

**Minutes**  
Kinston City Council  
City Hall · 207 East King Street  
Tuesday, June 7, 2022  
Regular Meeting at 5:30 pm

**This meeting was held in person and published electronically at  
<https://www.facebook.com/KinstonCityHall>**

**REGULAR MEETING**

**Mayor Don Hardy called the meeting to order at 5:35 pm.**

**Mayor Pro Tem Antonio Hardy delivered the prayer followed by the pledge of allegiance.**

**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, Interim City Manager and James Cauley, City Attorney.**

**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. Cary Joshi, 125 W. Blount Street-Apt. A, Kinston, NC. The clerk read the comment submitted by Mr. Joshi requesting an opportunity to address the Council regarding an economic development issue.
2. Barbara Sutton, President NAACP 2876 Hull Road, Kinston, NC expressed her opposition to the proposed 9 pm curfew. She related the impact the curfew would have on the DMC committee currently in place.
3. Tanya Yearwood, 609 Chestnut Street, Kinston, NC addressed the Council regarding her opposition to the proposed curfew. She felt this curfew would meet the needs of the parents instead of the children.
4. Kristal Suggs, 1302 Manchester Road, Kinston, NC spoke to the Council in opposition to the proposed and current curfew. She shared that the city government included community input in the initial adoption of the current curfew and noted that the current curfew did not work.
5. Hinda Moore, 507 E. Bright Street, Kinston, NC discussed that the curfew should be imposed on those under the age of 15. This curfew will punish all children and should include those 16 years of age and up. Ms. Moore next spoke regarding the maintenance of the vacant lots in the city. She noted the lot on the corner of Davis/Bright Street (500 block of Bright Street). Lastly, she shared her concern about police presence at the intersection of Tiffany and Bright Streets during the hours students travel to and from Southeast Elementary School (7:15 to 8:30 am and 3:00 to 3:30 pm).

**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.*

Councilmember Chris Suggs requested the addition of a closed session for a personnel issue (NC GS-148.318-11 (a)(6)).

**Councilmember Swinson made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [5-0], the agenda with the addition of a closed session for a personnel issue was adopted.**

**MINUTES**

**Consider approval of the minutes of the City Council meetings held on May 17 and May 18, 2022----- Debra Thompson**

**Councilmember Suggs made the motion, seconded by Councilmember Swinson, and upon a unanimous vote of [5-0], the minutes with the addition of a closed session for a personnel issue were approved.**

**PRESENTATIONS AND RECOGNITIONS**

**1. Proclamation for June 17<sup>th</sup> Global Garbage Man Day----- Mayor Hardy**

Mayor Hardy read the proclamation and proclaimed June 17, 2022, as Global Garbage Man Day. Mayor Hardy acknowledged the work done by the staff members from the Environmental Department. Those in attendance assembled and photos were taken with the Mayor and Council.

Mayor Pro Tem Hardy thanked the staff for what they do and noted that it is a blessing for them to do what they do.

**2. Introduction of Sylveonna Washington ----- Rhonda Barwick  
(THIS ITEM WAS ADDED TO THE AGENDA)**

Sylveonna Holmes-Washington, Community Development Planner introduced herself and stated she was excited to be here and looked forward to working with the City staff and meeting the members of the community.

**3. Proclamation for National Gun Violence Day ----- Mayor Hardy**

Mayor Hardy read the proclamation and proclaimed June 3, 2022, as National Gun Violence Day.

**4. Proclamation for Small Cities Month----- Mayor Hardy  
(THIS ITEM WAS ADDED TO THE AGENDA)**

Mayor Hardy read the proclamation and proclaimed June 2022, as Small Cities Month.

**5. Proclamation for LGBTQ+ Pride Month-----Mayor Hardy  
(THIS ITEM WAS ADDED TO THE AGENDA)**

Mayor Hardy read the proclamation and proclaimed June 2022, as LGBTQ+ Pride Month.

**6. Kinston 101 Graduation Ceremony-----Lea Mills**

Lea Mills, Director of Human Resources introduced Keegan Huynh who has taken the reins for Kinston 101 since Sarah Arney left.

Keegan Huynh explained that Kinston 101 is a 10-week course for residents of Kinston/Lenoir County about the City’s inner workings. It has been designed to increase their capacity to participate in local government. Mr. Huynh shared that there were 15 Kinston and Lenoir County residents who joined the first session of the program, and 8 members are graduating (attended 8 out of 10 sessions) tonight. He awarded diplomas to those present; Tanya Yearwood, William Moxley, Jr., Wendy Burkett, and Michael Patrick. The presentation of diplomas was followed by photos taken with the Mayor and Council.

**7. Proclamation for Juneteenth 2022----- Debra Thompson  
(THIS ITEM WAS ADDED TO THE AGENDA)**

Debra Thompson, City Clerk read the proclamation and Mayor Hardy proclaimed June 19, 2022, as Juneteenth Day.

**8. City of Kinston Vaccine Program Update ----- Chasity Pate, Program Administrator**

Chasity Pate, Program Administrator introduced herself and expressed that she is excited to get to know everyone. She shared that she has been working with the City since March. Ms. Pate is working with the vaccine program and gave an update on the events that she has taken part in; BBQ Fest, Community Wellness Day (partnering with One to One), and Community Resource Day in the Park (partnering with Kinston Teens). She stated that they had also partnered with Kinston Health which is a national company focusing on increasing equity in medical research. The testing center is now only at Holloway on Monday – Wednesday from 10 am to 5 pm for vaccinations and boosters and this information is posted on the City’s website. Ms. Pate announced there will be a community engagement event sponsored by the City (partnered with AmeriHealth) on June 22<sup>nd</sup>, at Holloway. She thanked Radeas, our vaccine provider and vendor, and stated she will continue to partner with community organizations and continue to host community events.

Mayor Pro Tem Hardy thanked Ms. Pate for her work. Councilmember Suggs said Ms. Pate has been a huge asset with her vaccination efforts. He reflected on the CDBG grant that assisted with the vaccination and testing program and expressed his appreciation for having the funds to hire the Program Administrator. He added that if a vaccination is needed outside of the hours provided at Holloway, reach out to Ms. Pate and she will be able to schedule an appointment or connect you with another provider. Mr. Suggs also encouraged the community organizations, churches, and businesses to host a vaccine clinic. The provider has a mobile van they can take to the events and have the vaccine clinics set up very easily.

Councilmember Aiken asked what the ages of vaccinations were, and Ms. Pate answered that it was 5 and up.

**9. Lenoir County Build 2022 at 925 McCaskill Drive -----Matthew Whittle  
Habitat for Humanity of Goldsboro-Wayne**

Matthew Whittle, Executive Director shared what Habitat for Humanity is and that their vision is to have a community in which everyone has a decent place to live. He stated the mission is to share God's love by building homes, communities, and hope through affordable housing. They have a building homes program (new home construction) and a home repair program that focuses on the exterior of homes, and they are geared primarily toward low to moderate-income families. Mr. Whittle noted that they do not give the homes away but sell them more affordably. He explained the process, various resources, and support needed and given to a prospective homeowner. The State Office of Budget Management offered them the opportunity to work with a flood-impacted family (Beatrice Lane) and provided the land and funding for the project. They have had over 100 volunteers and have raised all but \$13,000 to match the grant that the State gave them. They have been in Kinston/Lenoir County for the last six months and invited everyone to share in the dedication of the house at 925 McCaskill Drive on June 30<sup>th</sup> at 5:30 pm. The dedication will be streamed live on Facebook for those unable to attend. Mr. Whittle extended an invitation to have a conversation as they work to extend their services into Kinston/Lenoir County. The office is in Goldsboro on Walnut Street and their website is [habitatgoldsboro.org](http://habitatgoldsboro.org), email is [executive@habitatgoldsboro.org](mailto:executive@habitatgoldsboro.org), and by phone, he can be reached at 919-736-9592, Ext. 5.

Mayor Hardy and Councilmember Swinson thanked Mr. Whittle for his presence here and look forward to working with him.

Councilmember Aiken asked if there were any plans for multi-family homes to be built. Mr. Whittle stated other affiliates are building those in other areas, but they were not yet in Goldsboro/Wayne.

James Cauley added that this was a parcel owned by the City before Habitat did.

### ACTION AGENDA

**1. Consider Approval of a Special Event for the Juneteenth Community Celebration Jenee Spencer**

Jenee Spencer, Interim Police Chief stated the event would be at the African American Music Park on South Queen Street. The event will be on June 18<sup>th</sup> from 4 to 7 pm and have live entertainment and vendors.

**Mayor Pro Tem Hardy made the motion, seconded by Councilmember Suggs, and upon a unanimous vote of [5-0], the Special Event for the Juneteenth Community Celebration was approved.**

**2. Consider Approval of a Special Event for Summerfest 2022 ----- Jenee Spencer**

Jenee Spencer, Interim Police Chief said the first Summerfest event will be held on June 11<sup>th</sup> beginning at 3 pm. There will be events for kids in the park, followed by a band from 7 to 10 pm. There will be roads closed from Heritage Street to Mitchell Street, up to Blount Street.

Leon Steele, Executive Director of Pride, invited everyone to come out to the kickoff for Summerfest. It starts at 3 pm and goes to 6 pm with a DJ and family events with vendors and live music which will be Breadwine & Blooze Band from Ahoskie. They will be performing from 7 to 10 pm.

**Councilmember Swinson made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [5-0], the Special Event for the Summerfest was approved.**

**3. Consider Amending the Youth Protection Ordinance ----- Jenee Spencer**

Jenee Spencer, Interim Police Chief presented the Youth Protection Ordinance for consideration. The ordinance was adopted in 2006 but has not been strictly enforced in recent years due to concerns from the leadership and citizens of the community such as those we have heard tonight. Chief Spencer said they met with Mayor Hardy last week about the activities that some of the youths are involved in, including becoming victims of violence, perpetrating violence, and weapon offenses. The intent is to encourage parental responsibility for children under the age of 18. She shared the ordinance with one revision related to times that are being proposed (Section 15-15) and read the purpose of the section. It is to protect juveniles from improper influences that prevail after the curfew hours, including involvement with gangs; to protect juveniles from criminal activities that occur after the curfew hours; to protect the public from illegal acts being committed by juveniles, and to define the duties of parents and guardians, and operators of business establishments, and enforcing the ordinance. The policy states, that no person under the age of 18 shall loiter, idle, or remain upon any street, ally, or public place within the City of Kinston between the hours of 9 pm and 6 am (proposed hours) unless such juveniles are accompanied by a parent or authorized adult of lawful age having custody of the juvenile or meeting one or more of the exceptions contained in this policy. Chief Spencer highlighted the exceptions associated with the policy. She asked the Council for consideration of the ordinance upon Mayor Hardy’s request and stated that they are cognizant of and understand the concerns of the community.

Councilmember Swinson discussed not enforcing the ordinance in 2006, imposed fines, did not hold anyone accountable for the fines, the community has been outspoken and do not want it, and how do we differentiate the kids coming into the community from the county. He shared that he felt 11:00 pm would be a better time and was concerned with the strain it would put on our officers. Mayor Pro Tem Hardy noted that he has the same concerns and as a recreation official some of the events are not over until 9:30 pm and the kids may live 30 to 40 minutes away.

Councilmember Solomon added that the right thing to do was to review what is on the books. In considering the crime in the City and the impact it has on the youth, we are supposed to look at what is in place. Ms. Solomon said the community has shared that they do not want the curfew to be the only option. She asked that we take time to produce something, but we cannot leave out the input from the citizens.

Councilmember Aiken revisited a citizen's comment that the children are out of control, and felt that the Mayor was being proactive; trying to do something, and added that we have to do better on parenting. Mr. Aiken said the action of the kids affect what businesses may want to come here. He stated that the City Council is not here for social engineering, but he was for the curfew after discussions.

Mayor Hardy stated when he sees 15–16-year-old males/females with bullet holes throughout their bodies, which sends a signal to him that they are not doing something right; whether it is the parents or whoever. When you see people in the morgue because of their affiliation with gangs, and innocent people killed throughout the community, it signals that we have to do something to protect the folks that live and work in the community. Mayor Hardy was adamant that there is not a program that will change the climate that we have.

Councilmember Suggs said there are 13-14-year-olds that are being affected by gun violence here. Mr. Suggs stated that he did not think the citizens would feel that we were not doing anything if the curfew was not implemented; they would feel that the curfew may not be the best answer. His concern is that this might jeopardize the work that has been done to reduce the disproportionate amount of contact between minorities and the police. Mr. Suggs shared that in 2018 the city applied for and received a grant from the Governor's Crime Commission to help reduce the amount of disproportionate contact between young Black males and the police. He shared that there was a lot of over-policing in our neighborhoods. Mr. Suggs suggested that there are programs within the city that we need to explore, particularly the recreation department. The summer camp programs that we presently have ends at 12 years old and there is a 3-year gap between 13 and 15-years old that young people do not have anything structured to do. There needs to be conversations with the governing body, the parents, and the teachers and bring the youth to the table as well. Mr. Suggs said he did not support the curfew. Councilmember Solomon said that there needed to be meetings outside of the scheduled meetings with the public invited. Mayor Pro Tem Hardy shared that he posted an invitation to have a community meeting at the library recently and only seven people showed up to discuss these issues. He stated if we have forums and citizens do not show up, that is telling the Council to decide.

Councilmember Aiken asked Chief Spencer to expound on over-policing and training in the police department. Chief Spencer said the department uses a form of policing called DDACTS (Data Driven Approach to Crime and Traffic Safety). She said weekly they look at

the stats from the week before of where crime is in the community. This is based solely on calls from the citizens’ 911 calls and not those that are officer-initiated. She feels that this allows the best service to the citizens. Chief Spencer encouraged the citizens to come forward when things happen and said they need citizens to stand up and take their communities back. Ms. Solomon asked if the Police Department has had any conversations with the businesses. Chief Spencer stated they have had conversations.

Councilmember Suggs addressed the DDACTS program and discussed the numbers for March and noted that 700 police stops ended with 532 citations or warnings, and 11 guns were seized. He shared that we needed to see what we can do to prevent crime in the first place.

**Councilmember Swinson made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [5-0], this action item was tabled until further notice.**

James Cauley gave a point of clarification that the ordinance was not formally suspended before, but it has not been enforced for some time. He asked if it is the direction of the Council that the task continues for the time being until the discussion can occur.

**Councilmember Suggs made the motion, seconded by Councilmember Solomon, and upon a unanimous vote of [5-0], to suspend the enforcement of the ordinance in place from 2006 was approved.**

**PUBLIC HEARING – 7:00 PM**

**Consider a Public Hearing on the FY 22-23 Operating Budget ----- Rhonda Barwick**

Rhonda Barwick, Interim City Manager discussed that two budget Council Meetings were held at which the Department Heads shared their requests for the upcoming year. The goal was for no tax increase, no utility rate increases, and to replenish the Fund Balance. The total budget is \$114,355,066. The recommended budget continues the funding of the recent salary adjustments approved by the Council to address recruitment and employee retention. At that time, it was dependent that a continuation of the current \$2.3 million Electric transfer to the General Fund would continue. This return on investment for the City of Kinston owning its electric system and meets all the guidelines and restrictions of the Local Government Commission. In addition, there were 9 positions frozen in the General Fund and 9 positions in the utility-related funds.

Ms. Barwick said this proposed budget covers the mentioned costs and allows for \$788,611 into the General Fund for future needs. The proposal includes a \$300 per month salary increase for the Mayor and Council. During the budget work sessions, the Council requested a review of part-time salaries as well. To increase part-time salaries for those in the General Fund organizations, the transfer of \$788,611 would need to be reduced by approximately

\$63,000 to make that work. The Recreation Director will make a similar request for the part-time employees funded by the County.

Ms. Barwick shared that the City this coming year will incur additional costs to provide group insurance and retirement benefits to our employees. The employer retirement rate increased from 11.44% to 12.17% for non-LEO employees and 12.04% to 13.04% for LEO employees. Group insurance rates increased from \$690 per month to \$708 per month (employer share) with no increase for the employees. These adjustments were received after the departmental submittals, but have been included in the Manager's Recommended Budget. She mentioned the effects on the cost through supply chains, fuel, and maintenance contracts that are seen throughout the budget.

Some other key points involved in the budget detailed by Ms. Barwick were road resurfacing, Kinston Community Center's first of 15 reimbursement payments to the Electric Fund and the Water Fund's first of 10 reimbursement payments to the Electric Fund for their share of the SmartGrid Project. The request for an additional Wastewater Treatment Plant Operator position in the Sewer Fund, a part-time position in the City Clerk's Office, and continued funding for a Public Information Officer (moved to the City Manager's Office budget) are included. Ms. Barwick also discussed the addition of a full-time in-house City Nurse for a \$14,000 per year cost saving. She shared that the Queen Street maintenance contract can be continued for next with the remaining funds from the project, but the following year's funds will need to be in the operational budget. The budget allows the financing of General Fund rolling stock for \$760,000 and continues the City's practice of every other fiscal year obtaining a loan for rolling stock (vehicles). Ms. Barwick addressed the American Rescue Plan funds in that they have provided for needed capital improvements and equipment and stated many needs still exist. She referred everyone to the Capital Outlay Summary to view the complete comparison of what was requested and what is included in the recommended budget. She said this budget continues \$50,000 for demolition to continue our neighborhood beautification efforts, and \$50,000 to continue the contract with UNC-Development Finance Initiative (Marcia Perritt) to continue the projects she works on with us.

Ms. Barwick informed everyone that a copy of the proposed budget is on file in the City Clerk's Office for public inspection and posted on the City's website. A copy has been placed in the Neuse Regional Library and tonight the Council should receive comments from the public on the Manager's Recommended Budget. She stated once the comments are received and considered, the Finance Director and she will work on a budget ordinance that will be ready by the June 21<sup>st</sup> Council meeting. She emphasized that we must have a budget adopted by June 30<sup>th</sup>.

Councilmember Solomon asked to look at the State maintained medians in the area and ask the State to take care of those things they are responsible for. She also addressed setting dates for strategic planning meetings for short/long-term goals. She expressed that we have to be the first partakers in revitalizing and touching southeast Kinston. Mayor Hardy shared that

the Lenoir County Transportation meeting is on tomorrow and they will look at the schedule for resurfacing roads and maintenance by the State; he suggested when we see it, to report it. Mayor Hardy said there will be a four-way stop in place at J.P. Harrison and Tower Hill Road effective June 16<sup>th</sup>. Ms. Barwick clarified that the City cuts the grass at Highway 70/Vernon Avenue Bypass. It was the State's responsibility, but with budget cuts and the Council not being satisfied with when and how it was cut, we ended up taking it over. This was done with Queen Street to Highway 70 as well and will address this issue with the State again. Ms. Barwick stated the money to maintain the Queen Street landscaping estimate is \$13-15,000 per year. The agreement with the State will not take care of that and she stated if we had volunteers, that would be great. Councilmember Aiken asked if the court system has community services workers that may be able to assist with the landscaping. Councilmember Suggs said the landscaping needs to be done by a professional.

**Mayor Hardy opened the Public Hearing at 8:08 pm. and with no one to speak in favor of or opposition, the Public Hearing was closed at 8:09 pm.**

Councilmember Solomon asked what the baseline was for the part-time employee increase. Ms. Barwick stated the change in the budget would be \$63,000. Mr. Povar shared that the discussion was to move those currently at \$8.00 to \$8.50 and those at \$8.05 to \$8.45 to be moved to \$9.00. He explained that other positions that have supervisory duties, lifesaving capabilities, and require Red Cross training will be adjusted by percentages. Ms. Goodson added that there are seasonal, part-time, and permanent part-time employees with different pay scales. Mr. Povar sent the message that this is a pool that is used for full-time employee selection. Councilmember Suggs asked if they would be able to get a list of the part-time workers with a breakdown of what the raises will look like.

**CLOSED SESSION**

**Councilmember Swinson made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [5-0], the Kinston City Council entered into a closed session for North Carolina General Statute 143-318.11 (a)(6) – Personnel at 8:16 pm.**

**Councilmember Aiken made the motion, seconded by Mayor Pro Tem Hardy, and upon a unanimous vote of [5-0], the Kinston City Council returned to open session at 8:56 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 8:56 pm.**

Respectfully submitted,

Debra Thompson, City Clerk