

207 West Second Street  
Post Office Box 519  
Kenly, North Carolina 27542



Telephone: (919) 284-2116  
Fax: (919) 284-5229  
Website: [www.townofkenly.com](http://www.townofkenly.com)

**February 10, 2025 – 7:00 p.m.  
Regular Town Council Meeting  
Minutes**

---

**COUNCIL PRESENT:**

Herbert Hales II, Mayor  
LaWanda Neal, Council Member  
Keith Davis, Council Member  
Beverly Knight, Council Member  
Mark Smith, Mayor Pro Tem  
Garrett Stancil, Council Member

**STAFF PRESENT:**

Tony Sears, Interim, Town Manager  
Tymeeka Williams, Town Clerk  
Marcus Burrell- Town Attorney Partner  
James Ayers- Police Chief  
Leigh Gotshall- TOK Librarian  
Dana Youst- Parks & Recreation Director  
John Pitts- Public Works Director

**1. CALL TO ORDER**

- Call to Order – Mayor Herbert Hales, II
- Invocation – Council Member Keith Davis
- Pledge of Allegiance- Mayor Herbert L Hales II

**2. PUBLIC COMMENT**

*This portion of the meeting is an opportunity for citizens to speak on any issue concerning the Town of Kenly. Please note that each citizen is limited to a total of 3 minutes\*. Please direct all comments/concerns to the entire council rather than individual members. Further, it should be noted that the Town Council reserves the right to not act on items first presented at this meeting.*

*\*This time may be adjusted based on the number of citizens who wish to speak.*

- **Linda Simon @ 200 S Wilson Street, Kenly NC 27542-** Ms. Simon concern about traffic on Wilson Street once it becomes a single road she requests installation of speed bumps to manage traffic.

**3. ADJUSTMENT/ADOPTION OF THE AGENDA**

1. Adjustments to the Agenda
  - **Latarish Neal nominated to Planning Board**

2. Adoption of the Agenda

**ALL ITEMS ON AGENDA WERE ADOPTED BY COUNCIL**

**ACTION:** Motion to adopt the Agenda as Presented

Motion: Council Member Davis

Second: Council Member Neal

Vote: Unanimous: 5-0

**4. CONSENT AGENDA**

*(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Board may request to have an item removed from the consent agenda for further discussion.)*

1. Draft Minutes: **February 10, 2025 – Regular Minutes**

**\*\* February 10, 2025: The consent agenda, including draft minutes from previous meetings, was**

**adopted without a closed session. \*\***

**ACTION:** Motion to adopt the Agenda as Presented

Motion: Council Member Smith

Second: Council Member Davis

Vote: Unanimous: 5-0

## **5. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

### **1. 2025 Town of Kenly Black History Month Proclamation**

*Presenter: Tymeeka Williams, Town Clerk*

- Initiated by Dr. Carter G. Woodson in 1926 as Negro History Week.
- Expanded to Black History Month in 1976.

- **Purpose:** To celebrate African Americans' contributions and promote awareness of human rights and equality.

## **6. PUBLIC HEARINGS**

### **1. Special Use Permit- Kimberly Tripp (648 Scott Road, Kenly NC 27542)**

*Presenter: Dale Holland, Interim Planning Director; Tony Sears, Interim Town Manager*

- **Permit Details:**

- **Property:** 2.1 acres in the ETJ, currently zoned R20; Conditional use permit for a mobile home

**ACTION: Close Regular Session to Act as Board of Adjustment at 7:07pm**

Motion: Council Member Knight

Second: Council Member Smith

Vote: Unanimous: 5-0

**ACTION: Enter into Public Hearing as Board of Adjustment 7:08pm**

Motion: Council Member Smith

Second: Council Member Davis

Vote: Unanimous: 5-0

**ACTION: Special Use Permit Approved as Board of Adjustment at 7:10pm**

Motion: Council Member Davis

Second: Council Member Stancil

Vote: Unanimous: 5-0

**ACTION: Adjourn as Board of Adjustment and Act as Town Council 7:11pm**

Motion: Council Member Smith

Second: Council Member Davis

Vote: Unanimous: 5-0

**ACTION: Close Public Hearing and Reconvene into Regular Session as Town Council at 7:12pm**

Motion: Council Member Smith

Second: Council Member Davis

Vote: Unanimous: 5-0

## **7. NEW BUSINESS**

### **1. Town of Kenly Planning Board Appointment- Patricia Shaw to represent The Town of Kenly**

**(Wilson ETJ)**

- Reappointed to the Planning Board for Town of Kenly ETJ (Wilson County)

**1a. Town of Kenly Planning Board Appointment- Latarish Neal to represent The Town of Kenly (New Appointment)**

- Newly Appointed to fill a vacancy on the Planning Board.

**ACTION: Approval of Planning Board Members**

Motion: Council Member Davis

Second: Council Member Smith

Vote: Unanimous: 5-0

**2. Resolution for Support of HB24-- RESOLUTION #2025-05**

- An Act to Restore the Authority for Local Governments to Initiate Downzoning

*Presenter: Tony Sears-Interim Town Manager*

- **Overview of HB 24:** The North Carolina General Assembly is considering House Bill 24, which aims to repeal Section 3K.1 of State Law 2024-57.
- **Impact:** This bill would allow local municipalities to make their own zoning decisions based on voter will, potentially overriding the current law that restricts local government-initiated down zoning without property owner consent.

**Zoning Authority:** The bill would affect the town's ability to adopt zoning text amendments related to residential zoning districts, allowing more flexibility for local governments.

**Down Zoning:** Defined as making property less restrictive, the bill would allow changes without property owner consent and could eliminate grandfathering provisions.

**State vs. Local Control:** Historically, North Carolina has taken a more centralized approach to zoning, but this bill seeks to return some authority to local governments.

**Manager's View:** Appreciates the flexibility provided to municipalities, allowing them to make better decisions.

**Citizen's View:** Concerns about property rights and the implications of moving property rights without owner involvement.

**Further Discussion:** Marcus will be briefed to provide more insights.

**ACTION: Council will defer the action on the resolution and defer it for further consideration.**

**8. OLD BUSINESS**

**NO OLD BUSINESS TO BE REPORTED**

**9. TOWN MANAGER / STAFF REPORTS**

a. **Town Manager: Utility Adjustments—NONE**

### **Powell Bill and Infrastructure Projects**

- **Current Status:** The Town of Kenly has been notified about the slow spending of Powell Bill funds, with \$302,000 available.
- **Urgency:** \$40,000 needs to be spent before July 1 to avoid losing funds.

**Proposed Project & Location:** Rose Lane, where tree roots have undercut the road, causing structural issues. Includes tree removal, road repair, and drainage improvements. Estimated \$64,000-\$65,000 for asphalt alone, with additional costs for tree removal and drainage work.

The project has a budget of 42 to be used by June 30th. The current quote for the project is around 60, which exceeds the available budget. There is a plan to obtain quotes from additional contractors to better understand the cost.

The project addresses long-standing infrastructure issues and utilizes available funds effectively. Contractors are being consulted for comprehensive bids that include both road and tree work. The council needs to approve the project by March to ensure timely completion. Finalize bids and coordinate work to align with available funding.

There is a need for clarity on easements, especially concerning access through farmland. Most work is planned between the road and the ditch, with access from the roadside. Locating the map and planning access routes are crucial steps to be completed by March.

### **Audit and Financial Management**

- **Audit Transition:** The current audit process is behind schedule, necessitating a change in contractors. Two firms have been contacted to provide quotes for the audit work. The contract with Anthony Tabb will need to be terminated due to unmet requirements.
- **Transition Process:** Previous transitions with one of the firms have been smooth. The new firm will prepare financial statements for S. Preston Douglas to audit. The goal is to have the transition and audit process completed efficiently, with a recommendation expected in March.
- **Contractual and Financial Implications:** There is no termination clause, but payment for services rendered is required. The focus is on minimizing financial repercussions and ensuring a smooth transition.
- b. Town Clerk --- **Black History Month Celebration:** The Martin Luther King Community Association is hosting a Black History Museum event on February 28, 2025, from 6 to 8 p.m. at the Kenly Center, 408 College Avenue, Kenly, NC. The event will include engaging exhibits and refreshments, free for all ages.

c. Town Attorney---**NONE**

d. Department Directors:

#### **Parks and Recreation-**

**Indoor Soccer Update:** The indoor soccer league kicked off with eight teams. Initially planned for nine, but adjustments were made due to team preferences. The format is fast-paced, similar to hockey, with 4v4 or 3v3 matches. Addressing safety issues due to a protruding box in the gym.

Typically, indoor soccer is played off the walls, but adjustments are being considered. Ongoing discussions about rules, with representatives and staff working on solutions.

**Basketball and Pickleball:** The boys' basketball team remains undefeated, a significant improvement from last year. Pickleball is starting Thursday night, limited to one night due to indoor soccer scheduling.

**Community Engagement and Sponsorship:** Long-term rentals have begun at the ballpark, with evening activities. The MLK Event raised \$1,800 through sponsorships. Acknowledgment of sponsors and their contributions.

### **Kenly Police Department-**

- **Monthly Statistics and Community Engagement:** Five incidents, 12 accidents, four criminal summons, and two arrests reported. Conducted 241 business checks and 85 residence checks. Low participation last month, but a new officer, Officer Sneed, was sworn in.
- **Awards and Recognition:** Received the Dr. Martin Luther King Jr. Community Service Award for community efforts. Two officers; Luis Valadez & Tamia Strickland; recognized for exceptional community engagement and service, including purchasing toys for children and organizing bike safety courses. The officers are appreciated for embodying the community-driven motto. They have been serving for two years and are expected to continue for many more. Gratitude was expressed for their dedication and service.
- **Citizen Recognition:** Business of the Year Award was awarded to Wheeler Dealer for their consistent support during community events, especially those involving children. Mr. Lieber is noted for his generosity. Servant Leadership Award was given to Tommy Johnson for collecting and distributing bicycles to those in need. Valadez assists by repairing the bikes, making it possible to provide them to children. Helping Hand Award was received by Major Dixon for her organizational assistance.
- **Officer Retirement:** Discussion on the separation allowance allowing officers to retire early, potentially after 20 years of service instead of the full 30

### **Public Works**

- **Water Supply Management:** Coordination for water cut-off on a specific road, awaiting confirmation for valve placement
- Pre-Construction Agreements:** Pre-construction agreements can help mitigate issues by setting expectations upfront. Clauses can be included to ensure contractor compliance, such as withholding payment for non-compliance.

### **Fire Department**

- **Leadership Transition:** Current fire chief; **Paul Whitehurst;** retiring on April 30th. Kevin Hubbard appointed as the new fire chief, with a transition planned for April. Kevin Hubbard's local roots and experience seen as beneficial for the community and department.

## **Kenly Library**

- Unique service of maintaining reading logs for senior patrons, ordering and preparing books for them. Offers fax services for medical and insurance papers, assists with employment site navigation, and helps with various appointments and paperwork. Provides help with devices like cell phones, Kindles, and laptops.
- **Community Programs:** Hosts supervised visits and interviews, and provides outings for JCI adults. Desktop computers with cameras for healthcare meetings, job interviews, and educational purposes. Hosts homeschool groups, crafting groups, and social groups, fostering community connections.
- **Staffing and Acknowledgments:** Thanks for allowing two part-time employees, ensuring continued high service levels. Emphasizes the library's integral role in the community.

## **10. OTHER BUSINESS**

2. Council Member Comments  
**NONE**

## **11. CLOSED SESSION**

**NO CLOSED SESSIONS DURING THE MONTH OF FEBRUARY**

## **12. ADJOURNMENT**

- a. Adjourn the Meeting

With there being nothing further, the meeting was adjourned at 7:59 p.m.

**ACTION:** Motion to Adjourn  
Motion: Council Member Davis  
Second: Council Member Smith  
Vote: 5-0

Duly adopted this the 10th day of March, 2025 while in regular session.

---

Herbert L Hales II  
Mayor: Town of Kenly