

Minutes
Kinston City Council
Monday, September 17, 2018
Work Session Canceled-Regular Meeting

REGULAR MEETING

Mayor Don Hardy called the City Council meeting to order at 7:02 pm.

Councilmember Joseph Tyson led the prayer followed by the Pledge of Allegiance.

Those present:

Councilmember Robert Swinson, Sammy Aiken, Joseph Tyson, Kristal Suggs and Mayor Don Hardy

Also present: Tony Sears, City Manager and James Cauley, City Attorney

Those late: Mayor Pro Tem Felicia Solomon arrived at 7:07 pm.

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.

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

MINUTES

Consider approval of the minutes of the City Council meeting held on September 4, 2018...
.....**Joanna Rose**

Councilmember Swinson made the motion, seconded by Councilmember Suggs and upon a unanimous vote [4-0] (Mayor Pro Tem Solomon was absent.), the minutes were approved.

ACTION AGENDA

- 1. Conduct a Public Hearing AND consider adoption of a Resolution to submit a grant application to the NC Neighborhood Program from Community Development Block Grant- Holloway Community Revitalization.....Tatiana Height**

Tatiana Height, Community Development Planner, stated the planning department is applying for the NC Neighborhood Grant, and the grant would be able to fund projects related to housing and supporting communities. Planning is going to apply for \$750,000 for recreation projects and housing revitalization surrounding the recreation center and parts of East Kinston. Ms. Height stated a second public hearing had to be held to allow the public to give feedback on the projects.

Mayor Hardy opened the public hearing, after no one spoke in favor or opposition, the public hearing was closed.

Ms. Height stated a resolution was needed to move forward with the application.

Councilmember Aiken made the motion, seconded by Councilmember Suggs and upon a unanimous vote [5-0] the following resolution was adopted:

RESOLUTION FOR THE CITY OF KINSTON APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE HOLLOWAY COMMUNITY REVITALIZATION PROJECT

WHEREAS, the City of Kinston’s Council has previously indicated its desire to assist in community development efforts in East Kinston; and,

WHEREAS, the City Council has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit Holloway Community Revitalization; and,

WHEREAS, the Council wishes the City of Kinston to pursue a formal application for Community Development Block Grant funding to benefit Holloway Community Revitalization;

WHEREAS, the Council certifies it will meet all federal regulatory and statutory requirements of the State of North Carolina Community Development Block Grant Program,

NOW, THEREFORE BE IT RESOLVED, by the City Council that the City of Kinston is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant for the North Carolina Neighborhood Program to benefit Holloway Community Revitalization.

2. Consider authorizing the City Manager to execute the agreement with Municipal Engineering Services Company in the amount of \$140,800 to perform the Water Asset Inventory and Assessment Project.....Steve Miller

Steve Miller, Assistant Public Services Director, stated in August of 2017 public services received proposals for a request for qualification for engineering services related to work on a water system asset management inventory grant. The company Municipal Engineering Services was selected based on the proposals received. The firm will prepared the grant application, and if successful in obtaining the grant that the firm would perform the engineering services involved. The award was received in March of 2018 in the amount of \$150,000 to complete a water asset inventory assistance program. Mr. Miller stated the contact would be in the amount of \$140,800 and the remaining money in the fund would be used to purchase the software.

Councilmember Swinson made the motion, seconded by Councilmember Solomon and upon a unanimous vote [5-0] the motion passed.

3. Consider adoption of a Resolution to submit a grant application to the Community Development Block Grant- Infrastructure Program for the Lawrence Heights Sewer Rehabilitation Project..... Steve Miller

Steve Miller, Assistant Public Services Director, stated public services is seeking a grant in the amount of \$ 2,000,000.00 for the project which has a total cost of \$ 3,300,000.00 if successful the grant would reduce the amount of loans fund need for the project. This would be to replace around 14,000 feet of sewer line in the Lawrence Height neighborhood. Mr. Miller stated a resolution is needed to apply for the CDBG grant funds.

Councilmember Aiken made motion, seconded by Councilmember Tyson and upon a unanimous vote [5-0] the following resolution was adopted:

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environment & Natural Resources (NCDENR) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD CDBG program by Session Law 2013-360, Section 15.15(a) as amended by Section 5.3 of Session Law 2013-363, and

WHEREAS, The City of Kinston has need for and intends to construct a wastewater collection system project described as Lawrence Heights Sewer Replacement Project, and

WHEREAS, The City of Kinston intends to request state grant assistance for the project in the amount of \$2,000,000

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF KINSTON:

That the City of Kinston, the **Applicant**, will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Tony Sears, City Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

4. Consider adoption of a Resolution to adopt the Wastewater Capital Improvement Plan and Wastewater Asset Management Plan.....Steve Miller

Councilmember Swinson made the motion, seconded by Councilmember Aiken and upon a unanimous vote the following resolution was adopted:

**RESOLUTION BY CITY OF KINSTON CITY COUNCIL
ADOPTING WASTEWATER CAPITAL IMPROVEMENT PLAN AND
WASTEWATER ASSET MANAGEMENT PLAN**

WHEREAS, The City of Kinston operates and maintains a wastewater collection and treatment system under NPDES permits issued by the State of North Carolina, and

WHEREAS, The City of Kinston has developed a Wastewater Capital Improvement Plan to identify needed capital improvements and their costs, and

WHEREAS, The City of Kinston has also developed a Wastewater Asset Management Plan to keep track of the wastewater system assets and their conditions and provide guidance to city staff on the proper care and maintenance of the assets.

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF KINSTON:

That, the City of Kinston City Council hereby adopts the Wastewater Capital Improvement Plan as a guidance document for pursuing capital improvement funds to keep the wastewater collection and treatment system in good operating order.

That the City of Kinston City Council hereby adopts the Wastewater Asset Management Plan and directs city staff to continually operate and manage the wastewater collection and treatment system in accordance with the Plan.

That city staff, under the direction of the City Manager, shall regularly review and update both the Wastewater Capital Improvement Plan and the Wastewater Asset Management Plan to ensure compliance with all federal, state and local regulations.

5. Consider adoption of an Ordinance to Establish Special Revenue Project for Hurricane Florence..... Catherine Gwynn

Catherine Gwynn, Assistant City Manager, stated in response to Hurricane Florence a special revenue ordinance has been prepared, in the amount of \$100,000. Mrs. Gwynn stated once she meets with FEMA and the NC department of Safety to establish our claim with FEMA and get the commitment, an amendment will be made with amounts of Federal and State funding.

Councilmember Aiken made the motion, seconded by Councilmember Tyson and upon a unanimous vote the following ordinance was adopted:

**AN ORDINANCE ESTABLISHING
A SPECIALREVENUE FUND FOR
HURRICANE FLORENCE DISASTER RECOVERY**

WHEREAS, Hurricane Florence made landfall in North Carolina on September 13, 2018 resulting in emergency expenditures related to the ongoing rescue and emergency response for citizens, and repair and recovery of City infrastructure and assets, and

WHEREAS, the initial expenditures will be funded by a transfer from the General Fund, and

WHEREAS, it is necessary to account for the specific costs related to the disaster to properly account such costs to the Federal Emergency Management Agency, the State of North Carolina and responsible insurance companies.

THEREFORE BE IT ORDAINED by the City Council of the City of Kinston, North Carolina that the following Special Revenue Project Budget Ordinance for associated revenues and expenditures be adopted as follows:

Hurricane Florence

Revenues:	
Insurance Proceeds	\$ -
FEMA Reimbursements	-
Transfer from General Fund	<u>100,000.00</u>
Total Revenues	<u>\$ 100,000.00</u>
Expenditures:	
Emergency response, recovery and preservation for Hurricane Florence	<u>\$ 100,000.00</u>
Total Expenditures	<u>\$ 100,000.00</u>

CITY MANAGER’S REPORT

Tony Sears, City Manager, stated he would bring the items listed in the agenda back at a later date

Mr. Sears stated he would like to discuss Hurricane Florence with the council and staff. Mr. Sears stated the city has to do a better job preparing for these storms internally, and to take care of our employees. When employees have to stay for extended hours and the city does not have the appropriate washing and drying equipment to take care of them. Due to the increase in the storms and flooding in our area, these issues have to be solved. Mr. Sears stated a plan will be brought back to council to address these issues. Mr. Sears then stated the staff would discuss the hurricane with the council.

Don Crawford, Fire Chief, stated from a management standpoint all staff worked well together before and during the event. He stated his department did not have to perform as many rescues this hurricane compared to 2016, and he believes that was a direct result of the information given before the event. Mr. Crawford thanked everyone that worked the emergency operation center and all of his guys. He stated the Fire Department had many water rescue calls in the Hardee Road area. He stated his department received support from the FEMA Ohio swift water rescue team and were a tremendous help.

Alonzo Jaynes, Police Chief, stated he wanted to thank his men and women on the wonderful job they did preparing for the storm and working during the storm. Mr. Jaynes reported compared to Hurricane Matthew with 70 or 80 rescues during this storm there were 30 to 35 rescues made. He stated they lost their duce and a half and one of the patrol cars was flooded. Mr. Jaynes stated crime was not a significant issue. There were some incidents that were crimes of opportunity, and the police department will continue to monitor conditions.

Rhonda Barwick, Public Services Director, stated some of the issues experienced by utilities were sewer damage between Queen Street and Spring Hill. The Briery Run lift station had been bypassed due to damage from the flood on the pumps. The treatment plant is running well although it is carrying 24 million gallons a day. The plant is designed to carry 12 million gallons a day, and the plant is still running because of the great job operators are doing. The water

system had a six inch water break on Neuse Road, and that group will be under a boil water advisory. The electric system did had some damage during the storm, and at the height of the power outages, Public Services estimated approximately 6,000 customers out. That number did drop very quickly to 1500 due to the switching of the transmission loop. Mrs. Barwick thanked her staff and stated they did a great job.

CITY ATTORNEY'S REPORT

The City Attorney had no report.

MAYOR AND COUNCILMEMBER REPORTS

Councilmember Tyson asked how many City of Kinston employees were affected by the hurricane. Tony Sears, City Manager, stated staff is still trying to put that together, but so far it looks like 12. Councilmember Tyson stated he had worked with an organization that set aside money to help with employees. Councilmember Tyson stated he would like for the council to look into setting \$50,000 aside to help employees. He would like to find out if we can help with the upfront cost that may be reimbursed by FEMA. Councilmember Tyson had the concern that next meeting is not for another two weeks and employees would need help then. He stated he would like to set aside \$50,000 and give the City Manger the responsibility to handle the project. Jim Cauley, City Attorney, stated if that was done he suggests making the project subject to legal review.

Councilmember Tyson made a motion for the City to establish a fund in the amount of \$50,000 to help employees that have been affected by Hurricane Florence, and to be subjected to legal review. Councilmember Aiken seconded the motion and upon unanimous vote [5-0] the motion was passed.

Mayor Hardy thanked all department heads that helped during lunch at the community center. He then thanked all City employees for all the hard work during the hurricane.

ADJOURNMENT

Councilmember Tyson made the motion, seconded by Councilmember Suggs and upon a unanimous vote [5-0] the City Council meeting adjourned at 7:58pm.

Respectfully submitted,

Joanna Rose, Deputy Clerk