

**CITY OF NEW BERN
BOARD OF ALDERMEN MEETING
MARCH 08, 2022 – 6:00 P.M.
CITY HALL COURTROOM
300 POLLOCK STREET**

1. Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Alderwoman Harris. Pledge of Allegiance.
2. Roll Call.
3. Request and Petition of Citizens.

Consent Agenda

4. Consider Adopting a Resolution to Close Specific Streets for the Tap That 2nd Annual Block Party.
5. Consider Adopting a Resolution to Call for a Public Hearing to Amend the Land Use Ordinance Section 15-80 – Endorsements on Major Subdivision Plats.
6. Consider Adopting a Resolution to Call for a Public Hearing on the Resiliency Plan.
7. Approve Minutes.

8. Consider Adopting a Resolution Approving a Memorandum of Understanding with the US Department of Justice Marshal Service.
9. Consider Adopting a Resolution Authorizing the City Manager to Execute a Contract with James L. Cayton and Associates, Inc. for the FY22 Water and Sewer Improvements Project.
10. Consider Adopting an Ordinance to Amend Article V. Trucks and Trailers of Chapter 70.
11. Consider Adopting an Ordinance to Close the COPS MORE 98 Grant Fund.
12. Consider Adopting an Ordinance to Close the Garage Relocation Project Fund.
13. Consider Adopting an Ordinance to Close the 2017 Water Improvements Project Fund.
14. Consider Adopting an Ordinance to Close the Water Resources Relocation Project Fund.
15. Consider Adopting an Ordinance to Close the 2017 Sewer Improvements Project Fund.

16. Discussion of City Hall Elevator Project.
17. Appointment(s).
18. Attorney's Report.
19. City Manager's Report.
20. New Business.
21. Closed Session.
22. Adjourn.

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD CALL
639-7501 NO LATER THAN 3 P.M. THE DATE OF THE MEETING

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



Dana E. Outlaw
Mayor
Foster Hughes
City Manager
Brenda E. Blanco
City Clerk
Kimberly A Ostrom
Director of Finance

Memo to: Mayor and Board of Aldermen
From: Foster Hughes, City Manager
Date: March 03, 2022
Re: March 08, 2022 Agenda Explanations

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Alderwoman Harris. Pledge of Allegiance.**
- 2. Roll Call.**
- 3. Request and Petition of Citizens.**

This section of the agenda is titled Requests and Petitions of Citizens. This is an opportunity for public comment, and we thank you for coming to the Board of Aldermen meeting tonight to share your views. We value all citizen input.

Speaker comments are limited to a maximum of 4 minutes during the public comment period. At the conclusion of 4 minutes, each speaker shall leave the podium. Comments will be directed to the full board, not to an individual board member or staff member. Although the board is interested in hearing your comments, speakers should not expect any comments, action, or deliberation from the board on any issue raised during the public comment period.

In the board's discretion, it may refer issues to the appropriate city officials or staff for further investigation. If an organized group is present to speak on a common issue, please designate one person to present the group's comment, which shall be limited to a maximum of 4 minutes.

Consent Agenda

4. Consider Adopting a Resolution to Close Specific Streets for the Tap That 2nd Annual Block Party.

(Ward 1) In conjunction with Religious Community Services, Tap That Craft Beer and Wine will be holding its second annual block party. A request was received to close the 900 and 1000 blocks of Pollock Street to vehicular traffic on May 21, 2022 from 10 a.m. until 11:59 p.m. The organizers have also requested use of the public parking lot at 925 Broad Street, which is the back of the old Days Inn site, to set up a food truck and entertainment. A rain date of June 4, 2022 has been designated. A memo from Kari Warren, Interim Director of Parks and Recreation, is attached.

5. Consider Adopting a Resolution to Call for a Public Hearing to Amend the Land Use Ordinance Section 15-80 – Endorsements on Major Subdivision Plats.

Staff in Development Services is recommending an amendment to Section 15-80 of the Land Use Ordinance regarding Endorsements on Major Subdivision Plats. The amendments are in accordance with NCGS §47-30. The Planning and Zoning Board reviewed the amendment and unanimously approved it at their February 1, 2022 meeting. It is requested a public hearing be called for March 22, 2022 to receive comments on the proposed changes. A memo from Matt Schelly, Interim Director of Development Services, is attached.

6. Consider Adopting a Resolution to Call for a Public Hearing on the Resiliency Plan.

Staff has been working with consultants to develop a multiphase, long-term Resiliency Plan that will allow the City, residents, and businesses to be better prepared for and able to respond to situations arising from extreme storms. The draft plan will be presented before the Board on March 22, 2022, and it is requested a public hearing be held at that time to receive comments and input from the public. A memo from Mr. Schelly is attached.

7. Approve Minutes.

Minutes from the February 11, 2022 retreat and February 22, 2022 regular meeting are provided for review and approval.

8. Consider Adopting a Resolution Approving a Memorandum of Understanding with the US Department of Justice Marshal Service.

For several years, the New Bern Police Department has participated in the Task Force Officer ("TFO") program with the US Department of Justice Marshal Service. Through this partnership, the Marshal Service has engaged in numerous operations

throughout New Bern and Craven County to hunt down wanted fugitives. In the fourth quarter of Fiscal Year 2021, 307 warrants were served in our region and 179 fugitives arrested. The Memorandum of Understanding ("MOU") provides that the US Department of Justice will pay the Police Department an amount not to exceed \$10,000 for overtime of a sworn officer. A memo from Police Chief Patrick Gallagher is attached.

9. Consider Adopting a Resolution Authorizing the City Manager to Execute a Contract with James L. Cayton and Associates, Inc. for the FY22 Water and Sewer Improvements Project.

(Wards 1 and 5) Bids were sought for the FY22 Water and Sewer Improvements Project that involves Court Street and portions of High Street, River Road, and Washington/Raleigh Street. The project will eliminate deteriorated mains and service lines, increase reliability of the domestic water supply, and reduce potential sewer backups in the project area. A total of four bids were received, with the lowest bid submitted by James L. Cayton Utilities, Inc. for \$758,550. The proposed resolution authorizes the City Manager to execute a contract with James L. Cayton and any change orders within the budgeted amount. A memo from Jordan Hughes, City Engineer, is attached along with a copy of the bid tabulation.

10. Consider Adopting an Ordinance to Amend Article V. Trucks and Trailers of Chapter 70.

(Ward 1) This ordinance will amend Article V of Chapter 70 of the city's Code of Ordinances to clearly define trucks and trailers and establish width and lengths of same. It also expands the parking restrictions to prohibit overnight truck and trailer parking along the portion of National Avenue between Dunn Street and North Avenue. A memo from Jaimee Bullock-Mosley, Assistant City Attorney, is attached.

11. Consider Adopting an Ordinance to Close the COPS MORE 98 Grant Fund.

This item and the next four are matters of clean-up. The Board adopted an ordinance on November 10, 1998 to establish the COPS MORE 98 Grant Project Fund. The grant ended on June 30, 2000, and the proposed ordinance will formally close out the program in the City's financial system. A memo from Kimberly Ostrom, Director of Finance, is attached.

12. Consider Adopting an Ordinance to Close the Garage Relocation Project Fund.

In 2018, the Board established the Garage Relocation Project Fund in the amount of \$850,000. The project is now complete and has a remaining fund balance of \$15,996.19. This ordinance will transfer the fund balance from the project to the General Fund, and it will also close out the project fund. A memo from Mrs. Ostrom is attached.

13. Consider Adopting an Ordinance to Close the 2017 Water Improvements Project Fund.

This water improvements project from 2017 is now complete. The proposed ordinance will formally close out the project fund. A memo from Mrs. Ostrom is attached.

14. Consider Adopting an Ordinance to Close the Water Resources Relocation Project Fund.

On May 09, 2017, an ordinance was adopted to establish the Water Resources Relocation Project Fund. The project is now complete, and the proposed ordinance will close out the project fund. A memo from Mrs. Ostrom is attached.

15. Consider Adopting an Ordinance to Close the 2017 Sewer Improvements Project Fund.

This sewer improvements project from 2017 is now complete. The proposed ordinance will close out the project fund. A memo from Mrs. Ostrom is attached.

16. Discussion of City Hall Elevator Project.

Four bids for the City Hall elevator project were opened on February 24, 2022. The lowest bid was \$3,929,000, which far exceeded the architect's estimated budget of \$2,160,000. Direction is needed from the Board on how to proceed.

17. Appointment(s).

18. Attorney's Report.

19. City Manager's Report.

20. New Business.

21. Closed Session.

22. Adjourn.

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD CALL
639-7501 NO LATER THAN 3 P.M. THE DATE OF THE MEETING

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to close a specific street to vehicular traffic for the Tap That Craft Beer and Wine Block Party in conjunction with Religious Community Services.

Date of Meeting: 3/8/2022	Ward # if applicable: Ward 1
Department: Parks & Recreation	Person Submitting Item: Kari Warren, Interim Director of Parks & Recreation
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Tap That Craft Beer and Wine in conjunction with Religious Community Services has made a request to close the 900-1000 blocks of Pollock Street to vehicular traffic on May 21, 2022, with a rain date of June 4, 2022, from 10:00 a.m. until 11:59 p.m. for its 2nd Annual Block Party. Also, the use of the vacant parking lot at 925 Broad Street (Days Inn).
Actions Needed by Board:	Adopt the Resolution
Backup Attached:	Resolution-Memo-Maps- Application

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Additional Notes:



Aldermen

Sabrina Bengel
Jameesha Harris
Bobby Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham

Kari Warren CPRP
Interim Director of Parks & Recreation



Dana E. Outlaw
Mayor
Foster Hughes
City Manager
Brenda E. Blanco
City Clerk

Memo To: Mayor and Board of Aldermen
From: Kari Warren, CPRP *hw*
Interim Director of Parks and Recreation
Re: Tap That Beer and Wine Bar Block Party

Background Information:

The event organizer has made a request to close the 900-1000 blocks of Pollock Street to vehicular traffic for Tap That Beer and Wine Bar Block Party in conjunction with Religious Community Services from 10:00 a.m. until 11:59 p.m. on May 21, 2022, with a rain date of June 4, 2022.

Use the vacant parking lot located at 925 Broad Street (Days Inn) on Saturday, May 21, 2022, with a rain date of June 4, 2022, from 10:00 a.m. until 11:59 p.m.

Recommendation:

The Parks and Recreation Department recommends approval and request the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please call.

1307 Country Club Rd
New Bern, NC 28562
Office 252 639-2901
Fax 252 636-4138

RESOLUTION

THAT WHEREAS, Tap That Craft Beer and Wine Bar has scheduled its 2nd Annual Block Party in conjunction with Religious Community Services and has requested the 900 and 1000 blocks of Pollock Street be closed to vehicular traffic on Saturday, May 21, 2022, with a rain date of June 4, 2022, from 10:00 a.m. until 11:59 p.m. for a block party; and

WHEREAS, Tap That Craft Beer and Wine Bar in conjunction with Religious Community Services has further requested to use the vacant parking lot located at 925 Broad Street (Days Inn) on Saturday, May 21, 2022, with a rain date of June 4, 2022 from 10:00 a.m. until 11:59 p.m.; and

WHEREAS, the Interim Director of Parks and Recreation of the City of New Bern recommends the street be closed as requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the 900 and 1000 blocks of Pollock Street be closed to vehicular traffic on May 21, 2022, with a rain date of June 4, 2022, from 10:00 a.m. until 11:59 p.m. for Tap That Craft Beer and Wine 2nd Annual Block Party in conjunction with Religious Community Services; and

Further, use of the vacant parking lot located at 925 Broad Street (back of former Days Inn site) is authorized on Saturday, May 21, 2022, with a rain date of June 4, 2022, from 10:00 a.m. until 11:59 p.m.

ADOPTED THIS 8th DAY OF MARCH 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

RECEIVED

FEB 16 2022

BY: ND

Saturday, May 21st
10am - 11:59pm**CITY OF NEW BERN****APPLICATION FOR PUBLIC ASSEMBLY, PARADE & SPECIAL EVENTS IN CITY PARKS**

This application is hereby made for a permit to hold a Public Assembly and/or Parade as described in the City of New Bern Code of Ordinances (Sec. 66-85; 66-86; and 66-87) – Public Assemblies and Parades. This application along with attachments must be presented at least **60 days prior** to the event date.

Festival – A concert, fair, festival, exhibit, athletic event, promotion, community event, block party, or similar event.

Parade – A march, ceremony, pageant, procession or other similar activities consisting of persons, animals, vehicles or things, or any combination thereof, that disrupts the normal flow of traffic upon any public street.

Public Assembly – A festival or demonstration which is reasonably anticipated to obstruct the normal flow of traffic upon any public street and that is collected together in one place; or a festival in any city-controlled park.

Name of Event/Activity: Tap That 2nd Annual Block PartyOrganization Name: Tap That Craft Beer and Wine Bar / Religious Community ServicesResponsible Contact: Jonathan Davis / Taylor Shannon / Zeb HoughAddress: 901 Pollock StreetCity: New Bern State: NC Zip code: 28560Phone: 330-858-3430 (Taylor) Alternate Phone: _____Email: Taylor@TailoredCreatives.comStreet
Closure
900 & 1000
PollockType of Event: ☐ Demonstration ☒ Festival ☐ ParadeDate of Event: 05/21/2022Proposed Rain Date: 06/04/2022Event Set up time: 10amEvent Tear Down Completed Time: 12amEvent Start Time: 12pmEvent End Time: 11pm**What is the specific location and/or route of the proposed event?** (Attach additional information if needed)

The entire 900 and 1000 block of Pollock Street including Habitat for Humanity Parking lot and parking lot across the street from Tap That - near Days Inn abandoned lot.

Note: A detailed map of the proposed route as well as a specific list of streets is required. The specific location of the Public Assembly must include the aerial overview with location marked. **Festivals/Events require detailed aerial map with complete layout.**

What is the purpose of this event? Please be detailed in your description - (Attach additional information if needed)

Celebration of Tap That's 2nd Anniversary

Estimated attendance: 1,500+; Attendance not to exceed: 5,000

*Note: If more than 1,000 in attendance is expected 1) **Proof of Crowd Manager Training Certification is required.** Training is available at the following link: http://www.newbernnc.gov/departments/fire_department/crowd_manager_training.php 2) **Public Safety Plan is required.** Information must be submitted with application. For additional info, please contact the Fire Marshall at 252-639-2931.

Tents # 3 Sizes 20x20 Provide additional info as needed (Note: Tents 700 sq. ft. or bigger must be inspected by Fire Marshall.)**How will you handle trash generated from the event?**We are requesting # 10 trash cans.☒ We will provide our own bags & dispose of any trash generated ourselves.☒ We request that City Staff dispose of all trash generated. We understand additional fees will be charged for this service, including the cost of labor, and materials (bags, etc.) used.

Are you requesting any City of New Bern Street Closures?

☒ Yes*

☐ No

*Any street closures require approval of the Board of Aldermen. Street closures must be received **at least 60 days in advance** for consideration. Street closures require barricades. A fee of **\$5.00 per barricade** must be paid 48 business hours prior to the event.

***What Street(s) are you requesting to close? Be specific:** Fleet Street until Norwood Street

Are you requesting any State Road or Bridge closures?

☐ Yes*

☒ No

*If yes, a 90 day notice and application is required by the NCDOT for in order to consider state roads or bridges. For additional information, please call NCDOT Office at 252-439-2816. The State Road/Bridge Closure permit must be attached to this application.

If this event includes the use of floats, vehicles, placards, loud speakers, or mechanical devices of any type, please provide a detailed explanation of their use, purpose and number.

Will Inflatables or other Play features be part of this event?

☐ Yes

☒ No (Additional insurance may be required)

Will Food Vendors or Commercial/Non-Profit vendors be part of this event?

☒ Yes

☐ No

(If you answered YES, Additional Fees apply. A detailed list of all vendors is required.)

The following items are required and must be attached at the time of Application:

☒ A detailed map – including the location, route with beginning and ending point and street names included.

☒ Petition of Signatures – of business/residents affected – If roads are closed.

The following items are required within two (2) business days of the event or event shall be cancelled:

☒ Certificate of Insurance – Listing the City of New Bern, PO Box 1129, New Bern, NC as "Additional Insured".

☒ List of all food/commercial/non-profit vendors.

☒ Payment in full of applicable fees and charges.

I attest that I am authorized on behalf of this group/organization to request the permit for the activities prescribed herein. I understand that this application must be submitted with full details and attachments. I understand that additional fees and charges may be incurred. Those charges include set-up tear down time for staff, rental of barricades, Public Safety, Trash collection, damages, etc. I further understand that failure to provide the requested information within the specified timelines shall result in application being denied. I agree to indemnify and hold harmless the City of New Bern, its departments, agents, employees, officials and volunteers for any injury, illness or damage to person or property during this activity.

The following items must be submitted with Application:

- ☐ Completed & Signed Application
- ☐ Detailed maps of parade route and/or festival layout
- ☐ Petition of signatures (if road closure is requested)
- ☐ Proof of Crowd Manager training & Public Safety Plan (if attendance is 1,000 or more)

Authorized Signature

02/16/2022

Date

All documents have been provided and this application is recommended for approval

Administrative Support Supervisor

Date

This application has been approved.

Director of Parks & Recreation

Date

Total Anticipated Charges

Barricades: # _____

\$ _____

Trash Collection:

\$ _____

City Staff:

\$ _____

Vendor Fees

\$ _____

Park/Facility Rental:

\$ _____

Total Due:

\$ _____

- ☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with: _____
- ☐ Approved by Department Date: _____ Staff Initials: _____
- ☐ Submitted for Board Approval Date: _____ Staff Initials: _____
- ☐ All Paperwork collected Date: _____ Staff Initials: _____
- ☐ All fees collected \$ _____ Date: _____ Staff Initials: _____

City Sponsored Event

☐ Yes ☐ No

Updated 6-3-2019





Tap That 2nd Annual Block Party
Saturday, May 21st, 2022
925 Broad Street – Previous Days Inn Property



AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution Calling for a Public Hearing to Amend Section 15-80 of the Land Use Ordinance “Endorsements on Major Subdivision Plats”.

Date of Meeting: 3/08/2022	Ward # if applicable: All
Department: Development Services	Person Submitting Item: Matt Schelly, Interim Dir. of Dev. Serv.
Call for Public Hearing: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Date of Public Hearing: 3/22/2022

Explanation of Item:	Consider Adopting a Resolution to Call for a Public Hearing to Amend Section 15-80 of the Land Use Ordinance “Endorsements on Major Subdivision Plats”.
Actions Needed by Board:	Adopt a Resolution
Backup Attached:	Memo, Resolution, Redline Version of text amendment

Is item time sensitive? ☐ Yes ☒ No

Will there be advocates/opponents at the meeting? ☐ Yes ☐ No

Cost of Agenda Item: N/A

If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? ☐ Yes ☒ No

Additional Notes:



MEMORANDUM

TO: Mayor Dana Outlaw, City of New Bern Board of Aldermen

FROM: Matt Schelly, Interim Director Development Services

DATE: February 25, 2022

SUBJECT: Consider Adopting a Resolution Calling for a Public Hearing to Amend Section 15-80 of the Land Use Ordinance "Endorsements on Major Subdivision Plats".

Development Services is recommending an amendment to Section 15-80 of the Land Use Ordinance "Endorsements on Major Subdivision Plats" to be in accordance with N.C.G.S. 47-30.

During their February 1, 2022, meeting the Planning and Zoning Board unanimously voted in favor of the Amendment to Section 15-80.

Please contact Matt Schelly at 252-639-7583 should you have questions or need additional information.

RESOLUTION CALLING FOR PUBLIC HEARING

WHEREAS, the Board of Aldermen of the City of New Bern desires to conduct a public hearing to receive public comments on amending the City of New Bern Land Use Ordinance, Section 15-80 "Endorsements on Major Subdivision Plats"; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That a public hearing will be conducted by the Board of Aldermen of the City of New Bern on Tuesday, March 22, 2022, in the City Hall Courtroom at 6:00 p.m., or as soon thereafter as the matter may be reached, on amending the City of New Bern Land Use Ordinance, Section 15-80 "Endorsements on Major Subdivision Plats". All interested parties will be given an opportunity to be heard:

ADOPTED THIS THE 8th DAY OF MARCH 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

REDLINE VERSION

“Sec. 15-80. Endorsements on major subdivision plats.

...

(3) Certificate of survey and accuracy.

I, _____, hereby certify that this map plat was ~~(drawn by me)~~(drawn under my supervision) from ~~(an actual survey made by me)~~(an actual survey made under my supervision)(a deed description recorded in Book __, Page __ of the Register of Deeds Office of Craven County) that the error of closure as calculated by latitudes and departures is 1: __; that the boundaries not surveyed are shown as broken lines plotted clearly indicated as drawn from information found in Book __, Page __; that the ratio of precision or positional accuracy as calculated is __; and that this map plat was prepared in accordance with N.C.G.S. 47-30 as amended. Witness my ~~hand~~ original signature, license number and seal this __ day of __, A.D., __.

Seal or Stamp

Registered Professional Land Surveyor
License Number

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution Calling for a Public Hearing for the Draft Resiliency Plan.

Date of Meeting: 3/08/2022	Ward # if applicable: All
Department: Development Services	Person Submitting Item: Matt Schelly, Interim Dir. of Dev. Serv.
Call for Public Hearing: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Date of Public Hearing: 3/22/2022

Explanation of Item:	Consider Adopting a Resolution to Call for a Public Hearing for the Draft Resiliency Plan.
Actions Needed by Board:	Adopt a Resolution
Backup Attached:	Memo, Resolution

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input type="checkbox"/> No

Cost of Agenda Item: N/A
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Additional Notes:



MEMORANDUM

TO: Mayor Dana Outlaw, City of New Bern Board of Aldermen

FROM: Matt Schelly, Interim Director Development Services

DATE: February 25, 2022

SUBJECT: Consider Adopting a Resolution Calling for a Public Hearing for the Draft Resiliency Plan.

City Staff along with consultant partners Moffat & Nichol, NEMAC + Fernleaf, and the Craig Group have been working on a multi-phase, long term plan. The implementation of the Resiliency Plan will allow the City of New Bern, its residents, businesses, and community stakeholders to be better prepared for and able to respond to future rising tides and extreme storms, embrace equitable and sustainable development, increase economic security, protect public health, and promote its cultural heritage.

Staff will present the Draft Resiliency Plan at the Public Hearing which will be held on March 22, 2022. For any questions regarding this plan, you may visit our resiliency website https://www.newbernnc.gov/departments/development_services/resiliency.php

Please contact Matt Schelly at 252-639-7583 should you have questions or need additional information.

RESOLUTION CALLING FOR PUBLIC HEARING

WHEREAS, the Board of Aldermen of the City of New Bern desires to conduct a public hearing to receive public comments on the Draft Resiliency Plan; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That a public hearing will be conducted by the Board of Aldermen of the City of New Bern on Tuesday, March 22, 2022, in the City Hall Courtroom at 6:00 p.m., or as soon thereafter as the matter may be reached, on the Draft Resiliency Plan. All interested parties will be given an opportunity to be heard:

ADOPTED THIS THE 8th DAY OF MARCH 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title: Consider Adopting a Resolution Approving a MOU with the US Department of Justice – Marshal Service

Date of Meeting: 3/8/2022	Ward # if applicable: NA
Department: Police	Person Submitting Item: Chief Patrick Gallagher
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	New Bern Police Department's MOU with U.S. Department of Justice – Marshal Service
Actions Needed by Board:	Information only.
Backup Attached:	Memo to Foster Hughes

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item: \$0
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Additional Notes: See cover letter.



Founded 1797

NEW BERN

NEW BERN POLICE DEPARTMENT

P.O. Box 1129, New Bern, NC 28563-1129
(252) 672-4100

Police and Community Come Together Here



Patrick L. Gallagher
Chief of Police

To: Board of Alderman
From: Chief Patrick Gallagher
Date: February 8, 2022
Subject: **MOU with U.S. Department of Justice (Marshal Service)**

The New Bern Police Department has participated in the Task Force Officer (TFO) program with the Marshal's Service for several years. As part of our participation, the U.S. Department of Justice has agreed to pay our sworn member's overtime, not to exceed \$10,000.

Currently, Officer Andersen is our TFO representative with the Marshal's Service. I have met with the Supervisor in Charge (SAC), Timothy Garrett who has expressed his appreciation for our participation. In his words, "Taylor is doing a phenomenal job..." The benefit to the NBPD and our community is that with our participation in the program, the Marshal's Service has engaged in numerous operations in New Bern and Craven County to hunt down wanted fugitives. Within our region, 307 warrants were served, and 179 fugitives were arrested in the 4th quarter of FY 2021.

Attached you will find a copy of an MOU that is required to be signed by the Departmental Representative involving the overtime agreement. The Chief of Police has typically signed the document in the past. I share this for your situational awareness.



A Nationally Accredited Agency

Integrity – Motivation – Professionalism – Accountability – Commitment – Trust

RESOLUTION

WHEREAS, the New Bern Police Department ("Department") has participated in the Task Force Officer program with the Marshal's service for several years. For the Department's participation, the US Department of Justice agrees to pay the City's sworn officers' overtime up to an amount not to exceed \$10,000. The Chief of Police and the City Manager recommend continued support of this partnership; and

WHEREAS, the Board deems it advisable to approve said recommendation and elements embedded within a Memorandum of Understanding ("MOU") between the parties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of New Bern that the MOU, a copy of which is attached hereto and incorporated herein by reference, is hereby approved, and the City Manager or his designee is authorized to execute said document on behalf of the City.

ADOPTED this 8th day of March, 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

INSTRUCTIONS: See last page for detailed instructions.

SECTION 1: OBLIGATION

DOCUMENT CONTROL #: JLEO-22-0623

SECTION 2: PARTICIPATING AGENCIES

Notification to state and local agencies of funding provided in support of Joint Law Enforcement Operations, pursuant to the Memorandum of Understanding (MOU) between:

New Bern Police Department

and

CRFTF

All other terms and conditions of the MOU remain the same.

SECTION 3: PERIOD OF PERFORMANCE

October 12, 2021

to

September 30, 2022

SECTION 4: APPROPRIATION DATA

FISCAL YEAR	ORGANIZATION	FUND	PROJECT	SOC / PURPOSE	DOLLAR AMOUNT
2022	A3401	AFF-B-OP	JLEOTFS9	25302 - TFO Overtime	\$10,000.00

Total Obligation Amount: \$10,000.00

SECTION 5: DESCRIPTION OF OBLIGATION

TFO Overtime FY2022 - Initial Allocation

SECTION 6: CONTACT INFORMATION

DISTRICT/RTTF CONTACT:

Name: Timothy Garrett

Phone: 251-421-2982

E-mail: Timothy.Garrett2@usdoj.gov

STATE/LOCAL CONTACT:

Name: Cynthia West

Phone: 252-639-2714

E-mail: westc@newbernnc.gov

SECTION 7: AUTHORIZATION

USMS Representative - Certification of Funds:

Signature: MICHAEL HALPER

Digitally signed by MICHAEL HALPER
Date: 2021.12.17 12:21:20 -05'00'

Date: 12/17/2021

Michael Halper, Supervisory Management and Program Analyst

Chief Deputy or RTTF Commander - Obligation Approval:

Signature: JAMAAL THOMPSON

Digitally signed by JAMAAL THOMPSON
Date: 2021.12.17 13:57:33 -05'00'

Date: 12/17/2021

Jamaal Thompson, CRFTF Commander

Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-1811-12, Step 1, of the general pay scale for the RUS. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted monthly or quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the Task Force during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator.

Departmental Representative - Acknowledgement:

Signature: _____

Date: _____

[Type Name and Title]

FORM USM-607 INSTRUCTIONS

The Joint Law Enforcement Operations Task Force Obligation Document is designed to provide district and regional fugitive task forces with one standard obligating form to record new obligations in UFMS. To adjust funding in an existing obligation, please refer to Form USM-607A, Joint Law Enforcement Operations Task Force Modification Document. Funding in support of the JLEO mission is pursuant to the existing Memorandum of Understanding (MOU) between the USMS and the JLEO participant. Reimbursements are subject to the availability of funds and contingent upon the submission of proper documentation. Please note that overtime reimbursements require the submission of agency invoices and supporting documentation on a quarterly basis.

In the event that the USMS will use a payment method OTHER than reimbursement directly to the state or local agency, additional guidance will be provided by USMS Headquarters. The district or RFTF office is responsible for communicating payment procedures to their partnering agencies. All payments are made via Electronic Funds Transfer (EFT) through the U.S. Department of Treasury.

SECTION 1: Obligation Number

- A. Enter UFMS Document Control Number.

SECTION 2: Participating Agencies

- A. BOX 1: Enter name of state or local JLEO participating agency.
- B. BOX 2: Use drop down menu to select appropriate USMS District/RFTF.

SECTION 3: Period of Performance

- A. Insert valid period of performance for the obligation. Obligations created using the one-page JLEO Task Force Obligation Form may not cross fiscal years. If there is a need to cross fiscal years, please utilize a Purchase Order for the obligation.
- B. Period of performance must begin no earlier than the date of funds availability (provided by IOD and the Asset Forfeiture Division) and end no later than September 30 of the following calendar year.

SECTION 4: Appropriation Data

- A. Enter information across appropriate field for all items being obligated. All fields for a line item must be completed in order to proceed to the next step.
- B. Project Codes: District task force obligations are funded under the **JLEOTFS4** project code for a JLEO obligation. RFTF project codes have been assigned by region and will be entered by Headquarters IOD staff.

SECTION 5: Description of Obligation

- A. Enter description of obligation (optional). Include any pertinent information such as number of TFO vehicles, for example.

SECTION 6: Contact Information

- A. Enter District/RFTF contact information (Box 1) and State/Local contact information (Box 2).

SECTION 7: Authorization

- A. Certification of Funds: Signature will be applied by USMS District official or IOD representative (RFTF) after the Asset Forfeiture Division has confirmed that funds have been moved into the budget.
- B. Obligation Approval: Signature will be applied by District or RFTF representative upon receipt of obligation document. To ensure sufficient internal controls and proper segregation of duties, the district/RFTF representative approving obligation forms cannot also approve invoices or reimbursements related to the same obligation. (See U.S. Office of Management and Budget (OMB) Circular A-123 and USMS Office of Finance guidance for further information regarding internal controls.)
- C. Acknowledgement: Signature will be applied by state or local agency representative. The obligation is not valid until all parties have signed. When completed, the form will be returned to the District/RFTF office. Districts are responsible for entering obligations into UFMS. RFTF obligations will be forwarded to Headquarters IOD to be entered into UFMS.

AGENDA ITEM COVER SHEET

Agenda Item Title:

Adopt resolution authorizing the City Manager to Execute a contract for the FY-22 Water and Sewer System Improvements project.

Date of Meeting: 3/08/2022	Ward # if applicable: 1&5
Department: Public Utilities – Water Resources	Person Submitting Item: Jordan Hughes
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing: N/A

Explanation of Item:	Awarding construction contract to James L. Cayton Utilities, Inc. for the FY-22 water and sewer system improvements project. Project will replace deteriorated water and sewer infrastructure.
Actions Needed by Board:	Adopt resolution authorizing the City Manager to execute the construction contract with James L. Cayton Utilities, Inc.
Backup Attached:	Memo from Jordan Hughes, Certified Bid-Tab, and draft resolution for authorizing the City Manager to execute the construction contract.

Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item: \$758,550.00
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:



NEW BERN
NORTH CAROLINA

Department of Public Utilities
Water Resources
527 NC Highway 55 West, P.O. Box 1129
New Bern, NC 28563
(252) 639-7526

MEMORANDUM

TO: Mayor and Board of Aldermen
FROM: Jordan B. Hughes P.E., City Engineer *JBR*
DATE: February 22, 2022

SUBJECT: Recommendation to FY-22 Water and Sewer Systems Improvements

Background Information:

The purpose of the FY22 Water and Sewer Systems Improvements project is to replace aging infrastructure in advance of an upcoming street resurfacing project, which will be coordinated by the City's Department of Public Works. The proposed water and sewer improvements will eliminate deteriorated mains and service lines, increase the reliability of the domestic water supply, and reduce the potential for sewer backups within the project area. The area that will be involved in this project includes Court Street, a portion of High Street, west of North Avenue, a portion of River Road, west of Court Street, and a portion of Washington/ Raleigh Street, between Clark Ave and Myrtle Avenue.

Bids for the FY-22 Water and Sewer Systems Improvements project were opened at 11:00 am on January 20th, 2022. After reviewing the submitted bids, the low bidder is James L. Cayton Utilities, Inc. of New Bern, NC with a bid of \$758,550.

Recommendation:

The Department of Public Utilities is recommending the FY-22 Water and Sewer Systems Improvements project be awarded to James L. Cayton Utilities, Inc. for the amount of \$758,550.

Attached please find a copy of the certified Bid Tab and a draft resolution for awarding the contract.

Please contact me if there are any questions or if additional information should be required.

Everything comes together here.

RESOLUTION

THAT WHEREAS, the FY22 Water and Sewer System Improvements Project was publicly advertised; and the following bids were received and opened on January 20, 2022:

<u>VENDOR</u>	<u>BID AMOUNT</u>
James L. Cayton Utilities, Inc. New Bern, NC	\$ 758,550.00
Jymco Construction Co., Inc. Smithfield, NC	\$1,241,057.00
T.A. Loving Co., Inc. Goldsboro, NC	\$1,552,875.00
Carolina Utilities Co., Inc. Jacksonville, NC	\$1,576,890.00

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the City Manager is hereby authorized to execute on behalf of the City of New Bern a contract with James L. Cayton Utilities, Inc. in the amount of \$758,550.00 for the FY22 Water and Sewer System Improvements Project, and any change orders within the budgeted amount.

ADOPTED THIS 8TH DAY OF MARCH, 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

City of New Bern
Certified Bid Tab
FY-22 Water Sewer Improvements Project

				James L Cayton Associates New Bern, NC		Jymco Construction Co. Smithfield, NC		TA Loving Co. Goldsboro, NC		Carolina Utilities Co., Inc. Jacksonville, NC					
Item	Qty	Unit	Description	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	1	LS	Mobilization and Bonding (3% max.)	\$20,000.00	\$20,000.00	\$35,000.00	\$35,000.00	\$40,000.00	\$40,000.00	\$47,000.00	\$47,000.00		\$0.00		\$0.00
2	2,350	LF	Remove/Replace Ex. Sewer Main w/8" PVC SDR-35	\$75.00	\$176,250.00	\$116.00	\$272,600.00	\$165.00	\$387,750.00	\$220.00	\$517,000.00		\$0.00		\$0.00
3	725	LF	Remove/Replace Ex. Sewer Main w/8" DIP (401)	\$120.00	\$87,000.00	\$175.00	\$126,875.00	\$230.00	\$166,750.00	\$248.00	\$179,800.00		\$0.00		\$0.00
4	12	EA	Remove/Replace Ex. Manhole	\$4,800.00	\$57,600.00	\$4,907.00	\$58,884.00	\$5,500.00	\$66,000.00	\$3,480.00	\$41,760.00		\$0.00		\$0.00
5	2	EA	Abandon Ex. Manhole In Place	\$1,200.00	\$2,400.00	\$576.00	\$1,152.00	\$1,650.00	\$3,300.00	\$2,900.00	\$5,800.00		\$0.00		\$0.00
6	80	EA	4" Sanitary Sewer Service Reconnection	\$900.00	\$72,000.00	\$489.00	\$39,120.00	\$2,500.00	\$200,000.00	\$2,000.00	\$160,000.00		\$0.00		\$0.00
7	1500	LF	4" PVC Sewer Service Piping	\$21.00	\$31,500.00	\$27.00	\$40,500.00	\$35.00	\$52,500.00	\$72.00	\$108,000.00		\$0.00		\$0.00
8	6	EA	Reconnect to Ex. Manhole	\$1,500.00	\$9,000.00	\$3,980.00	\$23,880.00	\$2,500.00	\$15,000.00	\$2,800.00	\$16,800.00		\$0.00		\$0.00
9	1	EA	Remove/Replace Ex. Storm Conflict Box	\$4,000.00	\$4,000.00	\$8,900.00	\$8,900.00	\$5,000.00	\$5,000.00	\$4,300.00	\$4,300.00		\$0.00		\$0.00
10	1980	LF	2" PVC Water Main (SDR-21)	\$15.00	\$29,700.00	\$21.00	\$41,580.00	\$65.00	\$128,700.00	\$45.00	\$89,100.00		\$0.00		\$0.00
11	3	EA	2" Reconections to Ex. 2" Line	\$1,500.00	\$4,500.00	\$2,300.00	\$6,900.00	\$2,250.00	\$6,750.00	\$2,000.00	\$6,000.00		\$0.00		\$0.00
12	4	EA	6"X2" Tapping Tee w/ Gate Valve	\$1,500.00	\$6,000.00	\$1,875.00	\$7,500.00	\$3,500.00	\$14,000.00	\$2,600.00	\$10,400.00		\$0.00		\$0.00
13	2	EA	2"X2" Tee w/ Gate Valve	\$1,500.00	\$3,000.00	\$1,545.00	\$3,090.00	\$3,500.00	\$7,000.00	\$1,960.00	\$3,920.00		\$0.00		\$0.00
14	4	EA	8"X2" Tapping Tee w/ Gate Valve	\$2,500.00	\$10,000.00	\$1,930.00	\$7,720.00	\$3,500.00	\$14,000.00	\$2,600.00	\$10,400.00		\$0.00		\$0.00
15	1	EA	Cap 6" Water Line	\$500.00	\$500.00	\$3,001.00	\$3,001.00	\$2,000.00	\$2,000.00	\$1,800.00	\$1,800.00		\$0.00		\$0.00
16	10	EA	Abandon 2" Water Line by Capping in Place	\$150.00	\$1,500.00	\$1,185.00	\$11,850.00	\$1,000.00	\$10,000.00	\$900.00	\$9,000.00		\$0.00		\$0.00
17	80	EA	Water Service Reconnection	\$500.00	\$40,000.00	\$1,125.00	\$90,000.00	\$2,450.00	\$196,000.00	\$1,500.00	\$120,000.00		\$0.00		\$0.00
18	2750	LF	1" PE Water Service Tubing	\$10.00	\$27,500.00	\$22.00	\$60,500.00	\$30.00	\$82,500.00	\$15.00	\$41,250.00		\$0.00		\$0.00
19	35	LF	Remove/Replace 15" RCP Storm Drain	\$60.00	\$2,100.00	\$54.00	\$1,890.00	\$175.00	\$6,125.00	\$136.00	\$4,760.00		\$0.00		\$0.00
20	6000	SY	Pavement Removal and Disposal	\$5.00	\$30,000.00	\$5.00	\$30,000.00	\$5.00	\$30,000.00	\$4.80	\$28,800.00		\$0.00		\$0.00
21	6000	SY	ABC Stone (Compacted Sub-base 8" Depth	\$23.00	\$138,000.00	\$37.00	\$222,000.00	\$18.50	\$111,000.00	\$25.00	\$150,000.00		\$0.00		\$0.00
22	1	LS	Seeding and Mulching	\$5,000.00	\$5,000.00	\$147,115.51	\$147,115.51	\$7,500.00	\$7,500.00	\$20,000.00	\$20,000.00		\$0.00		\$0.00
23	1	LS	Testing Allowance	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00		\$0.00		\$0.00
Total Bid					\$758,550.00		\$1,241,057.51		\$1,552,875.00		\$1,576,890.00		\$0.00		\$0.00

I certify that this is a record of all received bids for the FY - 22 Water & Sewer Improvements project.

*Numbers in RED indicate a corrected figure


Jordan B. Hughes, P.E. - City Engineer

1/24/22



AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting an Ordinance to Amend Article V. Trucks and Trailers of Chapter 70

Date of Meeting: 3/8/2022	Ward # if applicable: 1
Department: City Attorney	Person Submitting Item: Jaimee Bullock Mosley, Asst. City Attorney
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	The amendment will clearly define trucks and trailers and expand parking restrictions to include the prohibition of overnight truck and trailer parking on a portion of National Avenue.
Actions Needed by Board:	Consider adopting the ordinance
Backup Attached:	Memo and ordinance

Is item time sensitive? ☐Yes ☒No

Will there be advocates/opponents at the meeting? ☐Yes ☒No

Cost of Agenda Item:

If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? ☐Yes ☐No

Additional Notes:

MEMORANDUM

TO: Mayor and Board of Aldermen

FROM: Jaimee Bullock Mosley, Assistant City Attorney

RE: Ordinance to Amend Article V of Chapter 70 "Traffic and Vehicles" of the Code of Ordinances of the City of New Bern

The proposed ordinance amends Article V of Chapter 70 to clearly define trucks and trailers and expand parking restrictions to include the prohibition of overnight truck and trailer parking on a portion of National Avenue.

If you have any questions concerning this matter, please call.

AN ORDINANCE TO AMEND ARTICLE V. TRUCKS AND TRAILERS OF CHAPTER 70 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN

THAT WHEREAS, the Board of Aldermen of the City of New Bern deems it advisable and in the public interest to effect certain revisions to Article V. "Trucks and Trailers" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Section 185. "Restrictions on truck parking." of Article V. "Trucks and Trailers" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinances of the City of New Bern be and the same is hereby deleted in its entirety and the following inserted in its stead:

"Sec. 70-185. Restrictions on vehicle and trailer parking.

(a) It shall be unlawful for any person to park any vehicle or trailer of eighty (80) inches or more in width, measured from its greatest width, or twenty-two (22) feet or more in length, measure from the greatest length, on the following streets, except during the period that such vehicle might be loading or unloading:

Fleet Street, between Queen Street and Walt Bellamy Drive.

Rhem Avenue.

(b) It shall be unlawful for any person to park any vehicle or trailer of eighty (80) inches or more in width, measured from the greatest width, or twenty-two (22) feet or more in length, measured from the greatest length, between the hours of 8:00 p.m. and 8:00 a.m. on Avenues A, B, C, and D, North Street, Court Street, River Drive, North Craven Street, North Pasteur Street, Dunn Street and National Avenue, between Dunn Street and North Avenue, except during the period that such vehicle or trailer might be loading or unloading."

SECTION 2. This ordinance shall be effective from and after the date of its adoption.

ADOPTED this 8th day of March, 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AN ORDINANCE TO AMEND ARTICLE V. TRUCKS AND TRAILERS OF CHAPTER 70 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN

THAT WHEREAS, the Board of Aldermen of the City of New Bern deems it advisable and in the public interest to effect certain revisions to Article V. "Trucks and Trailers" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Section 185. "Restrictions on truck parking." of Article V. "Trucks and Trailers" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinances of the City of New Bern be and the same is hereby deleted in its entirety and the following inserted in its stead:

"Sec. 70-185. Restrictions on ~~truck~~ vehicle and trailer parking.

(a) It shall be unlawful for any person to park any ~~truck or bus (except a truck of the type known as a pickup or light van)~~ vehicle or trailer of eighty (80) inches or more in width, measured from the greatest width, or twenty-two (22) feet or more in length, measured from the greatest length on the following streets, except during the period that such vehicle might be loading or unloading:

Fleet Street, between Queen Street and Walt Bellamy Drive.

Rhem Avenue.

(b) It shall be unlawful for any person to park any ~~truck or bus (except a truck of the type known as a pickup)~~ vehicle or trailer of eighty (80) inches or more in width, measured from the greatest width, or twenty-two (22) feet or more in length, measured from the greatest length between the hours of 8:00 p.m. and 8:00 a.m. on Avenues A, B, C, and D, North Street, Court Street, River Drive, North Craven Street, North Pasteur Street, ~~and~~ Dunn Street and National Avenue, between Dunn Street and North Avenue, except during the period that such vehicle or trailer might be loading or unloading."

SECTION 2. This ordinance shall be effective from and after the date of its adoption.

ADOPTED this 8th day of March, 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider adopting an ordinance amendment to close the COPS More 98 Program Grant Fund

Date of Meeting: 3/8/2022	Ward # if applicable:
Department: Finance	Person Submitting Item: Kimberly Ostrom
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	This ordinance amendment closes the COPS More 98 Program Grant Fund
Actions Needed by Board:	Adopt ordinance amendment
Backup Attached:	Memo; Ordinance

Is item time sensitive? ☐Yes ☒No

Will there be advocates/opponents at the meeting? ☐Yes ☒No

Cost of Agenda Item:

If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? ☐Yes ☐No

Additional Notes:

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129
New Bern, NC 28563-1129
(252) 636-4000

Dana E. Outlaw
Mayor

Foster Hughes
City Manager

Brenda E. Blanco
City Clerk

Kimberly A. Ostrom
Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen

FROM: Kimberly Ostrom – Director of Finance

DATE: March 8, 2022

RE: Close COPS MORE 98 Grant Project Fund

Background

On November 10, 1998, the Board of Aldermen adopted an ordinance to establish the COPS MORE 98 Grant Project Fund. The grant was effective beginning September 1, 1998 and ended on June 30, 2000. The attached amendment will formally close out the project in the City's financial system.

Requested Action

The Board considers adopting the enclosed ordinance amendment to close the fund at its meeting on March 8, 2022.

**AN ORDINANCE TO AMEND
COPS MORE 98 PROGRAM GRANT FUND**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the COPS MORE 98 Program Grant Fund is hereby closed.

Section 2. This amendment shall become effective upon adoption.

ADOPTED THIS 8TH DAY OF MARCH 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider adopting an ordinance amendment to close the Garage Relocation Project Fund

Date of Meeting: 3/8/2022	Ward # if applicable:
Department: Finance	Person Submitting Item: Kimberly Ostrom
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	This budget ordinance amends and closes the Garage Relocation Project Fund
Actions Needed by Board:	Adopt ordinance amendment
Backup Attached:	Memo; Ordinance

Is item time sensitive? ☐Yes ☒No

Will there be advocates/opponents at the meeting? ☐Yes ☒No

Cost of Agenda Item:

If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? ☐Yes ☐No

Additional Notes:

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129
New Bern, NC 28563-1129
(252) 636-4000

Dana E. Outlaw
Mayor

Foster Hughes
City Manager

Brenda E. Blanco
City Clerk

Kimberly A. Ostrom
Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen

FROM: Kimberly Ostrom – Director of Finance

DATE: March 8, 2022

RE: Close Garage Relocation Project Fund

Background

On April 24, 2018, the Board of Aldermen adopted an ordinance to establish the Garage Relocation Project Fund in the amount of \$850,000 to move the city's garage facilities to Neuse Boulevard. The General Fund transferred \$30,000 to cover engineering-related services with the intent to reimburse, and \$820,000 was obtained through debt proceeds which also earned interest totaling \$28,303.78. The project was completed in 2020 at a cost of \$862,307.59, leaving an available fund balance of \$15,996.19.

Total Revenue	\$878,303.78
Total Expenses	<u>- 862,307.59</u>
	\$15,996.19

Current

This ordinance amendment will acknowledge a transfer of these funds to the General Fund and will officially close the Garage Relocation Project Fund.

Requested Action

The Board considers adopting the enclosed ordinance amendment to close the fund at its meeting on March 8, 2022.

**AN ORDINANCE TO AMEND
GARAGE RELOCATION PROJECT FUND**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

- Section 1.** That the Garage Relocation Project was completed in 2020 and has an available fund balance of \$15,996.19. The Garage Relocation Project Fund was partially funded with a \$30,000 transfer from the General Fund with the intent to reimburse. The ordinance is amended to recognize a transfer of \$15,996.19 from the Garage Relocation Project Fund to the General Fund.
- Section 2.** That the Garage Relocation Project Fund is hereby closed.
- Section 3.** This amendment shall become effective upon adoption.

ADOPTED THIS 8TH DAY OF MARCH 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider adopting an ordinance amendment to close the 2017 Water Improvements Project Fund

Date of Meeting: 3/8/2022	Ward # if applicable:
Department: Finance	Person Submitting Item: Kimberly Ostrom
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	This ordinance amendment closes the 2017 Water Improvements Project Fund
Actions Needed by Board:	Adopt ordinance amendment
Backup Attached:	Memo; Ordinance

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129
New Bern, NC 28563-1129
(252) 636-4000

Dana E. Outlaw
Mayor

Foster Hughes
City Manager

Brenda E. Blanco
City Clerk

Kimberly A. Ostrom
Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen

FROM: Kimberly Ostrom – Director of Finance

DATE: March 8, 2022

RE: Close 2017 Water Improvements Project Fund

Background

On January 24, 2017, the Board of Aldermen adopted an ordinance to establish the 2017 Water Improvements Project Fund. The project is complete, and the attached amendment will formally close out the project in the City's financial system.

Requested Action

The Board considers adopting the enclosed ordinance amendment to close the fund at its meeting on March 8, 2022.

**AN ORDINANCE TO AMEND
2017 WATER IMPROVEMENTS PROJECT FUND**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the 2017 Water Improvements Project Fund is hereby closed.

Section 2. This amendment shall become effective upon adoption.

ADOPTED THIS 8TH DAY OF MARCH 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider adopting an ordinance amendment to close the Water Resources Relocation Project Fund

Date of Meeting: 3/8/2022	Ward # if applicable:
Department: Finance	Person Submitting Item: Kimberly Ostrom
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	This ordinance amendment closes the Water Resources Relocation Project Fund
Actions Needed by Board:	Adopt ordinance amendment
Backup Attached:	Memo; Ordinance

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129
New Bern, NC 28563-1129
(252) 636-4000

Dana E. Outlaw
Mayor

Foster Hughes
City Manager

Brenda E. Blanco
City Clerk

Kimberly A. Ostrom
Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen

FROM: Kimberly Ostrom – Director of Finance

DATE: March 8, 2022

RE: Close Water Resources Relocation Project Fund

Background

On May 9, 2017, the Board of Aldermen adopted an ordinance to establish the Water Resources Relocation Project Fund. The project is complete, and the attached amendment will formally close out the project in the City's financial system.

Requested Action

The Board considers adopting the enclosed ordinance amendment to close the fund at its meeting on March 8, 2022.

**AN ORDINANCE TO AMEND
WATER RESOURCES RELOCATION PROJECT FUND**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the Water Resources Relocation Project Fund is hereby closed.

Section 2. This amendment shall become effective upon adoption.

ADOPTED THIS 8TH DAY OF MARCH 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider adopting an ordinance amendment to close the 2017 Sewer Improvements Project Fund

Date of Meeting: 3/8/2022	Ward # if applicable:
Department: Finance	Person Submitting Item: Kimberly Ostrom
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	This ordinance amendment closes the 2017 Sewer Improvements Project Fund
Actions Needed by Board:	Adopt ordinance amendment
Backup Attached:	Memo; Ordinance

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



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Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen

FROM: Kimberly Ostrom – Director of Finance

DATE: March 8, 2022

RE: Close 2017 Sewer Improvements Project Fund

Background

On January 24, 2017, the Board of Aldermen adopted an ordinance to establish the 2017 Sewer Improvements Project Fund. The project is complete, and the attached amendment will formally close out the project in the City's financial system.

Requested Action

The Board considers adopting the enclosed ordinance amendment to close the fund at its meeting on March 8, 2022.

**AN ORDINANCE TO AMEND
2017 SEWER IMPROVEMENTS PROJECT FUND**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the 2017 Sewer Improvements Project Fund is hereby closed.

Section 2. This amendment shall become effective upon adoption.

ADOPTED THIS 8TH DAY OF MARCH 2022.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Discussion of City Hall Elevator Project

Date of Meeting: 3/8/2022	Ward # if applicable:
Department: City Manager	Person Submitting Item: Foster Hughes
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Bids for the City Hall elevator project exceed the Architect's estimated project cost.
Actions Needed by Board:	Provide direction to staff on how to proceed.
Backup Attached:	Memo and bid tabulation

Is item time sensitive? ☐ Yes ☒ No

Will there be advocates/opponents at the meeting? ☐ Yes ☒ No

Cost of Agenda Item:

If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director? ☐ Yes ☐ No

Additional Notes:

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Kimberly A. Ostrom
Director of Finance

TO: Mayor and Members of the Board of Aldermen

FROM: Foster Hughes, City Manager

DATE: February 25, 2022

RE: Bids for City Hall Elevator Project

Bids for the City Hall elevator project were opened on February 24, 2022. The low bid was \$3,929,000, which significantly exceeded the architect's estimated budget of \$2,160,000. Attached are copies of the bid tabulation.

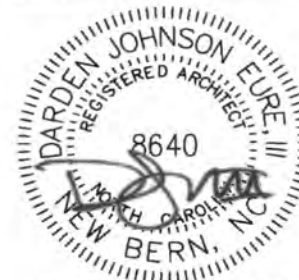
Direction is needed from the Board on how to proceed.

SINGLE PRIME	BID TABULATIONS	Bid Date: February 24, 2022
General	City Hall Annex Building	3:00 PM
Construction	New Bern, Craven County	MBFA No: 2009

Blue Rock Structures, Incorporated Lic No: 48139	Bruin Builders, LLC Lic No: 62374	Daniels & Daniels Construction Company, Inc. Lic No: 23697	Farrior & Sons, Incorporated Lic No: 3934
Base <u>NBS</u>	<u>NBS</u>	<u>\$3,929,000</u>	<u>NBS</u>
Fasco, Incorporated Lic No: 8015	Group III Management, Incorporated Lic No: 22369	IMEC Group, LLC Lic No: 72860	Joyce & Associates Construction, Incorporated Lic No: 47948
Base <u>NBS</u>	<u>\$4,159,000</u>	<u>NBS</u>	<u>NBS</u>
LA. Downey & Son, Incorporated Lic No: 1774	Muter Construction Lic No: 73095	Primus Structures, Incorporated Lic No: 80425	Quadrant Construction, Incorporated Lic No: 54448
Base <u>NBS</u>	<u>\$4,301,950</u>	<u>NBS</u>	<u>NBS</u>
Stocks & Taylor Construction, Incorporated Lic No: 69066	Trader Construction Company Lic No: 2943	Waters Construction Company Lic No: 81408	Lic No:
Base <u>NBS</u>	<u>NBS</u>	<u>\$3,970,000</u>	

NBS Contractor received plans, but no bid submitted.
DQ Disqualified Bid
* Asterisks indicate Alternates selected by the Owner.

Owner:
City of New Bern



Certified on the True Copy
February 24, 2022
MBF Architects, P.A.

SINGLE PRIME

General
Construction

BID SUMMARY
City Hall Annex Building
New Bern, Craven County

Bid Date: February 24, 2022

3:00 PM

MBFA No: 2009

Bid Tab

Cost per Unit

Daniels & Daniels Construction Company, Incorporated
License No. 23697

Apparent Low Bid: \$3,929,000 \$1,118.42

Other Bids Received: \$3,970,000 \$1,130.09
\$4,159,000 \$1,183.89
\$4,301,950 \$1,224.58

Elevator Annex

Average of
Three Lowest Bids: \$4,019,333 \$1,144.13

Estimated Bid: \$3,047,084 \$867.37

Over/(Under) Estimate: \$881,916 \$251.04

Project Size 3,513 SF

Negotiated Contract:

Owner:
City of New Bern



Certified on the True Copy

February 24, 2022
MBF Architects, P.A.