

**CITY OF NEW BERN  
BOARD OF ALDERMEN MEETING  
OCTOBER 10, 2023 – 6:00 P.M.  
CITY HALL COURTROOM  
300 POLLOCK STREET**

1. Meeting opened by Mayor Odham. Prayer Coordinated by Mayor Odham. Pledge of Allegiance.
2. Roll Call.
3. Approve Agenda.
4. Request and Petition of Citizens.

Consent Agenda

5. Consider Adopting a Resolution to Close Specific Streets for Beary Not-So-Scary Halloween Event.
6. Consider Adopting a Resolution to Close the 600 Block of New Street for a Neighborhood Block Party.
7. Consider Adopting a Resolution Closing Specific Streets for the 2023 Christmas Parade.
8. Approve Minutes.

\*\*\*\*\*

9. Presentation of Inaugural Community Commitment Award by NC Recreation & Park Association.
10. Presentation of American Red Cross Premier Blood Partner Award.
11. Presentation on ShotSpotter.
12. Conduct a Public Hearing and Considering Adopting an Amendment to Section 15-343 – "Flexibility in Administration Required" of the Code of Ordinances.
13. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex 3277 Old Airport Road.
14. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex a Portion of Tax Parcel 8-209-13001 and All of 8-209-28001.
15. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex Tax Parcels 8-210-11002, 8-210-11003 and a Portion of 8-210-23000.
16. Appointment(s).

17. Attorney's Report.
18. City Manager's Report.
19. New Business.
20. Closed Session.
21. Adjourn.

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



**NEW BERN**  
CITY OF NEW BERN

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

**Aldermen**

Rick Prill  
Hazel B. Royal  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Robert Brinson, Jr.

Jeffrey T. Odham  
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: October 06, 2023**  
**Re: October 10, 2023 Agenda Explanations**

- 1. Meeting opened by Mayor Jeffrey T. Odham. Prayer Coordinated by Mayor Odham. Pledge of Allegiance.**
- 2. Roll Call.**
- 3. Approve Agenda.**
- 4. 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

**5. Consider Adopting a Resolution to Close Specific Streets for Beary-Not-So Scary Halloween Event.**

(Ward 1) Berry Merry Events has requested to close the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street, and 200 block of Craven Street for the Beary Not-So-Scary Halloween event on October 28, 2023 from 3 p.m. to 8 p.m. A memo from Kari Warren, Director of Parks and Recreation, is attached.

**6. Consider Adopting a Resolution to Close the 600 Block of New Street for a Neighborhood Block Party.**

(Ward 1) Sheila Batten has requested the 600 block of New Street be closed on November 4, 2023 from 2 p.m. until 10 p.m. for a neighborhood block party. A memo from Mrs. Warren is attached.

**7. Consider Adopting a Resolution Closing Specific Streets for the 2023 Christmas Parade.**

(Ward 1) The City of New Bern Parks and Recreation Department will be organizing and overseeing this year's Christmas parade. The department has requested to close the 300-600 blocks of Broad Street and the 200-300 blocks of Craven Street from 9:30 a.m. until 1 p.m. on December 02, 2023, along with the 400-800 blocks of George Street from 8 a.m. until 1 p.m. A memo from Mrs. Warren is attached.

**8. Approve Minutes.**

Draft minutes from the September 26, 2023 meeting are provided for review and approval.

\*\*\*\*\*

**9. Presentation of Inaugural Community Commitment Award by NC Recreation & Park Association.**

A representative from the NC Recreation and Parks Association will be in attendance to announce the recipient of the Inaugural Community Commitment Award. This award is given based on commitment and volunteerism.

**10. Presentation of American Red Cross Premier Blood Partner Award.**

The City of New Bern will be recognized for its longstanding participation in blood drives, the most popular of which is the Battle of the Badges. Kristin Willis with Red Cross will recognize the City as an American Red Cross Premier Blood Partner.

**11. Presentation on ShotSpotter.**

The Police Department ("PD") has been researching ShotSpotter, a technology that gives police officers the ability to respond quicker when gun fire is detected. This technology aids in apprehension of suspects and deters gun violence by providing real-time information that includes the location where a gun was discharged and the type of weapon used. The initial cost would be \$66,300 for the first year and \$49,500 for subsequent years. Pricing is based on population. PD has unsuccessfully applied for grant funding in the past and is seeking support from community stakeholders to help with the cost. A memo with more details is provided by Police Chief Patrick Gallagher.

**12. Conduct a Public Hearing and Considering Adopting an Amendment to Section 15-343 – "Flexibility in Administration Required" of the Code of Ordinances.**

(Ward 1) The Planning and Zoning Board ("P&Z") has undertaken several discussions about off-street parking in downtown and recommends expansion of the downtown business district defined as the "central retail core" in Section 15-343 of the City's ordinances. The current core is defined as the area between the east side of Hancock Street and west side of Craven Street and the north side of South Front Street up to the north side of Broad Street. The expansion would extend the area to the south side of Broad Street, down the west side of East Front Street to the south side of South Front Street. While the need for this modification was discussed in detail at the Board's September 26, 2023 meeting, a memo from Jessica Rhue, Director of Development Services, is attached to reiterate and provide more information.

**13. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex 3277 Old Airport Road.**

(Ward 3) Michael and Rose Miller submitted a petition to annex the property at 3277 Old Airport Road. They have indicated plans to construct a residence on the property and recently entered into a Water and Sewer User Agreement for service at the site. A memo from Brenda Blanco, City Clerk, is attached.

**14. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex a Portion of Tax Parcel 8-209-13001 and All of 8-209-28001.**

(Ward 4) Weyerhaeuser petitioned to annex portions of Tax Parcel ID's 8-209-13001 and 8-209-12003. The portion of 8-209-12003 has now been assigned a new parcel ID (8-209-28001) by the Craven County Tax Office. This is the property that the Board conveyed to Weyerhaeuser on August 22, 2023 after approving an exchange of property. A memo from Ms. Blanco is attached.

**15. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex Tax Parcels 8-210-11002, 8-210-11003 and a Portion of 8-210-23000.**

(Ward 6) McCullough Farms petitioned to annex Tax Parcels ("PID") 8-210-11002, 8-210-11003, and a portion of 8-210-23000. The property is vacant land that is contiguous to the City of New Bern's municipal boundary. A memo from Ms. Blanco is attached.

**16. Appointment(s).**

Raymond Layton's term on the Planning and Zoning Board expired June 30, 2023, and he is ineligible for reappointment. Alderman Kinsey is asked to make a new appointment to fill Seat 4 for a three-year term.

**17. Attorney's Report.**

**18. City Manager's Report.**

**19. New Business.**

**20. Closed Session.**

**21. Adjourn.**

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

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider Adopting a Resolution to close streets for Beary Not So Scary Halloween Event.

<b>Date of Meeting:</b> October 10, 2023	<b>Ward # if applicable:</b> Ward 1
<b>Department:</b> Parks & Recreation	<b>Person Submitting Item:</b> Kari Warren, Director of Parks & Recreation
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> N/A

<b>Explanation of Item:</b>	Beary Merry Events has requested to close the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street, and 200 block of Craven Street to vehicular traffic for Beary Not So Scary Halloween event from 3:00 p.m. until 8:00 p.m., on October 28, 2023.
<b>Actions Needed by Board:</b>	Adopt the Resolution
<b>Backup Attached:</b>	Resolution – Memo – Application - Map
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

**Additional Notes:** N/A



**Aldermen**

Rick Prill  
Hazel B. Royal  
Bobby Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Robert Brinson, Jr.

Kari Warren, CPRP  
Director of Parks & Recreation

Jeffrey T. Odham  
Mayor  
Foster Hughes  
City Manager  
Brenda E. Blanco  
City Clerk  
Kimberly A. Ostrom  
Director of Finance



Date: September 22, 2023  
Memo To: Mayor and Board of Aldermen  
From: Kari Warren, CPRP *khw*  
Director of Parks & Recreation  
Re: Street Closures for Beary Not So Scary Halloween Event.

**Background Information:**

Beary Merry Events has requested to close the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street, and 200 block of Craven Street to vehicular traffic for Beary Not So Scary Halloween event from 3:00 p.m. until 8:00 p.m., on October 28, 2023.

**Recommendation:**

The Director of Parks and Recreation recommends approval and requests 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, Beary Merry Events has requested the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street, and 200 block of Craven Street be closed to vehicular traffic from 3:00 p.m. until 8:00 p.m. on Saturday, October 28, 2023, for the Beary Not-So-Scary Halloween event; and

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

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

That the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street, and 200 block of Craven Street be closed to vehicular traffic from 3:00 p.m. until 8:00 p.m. on October 28, 2023, for the Beary Not-So-Scary Halloween event.

ADOPTED THIS 10<sup>th</sup> DAY OF OCTOBER 2023.

---

JEFFREY T. ODHAM, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

**RECEIVED**  
SEP 15 2023  
BY: ND

Sat. Oct 28

**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: Beary Not-So-Scary Halloween  
Organization Name: Beary Merry Events  
Responsible Contact: Amanda Banks  
Address: PO Box 460  
City: New Bern State: NC Zip code: 28563  
Phone: 252-671-1196 Alternate Phone: \_\_\_\_\_  
Email: info@bearymerryevents.com, abanksconsulting@gmail.com

Type of Event:  Demonstration  Festival  Parade

Date of Event: 10/28/2023 Proposed Rain Date: n/a

Event Set up time: 3:00 Event Tear Down Completed Time: 8pm

Event Start Time: 3:30 Event End Time: \_\_\_\_\_

What is the specific location and/or route of the proposed event? (Attach additional information if needed)  
200-300 Blocks of Middle, 300-400 Blocks of Pollock & 200 Block of Craven

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)  
Trick or Treating & games with downtown merchants and other participating organizations & businesses

Estimated attendance: 1,000; Attendance not to exceed: \_\_\_\_\_  
*\*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](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 # \_\_\_\_\_ Sizes \_\_\_\_\_ 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 # 15 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.

Beary Merry

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: See Attached

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)

Amanda Banks

9/25/2023

Authorized Signature

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

**Beary Not-So-Scary Halloween  
Trick or Treat in The Street**



## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider Adopting a Resolution to close the 600 block of New Street for a Neighborhood Block Party.

<b>Date of Meeting:</b> October 10, 2023	<b>Ward # if applicable:</b> Ward 1
<b>Department:</b> Parks & Recreation	<b>Person Submitting Item:</b> Kari Warren, Director of Parks & Recreation
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> N/A

<b>Explanation of Item:</b>	Sheila Batten, a resident of New Street has made a request to close the 600 block of New Street to vehicular traffic between George and Metcalf Streets for New Street Neighborhood Block Party from 2:00 p.m. until 10:00 p.m. on November 4, 2023.
<b>Actions Needed by Board:</b>	Adopt the Resolution
<b>Backup Attached:</b>	Resolution – Memo – Map - Application
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

**Additional Notes:** N/A



Aldermen  
Rick Prill  
Hazel B. Royal  
Bobby Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Robert Brinson, Jr.

Kari Warren, CPRP  
Director of Parks & Recreation

Jeffrey T. Odham  
Mayor  
Foster Hughes  
City Manager  
Brenda E. Blanco  
City Clerk  
Kimberly A. Ostrom  
Director of Finance



Date: September 27, 2023  
Memo To: Mayor and Board of Aldermen  
From: Kari Warren, CPRP *KW*  
Director of Parks & Recreation  
Re: Street Closures for New Street Neighborhood Block Party

**Background Information:**

Sheila Batten, a resident of New Street has made a request to close the 600 block of New Street to vehicular traffic between George and Metcalf Streets for New Street Neighborhood Block Party from 2:00 p.m. until 10:00 p.m. on November 4, 2023.

**Recommendation:**

The Director of Parks and Recreation recommends approval and requests 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, Sheila Batten, a resident of New Street, has requested the 600 block of New Street between George and Metcalf Streets be closed to vehicular traffic on November 4, 2023, from 2:00 p.m. until 10:00 p.m. for a New Street neighborhood block party; and

WHEREAS, the 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 600 block of New Street between George and Metcalf Streets be closed to vehicular traffic from 2:00 p.m. until 10:00 p.m. on Saturday, November 4, 2023, for a New Street neighborhood block party.

---

JEFFREY T. ODHAM, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

**RECEIVED**  
SEP 26 2023  
BY: CEL

**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: New St. Block Party  
Organization Name: "Residents + Neighbors"  
Responsible Contact: Sheila Batten  
Address: 608 New St.  
City: New Bern State: NC Zip code: 28560  
Phone: 919-818-3173 Alternate Phone: \_\_\_\_\_  
Email: sbrownbatten@gmail.com

Type of Event:  Demonstration  Festival  Parade

Date of Event: 11/4/23 Proposed Rain Date: N/A

Event Set up time: 2<sup>00</sup> pm Event Tear Down Completed Time: 10<sup>00</sup> pm

Event Start Time: 4<sup>00</sup> pm Event End Time: 8<sup>00</sup> pm

What is the specific location and/or route of the proposed event? (Attach additional information if needed)  
600 Block of New St., between George St. and Metcalf St.

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)  
Neighborhood Block Party

Estimated attendance: 100; Attendance not to exceed: 150

\*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](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 # 4 Sizes 10x10 ea. 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 # 0 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: 600 Block of New St.  
from George St. to Metcalf St.

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)

[Signature] 9/26/23  
Authorized Signature Date

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

\_\_\_\_\_  
Administrative Support Supervisor Date

This application has been approved.

Mari Warren 9-27-2023  
Director of Parks & Recreation Date

Total Anticipated Charges	
Barricades:	# <u>4</u> \$ <u>20.00</u>
Trash Collection:	\$ _____
City Staff:	# _____ \$ _____
Vendor Fees	# _____ \$ _____
Park/Facility Rental:	\$ _____
<b>Total Due:</b>	\$ <span style="border: 1px solid black; padding: 2px;">_____</span>

- Have HOA's been notified?  Yes  No Spoke with: \_\_\_\_\_
- Approved by Department Date: 9-27-23 Staff Initials: KW
- Submitted for Board Approval Date: 9-29-23 Staff Initials: KW
- All Paperwork collected Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_
- All fees collected \$ \_\_\_\_\_ Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_

**City Sponsored Event**

Yes  No

Updated 6-3-2019

Block Closing Petition

Date of Closing: Sat., Nov. 4, 2023 Hours: 2:00 pm - 10:00 pm

Rain Date: No Rain Date Hours: N/A

Street: 600 Block of New St.

From: George St. To: Metcalf St.

Type of Event and Activities: Community Block Party

Petition Filing Date: 9/26/23

Petitioner's Name (Please Print): Sheila Batten

Mailing Address: 608 New St., New Bern, NC 28560

Daytime Phone Number: 919. 818. 3173

Email Address (Required): sbrownbatten@gmail.com

TO BE READ BEFORE SIGNING PETITION: Before signing this petition, I have read a copy of the "requirements for Approval of Street Closing Petition and Conditions Which Apply Upon Acceptance of Petition." I understand that all the requirements and conditions in that document are incorporated by reference into this petition. My signature constitutes my personal approval, acceptance, authorization, liability, and compliance with all of those requirements and conditions.

Signature:

Address:

Sheila Batten 608 New St.

Meredith Newman 610 New St.

Jatri Purr 612 New St.

(Unavailable - No Resident) 614 New St. (Vacant)

Sara B. [Signature] 616 New St.

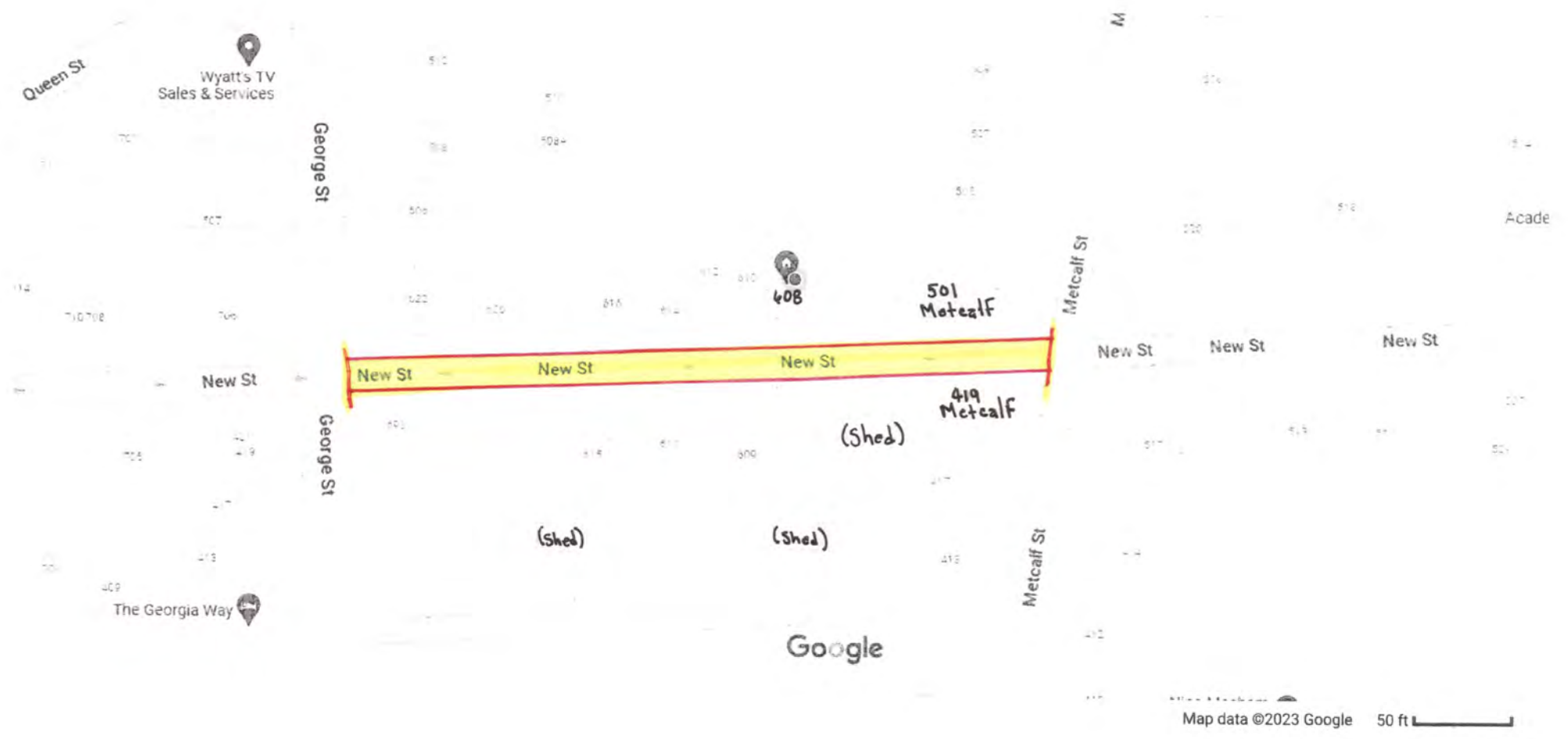
[Signature] 620 New St.

(Unavailable in Africa, Not currently available. Saw verbal "ok" over phone) 622 New St. (Resident Out-of-country)

[Signature] 615 New St.

Paula M. Dubay 611 New St.

(Unavailable - No Current Resident) 609 New St. (Under Contract)



Wyatt's TV Sales & Services

408

501 Metcalf

419 Metcalf

(Shed)

(Shed)

(Shed)

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider Adopting a Resolution to close streets for the City of New Bern Christmas Parade.

<b>Date of Meeting:</b> October 10, 2023	<b>Ward # if applicable:</b> Ward 1
<b>Department:</b> Parks & Recreation	<b>Person Submitting Item:</b> Kari Warren Director of Parks & Recreation
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> N/A

<b>Explanation of Item:</b>	The City of New Bern Parks and Recreation Department has requested to close the 300-600 blocks of Broad Street and the 200-300 blocks of Craven Street be closed to vehicular traffic from 9:30 a.m. until 1:00 p.m., as well as the 400-800 blocks of George Street from 8:00 a.m. until 1:00 p.m. on December 2, 2023, for the City of New Bern Christmas Parade.
<b>Actions Needed by Board:</b>	Adopt the Resolution
<b>Backup Attached:</b>	Resolution – Memo - Map
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

**Additional Notes:** N/A



Aldermen  
Rick Prill  
Hazel B. Royal  
Bobby Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Robert Brinson, Jr.

Kari Warren, CPRP  
Interim Director of Parks & Recreation

Jeffrey T. Odham  
Mayor  
Foster Hughes  
City Manager  
Brenda E. Blanco  
City Clerk  
Kimberly A. Ostrom  
Director of Finance



Date: September 29, 2023  
Memo To: Mayor and Board of Aldermen  
From: Kari Warren, CPRP *KW*  
Director of Parks and Recreation  
Re: Street Closure for City of New Bern Christmas Parade.

**Background Information:**

The City of New Bern Parks and Recreation Department has requested to close the 300-600 blocks of Broad Street, and the 200-300 blocks of Craven Street be closed to vehicular traffic from 9:30 a.m. until 1:00 p.m., as well as the 400-800 blocks of George Street from 8:00 a.m. until 1:00 p.m. on December 2, 2023, for the City of New Bern Christmas Parade.

**Recommendation:**

The Director of Parks and Recreation recommends approval and requests the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please let me know.

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

## RESOLUTION

THAT WHEREAS, the Parks and Recreation Department is hosting the City of New Bern Christmas Parade and requests the 300-600 blocks of Broad Street and the 200-300 blocks of Craven Street be closed to vehicular traffic from 9:30 a.m. until 1:00 p.m., as well as the 400-800 block of George Street from 8:00 a.m. until 1:00 p.m. for the line-up of the parade on Saturday, December 2, 2023; and

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

That the 300-600 blocks of Broad Street, and the 200-300 blocks of Craven Street be closed to vehicular traffic from 9:30 a.m. until 1:00 p.m., as well as the 400-800 blocks of George Street from 8:00 a.m. until 1:00 p.m. on December 2, 2023, for the City of New Bern Christmas Parade.

ADOPTED THIS 10<sup>th</sup> DAY OF OCTOBER 2023.

---

JEFFREY T. ODHAM, MAYOR

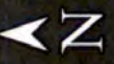
---

BRENDA E. BLANCO, CITY CLERK

# New Bern Christmas Parade

2023

Legend  
George St



2000 ft

Google Earth



## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Presentation of Inaugural Community Commitment Award by NCRPA

<b>Date of Meeting:</b> October 10, 2023	<b>Ward # if applicable:</b> N/A
<b>Department:</b> Parks & Recreation	<b>Person Submitting Item:</b> Kari Warren, Director of Parks & Recreation
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> N/A

<b>Explanation of Item:</b>	North Carolina Recreation and Parks Association (NCRPA) will recognize the recipient of the Inaugural Community Commitment Award at the Athletic Director Workshop. The recipient was honored for their outstanding commitment and volunteerism with the City of New Bern Parks and Recreation Department.
<b>Actions Needed by Board:</b>	N/A
<b>Backup Attached:</b>	N/A
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

**Additional Notes:** N/A



# AGENDA ITEM COVER SHEET



## Agenda Item Title:

Presentation of American Red Cross Premier Blood Partner Award

<b>Date of Meeting:</b> 10/10/2023	<b>Ward # if applicable:</b> All
<b>Department:</b> Administration	<b>Person Submitting Item:</b> Colleen Roberts, PIO
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b>

<b>Explanation of Item:</b>	The City of New Bern has been a partner of the American Red Cross for decades. The City participates in several blood drives throughout the year, the most popular of which is our Battle of the Badges, but we also work with the Red Cross to facilitate assistance to families in need, including after disaster events, house fires, etc. The annual success of our blood drives has earned the City recognition as an American Red Cross Premier Blood Partner. Tonight, Red Cross Representative Kristin Willis is here to present the award.
<b>Actions Needed by Board:</b>	N/A
<b>Backup Attached:</b>	
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

**Additional Notes:**

# AGENDA ITEM COVER SHEET

**Agenda Item Title:** Shot-Spotter Presentation

<b>Date of Meeting:</b> 10/10/2023	<b>Ward # if applicable:</b> N/A
<b>Department:</b> Police	<b>Person Submitting Item:</b> Chief Patrick Gallagher
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b>

<b>Explanation of Item:</b>	Presentation regarding the Shot-Spotter technology and gun related activities in a 1-mile radius within New Bern. The 1-mile radius encompasses the Duffyfield community that includes Trent Court and Craven Terrace.
<b>Actions Needed by Board:</b>	No action
<b>Backup Attached:</b>	Memo to Board of Aldermen, PowerPoint presentation
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

**Additional Notes:**



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:** Mayor Jeffrey T. Odham and the Board of Aldermen  
**From:** Chief Patrick Gallagher  
**Date:** September 29, 2023  
**Subject:** ShotSpotter Technology

The New Bern Police Department has been researching the implementation of ShotSpotter Technology for the past few years. We have conducted sight visits to Greenville and have communicated with other agencies pertaining to their ShotSpotter deployment. We believe this technology would greatly benefit our community by reducing future gun violence. This proactive technology would give police officers the ability to respond quicker when gun fire is detected and apprehend those responsible. The technology would also deter those from engaging in gun violence.

The New Bern Police Department has conducted research on gun related activities within the identified area for 2022 and year to date 2023 (August 20, 2023). Our research has revealed that 329 shell casings were recovered based on 38-gun shot related calls for service. In addition, we have verified that of the 64 weapons related events in this area, 54 were determined to be involved in a firearm. The following are also stats worthy of consideration: 21 firearms were recovered, 8 persons received firearm related injuries and 3 persons were murdered.

Based on the proactive measures taken by the NBPD to ensure sufficient coverage of police personnel patrolling this area, our response time, once dispatched, is 1 minute and 6 seconds. This does not account for the time lag involved in citizen notification to police dispatch and call processing. This only accounts for those calls that we do receive. We know that most shots fired incidents are never called into police dispatch.

ShotSpotter technology provides real time information to police when a firearm is discharged. This includes the location where a gun was discharged and, in most cases, the type of weapon used. This technology will be used in conjunction with NIBIN to help link ballistic evidence to other incidents in New Bern and other jurisdictions.

The cost of the program would be \$66,300 for the first year. This would include a one-time payment of \$16,800 to interface ShotSpotter with our CAD system (Tyler Technology). The cost of the program is \$49,500 per year. This is a discounted amount based on New Bern's population.



A Nationally Accredited Agency

Integrity – Motivation – Professionalism – Accountability – Commitment – Trust



We have sought grants in the past, however, we have not been successful. We are also seeking support from stakeholders in the area to help in funding the program.

We have communicated our intent to implement this program to the Greater Duffyfield Residents Council to educate the community about the program and seek their support. Although the discussions have been preliminary only, there is currently support for implementation.




A Nationally Accredited Agency

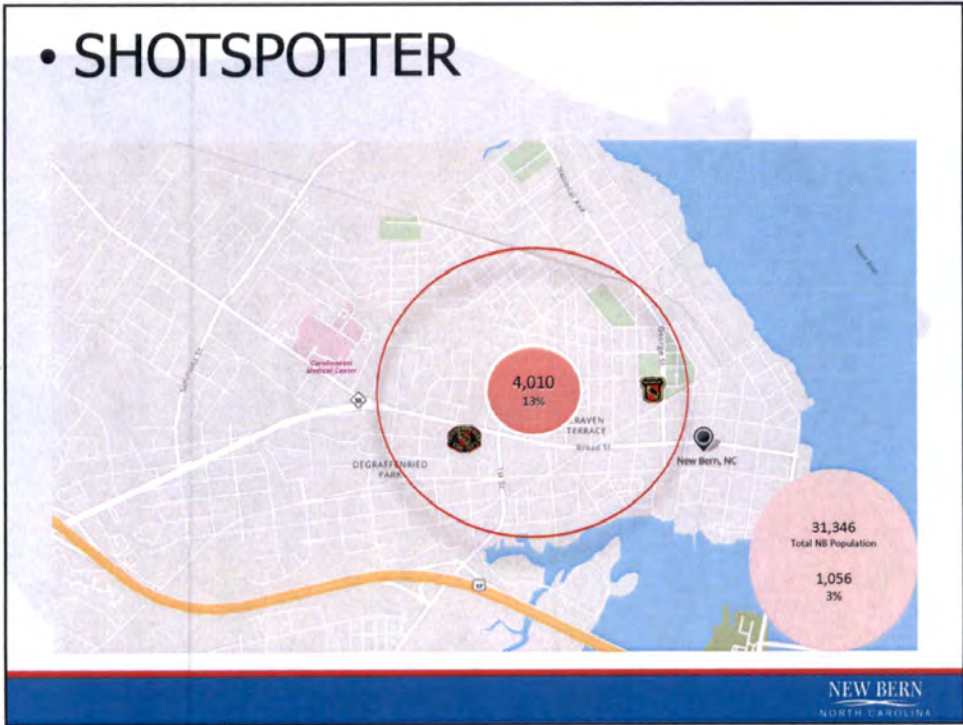
Integrity – Motivation – Professionalism – Accountability – Commitment – Trust

**City of New Bern**  
**New Bern Police Department**  
**Chief Patrick Gallagher**



1



2

# ABOUT SHOTSPOTTER

1 Square  
Mile  
Radius

Provides gunshot detection and location

Intends to assist law enforcement become aware of most gunfire incidents with a faster response to the area

In operation for over 20 years and is incorporated within over 90 cities in the United States

NEW BERN  
NORTH CAROLINA

3

# How Does ShotSpotter Work?



- When a firearm is used; sensors pick up the impulsive sound
- A computer provides a triangulation of pinpoints regarding the location of the gunfire
- A machine classifier confirms the sound as coming from a firearm and will identify the number of shots
- An acoustic expert will review each incident and will publish the confirmed gunshots
- Alerts will be sent to police for immediate rapid response to the precise location
- Within minutes, officers will arrive to the crime scene with greater situational awareness

NEW BERN  
NORTH CAROLINA

4

## Benefits of ShotSpotter



- Enhance Investigations- improve evidence collection (recover more shell casings with precise location of shots fired)
- Locate more witnesses
- Identify shooters more rapidly
- Disrupt the shooting cycle

NEW BERN  
NORTH CAROLINA

5

## Benefits of ShotSpotter (Cont.)

- Integration of services- works collectively with technology already implemented within NBPD
- Gunshot/Shots fired incident data can be automatically transferred to CAD and RMS from the ShotSpotter system



NEW BERN  
NORTH CAROLINA

6



### Research Revealed:

- Without ShotSpotter, only **12%** of the actual firearm discharges in a given area are reported to police.
- This was confirmed by data provided by Greenville Police Department.

7

### 1 Square Mile 2022 – YTD 2023 (August 20, 2023)



Average Response Time is slightly over 1 minute



NEW BERN  
NORTH CAROLINA

8



# Cost Per Square Mile as of 8/8/2023

SALES DIRECTOR:		Jack Pontious	TERMS:		Net 30
QUANTITY	DESCRIPTION	UNIT PRICE	TAXABLE?	AMOUNT	
1.0 mi <sup>2</sup>	One-time ShotSpotter Service Initiation fee	Included		\$0	
1	One-time ShotSpotter Onboarding fee	Included		\$0	
1.0 mi <sup>2</sup>	ShotSpotter Respond Annual Subscription Services for Year 1	\$49,500* per mi <sup>2</sup>		\$49,500	
1.0 mi <sup>2</sup>	ShotSpotter Respond Annual Subscription Services for Year 2	\$49,500* per mi <sup>2</sup>		\$49,500	
1.0 mi <sup>2</sup>	ShotSpotter Respond Annual Subscription Services for Year 3	\$49,500* per mi <sup>2</sup>		\$49,500	
1.0 mi <sup>2</sup>	ShotSpotter Respond Annual Subscription Services for Year 4	\$49,500* per mi <sup>2</sup>		\$49,500	
1.0 mi <sup>2</sup>	ShotSpotter Respond Annual Subscription Services for Year 5	\$49,500* per mi <sup>2</sup>		\$49,500	
SUBTOTAL				\$247,500	
TAX RATE					
SALES TAX				-	
OTHER					
TOTAL				\$247,500	

Custom Interface to ShotSpotter (Import)					
Total Tyler Services		One Time Fees	Recurring Fees	TOTAL	
		\$ 16,800	\$ 0	\$247,500	

\$66,300

Questions?

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Conduct a Public Hearing and Considering Adopting an Amendment to Section 15-343 "Flexibility in Administration Required" of the Code of Ordinances.

<b>Date of Meeting:</b> 10/10/2023	<b>Ward # if applicable:</b> Ward 1
<b>Department:</b> Development Services	<b>Person Submitting Item:</b> Jessica F. Rhue, Director of Development Services
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> 10/10/2023

<b>Explanation of Item:</b>	The proposed text amendment would potentially expand the area defined as the "Central Retail Core" which would enable a broader area of real estate to benefit from parking exemptions currently only allowed between the east side of Hancock Street and the west side of Craven Street and the north side of S. Front Street. The proposed amendment also includes elements to protect existing parking spaces. It excludes exemptions for Short Term Rental properties.
<b>Actions Needed by Board:</b>	Adopt ordinance.
<b>Backup Attached:</b>	Memo, Redlined Ordinance, Ordinance, Expanded Retail Core Map
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

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

**Additional Notes:**



# NEW BERN

NORTH CAROLINA

303 First Street, P.O. Box 1129

New Bern, NC 28563

(252)639-7587

## MEMORANDUM

**TO:** Mayor Jeffrey Odham, City of New Bern Board of Aldermen

**FROM:** Jessica F. Rhue, Director of Development Services

**DATE:** September 29, 2023

**SUBJECT:** Conduct a Public Hearing and Considering Adopting an Amendment to Section 15-343 "Flexibility in Administration Required" of the Code of Ordinances.

---

### Introduction

The Board is requested to conduct a public hearing to take place on October 10, 2023, on a text amendment to Appendix A Land Use of the New Bern Code of Ordinances, Section 15-343 Flexibility in Administration Required Part E.

On September 5, 2023, the Planning & Zoning Board recommended a proposed amendment to expand the downtown business district defined as "the central retail core," described in the ordinance under Section 15-343 E. Currently this area is defined as the area between the east side of Hancock Street and the west side of Craven Street and the north side of South Front Street up to the north side of Broad Street (the yellow areas on the attached map). The proposed changes would redefine that area to extend it on the south side of Broad Street, down the west side of East Front Street to the south side of South Front Street (the red hatched areas on the attached map).

### Purpose of Proposal

- A) to reflect more accurately what is considered the current retail core and treat similar buildings the same way
- B) to provide relief from the strict off-street parking requirements that are intended for new construction and do not facilitate the reuse of buildings

- C) to exempt a larger area from the restraints of the city's satellite parking option (which is a somewhat unrealistic option because the private parking is not available in sizeable quantities because those areas are already serving other businesses)
- D) to add equity to the parking laws regulating historic buildings downtown

## **Background**

It was discovered when modernizing processes in Development Services to ensure zoning approvals were being issued independently of building permits, that there has been a significant failure to enforce parking requirements. Historically it appears there was no check and balance on the parking portion of zoning compliance in the area we typically consider downtown. Because of this, it is evident that businesses have opened; businesses have converted parking into outdoor dining areas; and businesses have expanded without being held to the parking standards outlined in the City of New Bern Code of Ordinances. In the absence of a zoning compliance permit, there was a failure to enforce these standards.

## **Problems and Impacts**

The changes being proposed are not intended to fix any perceived parking problem the city may or may not have; the changes are a solution to a permitting problem caused by the challenges of permitting new development in an urbanized area that was not designed to accommodate vehicles.

When a buyer or potential renter calls and asks questions about requirements for a business downtown, they are often frustrated by the challenges parking presents. Currently, according to the letter of the law, you must provide parking on site, or you must rent satellite parking within 600-feet from another private landowner. Satellite parking is legislated through Section 15-349. If you are in the "central retail core" however, you are exempted from this requirement of parking permitting. To treat similar real estate similarly, which is a central tenant of zoning, it is commonsensical to expand this defined area, since the existing and proposed areas share similar characteristics.

The city cannot add more real estate for parking downtown without removing buildings. However, the city is not capable of adding commercial square footage beyond what already exists, either. There is the same square footage and the same volume of parking spaces there have always been. The proposed amendment simply assists with eradicating the permitting challenges. Furthermore, this amendment would add conformity to businesses that have opened in recent years that do not have adequate parking "on paper" or by permitting standards (through no fault of their own). It corrects the issue of businesses that were victims of the less-than-ideal permitting precedent.

## **Process**

The Planning and Zoning Board discussed and debated this issue for five months. They recognized that legacy ways of permitting zoning compliance are not going to work

moving forward, and they felt that this issue needed attention immediately. There was one dissenting vote in the recommendation to the Board of Aldermen, and it was primarily due to a concern with unknown impacts to surrounding residences (many of which rely on on-street parking due to an ordinance exempting those homes from having onsite parking themselves, which presents another set of challenges that will need to be studied in the comprehensive ordinance rewrite that will begin in January).

Staff did a great deal of research on how other jurisdictions handle their downtown parking. It was determined that nearly all other historic downtowns exempt commercial uses in their downtowns from parking standards. They based these ordinances on the availability of shared public parking and the goal of encouraging the repurposing of historic buildings and the facilitation of vibrant downtown districts. The proposed amendment is based on what has been successful in other areas.

### **Recommendation**

The proposed language modifications up for your consideration mirror what other jurisdictions are doing but also customize the solution for our unique city. The amendment does the following:

- Takes into consideration the 600 public parking spaces (477 in blue lots plus on street)
- Protects historic buildings from being converted into parking lots
- Protects undeveloped parcels from being exempted
- Excludes short term rentals
- Solves a legacy permitting problem, adding conformity to existing businesses
- Prohibits the reduction of existing parking spaces without approval granted via a Special Use Permit

The City of New Bern Planning & Zoning Board discussed and recommended approval of this text amendment at their September 5, 2023, meeting. The proposed amendment was found to be consistent with the City of New Bern 2010 Regional Land Use plan and the 2022 City of New Bern Land Use Plan Update.

### **Further Information**

Development Services Director Jessica Rhue at (252) 639-7587  
[rhue.jessica@newbernnc.gov](mailto:rhue.jessica@newbernnc.gov)

Assistant Director of Development Services Robert Gough at 252-639-7585  
[gough.robert@newbernnc.gov](mailto:gough.robert@newbernnc.gov)

**AN ORDINANCE TO AMEND APPENDIX A “LAND USE” OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN**

THAT WHEREAS, the Planning and Zoning Board of the City of New Bern recommends that certain amendments be made to Appendix A “Land Use” of the Code of Ordinances of the City of New Bern; and

WHEREAS, the City’s development services staff further recommends approval of said proposed amendments; and

WHEREAS, the Board of Aldermen of the City of New Bern finds the proposed amendments to be reasonable and consistent with the 2022 Land Use Plan Update and 2010 Land Use Plan; and

WHEREAS, the Board of Aldermen of the City of New Bern deems it advisable and in the public interest to effect said revisions to Appendix A “Land Use” 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 15-343. “Flexibility in administration required.” Of Article XVIII. “Parking” of Appendix A “Land Use” of the Code of Ordinances of the City of New Bern be and the same is hereby amended by deleting subsections (b) and (e) in their entirety and the following inserted in their stead:

**“Sec. 15-343. Flexibility in administration required.**

...

(b) Without limiting the generality of the foregoing, the permit-issuing authority may allow deviations from the parking requirements set forth in subsection 15-342(g) when it finds that:

- (1) A residential development is irrevocably oriented toward the elderly;
- (2) A residential development is located in close proximity to the central business district and is committed to a policy of placing restrictions on the vehicle ownership of its tenants; or
- (3) A business is primarily oriented to walk-in trade.

...

(e) Notwithstanding any other provision in this section, developments located in the central retail core (defined as the area encompassing those properties abutting the east side of Hancock street, the south side of South Front Street, the west side of East Front Street, the south side of Broad Street from the west side of East Front Street to west side of Craven Street, and the north side of Broad Street from the east side of Craven to the east side of Street Hancock Street) shall be exempt from off-street parking requirements except those requirements set forth in subsection 15-163(h)(3), provided such development may reduce the number of parking spaces in existence as of the date of the adoption of this this section by special use permit.

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

ADOPTED this 10<sup>th</sup> day of October, 2023.

---

JEFFREY T. ODHAM, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

**AN ORDINANCE TO AMEND APPENDIX A “LAND USE” OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN**

THAT WHEREAS, the Planning and Zoning Board of the City of New Bern \_\_\_\_\_ recommends that certain amendments be made to Appendix A “Land Use” of the Code of Ordinances of the City of New Bern; and

WHEREAS, the City’s development services staff further recommends approval of said proposed amendments; and

WHEREAS, the Board of Aldermen of the City of New Bern finds the proposed amendments to be reasonable and consistent with the 2022 Land Use Plan Update and 2010 Land Use Plan; and

WHEREAS, the Board of Aldermen of the City of New Bern deems it advisable and in the public interest to effect said revisions to Appendix A “Land Use” 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 15-343. “Flexibility in administration required.” Of Article XVIII. “Parking” of Appendix A “Land Use” of the Code of Ordinances of the City of New Bern be and the same is hereby amended by deleting subsections (b) and (e) in their entirety and the following inserted in their stead:

**“Sec. 15-343. Flexibility in administration required.**

...

(b) Without limiting the generality of the foregoing, the permit-issuing authority may allow deviations from the parking requirements set forth in subsection 15-342(g) when it finds that:

- (1) A residential development is irrevocably oriented toward the elderly;
- (2) A residential development is located in close proximity to the central business district and is committed to a policy of placing restrictions on the vehicle ownership of its tenants; or
- (3) A business is primarily oriented to walk-in trade; ~~or~~ .

~~(4) A residential or nonresidential development is located within one of the city’s designated National Register historic districts.~~



...

(e) Notwithstanding any other provision in this section, developments located in the central retail core (defined as the area encompassing those properties abutting the ~~east side of Craven Street,~~ the east side of Hancock street, the ~~north~~ south side of ~~Tryon Palace Drive~~ South Front Street, the west side of East Front Street, the south side of Broad Street from the west side of East Front Street to west side of Craven Street, and the north side of Broad Street from the east side of Craven to the east side of Street Hancock Street) shall be exempt from off-street parking requirements except those requirements set forth in subsection 15-163(h)(3); provided such development may reduce the number of parking spaces in existence as of the date of the adoption of this this section by special use permit.

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

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
JEFFREY T. ODHAM, MAYOR

\_\_\_\_\_  
BRENDA E. BLANCO, CITY CLERK



## Public Hearing

Proposed Amendments to Land Use Ordinance  
*Section 15-343E Flexibility in Administration Required*  
October 10, 2023

1

## Background

- New Bern was designed before there was a need to accommodate vehicles
- New Bern desires to maintain the historic charm of downtown and protect existing buildings from being converted into parking
- Parking standards are designed for new construction; not for reuse of historic buildings
- The satellite parking option is not a feasible option for most new businesses to achieve compliance
- There are approximately 600 public parking spaces in this area available for anyone to use for free

2

## Background Continued

- Prior to modernizing permitting processes, businesses have opened without meeting the parking ordinance
- Businesses have also modified their operations to add seating with outdoor space, often reducing parking without a permit
- When new businesses desire to open, they must demonstrate they can comply with all aspects of the zoning ordinance to obtain a Zoning Compliance Permit
- It is difficult for most businesses to comply
- A mechanism is needed to add equity to the parking regulations
- Zoning law supports treating similar real estate similarly, so expanding the exempted area makes sense

## Planning & Zoning Board Review

- Over a five-month period the Planning & Zoning Board studied this issue (May 2, June 6, July 5, August 3 and September 5)
- Rather than waiting to look at this in the comprehensive ordinance rewrite, the board elected to work on this issue now
- There was a recognition that the legacy method of permitting was not a viable way to move forward
- The Planning & Zoning Board asked staff to research how other coastal and historic cities regulated parking in downtown areas; without exception they all exempt it to encourage vibrant downtowns and reuse of historic buildings
- The Board questioned why the narrow area didn't include more real estate
- They directed staff to modify the map of the Central Retail Core; with the intent of protecting existing buildings and not exempting undeveloped land
- They directed staff to exclude Short Term Rentals from the parking exemption
- They directed staff to include elements that protect all available existing parking

## Land Use Ordinance Text Amendment: Section 15-343E

### What does this actually do?

- Expands the exempted parking to include real estate to the west side of East Front Street and down to the south side of South Front Steet. This excludes most undeveloped property.
- Maintains the current short term rental parking requirements even if the boundary is expanded.
- Prohibits the elimination of any parking that exists within the new boundary (after the date of adoption of any potential changes) unless a Special Use Permit (SUP) is granted by the Board of Adjustment.

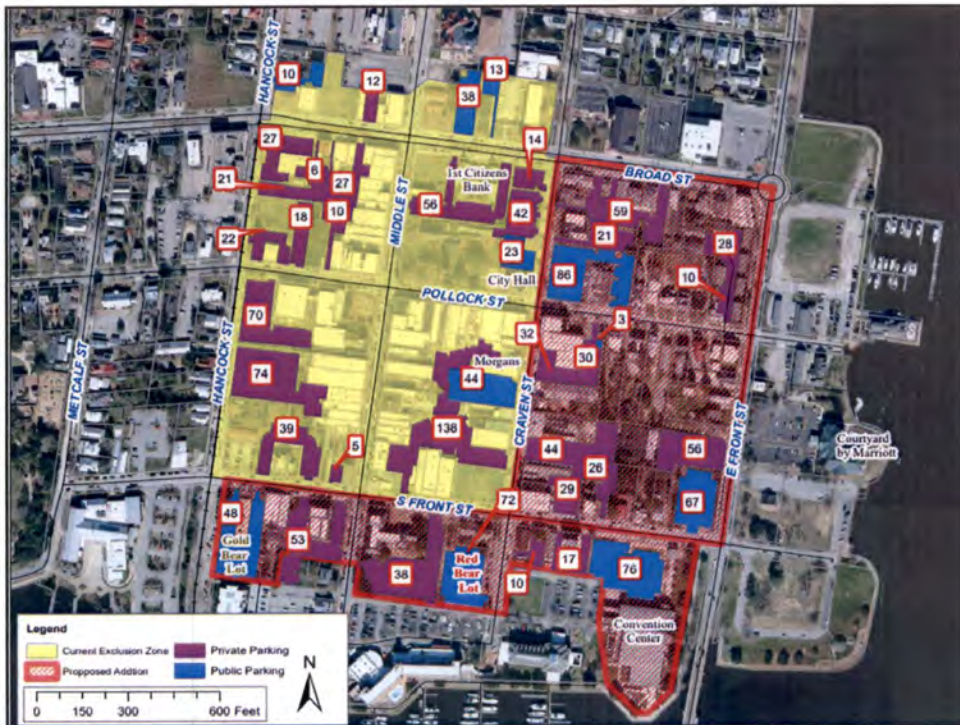
## Recommendation

- On September 5th, the Planning & Zoning Board recommended adoption of the proposed text amendment
- There was one dissenting vote; the following reasons were cited:
  - Not enough data to support a change is warranted
  - No evaluation of the impacts to surrounding areas
  - No consideration given to the area's growth
  - Request for data on permits denied, evaluation of residential areas, suggested another parking committee is needed

## Proposed Land Use Ordinance Text Amendment: Section 15-343

15-343(e) Notwithstanding any other provision in this section, developments located in the central retail core (defined as the area encompassing those properties abutting the ~~east side of Craven Street~~, the east side of Hancock street, the ~~north~~ south side of Tryon Palace Drive South Front Street, the west side of East Front Street, the south side of Broad Street from the west side of East Front Street to west side of Craven Street, and the north side of Broad Street from the east side of Craven to the east side of Street Hancock Street) shall be exempt from off-street parking requirements except those requirements set forth in subsection 15-163(h)(3); provided such development may reduce the number of parking spaces in existence as of the date of the adoption of this this section by special use permit.

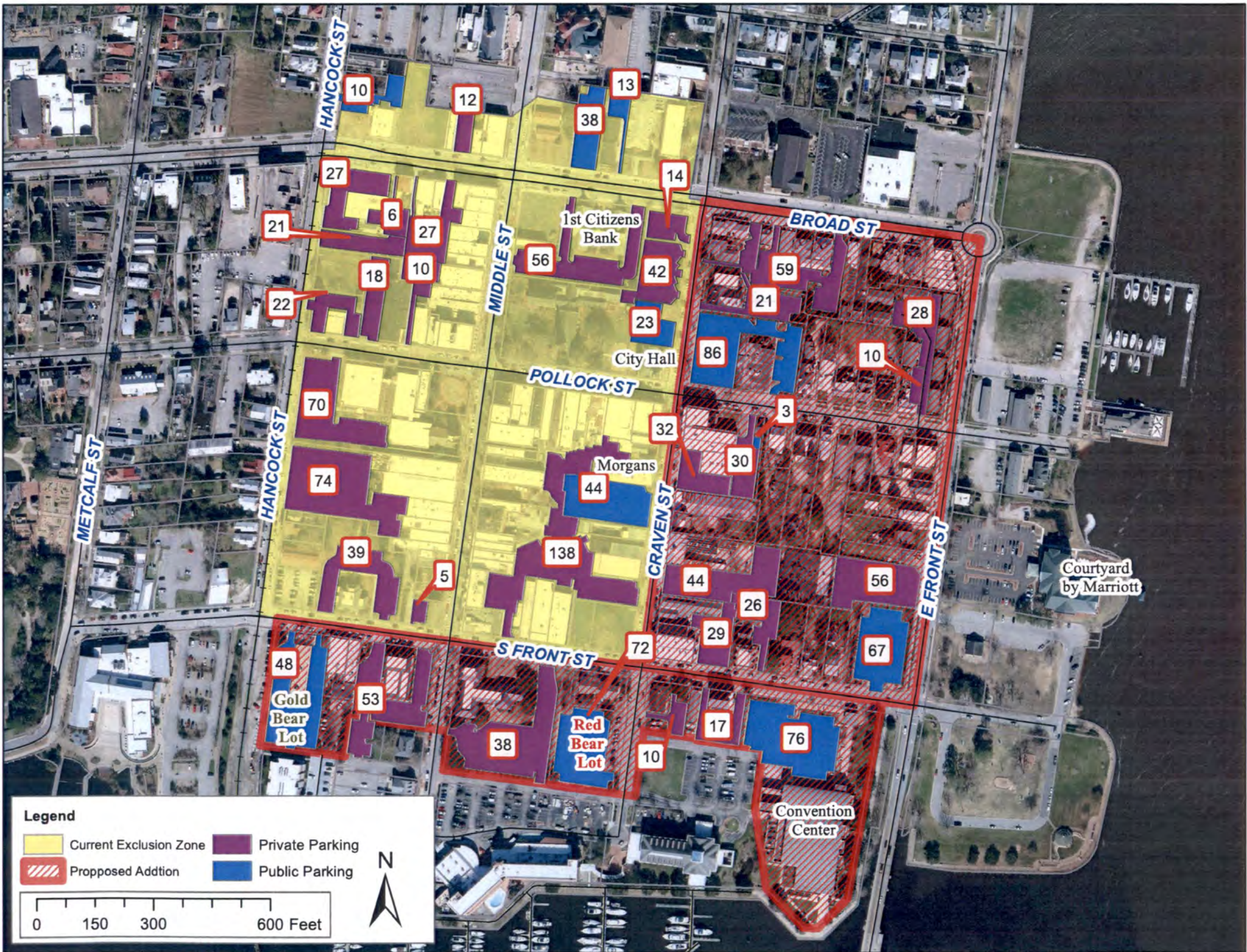
7



8

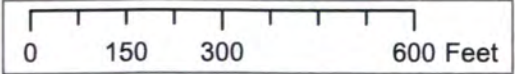
## Potential Next Steps May Include...

- Adopt amendment as recommended September 5, 2023 by the Planning & Zoning Board
- Modify the amendment as proposed
- Return the issue to the Planning & Zoning Board with direction on what you would like to see changed
- Direct the Planning & Zoning Board to study the policy of allowing residences without dedicated parking spaces



**Legend**

- Current Exclusion Zone
- Private Parking
- Proposed Addition
- Public Parking



10 12 13 38  
 27 14  
 21 6 27  
 18 10  
 22  
 56 42  
 23  
 City Hall  
 86 21 59 28  
 10  
 3  
 30  
 70 74  
 Morgans  
 44 32 30  
 44 26 56  
 39 5  
 138 29 67  
 S FRONT ST 72  
 48 Gold Bear Lot 53 38 Red Bear Lot 10 17 76  
 Convention Center  
 Courtyard by Marriott

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Conduct a public hearing and consider adopting an ordinance to annex 3277 Old Airport Road

<b>Date of Meeting:</b> 10/10/2023	<b>Ward # if applicable:</b> 3
<b>Department:</b> City Clerk	<b>Person Submitting Item:</b> Brenda Blanco
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b>

<b>Explanation of Item:</b>	Michael and Rose Miller requested to annex 3227 Old Airport Road. If the property is annexed, it will be in Ward 3.
<b>Actions Needed by Board:</b>	Conduct a public hearing and consider adopting an ordinance to annex
<b>Backup Attached:</b>	Memo, ordinance, and map
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

**Additional Notes:**





**NEW BERN**  
CITY OF NEW BERN

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

**Aldermen**

Rick Prill  
Hazel Royal  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Robert Brinson, Jr.

**Jeffrey T. Odham**  
Mayor

**Foster Hughes**  
City Manager

**Brenda E. Blanco**  
City Clerk

**Kimberly A. Ostrom**  
Director of Finance

**TO:** Mayor and Board of Aldermen

**FROM:** Brenda E. Blanco, City Clerk

**DATE:** September 29, 2023

**SUBJECT:** Conduct a Public Hearing and Consider Annexing 3277 Old Airport Road

---

**Background**

Michael and Rose Miller petitioned the City to annex 3277 Old Airport Road. The owners plan to build a single-family home on the property. There are several parcels in the area that have been annexed into the City's municipal boundary.

**Recommendation**

Consider adopting an ordinance to annex the property.

Ordinance No. \_\_\_\_\_

Prepared by and return to:

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

**AN ORDINANCE ANNEXING TO THE CITY OF NEW BERN PROPERTY OF ROSE MARIE MILLER AND MICHAEL J. MILLER, SR., CONSISTING OF 0.89 ACRES, MORE OR LESS, LOCATED AT 3277 OLD AIRPORT ROAD IN NUMBER 7 TOWNSHIP**

THAT WHEREAS, Rose Marie Miller and Michael J. Miller, Sr. filed a petition requesting the annexation to the City of New Bern of property they own, which is more particularly described on Exhibit A attached hereto and incorporated herein by reference, consisting of 0.89 acres, more or less, which said parcel is located at 3277 Old Airport Road in Number 7 Township, Craven County, North Carolina, the boundaries of which are illustrated on the annexation map prepared by the City of New Bern Development Services staff, which is attached hereto as Exhibit B, and incorporated herein by reference; and

WHEREAS, said petition was referred to the City Clerk for an investigation as to the sufficiency thereof; and

WHEREAS, the City Clerk certified the sufficiency of the petition in writing to the Board of Aldermen; and

WHEREAS, the Board of Aldermen called for a public hearing on the question of annexation of said territory; and

WHEREAS, pursuant thereto, notice of a public hearing to be held at 6:00 p.m. on October 10, 2023, in the City Hall Courtroom was duly caused to be published as required by law in the *Sun Journal*, a newspaper having general circulation in the City; and

WHEREAS, on October 10, 2023, at 6:00 p.m., a public hearing on the question of annexation of the subject area was held by the Board of Aldermen of the City of New Bern, at

which time all interested parties were given an opportunity to be heard; and

WHEREAS, it was then determined by the Board of Aldermen that the petition filed met the requirements of the General Statutes of North Carolina, and that the area described in the petition should be annexed; and

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

Section 1. That the subject petition meets the requirements of §160A-31 of the General Statutes of North Carolina.

Section 2. That the property owned by Rose Marie Miller and Michael J. Miller, Sr., the boundaries of which are more particularly described on Exhibit A attached hereto and incorporated herein by reference, consisting of 0.89 acres, more or less, which said parcel is located at 3277 Old Airport Road in Number 7 Township, Craven County, North Carolina, be and the same is hereby annexed to the City of New Bern. A survey of the property being annexed appears of record in Plat Cabinet J, Page 48G of the Craven County Registry.

Section 3. That the effective date of annexation shall be midnight on October 10, 2023.

Section 4. That the area to be annexed be and the same is hereby made a part of Ward 3 of the City of New Bern.

Section 5. That this ordinance shall be recorded forthwith in the Office of the Register of Deeds of Craven County.

ADOPTED THIS OCTOBER 10, 2023.

---

JEFFREY T. ODHAM, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

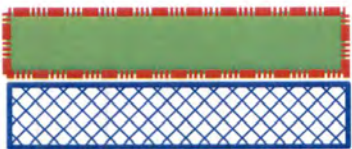
EXHIBIT A

All that certain tract or parcel of land lying and being in Number Seven Township, Craven County, North Carolina, and being described as follows:

Being all of Lot A, containing 38,935 square feet (0.89 acres), more or less, as shown on that map entitled "Re-Combination Survey for Rose Marie Miller" by Brad L. Suitt, PLS, dated January 18, 2021, a copy of which is recorded in Plat Cabinet J, Slide 48G, Craven County Registry, and incorporated herein by reference.



**Proposed Annexation: Miller Property - 3277 Old Airport Rd - 0.89 Acres: Tax ID: 7-105-1000**



Existing New Bern Limits  
Proposed Annexation Area



**Scale: 1 = 200 ft**



**EXHIBIT B**

# AGENDA ITEM COVER SHEET



## Agenda Item Title:

Conduct a public hearing and consider adopting an ordinance to annex a portion of Tax Parcel 8-209-13001 and all of 8-209-28001

<b>Date of Meeting:</b> 10/10/2023	<b>Ward # if applicable:</b> 4
<b>Department:</b> City Clerk	<b>Person Submitting Item:</b> Brenda Blanco
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b>

<b>Explanation of Item:</b>	Weyerhaeuser requested to annex portions of Tax Parcel 8-209-13001 and all of 8-209-28001. This is the same property that the Board conveyed to Weyerhaeuser after approving an exchange of property at its August 22, 2023 meeting. If the property is annexed, it will be in Ward 4.
<b>Actions Needed by Board:</b>	Conduct a public hearing and consider annexing the property
<b>Backup Attached:</b>	Memo, ordinance, map of property
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

**Additional Notes:**



**NEW BERN**  
CITY OF NEW BERN

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

**Aldermen**

Rick Prill  
Hazel Royal  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Robert Brinson, Jr.

Jeffrey T. Odham  
Mayor

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

**TO:** Mayor and Board of Aldermen

**FROM:** Brenda E. Blanco, City Clerk

**DATE:** September 30, 2023

**SUBJECT:** Conduct a Public Hearing and Consider Annexing a Portion of Tax Parcel 8-209-13001 and All of 8-209-28001

---

**Background**

Weyerhaeuser NR Company petitioned the City to annex a portion of Tax Parcel 8-209-13001 and all of 8-209-28001. This is the same property that was conveyed to Weyerhaeuser after the Board approved an exchange of property at its August 22, 2023 meeting. PID 8-209-28001 is a newly-assigned Tax ID for the small portion of 8-209-12003 that was transferred to Weyerhaeuser.

**Recommendation**

Conduct a public hearing and consider adopting an ordinance to annex the property.

Ordinance No. \_\_\_\_\_

Prepared by and return to:

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

**AN ORDINANCE ANNEXING TO THE CITY OF NEW BERN PROPERTY OF WEYERHAEUSER NR COMPANY, CONSISTING OF 1.46 ACRES, MORE OR LESS, LOCATED NORTH OF US HIGHWAY 70 IN NUMBER 8 TOWNSHIP, AND BEING A PORTION OF CRAVEN COUNTY TAX PARCEL 8-209-13001 AND ALL OF 8-209-28001**

THAT WHEREAS, Weyerhaeuser NR Company filed a petition requesting the annexation to the City of New Bern of property it owns, which is more particularly described on Exhibit A attached hereto and incorporated herein by reference, consisting of 1.46 acres, more or less, which said parcel is located north of US Highway 70 in Number 8 Township, Craven County, North Carolina, and being identified as a portion of Craven County Tax Parcel 8-209-13001 and all of 8-209-28001, the boundaries of which are illustrated on the annexation map prepared by the City of New Bern Development Services staff, which is attached hereto as Exhibit B, and incorporated herein by reference; and

WHEREAS, said petition was referred to the City Clerk for an investigation as to the sufficiency thereof; and

WHEREAS, the City Clerk certified the sufficiency of the petition in writing to the Board of Aldermen; and

WHEREAS, the Board of Aldermen called for a public hearing on the question of annexation of said territory; and

WHEREAS, pursuant thereto, notice of a public hearing to be held at 6:00 p.m. on October 10, 2023, in the City Hall Courtroom was duly caused to be published as required by law in the *Sun Journal*, a newspaper having general circulation in the City; and

WHEREAS, on October 10, 2023, at 6:00 p.m., a public hearing on the question of



annexation of the subject area was held by the Board of Aldermen of the City of New Bern, at which time all interested parties were given an opportunity to be heard; and

WHEREAS, it was then determined by the Board of Aldermen that the petition filed met the requirements of the General Statutes of North Carolina, and that the area described in the petition should be annexed; and

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

Section 1. That the subject petition meets the requirements of §160A-31 of the General Statutes of North Carolina.

Section 2. That the property owned by Weyerhaeuser NR Company, the boundaries of which are more particularly described on Exhibit A attached hereto and incorporated herein by reference, consisting of 1.46 acres, more or less, which said parcel is located at located north of US Highway 70 in Number 8 Township, Craven County, North Carolina and being identified as a portion of Craven County Tax Parcel 8-209-13001 and all of 8-209-28001, be and the same is hereby annexed to the City of New Bern. A survey of the property being annexed appears of record in Plat Cabinet J, Page 68C of the Craven County Registry.

Section 3. That the effective date of annexation shall be midnight on October 10, 2023.

Section 4. That the area to be annexed be and the same is hereby made a part of Ward 4 of the City of New Bern.

Section 5. That this ordinance shall be recorded forthwith in the Office of the Register of Deeds of Craven County.

ADOPTED THIS OCTOBER 10, 2023.

---

JEFFREY T. ODHAM, MAYOR

---

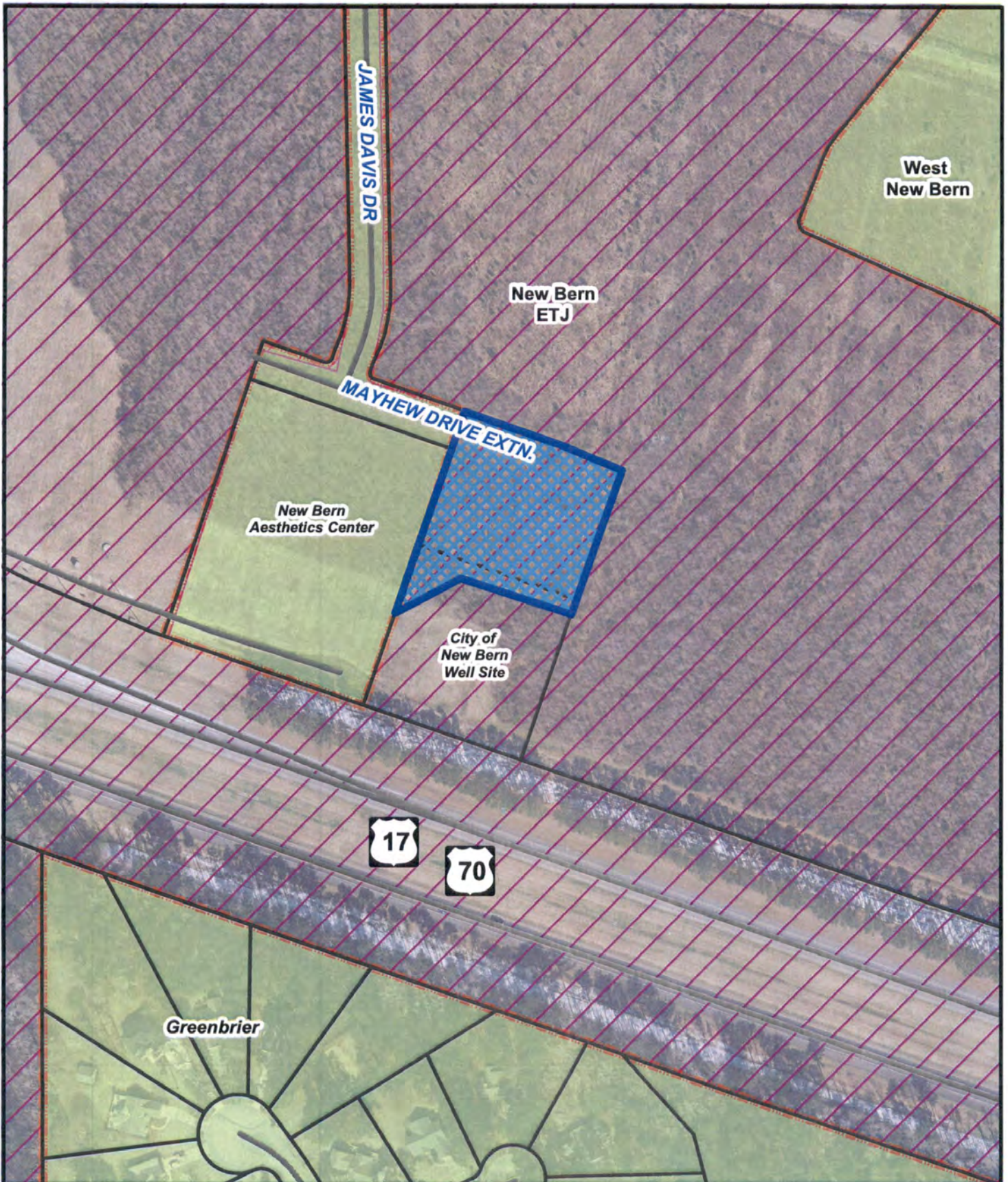
BRENDA E. BLANCO, CITY CLERK

## EXHIBIT A

That certain tract of land being in the Number 8 Township, Craven County, City of New Bern, North Carolina, said tract being a portion of the property described in Deed Book 2687 Page 346 and Deed Book 2687 Page 339 and Map Book H page 113 G&H of the Craven County Register of Deeds, and shown on a map titled "Subdivision Plat Kyrios, LLC Parcel A" by Matthew T. Roberts, P.L.S., dated August 24, 2023 and being more fully described as follows:

Commencing at an 1" open end pipe, said pipe being labeled as POB1 on the aforementioned map, said pipe being North 18°46'42" East a distance of 254.94 feet from a 1" open end pipe on the northern right of way of US Highway 70 (370' Public R/W) labeled (Tie) said pipe being South 87°22'52" East a distance of 271.88 feet from a iron rod set, said iron rod having NC Grid NAD 83(2011) coordinates of North 505839.89 feet and East 2559831.21 feet, said iron rod also being South 72°12'52" East a distance of 819.86 feet from an iron rod set with NC Grid NAD 83(2011) coordinates of North 506090.32 feet and East 2559050.53 feet which is South 73°41'24" East 1518.32 feet from NCGS Voltage with NC Grid NAD 83(2011) coordinates of North 506,516.72 feet and East 2557593.31 feet, said 1" open end pipe being the **Point of Beginning**.

Thence from the **Point of Beginning**; and with the common line between Kyrios LLC (Deed Book 3692 Page 1612, Map Book I Page 189 E) and Weyerhaeuser NR Company North 18°46'42" East, a distance of 154.24 feet to a 5/8" rebar found on the southern right of way of herein after described Mayhew Drive extension (61' Public R/W); thence with the eastern terminus of the existing Mayhew Drive (Map Book I Page 189E) North 18°46'42" East a distance of 61.00 feet to the northern right of way of said Mayhew Drive Extension to a point; thence with said northern right of way South 70°57'28" East a distance of 154.38 feet to a calculated point at the beginning of a curve to the right; thence along the arc of said curve a distance of 98.73 feet, said curve having a radius of 530.50 feet, a delta angle of 10°39'48", and a chord bearing and distance of South 65°37'34" East a distance of 98.59 feet to a calculated point; thence crossing said right of way to the southern right of way South 18°48'56" West a distance of 62.27 feet to a 5/8" rebar; thence continuing South 18°48'56" West a distance of 143.09 feet to a 1" open end pipe found on the common line between City of New Bern Well Site 8 (Deed Book 2646 Page 373) and said Weyerhaeuser NR Company; thence continuing South 18°48'56" West a distance of 25.00 feet to a 5/8" rebar set; thence North 71°07'14" West a distance of 171.74 feet to a 5/8" rebar set; thence South 61°41'51" West a distance of 118.32 feet to a 5/8" rebar set; thence North 18°46'42" East a distance of 111.79 feet to the **Point of Beginning**. Containing 63,749 Sq. Ft. or 1.46 Acres all as shown on a map titled "Subdivision Plat Kyrios, LLC" dated August 24, 2023 (being the "Mayhew Drive Extension" and "Parcel A" shown thereon).



**Proposed Annexation: Mayhew Dr. Extn - 1.46 Acres: Tax ID's: 8-209-28001 (all) & 8-209-13001 (part)**



Existing New Bern Limits  
Proposed Annexation Area



**Scale: 1 = 250 ft**  
0 250 625

**EXHIBIT B**

# AGENDA ITEM COVER SHEET



## Agenda Item Title:

Conduct a Public Hearing and Consider Adopting an Ordinance to Annex Tax Parcels 8-210-11002, 8-210-11003, and a portion of 8-210-23000

<b>Date of Meeting:</b> 10/10/2023	<b>Ward # if applicable:</b> 6
<b>Department:</b> City Clerk	<b>Person Submitting Item:</b> Brenda Blanco
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b>

<b>Explanation of Item:</b>	McCullough Farms, LLC petitioned to annex Tax Parcels 8-210-11002, 8-210-11003, and a portion of 8-210-23000. The property is vacant land that is contiguous to the City of New Bern's boundary.
<b>Actions Needed by Board:</b>	Conduct a public hearing and consider approving the annexation
<b>Backup Attached:</b>	Memo, ordinance, and map
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

**Additional Notes:**



**NEW BERN**  
CITY OF NEW BERN

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

Aldermen  
Rick Prill  
Hazel Royal  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Robert Brinson, Jr.

Jeffrey T. Odham  
Mayor  
Foster Hughes  
City Manager  
Brenda E. Blanco  
City Clerk  
Kimberly A. Ostrom  
Director of Finance

**TO:** Mayor and Board of Aldermen  
**FROM:** Brenda E. Blanco, City Clerk  
**DATE:** September 29, 2023  
**SUBJECT:** Conduct a Public Hearing and Consider Annexing Tax Parcels 8-210-11002, 8-210-11003 and a Portion of 8-210-23000

---

**Background**

McCullough Farms, LLC petitioned the City to annex Tax Parcels 8-210-11002, 8-210-11003, and a portion of 8-210-23000. The property is vacant land that is contiguous to the City of New Bern's boundary.

**Recommendation**

Conduct the public hearing and consider adopting an ordinance to annex the property.

Ordinance No. \_\_\_\_\_

Prepared by and return to:

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

**AN ORDINANCE ANNEXING TO THE CITY OF NEW BERN PROPERTY OF MCCULLOUGH FARMS LLC, CONSISTING OF 156.77 ACRES, MORE OR LESS, LOCATED NORTH OF US HIGHWAY 17 IN NUMBER 8 TOWNSHIP, AND BEING A CRAVEN COUNTY TAX PARCELS 8-210-11002, 8-210-11003 AND A PORTION OF 8-210-23000**

THAT WHEREAS, McCullough Farms LLC filed a petition requesting the annexation to the City of New Bern of property it owns, which is more particularly described on Exhibit A attached hereto and incorporated herein by reference, consisting of 156.77 acres, more or less, which said parcel is located north of US Highway 17 in Number 8 Township, Craven County, North Carolina, and being identified as Craven County Tax Parcels 8-210-11002, 8-210-11003 and a portion of 8-210-23000, the boundaries of which are illustrated on the annexation map prepared by the City of New Bern Development Services staff, which is attached hereto as Exhibit B, and incorporated herein by reference; and

WHEREAS, said petition was referred to the City Clerk for an investigation as to the sufficiency thereof; and

WHEREAS, the City Clerk certified the sufficiency of the petition in writing to the Board of Aldermen; and

WHEREAS, the Board of Aldermen called for a public hearing on the question of annexation of said territory; and

WHEREAS, pursuant thereto, notice of a public hearing to be held at 6:00 p.m. on October 10, 2023, in the City Hall Courtroom was duly caused to be published as required by law in the *Sun Journal*, a newspaper having general circulation in the City; and

WHEREAS, on October 10, 2023, at 6:00 p.m., a public hearing on the question of annexation of the subject area was held by the Board of Aldermen of the City of New Bern, at which time all interested parties were given an opportunity to be heard; and

WHEREAS, it was then determined by the Board of Aldermen that the petition filed met the requirements of the General Statutes of North Carolina, and that the area described in the petition should be annexed; and

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

Section 1. That the subject petition meets the requirements of §160A-31 of the General Statutes of North Carolina.

Section 2. That the property owned by McCullough Farms LLC, the boundaries of which are more particularly described on Exhibit A attached hereto and incorporated herein by reference, consisting of 1.46 acres, more or less, which said parcel is located at located north of US Highway 70 in Number 8 Township, Craven County, North Carolina, and being identified as Craven County Tax Parcels 8-210-11002, 8-210-11003 and a portion of 8-210-23000, be and the same is hereby annexed to the City of New Bern. A survey of the property being annexed is attached hereto as Exhibit C, and incorporated herein by reference.

Section 3. That the effective date of annexation shall be midnight on October 10, 2023.

Section 4. That the area to be annexed be and the same is hereby made a part of Ward 6 of the City of New Bern.

Section 5. That this ordinance shall be recorded forthwith in the Office of the Register of Deeds of Craven County.

ADOPTED THIS OCTOBER 10, 2023.

---

JEFFREY T. ODHAM, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

EXHIBIT A

**Annexation Tract "A"**

Being all of that tract or parcel of Land owned by McCullough Farms LLC shown as Annexation Tract A on a preliminary survey titled "Annexation Plat – McCullough Farms LLC – Deed Book 3533, Page 1203" by Joshua A. Exline, PLS L-5421, dated July 31, 2023, and being more particularly described as follows:

Beginning at an existing iron pipe, the westernmost corner of a parcel owned by the City of New Bern as shown in Deed Book 2611, Page 312, and running thence as the line of said parcel the following three (3) calls:

S 55°14'26" E - 251.43' to an existing iron pipe;  
N 34°43'33" E - 250.12' to an existing iron pipe;  
N 34°46'02" E - 288.02' to an existing iron pipe;

Thence as the line of the lands of Weyerhaeuser Real Estate as shown in Map Book H, Page 166A, N 84°55'49" E - 605.68' to a point;

Thence as the line of the lands of BPNC LLC as shown in Map Book H, Page 32F the following three (3) calls:

S 05°11'01" E - 1519.06' to a point;  
N 84°40'59" E - 325.60' to a point;  
N 57°56'59" E - 1563.04' to a point;

Thence as the future right-of-way of NC 43 Connector as shown in NCDOT Project R-4463A the following six (6) calls:

S 22°26'20" E - 88.46' to an existing NCDOT Disk;  
As a curve to the right having a radius of 19880.00', a length of 646.70', a chord bearing of S 21°30'25" E, and a chord distance of 646.67' to an existing NCDOT Disk;  
As a curve to the left having a radius of 20120.00', a length of 826.94', a chord bearing of S 21°45'09" E, and a chord distance of 826.88' to an existing NCDOT Disk;  
S 22°55'48" E - 958.71' to an existing NCDOT Disk;  
S 67°04'12" W - 15.00' to an existing NCDOT Disk;  
S 22°55'48" E - 37.76' to a point;

Thence as the line of the lands of McCullough Farms LLC, being Tract 2 a shown in Map Book H, Page 48A S 89°31'32" W - 788.65' to a point;

Thence through the lands of McCullough Farms LLC (following the line of Parcel 3 on an unrecorded survey by Robert H. Davis, PLS dated 04-20-18) the following six (6) calls:

N 36°18'32" W - 965.43' to a point;



S 87°04'22" W - 1309.22' to a point;  
N 41°08'59" W - 429.08' to a point;  
S 81°02'02" W - 1553.50' to a point;  
N 46°54'12" W - 531.03' to a point;  
S 35°19'08" W - 1474.03' to a point;

Thence as the line of the lands of R. Earl Jones as shown in Deed Book 3599, Page 1932 S 88°48'19" W - 26.10' to a point;

Thence as the eastern margin of a 245' CP&L Powerline right-of-way N 34°46'30" E - 3324.52' to the Beginning.

Said annexation parcel as described containing 6,557,141 square feet or 150.53 acres, more or less.

### **Annexation Tract "B"**

Being all of that tract or parcel of Land owned by McCullough Farms LLC shown as Annexation Tract B on a preliminary survey titled "Annexation Plat – McCullough Farms LLC – Deed Book 3533, Page 1203" by Joshua A. Exline, PLS L-5421, dated July 31, 2023, and being more particularly described as follows:

Beginning at an existing iron rod, the northwest corner of Tract 3 as shown in Map Book H, Page 48A, and running thence as the line of the lands of P & J of New Bern LLC as shown in Deed Book 2687, Page 444 and Map Book H, Page 114E S 89°31'32" W - 267.86' to a point;

Thence through Tract 2 as shown in Map Book H, Page 48A N 00°28'28" W - 99.72' to a point;

Thence as the northern line of Tract 2 N 89°30'19" E - 788.45' to a point;

Thence as the future right-of-way of NC 43 Connector as shown in NCDOT Project R-4463A S 22°55'48" E - 108.20' to a point;

Thence as the northern line of Tract 3 S 89°31'32" W - 561.93' to the Beginning.

Said annexation parcel as described containing 80,918 square feet or 1.86 acres, more or less.

### **Annexation Tract "C"**

Being all of that tract or parcel of Land owned by McCullough Farms LLC shown as Annexation Tract C on a preliminary survey titled "Annexation Plat – McCullough Farms LLC – Deed Book 3533, Page 1203" by Joshua A. Exline, PLS L-5421, dated July 31, 2023, and being more particularly described as follows:

Beginning at an existing iron rod, the northwest corner of Tract 3 as shown in Map Book H, Page 48A, and running thence as the line of Tract 2 N 89°31'32" E - 561.93' to a point;

Thence as the future right-of-way of NC 43 Connector as shown in NCDOT Project R-4463A the following three (3) calls:

S 22°55'48" E - 229.04' to a point;

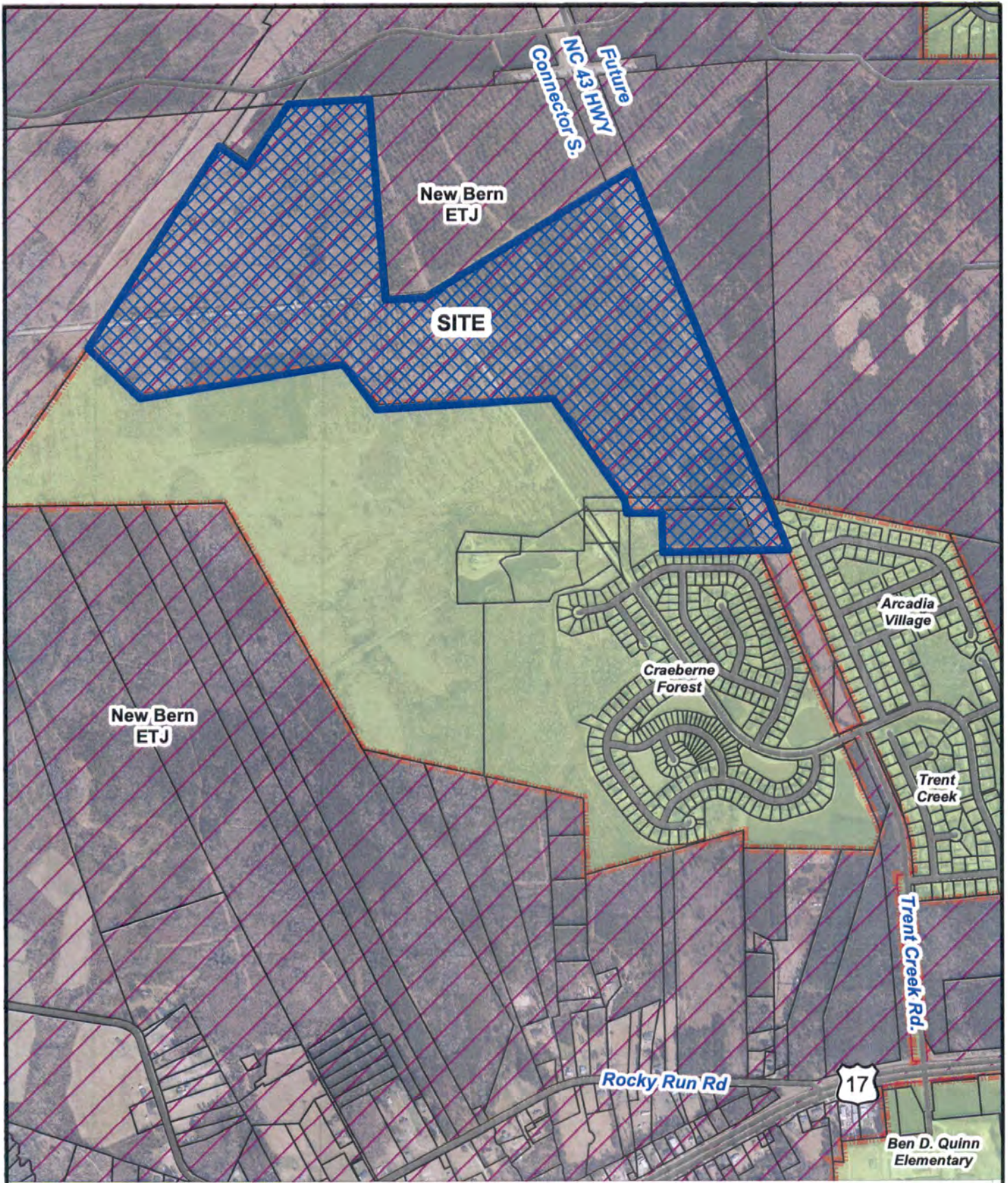
N 67°04'12" E - 34.88' to a point;

S 22°56'05" E - 110.00' to a point;

Thence as the northern line of Craeberne Forest Phase 2 - Section 1 as shown in Map Book H, Page 181B, S 89°31'32" W - 723.68' to a point;

Thence as the line of the lands of P & J of New Bern LLC as shown in Deed Book 2687, Page 444 and Map Book H, Page 114E N 00°28'28" W - 300.01' to the Beginning.

Said annexation parcel as described containing 190,767 square feet or 4.38 acres, more or less.



Proposed Annexation: Trent Creek Rd. Extn - 156.77 Acres: Tax ID's: 8-210-23000 & 8-210-13000 (part)



Existing New Bern Limits  
Proposed Annexation Area



Scale: 1 = 1000 ft



EXHIBIT B

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

PLAT 10



**SITE DATA**  
 SITE ADDRESS(S): SAVOY DRIVE  
 NEW BERN, NORTH CAROLINA 28561

**OWNER INFORMATION**  
 McCULLOUGH FARMS, LLC  
 244-A CRAVEN STREET  
 NEW BERN, NC 28560

**TOTAL SITE AREA:** 288.20 AC. ±, or 111,116,860 SQ. FT. ±

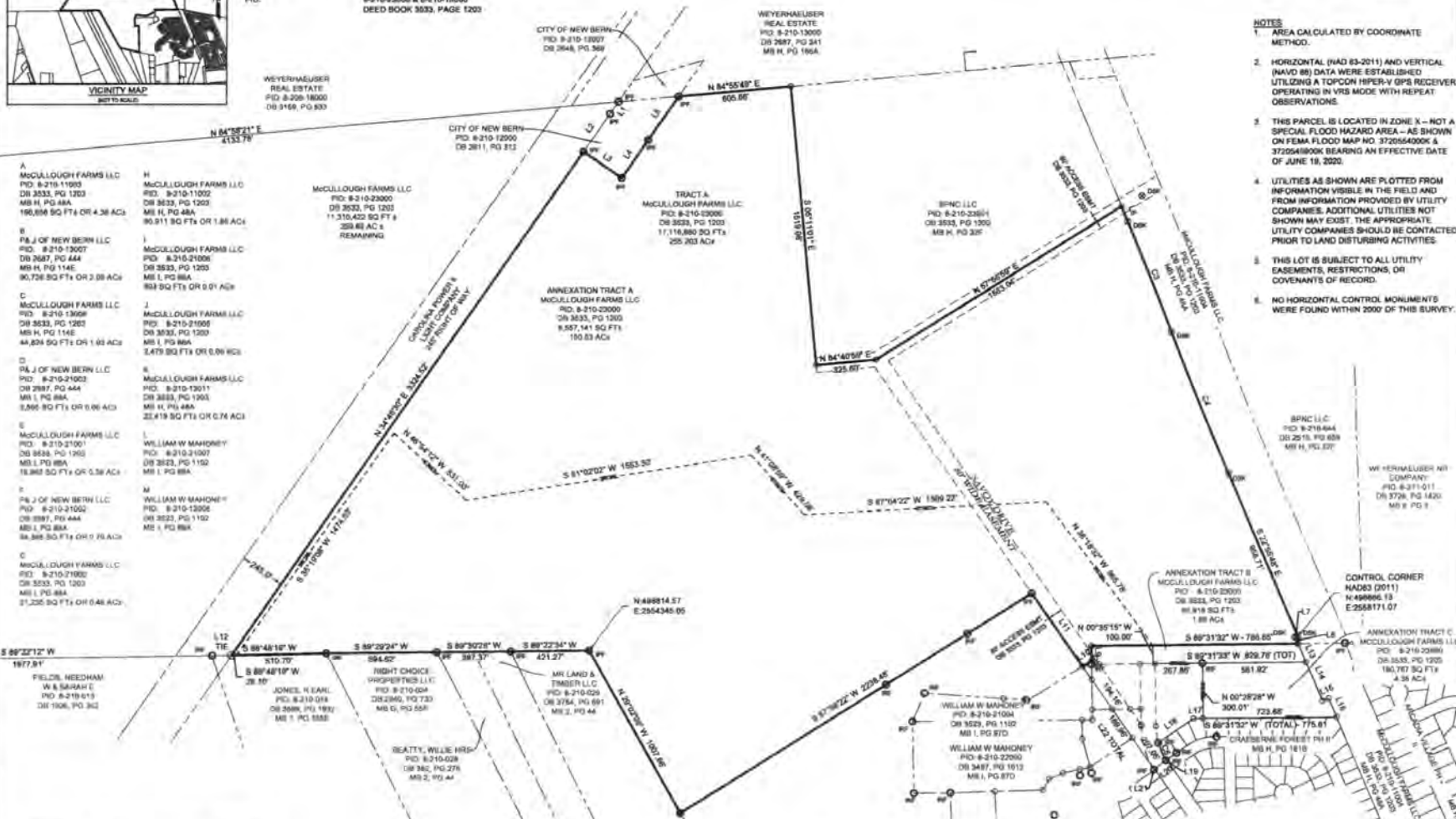
**PD:** 8-210-25000 & 8-210-13000  
 DEED BOOK 3033, PAGE 1203

**WEYERHAEUSER REAL ESTATE**  
 PD 8-208-18000  
 DB 3169, PG 833

**LEGEND**

—————	BOUNDARY LINE	○	IRON PIPE FOUND
- - - - -	ADJOINING BOUNDARY LINE	○	IRON ROD FOUND
—————	RIGHT OF WAY	○	IRON ROD SET
- - - - -	EASEMENT LINE	○	DOT MONUMENT FOUND
		□	COMPUTED POINT

- NOTES**
1. AREA CALCULATED BY COORDINATE METHOD.
  2. HORIZONTAL (NAD 83-2011) AND VERTICAL (NAVD 88) DATA WERE ESTABLISHED UTILIZING A TOPCON HIPER-V GPS RECEIVER OPERATING IN VRS MODE WITH REPEAT OBSERVATIONS.
  3. THIS PARCEL IS LOCATED IN ZONE X — NOT A SPECIAL FLOOD HAZARD AREA — AS SHOWN ON FEMA FLOOD MAP NO. 3720544000K & 3720544000K BEARING AN EFFECTIVE DATE OF JUNE 18, 2020.
  4. UTILITIES AS SHOWN ARE PLOTTED FROM INFORMATION VISIBLE IN THE FIELD AND FROM INFORMATION PROVIDED BY UTILITY COMPANIES. ADDITIONAL UTILITIES NOT SHOWN MAY EXIST. THE APPROPRIATE UTILITY COMPANIES SHOULD BE CONTACTED PRIOR TO LAND DISTURBING ACTIVITIES.
  5. THIS LOT IS SUBJECT TO ALL UTILITY EASEMENTS, RESTRICTIONS, OR COVENANTS OF RECORD.
  6. NO HORIZONTAL CONTROL MONUMENTS WERE FOUND WITHIN 2000' OF THIS SURVEY.



LINK	BEARING	DISTANCE
1.1	S 34°48'10" W	20.00
1.2	N 30°24'17" E	220.91
1.3	N 86°11'57" E	251.12
1.4	N 34°43'31" E	251.12
1.5	N 34°43'31" E	258.07
1.6	S 22°32'24" W	89.48
1.7	S 22°32'24" W	89.48
1.8	S 22°32'24" W	37.79
1.9	S 22°32'24" W	81.04
1.10	S 22°32'24" W	62.29
1.11	N 34°28'27" W	460.00
1.12	S 89°48'18" W	103.50
1.13	S 89°48'18" W	103.50
1.14	S 22°32'24" W	329.04
1.15	S 89°48'18" W	110.00
1.16	S 89°48'18" W	51.84
1.17	S 89°48'18" W	51.84
1.18	S 89°48'18" W	233.71
1.19	S 89°48'18" W	79.39
1.20	S 89°48'18" W	79.39
1.21	S 89°48'18" W	8.92
1.22	N 34°28'27" W	618.77

CURVE	RADIUS	ARC LENGTH	DELTA	CHORD LENGTH	CHORD BEARING
C1	17850.00	528.24	3°21'18"	528.88	S 21°45'09" E
C2	20120.00	528.24	3°21'18"	528.88	S 21°45'09" E
C3	380.00	102.80	16°21'39"	102.45	S 23°14'17" E

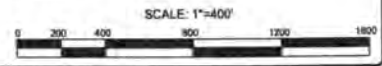
**CERTIFICATE OF ACCURACY AND MAPPING**

I, JOSEPH A. EXLINE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (SEE DESCRIPTIONS RECORDED AS SHOWN HEREON) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION NOTED, THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000, AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 41-48 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D.

JOSEPH A. EXLINE, P.L.S. LICENSE NO. L-4431

I, JOSEPH A. EXLINE, CERTIFY THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECONSTRUCTION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

JOSEPH A. EXLINE, P.L.S. LICENSE NO. L-4431



**DATE**

**REVISIONS**

**OWNER INFORMATION**

McCULLOUGH FARMS, LLC  
 244-A CRAVEN STREET  
 NEW BERN, NC 28560

**PARAMOUNT**  
 122 Craven Drive  
 Wilmington, North Carolina 28403  
 (910) 791-6707 (O) (910) 791-4766 (F)  
 N.C. License # C-2846

**ANNEXATION PLAT**  
 McCULLOUGH FARMS, LLC  
 DEED BOOK: 3533, PAGE 1203  
 TOWNSHIP NUMBER 8  
 CRAVEN COUNTY, NC

**PRELIMINARY DRAWING**  
 DO NOT USE FOR  
 CONSTRUCTION  
 RECORDATION  
 DIVISIONS, OR  
 SALES

1 of 1

DATE: JULY 31, 2024 SCALE: 1"=400'

NO. 2024 010714



**NEW BERN**  
CITY OF NEW BERN  
300 Pollock Street, P.O. Box 1129  
New Bern, NC 28563-1129  
(252) 636-4000

**Aldermen**

Rick Prill  
Hazel B. Royal  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Robert Brinson, Jr.

Jeffrey T. Odham  
Mayor  
Foster Hughes  
City Manager  
Brenda E. Blanco  
City Clerk  
Kimberly A. Ostrom  
Director of Finance

Memorandum

TO: Alderman Johnnie Ray Kinsey  
FROM: Brenda Blanco, City Clerk  
DATE: June 16, 2023  
SUBJECT: Appointment to Planning and Zoning Board

Raymond Layton's term on the Planning and Zoning Board will expire June 30, 2023. He is ineligible for reappointment. You are asked to make a new appointment to fill Seat 4 for a three-year term that will expire on June 30, 2026.