

Minutes
Kinston City Council
Monday, November 6, 2017
Regular Meeting at 5:30 pm

Mayor BJ Murphy called the City Council meeting to order at 5:33 pm.

Mayor BJ Murphy led the prayer followed by the Pledge of Allegiance.

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

Those absent: Councilmember Felicia Solomon

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

Adoption of the Agenda

Mayor Murphy stated that item 3 on the Action Agenda will be removed from the agenda.

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

CITIZEN COMMENT

There were no citizens who wished to address the Mayor and City Council.

MINUTES

Consider approval of the minutes of the City Council meeting held on Monday, October 16, 2017.....Monique Hicks

Councilmember Whittington made the motion, seconded by Councilmember Tyson and upon a unanimous vote [Councilmember Solomon was absent.] the minutes were approved.

ACTION AGENDA

- 1. Conduct a Public Hearing AND consider approval of the application submission for the EPA Brownsfields Cleanup GrantAdam Short**

Adam Short, Planning Director, stated we would like to consider acceptance of a property that we have done environmental work. In the past, the City received \$400,000 for the EPA Brownsfield Assessment Funds. One site identified was the former Harvey Oil site at its

intersection of Dr. Martin Luther King, Jr. Boulevard and Vernon Avenue near Grainger Stadium. The property has future development potential. Short term use would probably be overflow parking for Grainger Stadium, but there is also good frontage on Vernon and Highway 11. The application will be submitted to the EPA within the next week, and it will fully fund the cleanup of all environmental hazards on that site.

Mayor Pro Tem Swinson confirmed that for the short term it would be used for overflow parking, but the lot would actually go up for sale. Mr. Short stated once the City has ownership, it could be conveyed.

Councilmember Aiken asked why the property owner is not paying for the cleanup. Mr. Sears stated this is the purpose of the EPA grants. That is why the City applied for the grant. There have been multiple property owners who have used it. It is for sites that may not get cleaned up that may have developmental use. There is nothing that forces the property owner to clean up the site, and we either use the grant or we lose it and the money goes back to the EPA. James Cauley, City Attorney, added individuals are not eligible recipients.

Mr. Short asked everyone in attendance to sign the sign-in sheet as part of the application.

Councilmember Aiken asked how much of the Brownsfield's grant has been spent and what has it been spent on. Mr. Short stated that almost all of the grant has been spent. We did phase one and two assessments on the former shirt factory site, we removed two or three underground storage tanks from the site, we updated phase one on the power plant site, phase one and phase two on Glen Raven Mills site, we did phase one and phase two on the former Saltwood Products site and phase one on the Duke Energy site. Several have been entered into Brownsfield agreements which will allow certain protections for future developers, and it also opens certain tax incentives which are good carrots for us to have. Mr. Sears stated we used the funds only on properties that would have redevelopment potential where clean up would be required.

Councilmember Tyson asked if the former National Armory site would qualify. Mr. Short stated it would, but for the cleanup it would have to have the phase one and phase two already prepared and there are some conveyance requirements. We have spent all the money on the assessment side and we are at the close out point of the grant. We can apply for more assessment money in the next round and we should. Having the phase one and phase two barriers removed is a big financial weight off the perspective developers, and that does not include the tax incentives on the Brownsfield side.

Councilmember Aiken asked if the grant was offered to the junkyard on Lenoir Avenue that was cleaned up. Mr. Short stated yes we spoke to the owner on numerous occasions with various options and he was not interested in any of the offers. Mr. Sears added during the last conversation the owner was adamant that he wanted to restart the business. Mr. Short added we thought that the grant that we are using for the former Harvey Oil site could have been used for the junkyard.

Mayor Pro Tem Swinson confirmed the former National Guard site is now privately owned.

Mayor Murphy declared the public hearing open and after no one spoke in favor of or in opposition the public hearing was closed.

Mayor Pro Tem Swinson made the motion, seconded by Councilmember Whittington and upon a unanimous vote [Councilmember Solomon was absent.] the application submission was approved.

2. Consider acceptance or denial of an offer to purchase 922 Herbert Drive for \$1,100 and authorize the City Attorney to advertise for upset bids.....Adam Short

Adam Short, Planning Director, stated this offer was received from Clyde Noble and we have the 5% deposit. Chris Nobles recently purchased the two parcels north of this parcel, and they are in the Upland Parks subdivision.

Councilmember Tyson made the motion to accept the offer, seconded by Mayor Pro Tem Swinson and upon a unanimous vote [Councilmember Solomon was absent.] the offer to purchase was approved.

Councilmember Aiken stated that people are confused about which properties the City owns and the ones that are sponsored by the Kinston Teens Adopt A Lot program.

Mr. Short stated that citizens may call him for clarification on the lots. The City owns around 1,200 properties, and Kinston Teens have a handful of properties that they manage. Mr. Sears added that there is a GIS map on the Lenoir County website to search city owned properties.

3. Consider acceptance or denial of an offer to purchase 2 parcels on South Queen Street for \$3,000 and authorize the City Attorney to advertise for upset bidAdam Short

This Item Was Removed From the Agenda and Will Be on the Next Agenda.

4. Consider approval of the Assistance and Procurement Policies for the Essential Single Family Rehab Loan Pool Disaster Recover Housing Finance Disaster Recovery grantAdam Short

Adam Short, Planning Director, stated the North Carolina Housing Financing Agency has the Disaster Recovery Loan Pool. It is called a loan, but it functions like a grant. We are going through the application process, and we have about 15 applications so far. As part of our administration for the grant we have to have our Assistance and Procurement policies formally approved by City Council.

Mayor Pro Tem Swinson made the motion, seconded by Councilmember Tyson and upon a unanimous vote [Councilmember Solomon was absent.] the policies were approved.

5. Consider approval of a Quit Claim Deed with Lenoir County and the North Carolina Global TransPark Authority (GTP)James Cauley

James Cauley, City Attorney, stated this is a housekeeping item concerning a piece of property that was conveyed years ago. The grantee in the deed was named as the State of North Carolina, and in the past couple of months the State has advised that the grantee should have been the Global TransPark. The State has disclaimed their interest, a new deed has been prepared and they have asked the City and County to reconvey the 25 acres adjacent to Spirit to the GTP.

Councilmember Tyson made the motion, seconded by Councilmember Whittington and upon a unanimous vote [Councilmember Solomon was absent.] the quit claim deed was approved.

INFORMATION AND UPDATES

1. Update on Demolition.....Adam Short

Adam Short, Planning Director, stated there is a list of parcels that have been processed or in the process for demolition. The list is complete or out for bid. All 50 homes have been condemned and we are working with the list in groups of 10 to start demolition to complete the project in 10 weeks. We will get to the properties as funds allow. If we run out of money before we finish the list, the remaining properties will be ready for funds received during the next fiscal year. We are on the clock to get the first group of ten properties done.

Mr. Sears stated getting the properties teed up will help as funds become available. We will get as many as possible we can this year. It is a longer process with property rights and legal issues and next year it will be a speedier process.

Councilmember Tyson stated he received calls from residence on Tower Hill Road and they were very happy when the vacant homes were condemned. Now they want to know when will the properties be demolished and he explained the process takes time.

Councilmember Aiken stated he received a call from a non-profit organization about the former Best Mortuary and they want to purchase and save the property because it is on the national historic registry. Don Crawford, Fire Chief, stated it is in the process of being torn down.

Mayor Murphy asked how often the City Council will receive an update on demolition. Mr. Short stated once we issued an order it can be done as often as wanted. Mr. Sears suggested every three months because there is a waiting period and appeal processes. The next update should be the end of January or February.

2. Update on Emma Webb Pool Bids.....Galen Treble

Galen Treble, Interim Parks and Recreation Director, stated we received 3 bids for the pool. The pool and the pump house were bid separately from the other features. Greenville Pools was \$551,000, East Carolina Pool Services was \$591,000 and Clearwater Construction was \$644,000. We have had a great working relationship with Greenville Pools for many years.

Councilmember Tyson stated he has spoken to citizens who thought he wanted to cut some of the amenities for the pool, but he supports this project.

Mayor Murphy asked for an approximate time line. Mr. Sears stated it will be bought back to the work session to make sure we have covered everything on how to make this work. City Council asked that we look at grant opportunities, and we have done so. There are not a lot of grant opportunities just for the pool and there aren't a lot to fit within our construction time line. Once the pool is built, we cannot retroactively get a grant. We only found two grants. Mr. Treble stated the grants had a maximum award of \$10,000. By the grant submission deadline, the end of March, we will have been almost finished with the construction of the pool, and we would not receive award notification until late April. And for \$10,000 we are getting down to umbrellas and miscellaneous items. We can raise funds in the community for those items, and we are not counting on the grants to make or break the project.

Mayor Pro Tem Swinson stated \$10,000 is not a lot of money, but every little bit helps. Is it possible for us to still obtain the grants? Mr. Treble stated yes it is a possibility, especially the one with the National Swim Foundation because we have met the criteria. We will pursue the grant as well as other avenues to raise monies including sponsorships.

CITY MANAGER'S REPORT

The City Manager had no report.

CITY ATTORNEY'S REPORT

The City Attorney had no report.

MAYOR AND CITY COUNCILMEMBERS' REPORT

Councilmember Aiken stated that citizens say it is good to see that the dilapidated buildings are being demolished and they are asking with the new bridge what is going to be done on a large scale for redeveloping South Queen Street.

Councilmember Tyson stated we have looked at several studies for the redevelopment of South Queen Street. When we have looked at Queen Street, we looked at it as a whole, not just north and south.

Tony Sears, City Manager, stated last week we received a Stewart Engineering Queen Street report that coexists with the Queen Street Bridge. Once we review the report, we will have a work session dedicated to the presentation and discussion of the report. The entranceway into Kinston is being done by NCDOT. They are willing to do a nice upgrade and there will be three options. The recommendation will be for the nicer option, but the City will have to sign a contract with NCDOT for annual maintenance which will come with a cost. People are asking about the trees and if they are going to be replaced, but it will come down to the cost. Just to relocate the street lights and replace and reposition trees is \$1.25 million. And if you want more things, it is going to cost more. We need a pool that will cost \$700,000 that we didn't plan for

and we need a \$1.5 million ladder truck to replace a 1986 truck. These are really big numbers and we have to make decisions.

Councilmember Tyson suggested that residences who have an idea of what can be done for East Kinston to call him at 252.521.1031. He was under the impression that demolishing vacant houses was the number one issue, but if that is no longer the priority, he would like to know the top three priorities. He will meet with individuals or groups. It is difficult to program money without having priorities and getting the properties in the budget process.

Councilmember Aiken stated he agrees and in the future we could have a town hall meeting.

CLOSED SESSION

Mayor Pro Tem Swinson made the motion, seconded by Councilmember Tyson and upon a unanimous vote [Councilmember Solomon was absent.] the City Council entered into closed session pursuant to NCGS 143-318.11(a)(6); Personnel Matter at 6:11 pm.

Councilmember Whittington made the motion, seconded by Councilmember Aiken and upon a unanimous vote City Council returned to open session.

ACTION AGENDA TWO

Councilmember Whittington made the motion to increase the City Manager's salary by \$5,000 annually, seconded by Councilmember Tyson and upon a unanimous vote [Councilmember Solomon was absent.] the motion was approved.

ADJOURNMENT

Mayor Pro Tem Swinson made the motion, seconded by Councilmember Tyson and upon a unanimous vote [Councilmember Solomon was absent.] the City Council meeting adjourned at 6:37 pm.

Respectfully submitted,

Monique Hicks, City Clerk