

# Kinston City Council



## MINUTES November 1, 2022

**Minutes**  
Kinston City Council  
City Hall · 207 East King Street  
Tuesday, November 1, 2022  
Regular Meeting at 5:30 pm

**This meeting will be held in person and published electronically at  
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Available for viewing on the local government channels 2 and 102**

**REGULAR MEETING**

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

**Councilmember Felicia Solomon 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.**

**Also Present: Rhonda Barwick, 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. Curtis Henderson, 900 Paylor Drive, Kinston, NC.** Mr. Henderson shared that he owned a business at 611 N. McLewean Street and was opening a restaurant next week at 605 N. McLewean Street. He stated he has a non-profit organization, Hope to Destiny for Youth. The organization is to educate our youth on gang violence, gun violence, and substance abuse. Mr. Henderson asked the Council to amend the 3-year policy requirement in the Organizational Support Fund. He stated his organization is a worthy cause to be considered for the amendment of the policy

Mr. Henderson announced that on November 12<sup>th</sup>, Hope to Destiny for Youth will hold a coat drive at Piggly Wiggly starting at noon and asked everyone to please participate by donating coats for youth and adults. He thanked Councilmembers Aiken and Swinson, and Mayor Pro Tem Hardy for their donation, and asked everyone to stop by 611 and 605 N. McLewean Street to drop off the donations.

**2. Gabrielle Alexander, 1495 Elijah Loftin Road.** *The comment was submitted electronically and read by the City Clerk.* Ms. Alexander shared concerns about the old Super 8 on Newbern Avenue (Highway 70) and noted that it needs to be renovated to assist those in need, homeless shelter, food pantry, and loss of home housing.

**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.*

Mayor Hardy added Action Item #3 – Lights on in Pearson Park Special Event Permit.

Councilmember Suggs made the motion, seconded by Councilmember Swinson and upon a unanimous vote of [5-0], with the addition of Lights on in Pearson Park as Action Item #3 was adopted.

**MINUTES**

Consider approval of the minutes of the City Council meetings held on October 18, 2022  
Debra Thompson

Councilmember Swinson made the motion, seconded by Councilmember Aiken and upon a unanimous vote of [5-0], the minutes for October 18, 2022, were approved.

**PRESENTATIONS AND RECOGNITIONS**

1. Proclamation for Native American Heritage Month -----Mayor Don Hardy

Mayor Hardy read the proclamation and proclaimed November as Native American Heritage Month.

**ACTION AGENDA**

1. Consider Amendment for Capital Project Budget Ordinance for Briery Run Phase V (S9206) Budget ----- Donna Goodson

Donna Goodson, Finance Director stated that at the October 18<sup>th</sup> City Council Meeting it was approved to accept the amended loan from the Clean Water State Revolving Fund for the Briery Run Sewer Rehabilitation Stage V Project. The ordinance is to amend the project budget for that amendment for \$107,543.

Councilmember Swinson made the motion, seconded by Councilmember Suggs and upon a unanimous vote of [5-0], the amendment for Capital Project Budget Ordinance for Briery Run Phase V (S02-6) budget was approved.

**ORDINANCE TO AMEND THE  
BRIERY RUN PHASE V SEWER REHABILITATION  
CAPITAL PROJECT FUND (S9206)**

**WHEREAS**, the City Council established the Briery Run Phase V Sewer Rehabilitation Capital Project Fund on September 7, 2021, for the rehabilitation of 2,669 linear feet of 30-inch gravity sewer line via Cured-In-Place Pipe (CIPP); replacement of five (5) sanitary manholes; 133 vertical feet of manhole rehabilitation; and miscellaneous point repairs and manhole rehabilitation.

**WHEREAS**, the Clean Water State Revolving Loan Fund (CWSRF) approved funding for the Project on March 1, 2021 in the amount of \$2,905,630, and

**WHEREAS**, the final construction cost plus the costs for construction observation, testing services, and the required 5% contingency total \$3,011,065, and

**WHEREAS**, the Division of Water Infrastructure has approved the amended loan amount of \$3,011,065.

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

**2019 Briery Run Phase V Sewer Rehabilitation Project (S9206)**

	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Increase (Decrease)</u>
Revenues:			
CWSRF Loan Proceeds	\$ 2,905,630.00	\$ 3,011,065.00	\$ 105,435.00
Transfer from Wastewater Fund	58,113.00	60,221.00	2,108.00
Total Revenues	<u>\$ 2,963,743.00</u>	<u>\$ 3,071,286.00</u>	<u>\$ 107,543.00</u>
Expenditures:			
Construction	\$ 2,905,630.00	\$ 3,011,065.00	\$ 105,435.00
Loan Closing Costs	58,113.00	60,221.00	2,108.00
Total Expenditures	<u>\$ 2,963,743.00</u>	<u>\$ 3,071,286.00</u>	<u>\$ 107,543.00</u>

Adopted this 1st day of November, 2022

**2. Consider Adoption of a Resolution Approving an Equipment Lease with Advantage Sport and Fitness Financed through Macrolease and Authorize City Manager to Execute all other Documents Related to the Lease ----- Donna Goodson and Corey Povar**

Donna Goodson, Finance Director presented the resolution to authorize the purchase of fitness equipment through lease-purchase financing. Kinston Community Center is looking at replacing many of 3. the treadmills leased. They are looking at a lease that will allow them to purchase the treadmills for \$1 at the end of the lease. It also includes maintenance for the next five years. The resolution approves the financing of \$101,640 and Ms. Goodson asked the Council to authorize the City Manager to sign all documents regarding the lease-purchase agreement.

Councilmember Swinson asked if at the end of the lease was it possible to turn the equipment in and release new equipment or would buying it be the better thing to do. Corey Povar, Parks and Recreation Director stated that the connections for cellular products have changed so dramatically and is the reason they are looking at others. Assuming technology does not change drastically, and the machines are in good shape, they could purchase those for \$1. Mr. Povar said this is a nice place to be where the maintenance is taken care of, and we do have the option to purchase for \$1. Ms. Goodson added that doing it this way helps with the cash flow. This amount would be spread out for five years.

**Councilmember Swinson made the motion, seconded by Councilmember Suggs and upon a unanimous vote of [5-0], the resolution approving an equipment lease with Advantage Sport**

and Fitness Financed through Macrolease and authorization of the City Manager to execute all other documents related to the lease was adopted.

**RESOLUTION TO AUTHORIZE THE PURCHASE OF FITNESS EQUIPMENT THROUGH LEASE-PURCHASE FINANCING**

WHEREAS, pursuant to G.S. 160A-19, the City Council of the City of Kinston is authorized to enter into a lease with an option to purchase for personal property which is subject to Article 8 or Chapter 143, and

WHEREAS, pursuant to NCGS 143-129, purchases of equipment with public money expenditure over \$90,000 require the City to comply with the competitive bidding procedures set forth there in, and

WHEREAS, the City intends to enter into a lease with Macrolease Corporation with the option to purchase certain treadmill equipment for the public purpose of Parks and Recreation grounds maintenance which will require an expenditure over \$90,000.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Kinston that

1. The City Council authorizes the expenditure of a maximum of \$101,640 for the lease purchase of the required treadmill equipment.
2. The City Council authorizes the Manager of the City of Kinston or his designee to award contracts, reject bids, or re-advertise to receive bids on behalf of the City and to comply with the requirements set forth in Article 8 of Chapter 143.

Adopted this 1st day of November, 2022.

**3. Turn on the Christmas Lighting Ceremony-----Keith Goyette  
(THIS ITEM WAS ADDED TO THE AGENDA)**

Stephen Reavis, Major – KPD presented the Special Event Permit for turning the Lights on at Pearson Park. The event is on November 12<sup>th</sup> at 6:00 pm.

**Councilmember Swinson made the motion, seconded by Councilmember Suggs, and upon a unanimous vote of [5-0], subject to review by the City Attorney, the Special Event Permit for turning on the Christmas Lighting Ceremony was approved.**

**CITY MANAGER’S REPORT**

Rhonda Barwick, City Manager reminded the Council of the score sheets for the Organizational Support selections. She would like to have them by November 7<sup>th</sup> to have the item on the next agenda.

**CITY ATTORNEY’S REPORT**

James Cauley, City Attorney gave an update on the lease for the small portion of the Caswell site used for overflow parking for the water park. He stated in May a lease, subject to legal review. The document had to be approved by the State and we now have the document. It will be signed by the City and sent back to the State this week.

**MAYOR AND COUNCILMEMBER REPORTS**

Mayor Hardy thanked everyone for participating in the meeting at the library with POLIS and You and 5-0. He thanked Ms. Sutton of the NAACP for being at the table.

Councilmember Aiken advised everyone to go out and vote. Early voting ends on November 5<sup>th</sup> and Election day is November 8<sup>th</sup>.

**ADJOURNMENT**

**Councilmember Swinson made the motion, seconded by Councilmember Suggs, and upon a unanimous vote of [5-0], the City Council Meeting for November 1, 2022, was adjourned at 5:55 pm**

Respectfully submitted,

Debra Thompson, City Clerk