

Commission Members

Sharon C. Bryant
Jimmy Dillahunt
Sarah Proctor
Leander Morgan
Steve Strickland
Julius Parham
Tabari Wallace



Chair
Beth Walker
Co-Chair
Kip Peregoy
Executive Director
Zeb Hough
Ex-Officio Members
Rick Prill
Barbara Best
Hazel Royal

**MEETING AGENDA
January 10, 2024, 6:00 P.M.
City Hall Courtroom
300 Pollock Street**

1. Call to order and Welcome.
2. Roll Call.
3. Approve the Agenda.
4. Approval of Minutes (November, December, Closed Session October, November, December)
5. Guiding Principles
6. Public Comments (limit of 4 minutes)
7. Consider amending construction time restrictions for the 209 Bryan Street Property (Mr. and Mrs. C. Diggs)
8. Housing Working Group Report
9. Consider a resolution approving the request to purchase of 808 and 810 Bern Street
10. Neighborhood Working Group Report
11. Wellness Working Group Report
12. Project group report: Rule of Procedures
13. Project group report: Planning retreat.
14. New Business.
 - a. Walt Bellamy Update
 - b. RDC Calendar Amendment
15. Closed Session
16. Adjourn.

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD
CALL (252) 639-2931 NO LATER THAN 3 P.M. THE DATE OF THE MEETING.

REDEVELOPMENT COMMISSION OF NEW BERN

GUIDING PRINCIPLES

1. PAST, PRESENT, FUTURE (EQUAL TIME)
2. RESPECT OTHER'S OPINIONS
3. LISTEN TO BUILD CONSENSUS
4. SHARE ACCURATE INFORMATION, PUBLIC PERCEPTION
5. STAY FOCUSED, BE ACTION-ORIENTED
6. BELIEVE



Everything Comes Together Here

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD
CALL (252) 639-2931 NO LATER THAN 3 P.M. THE DATE OF THE MEETING.

Agenda Item Title: Approval of Minutes (November, December, Closed Session October, November, December)

Date of Meeting: <u>1/10/2024</u>	Presenter: Beth Walker
Department: Redevelopment Commission	Person Submitting Item:

Explanation of Item:	Per Procedure, the minutes were prepared according to statues and guidelines provided to staff. They were edited based upon feedback received from the commission.
Actions Needed by Board:	If there are no amendments. The commission needs to consider approving these minutes for the public record.
Backup Attached:	Minutes Attached
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Additional Notes:

Commission Members

Sharon C. Bryant
Jimmy Dillahunt
Sarah Proctor
Leander Morgan
Steve Strickland
Julius Parham
Tabari Wallace



Chair

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Executive Director

Zeb Hough

Ex-Officio Members

Rick Prill

Barbara Best

Hazel Royal

**City of New Bern
Redevelopment Commission Meeting
300 Pollock Street- City Hall
November 08, 2023
Minutes**

Members Present: Beth Walker, Kip Peregoy, Steve Strickland, Julius Parham, Tabari Wallace, Sarah Proctor, Jimmy Dillahunt Sr., Leander Morgan Jr.

Ex-Officio Members Present:

Hazel Royal

Members Excused (E)/Absent (A):

Sharon Bryant (E)

Staff Present:

Marvin Williams, Assistant City Manager

Zeb Hough, Executive Director

Jaimee Bullock, Assistant City Attorney

1. Call to order and Welcome.

Chair Beth Walker called the meeting to order at 6:02 P.M. and requested Staff to call the roll.

2. Roll Call.

The Staff established a quorum.

3. Approve the Agenda.

Chair Walker presented the agenda to the Commission as disseminated and asked for a motion to accept. Julius Parham moved to approve the agenda, and Tabari Wallace seconded the Motion. The agenda was accepted as disseminated by voice vote.

4. Approval of Minutes (October)

The chair presented the minutes. Commissioner Dillahunt recommended that the amendment include his presence at the meeting. The Commission agreed. The Motion to accept the October 11th minutes with the amendments was made by Commissioner Proctor and seconded by Commissioner Peregoy. The Motion passed unanimously by a voice vote.

5. Guiding Principles

The Commission read the guiding principles.

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6. Public Comments (limit of 4 minutes)

No citizens addressed the commission.

7. Housing Working Group Report

Vice Chair Peregoy presented the housing workgroup's report. He reported that for the first time this year, the working group had not met. However, several commissioners focused on assisting with the Walt Bellamy project. No other discussion was had.

8. Neighborhood Working Group Report

Commissioner Morgan shared the concern that with changing seasons, work would have to be done to maintain the redevelopment zone. Several commission members shared that the city had resources to help, such as the public works brush pick-up. Commissioner Morgan thanked the commission and said he would plan a neighborhood clean-up event soon.

9. Wellness Working Group Report

Commissioner Wallace shared his sincere thanks to the members of the commission and the community who have worked to plan the wellness initiative. He shared that while there were no updates, the group is exploring opportunities and will report when there is an update.

10. Rule of Procedure Project Group Report

Commissioner Sarah Proctor reported that the project group had convened, and she is currently working with staff to revise the Rule of Procedure to present to the commission. No further discussion was had.

11. Strategic Planning Project Group Report

Commissioner Parham reported that his group still needed to meet. He was working with Staff to set a date to meet. He reported that the project group will work to invite other redevelopment professionals to come and share what they have done and what has worked. The strategic planning retreat will work to give the commission immediate and long-term goals to work toward. No further discussion was had.

New Business.

Staff Report- Zeb Hough reported that since his November 1st start as the executive director, he had been busy getting acclimated to the new role and responsibilities. He reported that the commission would have a groundbreaking event on Friday, November 11th, at 9 a.m. The event would be a celebration of the three homes that would be provided for the community. He reported that the Eubanks project was in process, and Habitat for Humanity should have ownership by the first quarter of 2024. The financial report was given to the commission as received by staff, and a draft schedule for 2024 was given as well. No further discussion was had.

12. Closed Session

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD
CALL (252) 639-2931 NO LATER THAN 3 P.M. THE DATE OF THE MEETING.

Chair Walker called for a closed session according to G.S 143.318.11 (a) (5). Commissioner Parham made the motion to go into closed session, which was seconded by Commissioner Wallace and passed unanimously by voice vote.

13. Adjourn.

A motion was made to adjourn by Vice Chairman Peregoy and seconded by Commissioner Parham. The meeting was adjourned at 8:17 P.M

Date approved: _____

Beth Walker, Chair

Attest: _____
Zeb Hough, Executive Director

Commission Members

Sharon C. Bryant
Jimmy Dillahunt
Sarah Proctor
Leander Morgan
Steve Strickland
Julius Parham
Tabari Wallace



Chair

Beth Walker

Co-Chair

Kip Peregoy

Executive Director

Zeb Hough

Ex-Officio Members

Rick Prill

Barbara Best

Hazel Royal

**City of New Bern
Redevelopment Commission Meeting
300 Pollock Street- City Hall
December 13, 2023
Minutes**

Members Present: Beth Walker, Sharon Bryant, Kip Peregoy, Steve Strickland, Julius Parham, Jimmy Dillahunt Sr.

Ex-Officio Members Present:

Hazel Royal

Members Excused (E)/Absent (A):

Sarah Proctor, Leander Morgan Jr., Tabari Wallace

Staff Present:

Zeb Hough, Executive Director

Jaimee Bullock, Assistant City Attorney

1. Call to order and Welcome.

The Redevelopment Commission of New Bern North Carolina met for its monthly business meeting on December 13, 2023. The meeting commenced and was promptly called to order by the chair at 6:10 p.m. in the court room of City Hall. Staff called the roll and quorum was established.

2. The agenda was reviewed and the call for a motion was made. Julius Parham made the motion to approve the agenda as given, the motion was seconded by Kip Peregoy. The agenda was approved by voice vote unanimously.

3. Item three was a call to approve the minutes of the November meeting. In addition, the chair called for a motion to approve the closed session minutes for the October and November Closed Sessions. After reviewing the minutes, and suggesting changes, direction was given to staff to make the proposed changes and to review those changes at the January business meeting. In addition, the commission came to consensus that it would be most appropriate to table the approval of the open session minutes until January as well.

4. The Commission recited the Guiding Principles.

5. No Public Comments were made.

6. Consider Amending purchase agreement for 209 Bryan Street:

Staff explained that due to a defect in the title for 209 Bryan Street Mr. Charles Diggs has been unable to proceed with the closing of the sale on the property.

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD
CALL (252) 639-2931 NO LATER THAN 3 P.M. THE DATE OF THE MEETING.

Charles and Cecilia Diggs have said that they are still interested in purchasing 209 Bryan Street. They have met with their attorney, Jonathan Eure, at Mewborn & DeSelms' office in Jacksonville, NC to discuss what options exist and how to obtain an insurable Deed. Ownership of 209 Bryan Street comes with a high level of risk and eliminating the risk will be time-consuming and costly. Closing now on 209 Bryan Street would take approximately another 20 months before they are able to begin the process of seeking a Quiet Title Action. This delay would be needed to use Adverse Possession as part of the foundation for the lawsuit for A Quiet Title, which would take up to a year. So, there is a possibility of the process taking 32 months just to possibly retain an insurable deed. So, the Diggs family is respectfully requesting that the Redevelopment Commission remove the requirement of construction by time certain from this transaction.

Discussion took place amongst the commission about the possibility of honoring the request. Directions were given to staff to confirm the time projections and to address this topic at the next meeting.

7. Consider accepting a request to Purchase 808 and 810 Bern Street (*PID 8-007-328 and 8-007-327*):

Jose Sutuj and Phil Hedrick presented the purchase of two Bern Street parcels on which Jose intends to combine and build a single-family home. Jose and his family own the property directly across the street, and he plans to utilize the property as a home for his son. Provided to the commission was a diagram of the potential home. Mr. Sutuj said that he had hoped to begin construction on the home early in the new year. The commission thanked Mr. Sutuj for his presentation and referred the request to the housing working group.

8. Housing Group Report:

Commissioner Peregoy gave a report of the prior month's meeting of the housing working group. In his report, he indicated that the working group had reviewed Mr. Sutuj's proposal and discussed the potential of amending the procedure on the basis that Mr. Sutuj had already worked with staff, gotten all his presentation information to the commission ahead of time, met the matrix of the redevelopment plan, and is a private resident in the neighborhood he is looking to develop. Commissioner Peregoy reported that the recommendation of the working group was to remain in compliance with the existing protocol and review the information again after a formal presentation was made.

Additionally, the housing working group requested staff to supply information pertaining to some potential projects to be discussed at the planning meeting early in 2024.

The working group discussed in detail the process of working with CDBG funds for the Eubanks house. Commissioner Peregoy reported that staff gave an update on the Walt Bellamy projects. Finally, the working group had robust discussion on the options to demolish the West A street houses that was approved in mid-2023.

9. Neighborhood Working Group:

No report was given.

10. Health and Wellness Working Group:

No Report was given.

11. Rules of Procedures project Group:

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No Report was given.

12. Strategic Planning Project Group:

No Report was given. (The commission was given a draft of the proposed agenda for the planning session)

13. New Business:

Staff provided a draft calendar for the commission to adopt. The February meeting was discussed, and staff was directed to correct the date before publication. Chair Walker asked if there was a motion to adopt the calendar with amendments. Commissioner Strickland made the motion, and Julius Parham seconded the motion. The 2024 Calendar was approved with amendments.

Staff also gave an update on the progress of the Walt Bellamy houses. The framing was to begin the following week, and all three houses are on track to meet the construction timeline.

Staff also gave the commission the update that Habitat for Humanity is beginning the process of working with CDBG. The 911 Eubanks house was renovated and moved with CDBG funds, and as such those funds will be held against the property to ensure program outcomes are achieved as designated in the sub-recipient contract and required by national objectives.

14. Closed Session:

Chair Walker called for a closed session according to G.S 143.318.11 (a) (5). Commissioner Parham made the motion to go into closed session, which was seconded by Commissioner Strickland and passed unanimously by voice vote. The Commission went into closed session at 6:50 P.M.

15. Adjournment:

A motion was made to adjourn by Vice Chairman Peregoy and seconded by Commissioner Parham. The meeting was adjourned at 7:02 P.M

Date approved: _____

Beth Walker, Chair

Attest: _____
Zeb Hough, Executive Director

Agenda Item Title: Consider removing construction time covenants on the 209 West Street.

Date of Meeting: <u>1/10/2024</u>	Presenter: Mr. C E Diggs
Department: Redevelopment Commission	Person Submitting Item:

Explanation of Item:	<p>Mr. and Mrs. C. Diggs have requested the commission remove the time restrictions from the deed for the purchase of 209 West Street to proceed.</p> <p>Mr. and Mrs. Diggs are present this evening to address the concerns presented by the commission at the December 13th meeting.</p>
Actions Needed by Board:	<p>If it pleases the commission to do so, the Commission should consider a resolution removing the time restrictions from the 209 West Street Property to give the Digg's family time to resolve the title defects.</p> <p><i>*Note: The title defect is attached to this parcel not the situation. So, if Digg's family is not permitted to move forward, the defect will remain with the same time restraints for anyone else in the future.</i></p>
Backup Attached:	Memo Attached
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Additional Notes:

Commission Members

Sarah Proctor
Leander Morgan
Julius Parham
Steve Strickland
Sharon Bryant
Tabari Wallace
Jimmy Dillahunt Sr.



Chair

Beth Walker

Co-Chair

Kip Peregoy

Executive Director

Zeb Hough

Ex-Officio Members

Rick Prill

Hazel Royal

Barbara Best

**January 2, 2023
MEMORANDUM**

Question #1. How long do you anticipate it will take. You to commence construction at 209 Bryan Street?

January 2024 to August of 2025 is 20 months to met the "Seven Year Adverse Possession requirement. Attorney Eure projected 12 months for the "Quiet Title Action. So at a minimum 32 months. But It would not be feasible for us to submit our building plans for approval, obtain permits, and hire/schedule contractors until the court had awarded us a quiet title.

Response to Question #2. Has your action to quiet title commenced? How long does your attorney anticipate it taking?

In our consultation with Attorney Jonathan Eure of Mewborn and DeSelms, Attorney Eure stated that the "Quiet Title Action" would not be filed with the court until after ownership under the "Seven-Year Adverse Possession requirement is met. Which, based on tax records, would not be reached until August of 2025. Attorney Eure stated that we could tag onto the five years local government owned the property. Attorney Eure stated that the "Quiet Title Action" could take up to a year.

Question #3 Yes. We are able to close on the 209 Bryan Street property immediately.

Addition information to Consider:

Further in our consultation with Attorney Eure, in order for us to begin the process to file the "Quiet Title Action, his fee would start at \$6000, and depending upon the variables that we have no control over ie; the ability to tract down the heir, if the heir is still alive or tracked down the heirs of the heir etc. would add to the cost. Then, if the Quiet Title Action is challenged, we end up in court, the costs and timeframe may mount depending upon the circumstances.

It is worth stating that our closing attorney, Lacey Smith of Moeller Law Firm stated that at the time of foreclosure, the overlooked heir was living in New Mexico.

The only factor in this equation that we control is finances. Every other piece of the equation is dependent upon factors that we have no control over. ie: heirs and court.

Everything Comes Together Here

As an investor, a vacant lot is a liability, and we will push to have that liability moved to the asset column as soon as it is reasonable and feasible. However, we are not willing to invest thousands of dollars into purchasing 209 Bryan Street and “fixing” the defect in the title only to have to give the property back to the seller due to circumstances out of our control.

Under these circumstances, agreeing to a “construction by deadline covenant”, we are setting ourselves up for a financial loss. Therefore, we are asking the RDC to totally remove the construction-by-deadline covenant.

Sincerely,

Charles E. Diggs, Jr. and Cecelia DiCarlo

RESOLUTION

WHEREAS, the Redevelopment Commission of the City of New Bern ("Commission") desires to sell the real property located at 209 Bryan Street more particularly identified as Craven County parcel identification number 8-011-177 ("Subject Property"), for use consistent with the Redevelopment Plan; and

WHEREAS, the Commission has received an offer to purchase the subject property; and

WHEREAS, the offer to purchase was in the sum of \$5,650.00 by Charles E. Diggs, Jr. and Cecelia M. DiCarlo of 1910 Flatrock Street, Winston-Salem, North Carolina 27107; that no increased bids were received, and the Commission approved the sale of the subject property to the successful bidders for the bid amount of \$5,650.00, and the conveyance of said property by quitclaim deed subject to certain restrictive covenants, conditions and restrictions was approved by the Board of Aldermen of the City of New Bern; and

WHEREAS, subsequently Mr. Diggs and Ms. DiCarlo discovered a defect in the chain of title which requires a significant amount of time to remedy; and

WHEREAS, Mr. Diggs and Ms. DiCarlo cannot commence construction on a residential dwelling unit upon the Subject Property until the title defect has been cured; and

WHEREAS, the Commission deems it advisable and in furtherance of its redevelopment plan to sell the subject property to the successful bidder for the bid amount of \$5,650.00, subject to the previously approved covenants, restrictions and conditions, less the restrictive covenant requiring commencement of construction within twelve (12) months of closing given a defect in the chain of title of the Subject Property; and

WHEREAS, pursuant to North Carolina General Statute §160A-514, the Board of Aldermen of the City of New Bern must find that the proposed sale is consistent with the Redevelopment Plan and approve the sale before the conveyance can be effectuated.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN:

Section 1. That, based on the foregoing findings, the Redevelopment Commission hereby requests the Board of Aldermen of the City of New Bern approve the sale of the Subject Property, less the restrictive covenant requiring commencement of construction within twelve (12) months of closing.

Section 2. That the Chairman and Vice Chairman be and are hereby authorized and directed to execute a quitclaim deed for the Commission's interest in said property to the purchaser upon receipt of approval of the sale by the Board of Aldermen.

Section 3. That a copy of said quitclaim deed is attached hereto and incorporated herein by reference, and the original deed shall be delivered to said purchasers once the same has been executed on behalf of the Commission, upon payment of the balance due on the purchase price.

Section 4. That the Subject Property is more particularly described as follows:

All that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

Situate in No. 8 Township, Craven County, and known as that certain lot or parcel of land situate in the City of New Bern, known as No. 26 Bryant (Bryan) Street according to the postal enumeration of said City; and being Lot No. 32 as shown on the map of the Jones Subdivision, recorded in the office of the Register of Deeds of said County in Book 126, Page 501.

Subject to restrictive covenants and easements of record.
Parcel Identification Number: 8 011 177

ADOPTED THIS 10th DAY OF JANUARY, 2024.

BETH WALKER, Chairman

ZEB HOUGH, EXECUTIVE DIRECTOR

Prepared by and return to:

Jaimee Bullock Mosley
DAVIS HARTMAN WRIGHT LLP
209 Pollock Street
New Bern, NC 28560

PARCEL NO. 8-011-177
REVENUE STAMPS: \$11.00

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

QUITCLAIM DEED

THIS QUITCLAIM DEED, made and entered into this ____ day of JANUARY, 2024, by and between the REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN, ("Grantor"); to CHARLES E. DIGGS, JR. and CECELIA M. DICARLO, whose mailing address is 1910 Flatrock Street, Winston-Salem, North Carolina 27107, ("Grantee");

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations to Grantor paid by the Grantee, the receipt of which is hereby acknowledged, have remised and release, and by these presents do remise, release and forever quitclaim unto the Grantee, Grantee's heir and assigns, the following described property, to wit:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the above described lot or parcel of land and all privileges and appurtenances thereunto belonging to the Grantee, Grantee's heirs and assigns, free and

DAVIS HARTMAN WRIGHT LLP
Attorneys at Law
209 Pollock Street
New Bern, NC 28560

discharged from all right, title, claim or interest of the said Grantors or anyone claiming by, through or under the Grantors.

IN TESTIMONY WHEREOF, the REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN has caused this instrument to be executed in its corporate name by its Chairman this the day and year first above written.

REDEVELOPMENT COMMISSION OF THE
CITY OF NEW BERN

By: _____ (SEAL)
Beth Walker, Chairman

Attest:

Kip Peregoy, Vice Chairman

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, _____, Notary Public in and for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged that s/he is Chairman of the Redevelopment Commission of the City of New Bern, a body politic and corporate of the State of North Carolina, and that s/he, as Chairman, being duly authorized to do so, voluntarily executed the foregoing instrument on behalf of said corporation for the purposes stated herein.

WITNESS my hand and official seal this the _____ day of January, 2024.

Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, _____, Notary Public in and for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged that s/he is Vice Chairman of the Redevelopment Commission of the City of New Bern, a body politic and corporate of the State of North Carolina, and that s/he, as Vice Chairman, being duly authorized to do so, voluntarily executed the foregoing instrument on behalf of said corporation for the purposes stated herein.

WITNESS my hand and official seal this the _____ day of January, 2024.

Notary Public

My Commission Expires:

EXHIBIT A
PROPERTY DESCRIPTION

All that certain tract of parcel of land in Number Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

Situate in No. 8 Township, Craven County, and known as that certain lot or parcel of land situate in the City of New Bern, known as No. 26 Bryant (Bryan) Street according to the postal enumeration of said City; and being Lot No. 32 as shown on the map of the Jones Subdivision, recorded in the office of the Register of Deeds of said County in Book 126, Page 501.

Subject to restrictive covenants and easements of record.

Parcel Identification Number: 8 011 177

EXHIBIT B
Restrictive Covenants

WHEREAS, the real property described in Exhibit A and bearing postal address 209 Bryan Street, New Bern, North Carolina ("Property") is located in the redevelopment area of the City of New Bern; and

WHEREAS, Grantor is a redevelopment commission which exists and operates for the public purposes of acquiring and replanning such areas and of holding or disposing of them in such manner that they become available for economically and socially sound redevelopment; and

WHEREAS, Goal 2 of the Grantor's redevelopment plan is to improve the appearance and quality of housing stock in the redevelopment district boundary area; and

WHEREAS, Grantor and Grantee understand and agree that restrictive covenants contained herein are intended to comply with the goals of Grantor's redevelopment plan and the provisions of Article 22 of Chapter 160A of the General Statutes and shall be binding on Grantee, and all subsequent owners of the Property.

NOW, THEREFORE, the Property shall be and shall permanently remain subject to the following agreement, easements, covenants and restrictions:

Section 1. These covenants shall be administered solely by the Redevelopment Commission of the City of New Bern, its successor in interest or assigns.

Section 2. Any residential dwelling unit not occupied by the owner must be sold or rented to persons of low-to-moderate income.

Section 3. In the event that any residential dwelling unit not occupied by the owner is not sold or rented to persons of low-to-moderate income, title of the subject property shall immediately revert back to the Redevelopment Commission, unless the Grantor and the Grantee shall have agreed in writing on a later date on which the reversion should occur.

Agenda Item Title: Housing Working Group Report

Date of Meeting: <u>1/10/2024</u>	Presenter: Kip Peregoy
Department: Redevelopment Commission	Person Submitting Item:

Explanation of Item:	<p>The Housing working group met on January 4, 2024. The working group discussed the following items:</p> <ol style="list-style-type: none"> 1. Offer to purchase 808 and 810 Bern St. 2. Strategic projects for next fiscal year 3. A Street Demolition 4. First Avenue Tract and additional properties <p>Vice Chair Peregoy will report on recommendations and seek commission input.</p>
Actions Needed by Board:	
Backup Attached:	Memo Attached
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Additional Notes:

Housing Work Group

1/4/24

The housing work group along with Zeb Hough met to discuss the following:

- **Request to purchase 808 & 810 Bern St.**
 - **Following discussion, the group recommended the sale be approved (initiate the upset bid process) with the following conditions:**
 - **Construction of a residential structure to begin within 12 months of closing.**
 - **Reversion clause if above is not done.**
 - **Any residential dwelling not owner or family occupied must be sold or rented to a low to moderate income person.**
 - **No inoperable, unlicensed, junked or stripped down vehicle, trailer, or boat may be stored on any portion of the property.**
 - **All of the above conditions have been used in other sales of properties in the RDC.**
 - **Legal staff will wordsmith the conditions to comply with past sales.**
- **Requested staff to report on status of the 10 lots conveyed to the RDC by the City/County so that we can show proper usage of the property based on the conditions of the transfer.**
- **Zeb updated the status of the following:**
 - **Eubanks house**
 - **Walt Bellamy homes**
- **We discussed options for disposing of the Walt Bellamy homes and still meeting our housing goal.**
- **We discussed creating a development model for the A St property to be presented at the strategic planning meeting.**
- **We discussed property acquisition targets in the RDC.**

Agenda Item Title: Consider accepting a Request to Purchase:

Date of Meeting:	Presenter: Beth Walker
Department: Redevelopment Commission	Person Submitting Item:

Explanation of Item:	Jose A. Sutuj has submitted a request to purchase two RDC owned parcels. These Parcels across the street from his personal residence. Mr. Sutuj's intention is to beautify the lots and utilize them for workforce housing. a. 808 Bern Street PID: 8-007-327 b. 810 Bern Street PID: 8-007-328 Mr. Sutuj has worked with Staff to give the commission this presentation. He is prepared to answer any questions and has drawings (included here)
Actions Needed by Board:	The Commission may choose: 1. To move forward with disposition of the property to the Purchaser. 2. To ask staff or the developer to provide additional information before they decide 3. Decide not to move forward with the sale of the land for the proposed project.
Backup Attached:	See attachments
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Additional Notes:

RESOLUTION

THAT WHEREAS, the Redevelopment Commission of the City of New Bern owns certain real property identified as 808 Bern Street, Craven County parcel identification 8-007-327; and

WHEREAS, North Carolina General Statute § 160A-269 and § 160A-514 permit the Commission to sell property by upset bid after receipt of an offer for the property; and

WHEREAS, the Commission has received an offer to purchase the above-described property in the amount of \$5,737.50. submitted by Jose A. Sutuj; and

WHEREAS, Jose A. Sutuj has paid the required five percent (5%) deposit on the offer; and

WHEREAS, the Redevelopment Commission deems it to be in the public interest and in furtherance of its redevelopment plan to convey its interest in the subject properties.

NOW, THEREFORE, BE IT RESOLVED BY REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN:

Section 1. The Redevelopment Commission of the City of New Bern authorizes the sale of its interest in the property described above through the upset bid procedure of North Carolina General Statute § 160A-269 and § 160A-514.

Section 2. The Redevelopment Commission is authorized to sale its interest in the property subject to such covenants, conditions and restrictions as the Commission may deem to be in the public interest and in furtherance of the purposes of the redevelopment plan pursuant to North Carolina General Statute § 160A-514; and

Section 3. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.

Section 4. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

Section 5. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Redevelopment Commission.

Section 6. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

Section 7. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check or certified check. The Commission will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset bid if a qualifying higher bid is received. If the Commission accepts the final high bid, the deposit of the final high bidder will be applied to the purchase price at closing, and if the final high bidder is unable to complete the purchase of the property, the deposit shall be forfeited.

Section 8. The terms of the final sale are:

(a) The Redevelopment Commission must approve the final high offer before the sale is closed; and

(b) The Board of Aldermen of the City of New Bern must approve the final sale before the sale is closed; and

(c) The closing may occur within thirty (30) days after approval of the final sale by the Board of Aldermen; and

(d) The conveyance is subject to the restrictive covenants set forth in Exhibit A pursuant to § 160A-512(6).

(e) The buyer must pay with cash at the time of closing.

Section 9. The Commission reserves the right to withdraw the property from sale at any time before the final high bid is accepted, and the right to reject all bids at any time, specifically including the initial offer.

Section 10. If no qualifying upset bid is received after the initial public notice, and if the offer set forth above has not been subsequently rejected, the offer set forth above is hereby accepted, and the appropriate city officials are authorized to execute the instruments necessary to convey the property to Jose A. Sutuj.

ADOPTED THIS 10th DAY OF JANUARY, 2024.

BETH WALKER, Chairman

ZEB HOUGH, Executive Director

EXHIBIT A

1. These covenants shall be administered solely by the Redevelopment Commission of the City of New Bern, its successor in interest or assigns.
2. Construction of a residential dwelling shall begin within twelve (12) months of the closing date. The start of construction is defined as having a completed foundation of the home.
3. In the event that construction has not commenced within twelve (12) months of the closing date, title of the subject property shall revert back to the Redevelopment Commission, unless the Commission and the purchaser shall have agreed in writing on a later date on which the reversion should occur.
4. Any residential dwelling unit not occupied by the owner must be sold or rented to persons of low-to-moderate income.
5. No motor vehicle that is junked, partially wrecked, fails to display a current license plate, fails to display a current North Carolina inspection sticker, or is non-operative, shall be placed or allowed to remain on the real property described herein.

RESOLUTION

THAT WHEREAS, the Redevelopment Commission of the City of New Bern owns certain real property identified as 810 Bern Street, Craven County parcel identification 8-007-328; and

WHEREAS, North Carolina General Statute § 160A-269 and § 160A-514 permit the Commission to sell property by upset bid after receipt of an offer for the property; and

WHEREAS, the Commission has received an offer to purchase the above-described property in the amount of \$5,737.50. submitted by Jose A. Sutuj; and

WHEREAS, Jose A. Sutuj has paid the required five percent (5%) deposit on the offer; and

WHEREAS, the Redevelopment Commission deems it to be in the public interest and in furtherance of its redevelopment plan to convey its interest in the subject properties.

NOW, THEREFORE, BE IT RESOLVED BY REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN:

Section 1. The Redevelopment Commission of the City of New Bern authorizes the sale of its interest in the property described above through the upset bid procedure of North Carolina General Statute § 160A-269 and § 160A-514.

Section 2. The Redevelopment Commission is authorized to sale its interest in the property subject to such covenants, conditions and restrictions as the Commission may deem to be in the public interest and in furtherance of the purposes of the redevelopment plan pursuant to North Carolina General Statute § 160A-514; and

Section 3. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.

Section 4. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

Section 5. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Redevelopment Commission.

Section 6. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

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(d) The conveyance is subject to the restrictive covenants set forth in Exhibit A pursuant to § 160A-512(6).

(e) The buyer must pay with cash at the time of closing.

Section 9. The Commission reserves the right to withdraw the property from sale at any time before the final high bid is accepted, and the right to reject all bids at any time, specifically including the initial offer.

Section 10. If no qualifying upset bid is received after the initial public notice, and if the offer set forth above has not been subsequently rejected, the offer set forth above is hereby accepted, and the appropriate city officials are authorized to execute the instruments necessary to convey the property to Jose A. Sutuj.

ADOPTED THIS 10th DAY OF JANUARY, 2024.

BETH WALKER, Chairman

ZEB HOUGH, Executive Director

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5. No motor vehicle that is junked, partially wrecked, fails to display a current license plate, fails to display a current North Carolina inspection sticker, or is non-operative, shall be placed or allowed to remain on the real property described herein.

Agenda Item Title: Wellness Working Group Report

Date of Meeting: <u>1/10/2024</u>	Presenter: Tabari Wallace
Department: Redevelopment Commission	Person Submitting Item:

Explanation of Item:	The Wellness working group did not meet this month. They are waiting for feedback on several items and will report once feedback is received.
Actions Needed by Board:	
Backup Attached:	Memo Attached
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Additional Notes:

Agenda Item Title: Neighborhood Working Group Report

Date of Meeting: <u>1/10/2024</u>	Presenter: Leander Morgan Jr.
Department: Redevelopment Commission	Person Submitting Item:

Explanation of Item:	<p>The neighborhood working group did not meet this month. The working group is actively visiting the community to maintain contact between the commission and the zone the commission serves.</p> <p>Commissioner Leander Morgan will report any immediate issues for discussion.</p>
Actions Needed by Board:	
Backup Attached:	Memo Attached
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Additional Notes:

Agenda Item Title: Project Group Report: Rules of Procedure

Date of Meeting: <u>1/10/2024</u>	Presenter: Sarah Proctor
Department: Redevelopment Commission	Person Submitting Item:

Explanation of Item:	
Actions Needed by Board:	
Backup Attached:	Memo Attached
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Additional Notes:

Agenda Item Title: Project Group Report: Planning Retreat

Date of Meeting: <u>1/10/2024</u>	Presenter: Julius Parham
Department: Redevelopment Commission	Person Submitting Item:

Explanation of Item:	
Actions Needed by Board:	
Backup Attached:	Memo Attached
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Additional Notes:

Agenda Item Title: New Business

Date of Meeting: <u>1/10/2024</u>	Presenter: Zeb Hough
Department: Redevelopment Commission	Person Submitting Item:

Explanation of Item:	<ol style="list-style-type: none"> 1. Walt Bellamy Update 2. RDC Calendar Amendment <p>Mr. Hough will give a presentation on the progress being made at the Walt Bellamy Properties, and request consideration for the calendar to be amended for 2024.</p>
Actions Needed by Board:	
Backup Attached:	Resolution Attached
Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Additional Notes: