

# Kinston City Council



## MINUTES March 21, 2023

# Minutes

Kinston City Council  
City Hall · 207 East King Street  
Tuesday, March 21, 2023

Work Session at 5:30 pm · Regular Meeting at 7:00 pm

**This meeting was held in person and published electronically at <https://www.facebook.com/KinstonCityHall>  
Available for viewing on the local government channels 2 and 102**

Mayor Don Hardy called the meeting to order at 5:32 pm.

## **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.*

Mayor Hardy shared that Councilmember Swinson would be late due to another appointment.

**Councilmember Aiken made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [3-0], the agenda was adopted.**

Councilmember Suggs requested the addition of a closed session for NC GS §143-318.11 (a) (3) – Attorney/Client Privilege.

## **ITEMS FOR DISCUSSION**

### **1. Swim Club Management: Lions Water Park -----Corey Povar**

Corey Povar, Parks and Recreation Director introduced Zack Brown, Swim Club Management to present an update on the upcoming water park season.

Zack Brown reviewed the goals for the upcoming year regarding safety, cleanliness, staff interaction, and stewardship of the funds. Mr. Brown reviewed the goals which included a survey to capture as many zip codes as possible for an average over the summer of the visitors to the park. The data shows that the visitors are clustered within an hour away from the park with many coming from the city but allowing the continuance of advertising regionally. In 2022 ticket prices were not increased and with increased expenses overall (chemicals, tubes, life jackets, labor, etc.), still contributed to a rise in overall gate revenue. It was also seen that concessions and events increased as well. After the adjustments were made for the 2022 season the operation's net revenue saw a profit of a little over \$379,000. In planning for 2023, they will be more active in 30 to 45 days doing a general cleanup, hanging signs, and all those things to prepare for the season. The completion of the VGB (Virginia Graham Baker) rate changes are 10-year items and will not have to be changed for several years. They will now work with the Health Department regarding that. Hiring to date is overall 77% higher (within the normal range of anticipation) for this time of the season with applications still coming through. The staff return rate is 45%. Mr. Brown said a survey was sent out to 11,000 people and received

a substantial response about key points of the general operation and what people would like to see in future years. The survey had questions about the variety of attractions, concessions, and facility value, ranked from bad to good (1-5), and other generic items to rank in order of most preferred.

Councilmember Aiken inquired about having advertisement space on the park coverings, and Mr. Brown stated there were some advertisements (Bojangles) and that they could look for other opportunities. Mr. Aiken asked about employment opportunities and how to apply. Mr. Brown shared that those interested in employment could go directly to the Lion’s Water Adventure Website (careers).

Mayor Pro Tem Hardy asked who the vendor was, and Mr. Brown answered it was Sugar Hill.

Councilmember Suggs asked if there was information kept on the number of members that utilize the waterpark. Ms. Povar shared that it is not broken out that way but thought he could go back and get those numbers.

Mayor Hardy thanked them for the job they are doing at the Water Park. He shared the feedback of enjoyment he has received on the Water Park.

**2. Kinston Police Department 2022 Annual Report -----Keith Goyette**

Chief Goyette, Kinston Police Department stated the annual report is used to measure their success and how they can improve as an organization. The document can be found on the Kinston Police Department website, and it has the 2020 and 2021 reports as well. He discussed the strategic plan, which can be found on the website also. They will review the strategic plan annually to complete and make sure they are achieving those goals. Chief Goyette discussed DDACTS which is a report that talks about the number of stops, citations, and arrests. He shared that there were 10 homicides last year and they have made arrests in all of them. There were 31 people shot last year and out of those 25 resulted in arrests. He talked about the community events they have and shared that tomorrow there will be a promotional ceremony at Lenoir Community College in the Briley Auditorium at 6:00 pm. There will be four Sergeants, two Captains, a Chief, and several officers recognized. He invited everyone in the community to attend. There are agency awards and there will be a rookie, officer, and supervisor of the year recognized. There is an officer recognized every month.

Chief Goyette discussed that they have applied for and received three grants this year that total about \$195,000. Two grants were received last week from the Department of Justice for around \$48,000 that will be used for training and equipment. He noted that weekly on Facebook they provide crime stats. Chief Goyette stated they are always looking for volunteers (Sentinels), and recognized Carl Cox, Chaplain. He encouraged everyone to review the

document to read about professional standards, recruitment, juvenile justice, training, and animal control.

Councilmember Aiken asked if having chickens was against a City Ordinance and Chief Goyette stated it was. Mr. Aiken shared with the community his definition of DDACTS; there is a map with all crimes occurring being mapped. Chief Goyette stated that it is evidence-based policing. The goal is to put officers in the right location at the right time. If there is a heavy presence at a particular time of day, they are looking at what has happened in the past and are trying to curb crime in that area. Mr. Aiken stated he has had citizens come to him with concerns about the areas that are being policed. Chief Goyette noted that all the calls are citizen-generated and that is where they utilize their personnel. Mayor Pro Tem Hardy shared that it is on the website and encouraged everyone to visit the website to view this information.

Councilmember Suggs cautioned against generalizations (East/West side), as the DDACTS program information from last year shows that it was spread throughout the community. Mr. Suggs asked about hiring a mental health person and if there was any opportunity to work with the County on the issues surrounding mental/behavioral health to strengthen our response. Chief Goyette said they have a meeting scheduled on the 29<sup>th</sup> with several organizations and that is one of the things that will be discussed. Mr. Suggs shared that there was a community-based response program in Durham that the police department piloted last year. It was funded by the city and county of Durham and rather than have police officers respond to calls related to mental health issues, the 911 dispatcher (in some cases) dispatched a licensed clinician or therapist for those situations. He referenced the increase in traffic stops in 2022 from the 2021 numbers (7,500 to 11,675) and asked if Chief Goyette had an explanation for that. Chief Goyette stated that they want to be proactive and get illegal guns off the street.

Mayor Hardy asked if we were still using the Governor’s Highway Safety Program and Chief Goyette said we were. The Office of Violence Prevention has just opened, and he hoped to have someone come down to talk about the resources available on public/mental health and law enforcement.

**3. Consider Approval of an Amendment to the Engineering Agreement for the 540-545 Electric Circuit Upgrade ----- Steve Miller**

Steve Miller, Public Services Director stated they are revitalizing some of the capital improvement projects and one of the projects is upgrading the 540 circuit that runs from the Hull Road substation out toward the Industrial Park and into the county. Additionally, they looked at the 545 circuit in the Vernon Avenue area near Kinston Community Center and wanted to upgrade that at the same time. Originally Booth and Associates started the initial design work in 2021. The project was put on hold because DOT seemed to move quickly on the Hwy. 70 bypass project. The project is on hold and now unfunded with no schedule to proceed. Booth has proposed an agreement to pick up what was originally designed, look at

the increased loads, change the wire size, complete the design, and move this project into construction. The 2021 project budget is in place for 2,341,800 and \$124,775 for engineering. They have used some of the money, and there is a balance of almost \$45,000 in the engineering account, but the new proposal provided by Booth is \$116,100 (not \$116,000). To complete the engineering work, eventually, we will need to increase the engineering funds by \$71,088. There are enough funds within the project to move that amount from the construction account to the engineering account for now. As they get near completion of the design work, they will give an estimate of the full construction cost. When we get the construction estimate Mr. Miller said they will come back and ask for a full project amendment. There are sufficient funds in the Electric Capital Reserve to cover whatever changes there are. He asked the Council to approve the engineering agreement for the circuits 540 and 545 upgrades for \$116,100. Mayor Pro Tem Hardy inquired about a contingency fee. Mr. Miller stated there will be no contingency fee because it is for engineering; construction awards are when we use the contingency fee.

**Councilmember Swinson arrived at 6:09 pm.**

**4. Fairfield Park Playground Update ----- Corey Povar**

Corey Povar, Parks and Recreation Director shared a PowerPoint presentation that reviewed Fairfield Park from opening day in 1993 to the present. The presentation highlighted some projects that Mr. Povar would like to bring back and incorporate into our parks. He shared that industry standards are around the 20-year mark and showed images of safety hazards which has caused them to look at how we tackle the playgrounds, and how we schedule replacements and repairs. Mr. Povar discussed the benefits of having a community installation and shared that there is a better understanding of the cost when you look at the work associated with it. He talked about the placement of and types of pieces that are now installed. He shared that the next big project is Bill Fay and the structure at the end of the month. This will not be a community installation as a company has been contracted for the work. He shared a structure about 75 ft. long and noted that it is about as tall as the highest point of the Nature Center playground. Mr. Povar thanked everyone for their support along the way and for the belief that they were able to complete this.

Councilmember Aiken asked about the status of the gazebo at Holloway. Mr. Povar said they were still working through the insurance on that to offset the cost of rebuilding it. Mayor Pro Tem Hardy said the public will be happy that they will be breaking ground at Bill Fay.

Mayor Hardy thanked Mr. Povar and his team for their efforts and the work they are doing.

**Councilmember Aiken made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [4-0], a closed session for NC GS§143-318.11 (a) (3) – Attorney/Client Privilege was entered into at 6: 24 pm.**

**CLOSED SESSION**

Councilmember Swinson made the motion, seconded by Councilmember Suggs, and upon a unanimous vote of [4-0], the Kinston City Council returned to the open session at 6: 56 pm.

Mayor Hardy recessed the meeting until 7:00 pm.

**RECESS UNTIL 7:00 REGULAR MEETING**

**REGULAR MEETING**

Mayor Don Hardy called the meeting to order at 7:03 pm.

Pastor Khayyam Shepherd, Revive and Restore Church delivered the invocation which was followed by the recital of the pledge of allegiance by everyone.

**Councilmembers’ Roll Call**

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

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

**Absent: Felecia Solomon.**

**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 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.

**THE CITIZEN COMMENT PERIOD WAS MOVED TO THE END OF THE MEETING.**

**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 Suggs requested to have the Citizen Comment period moved to the end of the meeting.**

**Councilmember Aiken made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [4-0], the agenda was adopted.**



**MINUTES**

**Consider approval of the minutes of the City Council meeting held on Tuesday, March 7, 2023 ----- Debra Thompson**

**Mayor Pro Tem Hardy made the motion, seconded by Councilmember Swinson, and upon a unanimous vote of [4-0], the minutes of March 7, 2023, were approved.**

**CONSENT AGENDA**

**1. Consider Approval of an Amendment to the Engineering Agreement for the 540-545 Electric Circuit Upgrade ----- Steve Miller**

**Mayor Pro Tem Hardy made the motion, seconded by Councilmember Swinson, and upon a unanimous vote of [4-0], the Consent Agenda item was approved.**

**ACTION AGENDA**

**1. Consider Approval of Request Fireworks Discharge Permit – flyExclusive Family Day (Grainger Stadium) ----- Damien Locklear**

Damien Locklear, Chief of Fire and Rescue presented a request for approval of a fireworks discharge permit for flyExclusive to have at family day on April 1<sup>st</sup> at Grainger Stadium.

**Councilmember Swinson made the motion, seconded by Councilmember Suggs, and upon a unanimous vote of [4-0], the permit for fireworks discharge was approved.**

**PRESENTATION/RECOGNITIONS**

**Lions Stride Rocking Walk-a-Thon for Diabetes Awareness -----Sharon Axelberg**

Ms. Axelberg announced that the Strides to fight diabetes Rocking Walk-A-Thon is on Saturday from 1-3 pm at Kinston Community Center. She shared that this year there will be a DJ and lots of kid activities. They are raising awareness about Type 1 and 2 diabetes and raising money to help the schools with supplies for diabetic children, send children to camp, and medical scholarships.

Avery Taylor shared that she has had diabetes since the age of 13. She was unable to attend camp because of the lack of staff knowledge on how to care for a diabetic. This caused her to attend a camp for kids with diabetes and she has been going ever since. She related that it was the first time since her diagnosis that she felt she was normal; at school, she was the only one with diabetes and at camp all the kids were diabetic and some of the staff were as well. She

explained that they do the same things as other camps but provide medical attention and includes education on diabetes.

Kelly Cannon, Kinston Community Center shared that she has been on the committee since day one, and this is her fifth year. They have raised a lot of money for kids in our area and adults needing medical scholarships because diabetes is a very expensive disease. They are impacting our kids with the nurses having low boxes at school which allows the teachers not to have to come out of pocket to assist. There are other partners and Piggly Wiggly Retail has given over \$4,000 for this event. She invited everyone to come to the event on Saturday for some fun.

Mayor Hardy read the proclamation followed by a group photo.

**CITY MANAGER’S REPORT**

**1. Urgent Repair Program – Accepting Applications ----- Rhonda Barwick**

Rhonda Barwick, City Manager reminded the audience that they are accepting applications for the Urgent Repair Program. We have received \$132,000 from the NC Housing Finance Agency and the program is intended to provide funding for urgent home repairs to individuals with low income here in the city and the ETJ. The applications are online or in the customer service area here in City Hall.

**2. General Informational Items ----- Rhonda Barwick**

Rhonda Barwick, City Manager announced that the Kinston Public Services Department is running a survey to see how they are doing. The survey can be found online and is shared on social media. Ms. Barwick encouraged everyone to look for that and participate.

Ms. Barwick said a copy of the Downtown Kinston newsletter has been shared in the Council’s package. It gives lots of information that shows what Downtown Kinston is doing. She added if anyone would like to get involved, they love volunteers, and have some vacancies on the Board coming up. They have a cleanup this Saturday, March 25<sup>th</sup>, and asked everyone to look into that.

Ms. Barwick shared that the Police Department’s oath of office ceremony is scheduled for tomorrow night, March 22<sup>nd</sup> at 6:00 pm at Briley Auditorium on LCC’s campus. Everyone is invited to go out and see our new officers and the Police Chief as they are sworn in.

**CITY ATTORNEY’S REPORT**

**There was no City Attorney’s report.**



**MAYOR AND COUNCILMEMBER REPORTS**

Councilmember Suggs said the city has experienced at least four shooting-related incidents over the weekend. He stressed to everyone that this cannot be our norm. He encouraged the community members if they know something to please reach out to the Kinston Police Department's Tips Line to share that information.

Councilmember Suggs gave a shout-out to Queen Street Skate Shop that recently opened at 311 N. Queen Street adjacent to the Chamber of Commerce. It is a retail shop that sells skateboards, tee shirts, skate equipment, etc. It is a unique and fun experience for anyone interested in skating activities. He thanked the owners for opening in downtown Kinston and providing another retail experience.

Mayor Pro Tem Hardy asked everyone to go out to the Visitor's Center. He stated it has been remodeled and the TDA is working to bring events and activities to our city. He said the log kept at the Visitors' Center is surprising as to the number of people that stop in and learn about our city.

Councilmember Aiken thanked the Chief and the Fire Department staff for checking smoke detectors in the community and installing the new 10-year detectors.

Mayor Hardy thanked the Department Heads and shared his thanks for what they do. He thanked the Police Department for their approach to crime and stated that he appreciated their collaboration with the Sheriff Department and the Federal partners. Mayor Hardy thanked Chief Locklear for putting programs in place to put people in positions to succeed in becoming firefighters.

Councilmember Suggs shared that a tour to visit the Public Services Complex and the Wastewater Treatment Plant on Tuesday, April 4th at 9:00 am has been scheduled. He invited the Council to join him on the tour.

**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 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.

**THE CITIZEN COMMENT PERIOD WAS MOVED TO THE END OF THE MEETING.**

1. **Curtis Henderson, 611 N. McLewean Street, Kinston, NC** on behalf of Hope to Destiny for Youth which is a non-profit organization geared toward educating our youth on gun and gang violence, and substance abuse. He announced that on May 27<sup>th</sup> in Southeast Park the Second Annual Simon Bright Reunion will be held and includes activities for the kids, a basketball tournament, and they are feeding everyone. Mr. Henderson announced that they are doing an

Easter Basket and book drive and he asked for donations to be dropped off at Wings and Things at 605 N. McLewean Street. He also asked the Council about the status of the ARP Funding. He asked for someone to contact him with information on that issue.

**Mayor Hardy explained that there would be 3 minutes allowed per individual to speak and in the case of a group, a spokesperson would be decided upon and allowed 5 minutes to speak.**

2. **Dr. Joseph Askew, 607 E. Gordon Street, Kinston, NC** stated that he is a member of the group SOUL (Saving Our Unique Legacy). The community that they live in is in Southeast Kinston (East Kinston) and they would like to improve their properties in the Southeast and East section. Dr. Askew shared some history of the community. The Community Development group came to Kinston some years ago and was supposed to fix the ex-slave house at the back of 607 E. Gordon Street. This property is registered with the US Department of Interior as well as in the US Places for Historical Property and with the State of NC. He stated there was documentation for each Council member to see and study that may help abate the problem we have to date without any further litigation. The funds were applied for (Community Development) and were denied. They had started on 110 Trianon and were supposed to have fixed both properties. Dr. Askew stated they would like to protect the family legacy. This was the first non-profit daycare center in Kinston (Lossie G. Askew's). He took over the operations once his mother became ill and wished to leave the property to his sons.
3. **Kathy Williams, 312 Daisy Lane, Winterville, NC** asked all the members of SOUL to stand. Ms. Williams stated that the committee urged the members of the Council not to tear down 607 E. Gordon Street which is in the Trianon Historical District and registered in the US Department of Interior, as well as listed as a historical place in North Carolina. She noted that the owners are willing to work on the places, or the work is in progress on the home and businesses. The members of SOUL support the preservation of historical places, businesses, and homes. Ms. Williams continued with the position of the SOUL group and stated that they supported the preservation of 607 E. Gordon Street and 110 N. Trianon Street. They have historical meaning, preservation for our youth, and will teach them the history of the city.
4. **Hilda Graham, PO Box 3625, Kinston, NC** stated that they wanted to work with the boys and girls, help with the businesses to improve the community, and not tear it down. She stated the club is about mentoring and setting good role models in the community. Ms. Graham said they are using 607 E. Gordon Street and 110 N. Trianon Street as a place to meet. If we work together people will change with positive influence. She stated that they would like to give back.
5. **Mary Johnson, PO Box 2834, Kinston, NC** asked that the Council consider restoring property in the black neighborhood. The black property that people are renovating with extensive plans to build the community when the properties are properly renovated. The properties are safe and not a threat to the community. Ms. Johnson said they are working together to build up and not tear down. She related that she voted for the members of the council because she trusted them.

And will be there to vote for them the next time, but they must support them; not work against them.

**ADJOURNMENT**

Councilmember Swinson made the motion, seconded by Councilmember Suggs, and upon a unanimous vote of [4-0], the Kinston City Council meeting was adjourned at 7:45 pm.

Respectfully submitted,

Debra Thompson, City Clerk