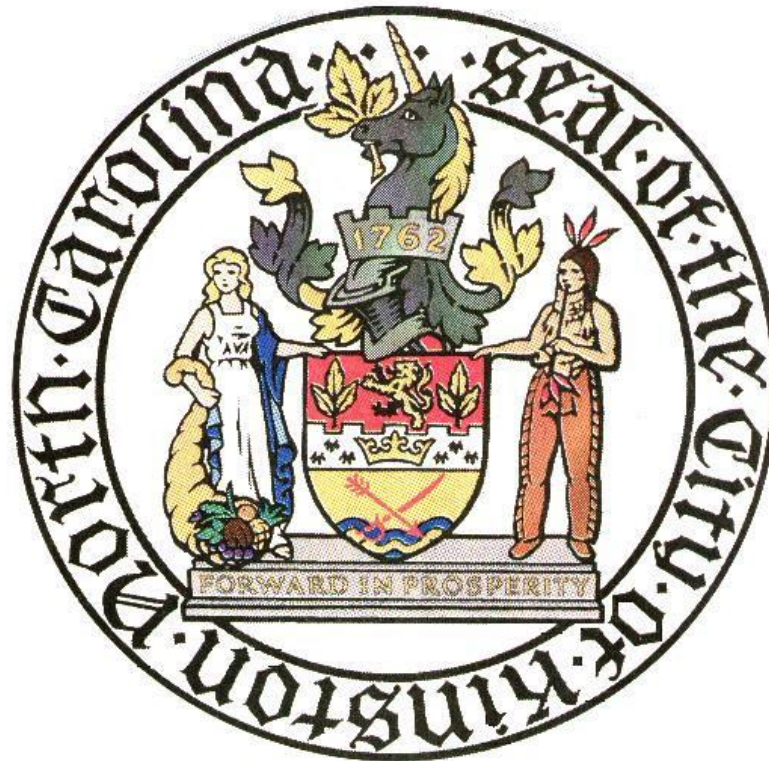


# Kinston City Council



## MINUTES October 3, 2023

**Minutes**  
Kinston City Council  
City Hall · 207 East King Street  
Tuesday, October 3, 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 5:37 p.m.**

**Councilmember Christopher Suggs delivered the prayer which the recital of the pledge of allegiance by all attendees followed.**

**Council Members' 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: Felicia 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

**There were no citizens' comments.**

**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 added Item #5 e for Downtown Kinston Revitalization by Leon Steele under the Presentation/Recognition section.**

**Councilmember Swinson made the motion, seconded by Councilmember Suggs and upon a unanimous vote of [4-0], with the addition of Item#5 e the agenda was adopted.**

**MINUTES**

**Consider approval of the minutes of the City Council----- Debra Thompson**

Debra Thompson, City Clerk stated the minutes will be presented for voting at the next meeting.

**PRESENTATIONS/RECOGNITIONS**

**1. Proclamation for Breast Cancer Awareness Month in the City of Kinston – October 2023  
Althea Simmons**

Mayor Hardy read the proclamation and proclaimed October 2023 Breast Cancer Awareness Month in the City of Kinston.

Althea Simmons, Admin. Manager greeted everyone and shared that she stood as a breast cancer survivor of 20 years and gave God all the glory. Ms. Simmons said she was standing not just for herself, but for those who have gone on. She stated that no matter what you go through you are not in it by yourself. She gave out pink bracelets that said: “Have Faith” this year. Ms. Simmons said she stands to support those who continue to fight, those who are struggling, and those who have gone, but we know that all things are possible to those who believe. She asked everyone to stand and support everyone together. Ms. Simmons stated that she does not take this lightly because it is something so near and dear to her heart and reminded us that everyone is facing some sort of battle. But the battle is not ours, but the Lord’s. Mayor Pro Tem Hardy stated he was a basketball official and he wore a pink whistle in honor of breast cancer month while officiating. All those who came out to support Ms. Simmons assembled and photos were taken. She shared that she has feet that note donations and announced that there will be a walk at City Hall

**2. Presentation of 2022 Public Power Awards of Excellence by Roy Jones, Chief Executive Officer of Electricities of North Carolina, Inc. ----- Steve Miller**

Steve Miller, Public Services Director stated he was honored to have Roy Jones, Chief Executive Officer of Electricities with us tonight. We tell everyone to work hard and do a great job, but at the end of the year, we put our numbers together and measure ourselves against other communities. That is when we find out how good of a job we are doing.

Roy Jones, Chief Executive Officer of Electricities thanked everyone for being here. Mr. Jones gave some history about the Public Power Community and the focus on getting ready for the future and shared that the date of 2030 was picked. This was far enough out to set goals, but yet not so far out that it was hard to get your head around. The awards were realigned to align with the strategic plan, the purpose, and the strategic priorities. Mr. Jones shared what the four areas are: 1) future focus; 2) strength in Public Power; 3) providing superior power; and 4) people. He stated these things have been implemented and recognized by the City. They show up when we have a storm and the power is restored quicker than Duke and the Co-Ops. He congratulated the Electric Division staff and told them to keep up the good work.

Mayor Hardy thanked Mr. Jones, Councilmember Swinson for representing us on the commission, and the men of the Electric Division.

Mr. Miller asked Jason Heath, Supervisor to come up and formally accept the plaque.

**3. Proclamation for Public Power Week, October 1-7, 2023 ----- Steve Miller**

Steve Miller, Public Services Director shared that this week was dedicated to Public Power. He said there were 22 people in the electric group and we have five vacancies. Kinston has over 400 miles of electric lines that we maintain, 30,000 residents rely on us for power, and 12,000 connections to customers. He also shared that the energy fair was held today with a great turnout.

Mayor Hardy read the proclamation and proclaimed October 1-7, 2023 as Public Power Week and photos were taken with the Electric Division staff.

Councilmember Aiken noted that we have not raised our electric rates in over 10 years.

**4. Proclamation for Customer Service Week, October 2-6, 2023 ----- Steve Miller**

Steve Miller, Public Services Director shared that we have customer service-focused staff. Everybody needs to be aware that this week is about all of us who are providing services. However, there are members of the customer service staff that are focused on that. We could not do what we do without them for sure. They do billing, look after accounts, help set up accounts, help customers move out, and include the dispatching operations who make sure we get the right people to respond to every incident that happens. You can talk to a person 24/7 and that type of service is something we are proud of. This group is made up of 14 people. They are split downtown handling people in person and answering phones at the Complex. We cannot do what we do without them.

Mayor Hardy thanked the Customer Service staff and read the proclamation proclaiming October 2-6, 2023 as Customer Service Week. Photos were taken with the customer service staff in attendance.

**5. Presentations for Eligible Applicants of the FY 24 Organizational Support Grant ----- Rhonda Barwick**

Rhonda Barwick, City Manager stated that in this year's budget, the council set aside \$50,000 for the Organizational Support Grant. They received 10 applications and 5 of the applications had eligible expenses. Ms. Barwick said a copy of the guidelines for determining eligibility can be found on our website. Tonight the five organizations have been invited to make a short presentation to the Council about their application.

**a. Black Heritage Society – Dr. Malcolm Beech, President**

Dr. Malcolm Beech shared that their trade name was the African American Museum and Cultural Center, located at 242 S. Queen Street. The mission statement is to preserve, protect, and promote African-American achievements. He shared that they were started in November 2000 when they converted the 99-year-old bank (The Peoples Bank) into a museum. Dr. Beech said they started with a focus on the United States Colored Troops. They produced nine USCT Symposiums in North Carolina and currently have four USCT Units in North Carolina that are funded by Tryon Palace. There are permanent USCT Exhibits in the North Carolina Museum of History. The present programs have shifted and are about Ancient African Civilizations. Dr. Beech stated they are an educational institution and are trying to teach everyone about African-American history. One of the programs that

is being done regularly is Gathering of the Youth (GOT YOU) The museum has weekly educational programs, a 200-book library, a game room, and conducting life lectures. Local field trips are taken and moving forward, the intent is to expand the programs. They expect to create an African American Heritage Tour and continue with the Juneteenth Gospel celebration. Dr. Beech said he intends to extend the museum next door. in the future with an exhibit hall, coffee shop, souvenir shop, and a visitors' center. He shared that some of the other things that are being done are the activities, reading, and games. Dr. Beech stated that tourists also come to the museum and have had a group to come from Shaw University. Mayor Hardy thanked Dr. Beech for coming.

**b. Community Council for the Arts – Sandy Landis, Executive Director**

Sandy Landis shared that for numerous years the practice of the City Council was to assist the Arts Council in its daily operations. The support in these many years came close to paying the annual utility bills that averaged \$30,000 - \$34,000 annually. Ms. Landis gave a review of the main revenue streams which are property rentals, annual membership, and fundraising. She shared that the COVID years were hard, but are now 80% reopened, hoping they will be fully operational by mid-2024. Many of the projects that were accomplished through the schools were done with grants that were one-time sources of funding and are no longer available. We have applied for community projects such as public art in addition to school enrichment projects that are badly needed and underfunded in our schools. The City's application is due March 31<sup>st</sup> and many of the other grant applications are due earlier (January and February). Ms. Landis said the grant (City of Kinston) for which they are eligible is for schools and communities in terms of enrichment and/or education. There are times when the proposed projects are completed when expected to continue to the following fiscal year or dropped due to lack of funding. The sewer silos in the Music Park and the façade for the Musi Park stage are two examples. This year's request of the City was for assistance with a school immersive residency at Woodington Middle School during Hispanic Heritage Month. I received the grant approval this afternoon and do not know the amount that was approved. For this program, the dancers have been contracted, and the lodging and per diem have been set. This program will serve 120-140 students and a county-wide teachers' workshop will be delivered with a completely independent fund. Two programs with nationally known musician educators in February during Black History Month and a public art project of a large mural of Maceo Parker which will be included in the North Carolina Musicians Mural Trail are additional funding requests. The residency program at Woodington Middle School is supported by grant dollars, however, since the General Assembly has just passed the state's budget we are unsure of what has been funded and to what funding level. The grants filed with the NC Arts Council this year were for Grassroots program grants and subgrants of which they are required to allocate 50% of the dollars received to non-profits with arts programs and/or non-profit organizations in our county. Also, they must meet a 58% multi-cultural requirement matching the multi-cultural population for our community from the artists, not the participants. Ms. Landis shared other grants that they have filed for and stated that the Grassroots Grant is the only grant they are required to write to maintain the Arts Council status. There are programs slated for Hispanic Heritage Month, Black History Month, and Veterans' Day, and the only three programs that they think they have grant dollars for this year are Grassroots, Immersive Education, and cARTwheels. Ms. Landis said the silos funded in the 2022-2023 Fiscal Year have been completed but the second project (the stage

façade at the Music Park) filed for in that same year has not been undertaken as the silos were a priority. She shared that without funding from the City of Kinston, they will not be able to fund all the programs. She asked everyone to remember that the return on every \$1.00 in the arts is \$18.00 back to the community. Mayor Hardy thanked Ms. Landis for coming.

**c. Boys & Girls Club of the Coastal Plain – Kinston Unit – Sonya Howell, Grants Manager**

Will Chriscoe, Chief Development Officer introduced himself and stated he was joined by the Chief Operating Officer Kimberly Reaves who oversees all of the operations of the clubs. He shared that he was thankful to be here and for the consideration of the application. He said they have existed as an organization in Kinston since 1986 and were formed by the former mayor, Buddy Ritch. In 1992 girls were added and became the Boys and Girls Club in Lenoir County. They currently serve youth 6-18 years old after school and during the summer. The mission is to enable all young people to reach their full potential as productive caring and responsible citizens. Mr. Chriscoe stated they are here to respectfully ask for the consideration to support and invest in not just the staff capacity but most importantly, the youth capacity - the future leaders, future community members, current community members, and future change makers that they hope will remain here in Kinston/Lenoir County.

Kimberly Reaves, Chief Operating Officer shared that their project was called Formula for Impact. The Boys Girls Club says that the youth that need them the most, and an outcome-driven club experience yields success in academics, character and leadership, and healthy lifestyles. Everything that is done in the after-school program connects to one of those three things. The goal that is to be obtained is that 90% of the attending youth will participate in power hour (homework assistance) and 80% of club youth served will maintain a C average or better on their report card. There is a high focus on literacy with tutors and partnerships with LCPS which has an annual MOU to sign. Whenever possible teachers from the school system are hired to work in the clubs. Ms. Reaves said that 75% of Kinston members will participate in community service and club projects with 75% participating in the healthy lifestyles curriculum, and 80% participating in smart moves (acknowledging that there are risky behaviors out there). The next part is the budget for the Kinston location and it is realized that it is nowhere near what the City has to offer but it shows that this is a partnership. Along with partnerships with other community organizations and foundations, Federal, State, and local funders because families are charged \$50 for the school year for the afterschool program. For some families, this is a lot and they try to keep the low cost and in some instances waive the cost through scholarships, funders, etc. Summer Camp (eight weeks at 10.5 hours a day) costs \$100. This year for Kinston it was free because of funders. She shared some of the field trips that were taken over the summer. Ms. Reaves stated that the saying, “Pull yourself by your bootstraps” does not work when some people do not have boots. She said that the Boys and Girls Club are givers of boots. Mayor Hardy shared that he attended the Boys and Girls Club in Carver Courts and thanked them for coming.

**d. RADD, Inc. – April Houston, Executive Director**

April Houston, Executive Director explained that RADD stands for Raising Awareness of the Developmental Disabled and this is her primary county to cover. They also work in Greene and surrounding areas. She read that they are a 501 (C) (3) organization and their goal is to do their part to have a community that partners with developmentally disabled individuals and shows them opportunities to maximize their full potential and their contribution to the community. They do so by providing them with resources, education advocacy, and skill-building activities. The only eligibility criteria are that individuals have a developmental and/or intellectual disability regardless of age, gender, race, economic status, or sexual orientation. The same goes for the volunteers. She said it is important to be able to provide the services that they do to the community. They write grants and fundraising to make sure they can provide the services to their population which is the most diverse she has ever seen. There are a lot of economic issues within that community. They work hard to make things affordable for them and said 98% of the services provided are free to the public. They do provide resources to families or the individuals themselves for educators, the medical field, or anyone who has a loved one, works in, or has the desire to learn about this community. Educational workshops are provided for those interested in specific diagnoses, the medical home, the care notebook, or individualized education plans within the public school system. The Positive Parenting Program (PPP) is provided to families with special needs. Ms. Houston shared that there are a lot of employees in this City that provide car seat passenger safety checks (fire, police, etc.) but there is one person in this county who is certified to do special needs and special healthcare needs. That person is Ms. Houston at RADD. The activities provided are an art class and craft class, and a dance every month. Bingo is done every other month with field trips several times a year. She stated that field trips are done and other organizations or entities help with those. Ms. Houston stated that there are so many different things that they can go to and do in Kinston. RADD does the special needs sports (five sports per year) – kickball, baseball, disc golf, tennis clinics, and basketball. The activities are the focus of the ask-to help with continuing the activities. In 2022 5,350 individuals were served, including the families, and has surpassed that to date in 2023. They have been here since 1976 although they started under a different name. Mayor Hardy thanked Ms. Houston for coming.

**e. Downtown Kinston – Leon Steele, Executive Director**

Leon Steele, Executive Director talked about the North and Mitchell Gateway Project is a multi-phase project that has been going on for about three or four years. Mr. Steele said they are in the final stages of the garden portion. Landscaping and irrigation will begin soon and the memory benches will be installed right after that. The ask is for support funding for the intersection and the sensory path app on the sidewalk. He shared that they were trying to provide connectivity, pathways, gateways, and some place-making opportunities. They want to link downtown and also want to be able to provide navigation from one place to another and safety across the intersection. He stated they appreciate the 4-way stop and are creating another place-making location with the garden and sitting area which compliments the park across the street. Mr. Steele showed the transformation in progress and explained each step. He talked about the crosswalk coming from downtown to the park or vice versa and would like to get with Steve Miller and explore the solar-powered studs that go in the pavement to illuminate the crosswalk itself as crosswalks will be done at all four corners of

the intersection. He stated he wants to paint the stripes with luminous paint which will be reflective and glow at night then have artwork done between the stripes. On the sidewalk, they want to do a sensory path so that kids will not run across the street to the playground and not get hit by cars. Mr. Steele shared that the State Main Street Conference next spring has invited a Parks and Recreation representative to come talk about that playground. He hopes that everyone sees the value of this project as one of the many components of revitalizing downtown. Mayor Hardy thanked Mr. Steele.

Ms. Barwick said there were no plans for the Council to take any action tonight. The City received 10 applications and these are the five that Staff reviewed and found they included eligible expenses according to the guidelines of the grant. She will be sending a scoring sheet to the Council for feedback that they would like to consider in their award.

Mayor Pro Tem Hardy stated that all the presentations were heartwarming for him and he understands the challenges we have in all the fields of giving. He thanked everyone for their presentations.

Mayor Hardy thanked everyone for coming to share some of the things that are being done in our community.

**ACTION AGENDA**

**1. Consider Adoption of an Ordinance to Establish the Vernon Avenue Sewer Rehabilitation Project (S9211) ----- Donna Goodson**

Donna Goodson, Finance Director presented an ordinance to establish the Capital Project Fund for the Vernon Avenue Sewer Rehabilitation Project. It is to cover the construction cost along with the construction observation and construction testing. She pointed out that the majority of the funding (\$2,020,506 ) is coming from the ARPA Funds that the City received.

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



**AN ORDINANCE TO ESTABLISH  
THE CAPITAL PROJECT FUND  
VERNON AVENUE SEWER REHABILITATION PROJECT (\$9211)**

**WHEREAS**, the City of Kinston City Council approved the creation of the American Rescue Plan Act (ARPA) Funds on July 20, 2021 and accepted funding in the amount of \$6,387,015, and

**WHEREAS**, the City of Kinston City Council elected to take the standard allowance for revenue loss in the amount of \$5,557,015 for government services provided to the citizens of Kinston on April 19, 2022, and

**WHEREAS**, the City of Kinston City Council approved an allocation to the Sewer Fund for revenue loss in the amount of \$2,020,506, and

**WHEREAS**, the funds will be used to cover the majority of the construction costs (\$2,255,993.40) associated with the Vernon Avenue Sewer Rehabilitation Project, and

**WHEREAS**, the excess construction costs (\$235,487.40) plus additional expenses incurred for construction observation (\$89,700.00) and testing services (\$13,200.00) will be funded with transfers from the Sewer Fund and the Sewer Capital Reserve Fund.

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

**Vernon Avenue Sewer Rehabilitation Project (\$9211)**

Revenues:	
Transfer From Sewer Fund (ARPA Funds)	\$ 2,020,506.00
Transfer From Sewer Fund (Fund Balance)	138,387.40
Transfer from Sewer Capital Reserve Fund	<u>200,000.00</u>
Total Revenues	<u>\$ 2,358,893.40</u>
Expenditures:	
Construction Costs	\$ 2,255,993.40
Construction Observation Costs	89,700.00
Construction Testing	<u>13,200.00</u>
Total Expenditures	<u>\$ 2,358,893.40</u>

Adopted this 3rd day of October, 2023

**2. Consider Approval of Engineering Agreement Amendment for Lawrence Heights Water and Sewer Replacement Project----- Steve Miller**

Steve Miller, Public Services Director asked for an amendment to the construction administration contract related to the Lawrence Heights Water and Sewer Replacement Project. The original agreement entered into with the Municipal Engineering Services Company (MESCO) was at the end of 2020. The current contract amount is \$151,484 and includes one amendment when the project had to be rebid in 2021. It was also based on the original construction schedule of 270 days of construction on the project. At this point the contracting more time than expected. There have been numerous meetings and discussions with them. The actual construction is a little more than 50% complete. In talking with the contractor, they told the funding agency that their worst case would be to be finished in May of 2024 which doubles the construction time on the contract. Mr. Miller stated they are working with them trying to find ways to speed up work and finish sooner. Although they have told the funding agency that is when they think worst case they will be finished, we have not extended the contract time to that date. At this point, we have started liquidated damages because of the delays they have had and not achieving completion when they should have. He said that are trying to figure out how to address this with the engineering work. The engineers are there to perform construction administration and observation. Every month they do pay

request reviews, and work on submittals, if there are change orders they are reviewed, and they have inspectors in the field doing a variety of inspections. Every month the construction continues, which is more work for the engineers. There are sufficient funds in the project budget and the best thing to do is to amend the engineering contract to cover the worst-case scenario with the clause that if the construction finishes sooner the engineering costs will be reduced accordingly. The amendment amount is \$164,000 and covers the expected cost should they finish in May of 2024. The total contract cost with that amount is \$315,484. He asked to approve the amendment of the engineering contract.

Councilmember Aiken stated that there was not too much inclement weather and asked if there was a shortage of materials. Mr. Miller said that he feels that the contractor was overextended on workload versus the resources they had to do the work (equipment, people).

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

#### CITY MANAGER'S REPORT

Rhonda Barwick, City Manager reminded the Council if they have not registered for the Chamber of Commerce's "Wake Up Lenoir" to be held on October 11<sup>th</sup> at 7:30 am with Trey Cash, Economic Developer for Greene and Lenoir County.

#### CITY ATTORNEY'S REPORT

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

#### MAYOR AND COUNCILMEMBER REPORTS

Councilmember Aiken reminded everyone that the municipal election is on November 2 and this year will need a photo ID. He also shared that Early Voting starts on October 19.

Mayor Pro Tem Hardy thanked the staff for their work and it is good to know that you have your back; you can go to staff with answers to things that have happened in the past. He also said to his fellow council members that they have come together and accomplished some great things this year with all the departments and would like the manager to brief the public on what has been accomplished.

Councilmember Suggs shared that Kinston Teens has been working to develop their neighborhood hub in East Kinston. During the summer they had an open house and had representation from every department there. They have launched a community survey at [eastkinston.org/survey](http://eastkinston.org/survey) and there are printed copies available. Mr. Suggs said they are trying

to get input from neighborhood residents, community members, and anyone who has a vested stake in the community about how the neighborhood hub can be envisioned and grow a larger facility for the organization. He said they are also looking to explore the strengths and assets and other developmental opportunities in East Kinston. East Kinston has been significantly underdeveloped in terms of development and revitalization in our community. Mr. Suggs said this is a prime opportunity to partner with groups and other agencies across the city to spur some positive community development and neighborhood initiatives. There will be a block party on Wednesday, October 18 from 5-7 pm at the Neighborhood Hub on Tower Hill Road.

Mayor Hardy shared that the Tinsel Trail and Christmas Parade registrations are now live at [downtownkinston.com](http://downtownkinston.com) (English and Spanish). He talked about the Adkin Branch model and that he has talked to Senator Perry and stated we have the opportunity to receive over \$6 million towards that project. Mayor Hardy thanked Mr. Miller and the Public Works staff for applying for the LASSI grant. Kudos to the Police Department for getting the DOJ Grant for \$20,000. He thanked Mr. Miller for applying for the Lead Service Replacement Grant for about \$1 million. Mayor Hardy announced that on Friday, October 6 there would be about 850 cyclists here in our city. He encouraged the Council to go by and say hello. Mayor Hardy talked about the pilot program from Hometown Strong with the NC Cultural Resources who reached out to showcase music and collaborate with others in the community. He shared that he talked to the State Department and there different programs for the students here to have the opportunity to study abroad. There are grants available and information has been shared with the Superintendent of Lenoir County Public Schools and the President of Lenoir Community College. Mayor Hardy thanked Senator Perry and Representative Humphrey for their efforts.

#### ADJOURNMENT

**Councilmember Aiken made the motion, seconded by Councilmember Suggs, and upon a unanimous vote of [4-0], the Kinston City Council Meeting was adjourned at 7:10 p.m.**

Respectfully submitted,

Debra Thompson, City Clerk