

Kinston City Council



MINUTES March 21, 2023

Minutes
Kinston City Council
City Hall · 207 East King Street
Tuesday, March 7, 2023
Regular Meeting at 5:30 pm

**This meeting was held in person and published electronically at
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REGULAR MEETING

Mayor Don Hardy called the meeting to order at 5:30 pm.

Pastor Reginald Bradshaw, St. Augustus A.M.E. Zion, Kinston, NC delivered the prayer, and the pledge of allegiance was recited by everyone.

Council Members' Roll Call

Present: Councilmembers Sammy Aiken, Felicia Solomon, Chris J. Suggs, Robert Swinson, and Mayor Pro Tem Antonio Hardy.

Present Also: Rhonda Barwick, City Manager and James Cauley, City Attorney.

CITIZEN COMMENT

Citizens must sign in before the start of the meeting if they wish to address the City Council.
Citizens should state their name and address before beginning their comments and may speak up for 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. ***Curtis Henderson, 900 Paylor Drive*** representing Hope to Destiny for Youth, announced that he will have an Easter Basket/Book drive at 605 N. McLewean St. He will be collecting the baskets and books until April 7th and will pass them out on April 8th. He asked for donations from everyone. On May 27th they are having the second annual Simon Bright Reunion at Southeast Park to feed the community. There will be children's entertainment and is a community event. Mr. Henderson also asked to be updated on the status of the ARP funding.
2. ***Roennell Fields, 806 Eagle Road*** spoke about the not enforced leash law. She stated neighborhood she has an issue with dogs wandering around the neighborhood. Ms. Fields stated she was told that there was no leash law if the dogs are supervised in their yard. She stated that one neighbor has indoor dogs that they let out to potty without any restraint and the dogs are supervised by someone standing at the door watching them. She shared incidents of the dogs chasing an environmental service worker onto her car and chasing a 73-year-old man into the back of his truck. While she was trying to get away from the dogs, she stepped wrong and fractured her toe, and in separate incidents having to stay in her car to wait for the dogs to go inside. Numerous pictures and videos have been sent to Chief in a Goyette and he has been working very hard with her. Ms. Field also shared that she has had the dog jump into the window of her car and shared pictures of the dogs. Ms. Fields stated after receiving little to no response she did not know anything else to do but bring it to the Council. The second concern she discussed was about the wandering wild dogs in her neighborhood that she has dealt with for three years with no results. Ms. Fields shared that Councilmember Aiken told her that she needed to have pictures of the dogs killing the cats. She stated a letter, and a

picture was sent to all council members on February 25th of the last attack of the dogs on her porch when a cat was killed. She only heard from Mayor Pro Tem Hardy. To date, the dogs have killed four cats and one dog. She stated she takes care of a colony of cats, but they are not hers. Councilmember Aiken stated for the record that he did not recall telling her that. Mayor Hardy stated they will follow up with her regarding the dogs. Ms. Fields shared that there are traps in her yard with dry dog food and the dogs are bloodthirsty.

3. ***Jonathan Bryant 1006 Fountain Park Drive***, spoke about The GATE and how helped him. He shared that this is where he got his first job working with their lawn care program.
4. ***Shenida Adams***, representing Bonnie Bass Church of Christ Disciples of Christ at 531 Martin Luther King, Jr. Boulevard spoke about the lot (533 Martin Luther King, Jr. Boulevard) that has been in the fence of the church for over 15 years. Ms. Adams stated they would like to purchase the lot, but it is not for sale at this time. They wish to continue using the lot for parking and will maintain the lawn, as they have for over 19 years. Mayor stated someone will follow up with Ms. Adams.
5. ***Carolyn Coward, 801 J. P. Harrison Boulevard*** shared that she first volunteered at The GATE when Jonathan was a little boy. She has seen many good young people come through The GATE and many nights she took some of them home. She stated that The GATE was a haven for young people. Ms. Coward said we need to do what we can for the young people and noted that if you have not volunteered at The GATE, you should try it. There were classes on money management, trips to Washington, DC, and Greensboro, NC where they toured several of the black colleges, and they were well-behaved. She said good products come from The GATE and asked everyone to support it however they can. Ms. Coward spoke for herself and Mr. Felix Coward.
6. ***Al Sutton, 8900 Palacios Cove, Plano, TX*** stood in support of The GATE. He said he supported Kinston; churches, a scholarship at LCC, and just started a scholarship at Kinston High School. Mr. Sutton said his focus has been trying to help young folks because people helped him when he lived here. Through their work in helping to keep him straight, he has been successful as a businessman. He contributes money, time, clothes, etc. for the kids. When he comes down and spends Fridays at The GATE, it is evident that there is so much love there. The children need a chance. There are so many opportunities for the children to go wayward, but on Fridays from 6-10 pm, the children are in a safe environment. The GATE needs more volunteers and encourages everyone to spend a couple of hours volunteering to make a difference in their lives so there will not be statistics of being in jail or at funeral homes. Everyone is concerned about how we can save the children of Kinston and make their lives better.
7. ***Galen Hawkins, 906 College Street*** spoke about The GATE and shared that he has been going to The GATE since 2006. He encouraged everyone to come out and said they set kids on the right path, a righteous path in life. It keeps them off the street and keeps them in school. He stated that if he did not have The GATE he did not know where he would be.

Adoption of the Agenda

If a Councilmember wishes to revise the agenda, the motion to add or delete an item will be entertained before the adoption of the agenda.

Councilmember Swinson asked to have the closed session moved to last on the agenda.

Mayor Hardy added a closed session for NC GS §143-318-11 (a) (3) – Attorney/Client Privilege.

Mayor Pro Tem Hardy made the motion, seconded by Councilmember Suggs and upon a unanimous vote of [5-0], with the addition of a closed session for NC GS §143-318-11 (a) (3) – Attorney/Client Privilege the agenda was adopted.

MINUTES

Consider approval of the minutes of the City Council meetings held on February 21, 2023
Debra Thompson

Councilmember Suggs made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [5-0], the minutes for February 21, 2023, were approved.

PRESENTATIONS AND RECOGNITIONS

NOTE: Mayor Hardy changed the order of the presentations.

1. Update on the Recovery Court -----Judge Beth Heath

Judge Beth Heath said she had spent the day in Goldsboro at the 21st State of the Child Conference. She shared that Colleen Kosinski has spearheaded that for the last 21 years. There were over 350 people there and was very related to a lot of the topics that the Council discussed. There were presentations from law enforcement, those about gang activity, mental health, trauma; the things that affect the youth that we need to be concerned about. Judge Heath stated they were there with a presentation about the Recovery Court and drug substance abuse coalition. Everyone was invited to next year’s conference.

Judge Heath gave an update on the Recovery Court and the Coalition they are working on. There is a Family and Accountability Recovery Court in operation since 2005 in the district and in 2007 in Lenoir County. There are lots of participants and they are graduating folks. They are now seeing the payoff from a grant received in 2020. They are partnering with Hope Restorations with the transitional house for women which is going well. The Adult Accountability Recovery Court was started on January 1st and since then they have admitted 10 people into the program in Lenoir and Wayne Counties. In a couple of months, they plan to start admitting folks in Greene County as well. Those in this court have criminal pending charges and the District Attorney has agreed to work with them and be willing to take folks that are H and I felons into the program. If the program is completed, they do not go to prison, they do not have a cost except for restitution if there is a victim involved, and at the end of the program, the charges are dismissed and expunged, and they are in recovery. These are four of

the big things that happen along with other things. She asked for referrals from anyone who knows someone that has issues with substance abuse, since they usually have some involvement with the court system, DSS involvement, and tickets (need help paying) they will help them with those things and if referred they will see if they are eligible for the program.

Judge Heath shared that they are working on an umbrella organization; part is a community coalition and part will end up as a non-profit organization so that they can use it as a legal entity to put funds into as they receive grants and any other funds to manage how those funds are used in the community. Anyone can be involved, and Judge Heath invited everyone to come.

Judge Heath spoke about the Opioid Settlement Fund and shared that when the funds came into North Carolina 85% of them went directly to the counties (100) to administer within the parameters. The other 15% of the funds went to the Legislature and were redirected to the Department of Health and Human Services. In our area, our portion has gone to the NCOs at East Pointe, and they have been assigned the task of making it available for use. She said she has worked over the last year and one half trying to look at how we can come together and be the best stewards of our money; trying to identify needs and gaps and not funding things that are getting funding in other ways. Judge Heath stated they are working to form a three-county coalition (Wayne/Lenoir/Greene) and it looks mainly able to do in Lenoir and Greene and may expand in the future.

Mayor Hardy asked what the allowed time in the program was for H and I felons. Judge Heath stated that it was estimated to take 14 to 18 months to complete the program and stated that it was five phases for completion. They will see her in court every two weeks, will speak to a case administrator many times per week, will be randomly drug screened at least twice a week, and are still on probation. Mayor Hardy asked what happens if there is a violation while in the program. Judge Heath states there are policies and procedures and responses to the identified behaviors. If they do not get on board with the program they can serve their sentence.

Mayor Pro Tem Hardy thanked Judge Heath for the update. Judge Heath stated that the war on drugs from the 90s is not working and they are working with law enforcement to get treatment in the jails, and other things. She announced that on Thursday, at the library at 6 pm, there would be a part of a mental health awareness series: Mind Over Matter. The topic will be the Impact of the Opioid Crisis – A Community Conversation.

2. Update on The GATE ----- Donna Hardy, Director of The GATE

Rick Vernon, Co-Chairman of The GATE stated he has been involved with The GATE indirectly and directly since its inception. He has spent 20 years on morning television interviewing visionaries with great ideas for young people in this community and has seen a lot of great things happening. Now he is directly involved in The Gate along with a great board of directors. He said they are excited and thanked the Council for allowing them to come and update them on what is happening with the mission, the vision, and the successes that have been heard about. He shared that he was on the lawnmower for several years and also knows how that felt.

Donna Hardy said she came back to The GATE in September of 2022, and they had 5 to 8 kids on a Friday night and last Friday night there was almost 70 present. Each Friday night they come together as a family. They share meals, experience family time, and sit around talking

since kids are more likely to take advice and correction (if needed) from an adult other than a parent. They bridge communication gaps and foster transparency and honesty within The GATE family. This helps to teach life skills, and conflict resolution and builds confidence. Ms. Hardy shared an issue with one of the participants regarding his brother being bullied. They talked about it as a family (kids, staff, and volunteers) and gave him thoughts about things to do that he may not have known to do otherwise. They are challenged to be the change they want to see. Ms. Hardy mentioned other things that were happening were the current tutoring, the YEP (Youth Enrichment Program) program at Carver Court and Jack Rountree will be moving to The GATE as they partner. They are going to Fayetteville State University for a campus visit in April, in June or July they will attend two to three campuses (blessing from Mr. Al Sutton) with a special event of their choice and dinner. She stated they want to expose the kids to new experiences to help them see beyond themselves and consider the world around them. She shared the accomplishments of Ms. Washington (Kinston High) in theater and academics, Ms. Hooker (South Lenoir) in sports, and Mr. Smith (South Lenoir) in theater in New Bern. They will be creating a praise and worship and drama team. Ms. Hardy the Boys to Care Lawncare Ministry has been rebranded to the Boys to Men Community Outreach that will be serving and working to give back to the community and empower young men to experience the importance of belonging. There will be two new bible studies starting next month: one for the younger ones and one for the older ones. The GATE hot dog wagon which will be seen during the summer in the parking lot will teach life skills and a sense of responsibility in the workforce. In June or July, they will visit Camp Caroline and through a donated scholarship fund 10 youths (high schoolers) will attend a camp at the Refuge called Unashamed. She shared that they hope to attend Erasing the Lines and would like to do the Small Town at the Refuge. They are in the process of remodeling a room for a calming center and a prayer room which was suggested by Councilmember Solomon. They feel that it is a necessary part of the facility and speaks to The GATE’s awareness of mental issues of anxiety and depression. Ms. Hardy noted that she teaches a girl’s bible study on Mondays and as a result, some of those girls come to the gate. She thanked the City for blessing them with the building called The Gate. She stated that because of the hearts to serve and give back to others, the kids’ lives have been forever changed. Ms. Hardy said the wrapping of the building on the outside will speak to what is found on the inside, and that is safety, love, acceptance, and family.

Mayor Hardy thank Ms. Hardy for her heartfelt words.

ACTION AGENDA

- 1. Consider Approval for Multiple Wraps to be Installed on the Outside of The GATE Building. The GATE will be Responsible for its Purchase and Maintenance at no cost to the City of Kinston ----- Rhonda Barwick**

Rhonda Barwick, City Manager stated at the last Council Meeting they received information from Ms. Sue Ellen Maddux on behalf of The GATE regarding a wrap they have designed and have funds for and asked for the Council’s approval to put it on The GATE building.

Councilmember Suggs clarified the City’s support of The GATE. He stated that the City has spent about \$170,000 on utilities and maintenance since 2011, plus an additional \$28,000 that is budgeted for this fiscal year. There are about \$2,000 in annual insurance premiums and at least \$211,000 in enhancements between 2007 and 2010. The building is valued at \$992,000

for our insurance and said this is a substantial in-kind service to The GATE. His concern is that there has not been a formal agreement in place between the City and 'the GATE since 2011. That agreement was a service agreement and was not a t lease for the facility., band an agreement for The GATE to operate the facility and administer some funds associated with a grant that the City and The GATE received jointly at that time. The agreement as mentioned puts the responsibility on the City for all the utilities, maintenance, and upkeep. Mr. Suggs referred to several agreements with external partners that have not been reviewed for quite some time and felt that this was an opportune time to revisit the agreement with The GATE since it has not been reviewed since 2011 to assure that we have something that protects The GATE (tenant) because there is no lease. That is in the best interest of the City and The GATE, and it can be reviewed regularly. He stated that all agreements need to be enforced as well. Mr. Suggs said that this should not be voted on until there is a lease in place.

Councilmember Swinson stated he was in favor of doing the wrap. He stated they are getting a grant and there is no cost to us; the grant time is running out. He said to approve this tonight, have the attorney come up with a lease, and come back to the next Council meeting to discuss it. Mr. Swinson said with or without a lease, we must give the tenant a certain time to vacate the premises.

Mayor Hardy asked the attorney if we have complete discretion over the building and Mr. Cauley stated there was no question, it was a City-owned building. Mayor Hardy stated that we can approve things subject to whatever is decided.

Councilmember Aiken said he concurred with Councilmember Swinson that enhancing the outside of the building will be a great thing for the city.

Councilmember Suggs added that the City Attorney has provided the Council with a draft and asked if it had been shared or if there had been any communication between The Gate and the City. Mr. Cauley said he prepared the draft for some of the mentioned reasons and forwarded it to the Council for review. He did not think it has been circulated outside of that circle. He stated that he made several assumptions because he did not think there had been any negotiations or discussions about the terms. He encouraged the Council to consider it a rough draft.

Mayor Pro Tem Hardy asked was that typical to have a use agreement and not a lease. Mr. Cauley said when real property is involved it is more typical to have a lease agreement and it may include similar or even the same terms. But there would also be language about property rights.

Councilmember Suggs said he has no objection to the mural, but as a city, we need to do a better job of actually having agreements and contracts in place because these are the resources of the citizens that live in Kinston. He shared that he did not want folk to think that the City, the Council, or a particular individual did not support the organization, but his issue is making sure that the City and the folks utilizing the buildings are protected. His opinion is to move to approve the mural installation but would like to make a *motion to postpone the item until a lease is agreed to*. They have a draft copy that can be tweaked and approved at the next meeting. He has not seen where a tenant is allowed to modify and approve a facility when no lease agreement is in place.

Mayor Hardy asked Mr. Cauley if this can be approved subject to a lease agreement. Mr. Cauley answered that it could be approved on that basis, but is not sure how that affects the timing of the wrap project. He added that the relationship with The GATE is probably different than some other relationships given the history and the number of years they have been operating out of the facility. The conduct has been similar to what you would have had had you had a formal lease.

Mayor Pro Tem Hardy thanked the members in attendance to represent The GATE. He stated that the efforts that have been put forth are appreciated and he wanted to move forward with placing the mural on the building.

Mayor Hardy stated the motion was on the floor to approve the wrap subject to a lease agreement. Councilmember Swinson seconded the motion. Councilmember Solomon asked to have the motion repeated.

Councilmember Suggs made the motion to approve the installation of the mural subject to the lease agreement being in place. There was a discussion on the wording of the motion to clarify if that meant until the lease agreement was in place. Councilmember Solomon said she understood Councilmember Suggs to say that the wrap will be installed on the building once the Council has reviewed the lease agreement. Mr. Suggs stated that was the motion that was made and seconded. Councilmember Swinson said he would like to rescind his second to the motion as he was not under that impression.

Upon a roll call vote of (Councilmembers Solomon, Aiken, Swinson, and Mayor Pro Tem Hardy – NO, and Councilmember Suggs – YES [4-1], the installation of the mural subject to the lease agreement being in place failed.

Councilmember Swinson made a motion to approve the wrap with the attorney to come back with the lease at the next council meeting for approval, seconded by Councilmember Solomon.

Councilmember Suggs asked if they would like to include a timeline for when the lease should be in place. He discussed other handshake agreements, verbal agreements between the City and other community partners that it does the citizens, and the partners impacted by the agreements a disservice. Mr. Suggs said the draft copy of the lease needs to be reviewed, have some communication between The GATE and the City, and set a timeline for the lease to be approved between the City and The GATE. It needs to be stated clearly that that is our plan of action.

Mayor Hardy asked if the motion was stated “by” the next meeting. The Clerk noted that it was stated “at” the next meeting. Councilmember Suggs suggested giving the members of the board for The GATE a full month and returning at the first meeting in April

Mayor Pro Tem Hardy shared that there are some issues in general with how business is done and if we are going to move forward, we must set guidelines for everyone so that everyone is on the same playing field. When we do not, it looks like favoritism is being shown. If the motion is made, then it will apply to all.

Councilmember Swinson asked since we have the Board of Directors here from The GATE, could we get a reply from them regarding if they think the timeline is appropriate? Sue Ellen Maddux thanked everyone for their consideration. She stated when this was done, most of them that are currently on the Board were not on here when the 2011 document was put in place. They were not aware of the terms of the agreement. Ms. Maddux said she has told each of the council members that they would like to wrap the building and were willing to come to the table and take as much time as needed to get a contract which would be for their protection as well as the City's. She also stated that they would like to also see the budget because they were never privy to the expenses. She stated that they do need more than two weeks, and a month is probably too short given schedules.

Upon a vote of 4-1, the motion to approve the wrap with the attorney to come back with the lease at the next council meeting failed.

Councilmember Swinson made the motion to approve the wrap and let the City Attorney and the Board of Directors get together to come up with the lease or agreement moving forward with the City and The GATE, seconded by Councilmember Aiken. The motion was approved after a roll call vote (Councilmembers Aiken, Solomon, Suggs, Swinson, ad Mayor Pro Tem Hardy – YES).

2. Consider Review and Approval of List for Bids and Economic Development Projects

Elizabeth Blount

Elizabeth Blount, Planning Director stated that staff was directed to revise the list of City-owned properties. Some have been removed and the list has been divided into two lists: one list of properties advertised for bids and the other for future development projects. The list advertised for bids consists of 16 vacant lots located throughout the city. The economic development list is comprised of 23 properties located primarily along Martin Luther King, Jr. Boulevard and some outliers in the Uplands Park area. Ms. Blount said there is a cluster of properties on Tulls Ally and another around Caswell Street. She presented a map of both lists and expressed that there are no houses on the lots. Parcel 10279 (at N. East Street and Grainger Avenue corner), and parcel 11917 Dr. Martin Luther King, Jr. Boulevard (mentioned earlier at Bonnie Bass Church) have been removed from the list because the staff is researching agreements for those properties. Also shown was the map for the economic development properties. Two properties that were added to the list from the last meeting were on N. Queen Street and Bright Street in pink on the map shown. Ms. Blount stated a lease agreement with New Beginnings Church expired in 2013 - the old fire station and empty lots near it. The properties at Uplands Park are on the list but may not be advantageous to develop due to their location behind existing homes. Pictures were shown of some of the economic development properties. She stated that neither list included properties that are dedicated to economic development projects, properties located in a flood zone, or purchased using FEMA Hazard Mitigation Grant Program, HUD buyout funds, or other state or federal flood mitigation funds and a list of those will be developed later. Ms. Blount commended the council for establishing the advertising for bids policy. It provides a clear, consistent, and fair method of tracking City-owned properties that were sold. She presented the city-owned properties for bids to the Council for approval along with providing the staff permission to continue advertising strategies as listed in the policy statement for these properties. Also, Ms. Blount suggested that the Council establish a strategic plan for the economic development properties before advertising the list for requests for proposals.

Councilmember Swinson asked to review the picture shown of the property on the corner of Caswell and MLK and stated that Ms. Barwick will do some research on that property.

Councilmember Suggs thanked Ms. Blount for compiling the lists. He asked that when the list is published there is a note of clarification that this is not a complete list of all City properties, but the ones that we are advertising for upset bids at this time.

Mayor Pro Tem Hardy thanked Ms. Blount for her work to get us to a point where everybody understands where we stand as a City Council about what we want to do with these properties. Councilmember Solomon thanked Ms. Blount as well and noted that she was making the City Manager look good.

Councilmember Aiken asked if the properties in the Lincoln City area (flood zone) would eventually be sold and turned into waterfront property. By elevating the property about six feet off the ground. Mr. Cauley stated that the property is restricted by the terms of the federal funds that were used to acquire the property. It cannot be built upon. Councilmember Suggs clarified that there are certain uses and shared that some communities have used FEMA flood buyout property for agricultural uses and if anyone has some lofty ideas, that is something we may explore at some point.

Councilmember Suggs reminded the Council that in July of last year, they received a request from Act Now Community Development Corporation, a non-profit led by Ms. Hernika Pittman Cannon for the conveyance of the lot on N. East Street, and asked for an update on that. Ms. Barwick said that she has been working with the City Attorney's office and Ms. Cannon. It is not on the list and has been reserved for Ms. Cannon. Mr. Cauley said the first issue that was looked at was that there had been some Council conversation in prior years about holding that property for additional parking for the stadium. It has been determined that was not an impediment at this point. That property was initially part of the Adopt a Vacant Lot program and there was thought under that program that when a person maintains a lot for several years there might be an opportunity to convey it. The property conveyance restrictions still apply under the statute of how you can dispose of the property. There are some additional possibilities when you are dealing with the conveyance to a non-profit, and we are looking to see if that might be an opportunity. Mr. Cauley asked to confirm that there was no interest in trying to hold on to the property for additional parking. Mayor Hardy said he felt the Council was not interested.

Councilmember Swinson said the Council has made several text amendments and it needed to be discussed. He noted that the zoning laws are put into effect for certain reasons or purposes, and they are making changes to the text amendments and felt the Planning Board and the Council need to be updated. When a text amendment is done, we are opening up the entire city to do something. The example given was that we are now allowing a tattoo parlor to be next to someone's house. When businesses come, he thinks that before they buy or sign a lease they need to check with the Planning Department to make sure it is zoned correctly. He stated that the Planning Board is only an advisory committee. He would like for Ms. Blount to advise the Planning Board and the Council going forward. Ms. Blount stated that on the agenda for the Planning Board meeting on Monday, there is a discussion item about training.

Mayor Hardy thanked Ms. Blount for her work. Ms. Blount asked for a vote to approve the advertisement for bids list.

Mr. Cauley said he wanted to put an asterisk beside the Uplands common area. Ms. Blount clarified that it was not the common area, it was one parcel off to the left between two homes.

Councilmember Suggs made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [5-0], the list presented of city-owned properties advertised for bids was approved.

3. Consider Acceptance of Funds from NC Housing Finance Urgent Repair Program (URP22) and Authorize the Mayor and/or City Manager to Sign All Necessary Documents
Elizabeth Blount

Elizabeth Blount, Planning Director said the City has been awarded \$132,000 by the NC Housing Finance Agency for the Urgent Repair Loan Program. The program is to assist with emergency home repairs and modifications for very low-income homeowners. This is a forgivable, interest-free loan program. This is just for homes located in the city. There have to be full-time household members with special needs. The special needs are 62 years of age or older, disabled, a veteran, or a family with five or greater members, along with a household with a child under the age of six that may have lead hazards. The household income must be less than 50% of NC Housing Trust Fund limits and must qualify as an urgent repair need. The repairs cannot exceed \$12,000 and there is no minimum with \$3,000 of the loan being forgiven every year. The types of improvements include accessibility modifications, electrical or plumbing system hazards, structural system failures (porches, roofs, or steps), or eminent threats to life and danger. The applications will be available on March 20th, the submission deadline is April 30th, and the homes should be selected by May 31st.

Councilmember Aiken asked how the applications would be accessed. Ms. Blount said they will be online and printed. They have been put in the customer service area and advertised in the newspaper in English and Spanish flyers.

Councilmember Swinson made the motion, seconded by Councilmember Aiken, and upon a unanimous vote of [5-0], the acceptance of funds from the NC Housing Finance Urgent Repair Program (URP22) and authorization for the Mayor and/or City Manager to sign all necessary documents was approved.

4. Consider Adoption of Special Revenue Ordinance for NCHFA URP Project (C2124)

Donna Goodson

Carol Bell, Assistant Finance Director presented an ordinance to establish a Special Revenue Fund for NCHFA-URP for \$132,000 awarded by the State grant with the expenditures of the urgent repair cost of \$132,000.

Councilmember Swinson made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [5-0], the Special Revenue Ordinance for NCHFA URP Project (C2124) was approved.

**AN ORDINANCE ESTABLISHING THE SPECIAL REVENUE FUND
NCHFA URGENT REPAIR PROGRAM (C2124)**

WHEREAS, on February 8, 2023, the North Carolina Housing Finance Agency through their Urgent Repair Program (URP) awarded the City of Kinston a grant to provide funding for urgent home repairs to owner-occupied homes of individuals of low income residing within the city limits of Kinston, and

WHEREAS, the grant award requires the City establish a special revenue fund to account for the expenditures of the project.

THEREFORE BE IT ORDAINED by the City Council of the City of Kinston, North Carolina that the following special revenue project budget ordinance is hereby adopted:

NCHFA Urgent Repair Program (C2124)

Revenues:

State Grants	\$ 132,000.00
Total Revenues	<u>\$ 132,000.00</u>

Expenditures:

NCHFA Urgent Repair Costs	\$ 132,000.00
Total Expenditures	<u>\$ 132,000.00</u>

Adopted this 7th day of March, 2023

5. Consider Adoption of Special Revenue Project Ordinance for NCHFA Essential SRF Loan Pool----- Donna Goodson

Carol Bell, Assistant Finance Director stated this is to establish an ordinance for the Single-family Essential Rehabilitation State Grant for \$162,000 with expenditures of repair costs of \$162,000.

Councilmember Aiken made the motion, seconded by Councilmember Swinson, and upon a unanimous vote of [5-0], the Special Revenue Ordinance for NCHFA Essential SRF Loan Pool was approved.

**AN ORDINANCE ESTABLISHING THE SPECIAL REVENUE FUND
NCFHA 2016 ESSENTIAL SINGLE-FAMILY REHABILITATION (C2117)**

WHEREAS, on July 1, 2022, the North Carolina Housing Finance Agency awarded the City of Kinston a grant to provide interest free, deferred-forgiven loans to Program-eligible homeowners to pay for certain rehabilitation costs to an owner’s house, and

WHEREAS, the grant is a pass-thru from the U.S. Department of Housing and Urban Development agency’s HOME Investment CPD federal award project and as such requires the City establish a special revenue fund to account for the expenditures of the project.

THEREFORE, BE IT ORDAINED by the City Council of the City of Kinston, North Carolina that the following special revenue project budget ordinance is hereby adopted:

NCHFA 2022 Essential Single-Family Rehabilitation (C2125)

Revenues:	
State Grants	\$ 162,000.00
Total Revenues	<u>\$ 162,000.00</u>
Expenditures:	
NCHFA Urgent Repair Costs	\$ 162,000.00
Total Expenditures	<u>\$ 162,000.00</u>

Adopted this 7th day of March, 2023

CITY MANAGER’S REPORT

1. Update on Lights and Economic Vitality Committee ----- Leon Steele

Leon Steele, Executive Director of Downtown Kinston Revitalization showed a rendering of the mural for the building at the memorial garden. It will be the backdrop for the memorial garden and will be right across from the children’s playground. Mr. Steele said that the landscaper will start tomorrow. He shared the list of contributors for the lights and stated that the lights will be ordered by the end of the week. He said that the Economic Vitality Committee has a lot of issues to address throughout the MSD (building conditions, codes, etc.), and the committee will discuss the issues, compile a list of needs and priorities and the subcommittees will address different things of special interest to them. Mr. Steele said that for the southern section of South Queen Street, the things to address are the brownfield areas, look at the pedestrian connectivity of the Music Park to Pearson Park. Then they will attack other things such as landscaping, beautification, and new development.

Mr. Steele announced that there will be a downtown cleanup scheduled for March 25th. He encouraged volunteers to sign up and said there are several groups signed up. He said they are hoping people will adopt a block and if anyone wants to sign up, contact him at Downtown Kinston Revitalization, Facebook Messenger, leonsteele17@suddenlinkmail.com, or 252-522-8003.

Councilmember Swinson asked about the Duke Energy site off Caswell Street and wanted to know the status of that. Ms. Barwick said she did not have any new information, but when she, the Mayor, and Mayor Pro Tem met with the County, Adam had done some research on it, and they are looking to revisit that. She confirmed that Duke does still own it.

CITY ATTORNEY’S REPORT

There was no City Attorney’s Report

MAYOR AND COUNCILMEMBER REPORT

Councilmember Aiken talked about Nick Askew making the cover of Sports Illustrated as the swim coach for Howard University and announced that Jerry Stackhouse, one of our basketball players was voted Coach of the Year.

Councilmember Aiken asked the Police Chief to give an update on the dogs. Chief Goyette said their traps were stolen but were recovered and they have been placed back out for the main location of a lot of complaints (Tower Hill Road and Adkin Street). Chief Goyette said they have recovered six dogs and there are still more. He shared that they cannot be tranquilized because we do not have anybody certified to do that. We should have someone certified to utilize the tranquilizer gun. They have advertised for two positions for Animal Control Officers so they will have 7-day service, depending on applications. Chief Goyette stated that they have a trap set in Ms. Fields’ yard, and traps have been placed throughout her neighborhood. They have not been extremely successful in that neighborhood, but there have been people cited for having off-leash animals. This is an issue throughout Kinston, and he has met with the County to discuss working with them. He shared that when you have cat colonies, there will be dogs in the area. Mr. Aiken asked about using something other than dry dog food and Chief Goyette stated the food has been changed three times. Mayor Hardy thanked the Chief and his team for their work on this issue. Mr. Aiken inquired about the leash law and Mr. Cauley stated there is an ordinance. Councilmember Suggs thanked Chief Goyette for the update and shared with the community members that the proper way for reporting is to go through the non-emergency number at 252-559-6118. Mr. Suggs said that when you look up animal control the only number that shows up is the Lenoir County Health Department. Something that can help is to add a tab to our website with our number and when animal control is searched our number will show up too.

Councilmember Suggs congratulated the Winston Salem State University men’s basketball team on their CIAA championship. Kinston’s Isaac Parson and Jerry Dixon were on that team. Mr. Suggs also revisited the animal control issues and asked the community to rest assured that they are working on it. He encouraged the community to come to our meetings to learn, to share, and to hold them accountable. Mayor Pro Tem Hardy said that council members only

have one vote and one voice. He shared that everyone needs to make an effort to come out and address the issue that affects them. He said they are here to serve the community as best they know how and are working on their behalf. Mr. Suggs encouraged the community to be as solution oriented as possible. He stated you do not have to be elected to have ideas or to present a policy or ordinance change to the Council.

Ms. Barwick shared that she will be speaking at the Rotary tomorrow and will share the things that the Council accomplished this past year so we can get the word out.

Mayor Hardy thanked the Department Heads for all they do and Pastor Bradshaw for giving us the prayer this evening. He thanked everyone for showing up at Lenoir County Schools for Read Across America to read to our youth. He also thanked Public Services for applying for grant funding that was awarded to us for \$2 million for Flood Mitigation to help with the Adkin Branch. He thanked everyone involved that advocated for us.

Councilmember Aiken asked Mayor Hardy to expound on Fairfield Park. Mayor Hardy shared that there was a ribbon cutting today at Fairfield Park for the playground to make it a safer and happier place for the youth and adults to play. Councilmember Swinson said he asked Mr. Povar to bring pictures to the next meeting of the ribbon cutting so we can see the enhancement.

CLOSED SESSION

Councilmember Swinson made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [5-0], the closed session for NC GS §143-318-11 (a) (3) – Attorney/Client Privilege was entered at 7:30 pm

Mayor Pro Tem Hardy made the motion, seconded by Councilmember Aiken, and upon a unanimous vote of [5-0], the Kinston City Council returned to open session at 7:41 pm

ADJOURNMENT

Councilmember Swinson made the motion, seconded by Councilmember Aiken, and upon a unanimous vote of [5-0], the Kinston City Council meeting was adjourned at 7:44 pm

Respectfully submitted,

Debra Thompson, City Clerk