kinston City Council entered closed session at 6:30 pm.

CLOSED SESSION

North Carolina General Statute 143-318.11(a) (3): To consult with an attorney and preserve the attorney client privilege.----- Tim Carraway

Councilmember Swinson made the motion, seconded by Councilmember Aiken and after a unanimous vote [5-0] Kinston City Council returned to open session at 6:51 pm.

ADJOURNMENT

Councilmember Aiken made the motion, seconded by Councilmember Suggs and after a unanimous vote [5-0] the Kinston City Council Meeting was adjourned at 6:53 pm.

Respectfully submitted,

Debra Thompson, City Clerk