

**MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF KINSTON, NORTH CAROLINA  
MONDAY, MARCH 1, 2010**

The regular meeting of the Kinston City Council was held on Monday, March 1, 2010 in the Council Chambers at City Hall. Mayor BJ Murphy called the meeting to order at 7:00 pm and extended his sympathy to Councilmember Tyson's family for the loss of his mother-in-law. Councilmember Swinson gave the invocation, followed by the Pledge of Allegiance.

Those Present: Councilmembers Bobby Merritt, Robert A. Swinson, IV, and Alice S. Tingle; Mayor Pro Tem William W. Barker and Mayor BJ Murphy.

Those Absent: Councilmember Joseph M. Tyson

Also Present: Scott A. Stevens, City Manager; James P. Cauley, III, City Attorney and Carol L. Barwick, City Clerk.

**ADOPTION OF THE AGENDA**

Councilmember Tingle reported there is additional interest in the Planning Board vacancies. She then moved to adopt the agenda with the following revision to Item 1 under Appointments: (1a) Consider reappointment of John Hickman to the Planning Board for a second three year term effective September 1, 2009 and ending August 31, 2012, and (1b) Consider appointment of two of the following three candidates to fill the two vacant city resident seats on the Planning Board for new terms effective March 1, 2010 through February 28, 2013: Hilary Greene, John Nix or Greg Hannibal.

Mayor Pro Tem Barker seconded the motion, which passed by unanimous vote.

**PRESENTATIONS AND RECOGNITION**

There were no presentations at this meeting.

**CITIZEN COMMENT**

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

**MINUTES**

- I. Consider approval of the Minutes for the Kinston City Council meeting held February 15, 2010 ..... Carol Barwick

Councilmember Swinson moved to approve the Minutes of the February 15, 2010 Council meeting. Councilmember Tingle seconded said motion, which passed by unanimous vote.

**ACTION AGENDA**

1. **Consider approval of a Point of Distribution Agreement between the City of Kinston and Lenoir County, and authorize the Mayor to execute same, subject to review by the City Attorney . . . . . Annette Boyd**

Councilmember Tingle moved to approve the agreement subject to the conditions outlined above. Mayor Pro Tem Barker seconded the motion, which passed by unanimous roll call vote.

2. **Consider acceptance of the Golden LEAF Foundation grant agreement related to Herritage Street improvements and authorize the City Manager to sign necessary documents, subject to review by the City Attorney . . . . . Rhonda Barwick**

Councilmember Tingle moved to accept the agreement subject to the conditions outlined above. Councilmember Swinson seconded the motion, which passed by unanimous roll call vote.

3. **Consider acceptance of the Golden LEAF Foundation grant agreement related to Dr. Martin Luther King, Jr. Blvd. improvements and authorize the City Manager to sign necessary documents, subject to review by the City Attorney . . . . . Diadra Powell**

Councilmember Tingle moved to accept the agreement subject to the conditions outlined above. Mayor Pro Tem Barker seconded the motion, which passed by unanimous roll call vote.

4. **Consider adoption of a Resolution for grant funding from NCDOT for sidewalk improvements to Dr. Martin Luther King, Jr. Blvd . . . . . Diadra Powell**

Councilmember Tingle introduced the following Resolution:

**Resolution Requesting Sidewalk Improvements  
to Be Funded by North Carolina Department of Transportation,  
Division of Highways**

**WHEREAS**, North Carolina Department of Transportation officials have notified the City of Kinston that funds are available for local sidewalk improvements: and

**WHEREAS**, Dr Martin Luther King, Jr. Blvd/(NC11) is a major artery for our community, for both vehicles and pedestrians: and

**WHEREAS**, the sidewalk improvements along Dr Martin Luther King, Jr. Blvd/(NC11) are a part of an enhancement project for Dr. Martin Luther King, Jr. Blvd/(NC11): and

**WHEREAS**, Dr. Martin Luther King, Jr. Blvd/(NC 11) is a state maintained highway, the Kinston City Council must make its recommendation to the North Carolina Department of transportation to consider improvements to said road;

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED**, that the Kinston City Council requests the North Carolina Department of Transportation consider the construction and funding of sidewalk improvements along Dr. Martin Luther King, Jr. Blvd/(NC 11).

Adopted this the 1<sup>st</sup> day of March, 2010.

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Carol L. Barwick, CMC  
City Clerk

Councilmember Swinson moved to adopt the foregoing Resolution, seconded by Mayor Pro Tem Barker. There being no discussion, said Resolution was adopted by unanimous roll call vote.

**APPOINTMENTS**

- 1a. (Amended) Consider reappointment of John Hickman to the Planning Board for a second three year term effective September 1, 2009 and ending August 31, 2012 . . . . . Amanda Engesether**

Mayor Pro Tem Barker moved to appoint Mr. Hickman to a second term on the Planning Board as outlined above. Councilmember Tingle seconded the motion, which passed by unanimous vote.

- 1b. (Amended) Consider appointment of two of the following candidates to fill the two vacant city resident seats on the Planning Board for new terms effective March 1, 2010 through February 28, 2013: Hilary Greene, John Nix, or Greg Hannibal . . . . . Amanda Engesether**

Councilmember Swinson moved to delay consideration of new Planning Board appointments until Councilmember Tyson could be present for the vote. Mayor Pro Tem Barker seconded the motion, which passed by unanimous vote.

- 2. Consider appointment of Dr. Scott Matthews to replace Sue Ellen Maddux on the Parks and Recreation Commission. Dr. Matthews' term will be effective March 5, 2010 upon expiration of Ms. Maddux's second term and will expire March 5, 2013. . Bill Ellis**

Mayor Pro Tem Barker moved to appoint Dr. Matthews to serve on the Parks and Recreation Commission as outlined above. Councilmember Tingle seconded the motion, which passed by unanimous vote

### ANNOUNCEMENTS

Mayor Murphy read the following announcement:

- I. The City Council will hold a Retreat on Monday, March 8, 2010 beginning at 5:30 pm in the Human Resources Training Room, which is located upstairs at City Hall. The purpose of the Retreat is to discuss plans for the FY2011 budget, as well as other matters of interest to the City.

### CITY MANAGER'S REPORT

Mr. Stevens reported that an Ethics Webinar will be available on March 25, 2010 from 4:00-6:00 pm as an interactive session that can be hosted at City Hall if any of the Council has an interest. Access will remain available for thirty days thereafter for anyone not able to attend the initial broadcast. He stated Lenoir County has expressed some interest in participating in the event should the City choose to host the broadcast.

Mr. Stevens announced that Public Safety will host their annual Crime Symposium on March 10, 2010 in the Council Chambers at 6:30 pm. The Symposium will be aired on Channel 2 for anyone who has an interest but is unable to attend the event.

### CITY ATTORNEY'S REPORT

Mr. Cauley referred to the first three items heard under the action agenda, which were approved subject to the City Attorney's review. He stated he has reviewed Items 2 and 3 and those are ready for signature. He stated he is still working on Item 1.

### COUNCILMEMBER REPORTS

Councilmember Swinson stated he had received a request from the Lincoln City group requesting extra patrol of the neighborhood for their reunion on May 30, 2010 between 10:00 am and 8:00 pm.

### CLOSED SESSION

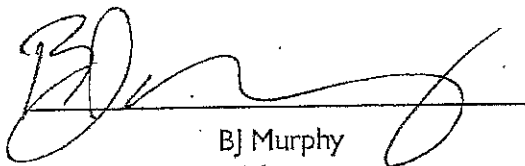
- I. The City Council will now meet in Closed Session pursuant to 143.311-318(a)(4) for economic development.

Mayor Murphy declared the Council in Closed Session pursuant to G.S. § 143-318.11(a)(4) to discuss a matter related to economic development at 7:14 pm.

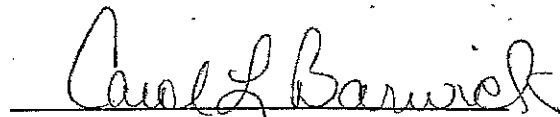
Upon concluding Closed Session discussion, Mayor Murphy returned the Council to open session at 7:34 pm.

**ADJOURNMENT**

There being no further business before the City Council, Mayor Murphy adjourned the meeting at 7:35 pm.



BJ Murphy  
Mayor



Carol L. Barwick, CMC  
City Clerk

