

**CITY OF NEW BERN  
BOARD OF ALDERMEN MEETING  
JULY 09, 2024 – 6:00 P.M.  
CITY HALL COURTROOM  
300 POLLOCK STREET**

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

Consent Agenda

5. Consider Adopting a Resolution Calling for a Public Hearing to Rezone 3402 and 3402-A Trent Road from Split Zoned C3/C4 Commercial to C3 Commercial.
6. Consider Adopting a Resolution Calling for a Public Hearing to Amend Section 15-28 of Article III and Part II of Article IV “Major and Minor Subdivisions.”
7. Consider Adopting a Resolution Closing a Portion of Cedar Street for the Duffyfield Neighborhood Soul Food Festival.

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8. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex Tax Parcel IDs 8-210-044 and 8-210-23001.
9. Consider Adopting a Resolution Approving the Sale of 910 Green Street.
10. Consider Adopting a Resolution Approving the Sale of 408 Suttons Alley.
11. Consider Adopting an Ordinance to Amend and Close the Broadband Project Fund.
12. Consider Adopting an Ordinance to Amend and Close the Northwest Interceptor Project Fund.
13. Consider Adopting an Ordinance to Amend the 212 Kale Road Project Fund.
14. Consider Adopting an Ordinance to Amend the Township 7 Sewer Improvements Project Fund.
15. Appointment(s).
16. Attorney’s Report.
17. City Manager’s Report.

18. New Business.
19. Closed Session.
20. 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

Aldermen

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

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

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: July 05, 2024**

**Re: July 09, 2024 Agenda Explanations**

- 1. Meeting opened by Mayor Jeffrey T. Odham. Prayer coordinated by Alderman Royal. 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 citizens' 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 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 Calling for a Public Hearing to Rezone 3402 and 3402-A Trent Road from Split Zoned C3/C4 Commercial to C3 Commercial.**

(Ward 2) Tarheel Building Systems has applied to rezone 1.89+/- acres located at 3402 and 3402-A Trent Road from a split commercial zone of C-3 and C-4 to entirely Commercial C-3. The Planning and Zoning Board unanimously recommended approval of this request at its June 20, 2024 meeting. It is requested a public hearing be scheduled for July 23, 2024 to consider the request. A memo from Robert Gough, Assistant Director of Development Services, is attached.

6. **Consider Adopting a Resolution Calling for a Public Hearing to Amend Section 15-28 of Article III and Part II of Article IV “Major and Minor Subdivisions.”**

Currently, the Planning and Zoning Board has final review and approval authority for subdivisions. Staff identified the need to streamline this process and seeks an ordinance amendment to designate the authority to the Zoning Administrator. NCGS 160D-803(c) permits the planning board or staff to make these final decisions. Instead of incorporating this change in the rewrite of the land use ordinance, it is recommended the change be made now to provide more efficient customer service. It is requested a public hearing be scheduled for July 23, 2024 to consider the request. A memo from Mr. Gough is attached.

7. **Consider Adopting a Resolution Closing a Portion of Cedar Street for the Duffyfield Neighborhood Soul Food Festival.**

(Wards 1 and 5) Duffyfield resident leaders have requested to close the 800 and 900 blocks of Cedar Street to vehicular traffic on August 10, 2024 from 2 p.m. to 9 p.m. for a soul food festival. A rain date of August 17, 2024 is requested. A memo from Kari Warren, Director of Parks and Recreation, is attached along with the event application and map of the area to be closed.

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8. **Conduct a Public Hearing and Consider Adopting an Ordinance to Annex Tax Parcel IDs 8-210-044 and 8-210-23001.**

(Ward 6) Peter Bosworth, Managing Member of BPNC, LLC, petitioned the City to annex two parcels identified as PIDs 8-210-044 and 8-210-23001. The property is located off MLK Boulevard and consists of approximately 98.43 acres. The property is contiguous to other parcels that are within the city limits. If annexation is approved, the property will fall within Ward 6. A memo from Brenda Blanco, City Clerk, is attached.



**9. Consider Adopting a Resolution Approving the Sale of 910 Green Street.**

(Ward 1) BCJ Development, LLC submitted a bid of \$3,000 for the purchase of 910 Green Street (PID 8-006-286). The bid was advertised but no upset bids were received. The parcel is a vacant 0.115-acre residential tract with a tax value of \$6,000. It was acquired by the City and County in June of 2015 through tax foreclosure. If the property is sold for this bid amount, the City will receive \$623.29, and the County will receive \$2,376.71 from the proceeds. A memo from Ms. Blanco is attached along with the offer to purchase, tax card, pictures, and a map of the property.

**10. Consider Adopting a Resolution Approving the Sale of 408 Suttons Alley.**

(Ward 1) Lay Team and Remodelers, LLC tendered a bid of \$1,500 for the purchase of 408 Suttons Alley (PID 8-008-166). The bid was advertised but no upset bids were received. The parcel is a vacant 0.03-acre commercial tract with a tax value of \$3,000. It was acquired by the City and County in July of 2013 through tax foreclosure. If the property is sold for this bid amount, the City will receive \$415.72, and the County will receive \$1,084.28 from the proceeds. A memo from Ms. Blanco is attached along with the offer to purchase, tax card, pictures, and a map of the property.

**11. Consider Adopting an Ordinance to Amend and Close the Broadband Project Fund.**

The 2021 Make Ready Public Infrastructure for Broadband Service Providers Project Fund was established with an initial budget of \$7,200,000. The budget was subsequently reduced to \$3,065,000 based on revised estimates. After reviewing current expenditures and anticipated future activity, it has been determined the project does not meet the criteria for a project fund. Expenses will be charged to the respective operating funds, and the project fund closed out by this ordinance. A memo from Kim Ostrom, Director of Finance, is attached.

**12. Consider Adopting an Ordinance to Amend and Close the Northwest Interceptor Project Fund.**

The Northwest Interceptor Rehabilitation Phase II Project Fund was established on April 26, 2022. The project is now complete, and this ordinance closes the project fund. A memo from Mrs. Ostrom is attached.

**13. Consider Adopting an Ordinance to Amend the 212 Kale Road Project Fund.**

The Board established the 212 Kale Road Project Fund on February 27, 2024, with an initial budget of \$2,000,000. Financing in the amount of \$2,200,000 was approved by the Board on May 28, 2024. This amendment increases the project fund by \$200,000 to recognize the additional proceeds from financing. A memo from Mrs. Ostrom is attached.

**14. Consider Adopting an Ordinance to Amend the Township 7 Sewer Improvements Project Fund.**

On December 10, 2015, the Board of Aldermen established the Township 7 Sewer Improvements Project Fund. The project fund has subsequently been amended seven times to recognize various transfers, grants and debt proceeds. This amendment will realign budgeted revenues and expenditures within the project fund. A memo from Mrs. Ostrom is attached.

**15. Appointment(s).**

- a) George "Eric" Jones resigned from the Board of Adjustment due to scheduling conflicts. Alderman Kinsey is asked to make a new appointment to fill the remainder of Mr. Jones' term which expires on June 30, 2025.
- b) Several appointments will expire on June 30, 2024, as identified in the memo and schedule from the City Clerk. While some of the appointees are eligible for reappointment and desire to continue serving, others are ineligible to serve another consecutive term. The schedule has been updated to reflect appointments made recently. It is requested appointments to the Community Development and Advisory Committee be withheld until that committee can be reviewed and possibly restructured.
- c) Mike Duffy, an alternate on the Board of Adjustment, has resigned. A new appointment is needed to fill the remainder of his term which expires June 30, 2026. This appointment is open to the Mayor or any Alderman.
- d) Wayne Unangst has resigned from the Firemen's Museum Board of Directors. The Board of Directors has requested that James McConnell be appointed to fill the remainder of the term which expires on April 22, 2026. This appointment is to be made by Alderman Kinsey.

**16. Attorney's Report.**

**17. City Manager's Report.**

**18. New Business.**

**19. Closed Session.**

**20. Adjourn.**

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider Adopting a Resolution Calling for a Public Hearing to Rezone 3402 and 3402-A Trent Road from C3/C4 to C3.

<b>Date of Meeting:</b> 7/9/2024	<b>Ward # if applicable:</b> Ward 2
<b>Department:</b> Development Services	<b>Person Submitting Item:</b> Robert Gough, Assistant Director of Development Services
<b>Call for Public Hearing:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Date of Public Hearing:</b> 7/23/2024

<b>Explanation of Item:</b>	Tarheel Building Systems Inc. has applied for a zoning map amendment to rezone 1.89 +/- acres located 3402 and 3402A Trent Road. They are further identified as Tax Parcel IDs 8-045-035 and 8-045-3000. The Planning and Zoning Board recommended approval (7-0) on June 20, 2024.
<b>Actions Needed by Board:</b>	Adopt a resolution calling for a public hearing.
<b>Backup Attached:</b>	Memo, Resolution, Map

<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

NORTH CAROLINA

300 Pollock Street, P.O. Box 1129

New Bern, NC 28563

(252)636-4000

## MEMORANDUM

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

**FROM:** Robert Gough, Assistant Director of Development Services

**DATE:** June 27, 2024

**SUBJECT:** Consider Adopting a Resolution Calling for a Public Hearing to Rezone 3402 and 3402-A Trent Road from C3/C4 to C3.

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Tarheel Building Systems Inc. has applied for a zoning map amendment to rezone 1.89 +/- acres, known as Tax Parcels 8-045-035 and 8-045-3000 from split zoned Commercial 3 (C-3) and Commercial 4 (C-4) to entirely Commercial 3 (C-3). The parcels are located on the North side of Trent Road near the intersection of Trent Road and Red Robin Ln. (see map).

The proposed rezoning site is 1.89 +/- acres in size and has road frontage on Trent Road. There is a mix of residential single-family, multi-family, and commercial uses such as Eastern Dermatology and ABC Supply Co. which is a roofing supply store.

The Planning and Zoning Board voted 7-0 to recommend approval of this application at their June 20, 2024, meeting and found that it is consistent with the City's Land Use Plan and the 2022 Land Use Plan Update.

Please contact Robert Gough at 252-639-7585, should you have questions or need additional information.

**RESOLUTION**

THAT WHEREAS, the Board of Aldermen of the City of New Bern desires to call for a public hearing to receive public comments on a request to rezone two parcels, totaling 1.89 +/- acres, from split zoned Commercial 3 (C-3) and Commercial 4 (C-4) to Commercial 3 (C-3). The properties are located at 3402 and 3402A Trent Road, further identified as Craven County Parcel Identification Numbers 8-045-035 and 8-045-3000.

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

That a public hearing will be conducted by the Board of Aldermen of the City of New Bern at 6:00 p.m. on Tuesday, July 23, 2024 in the City Hall Courtroom, or as soon thereafter as the matter may be reached, in order that all interested parties may be given an opportunity to be heard on a request to rezone two parcels from split zoned Commercial 3 (C-3) and Commercial 4 (C-4) to Commercial 3 (C-3) totaling 1.89 +/- acres located at 3402 and 3402A Trent Road and further identified as Craven County Parcel Identification Numbers 8-045-035 and 8-045-3000.

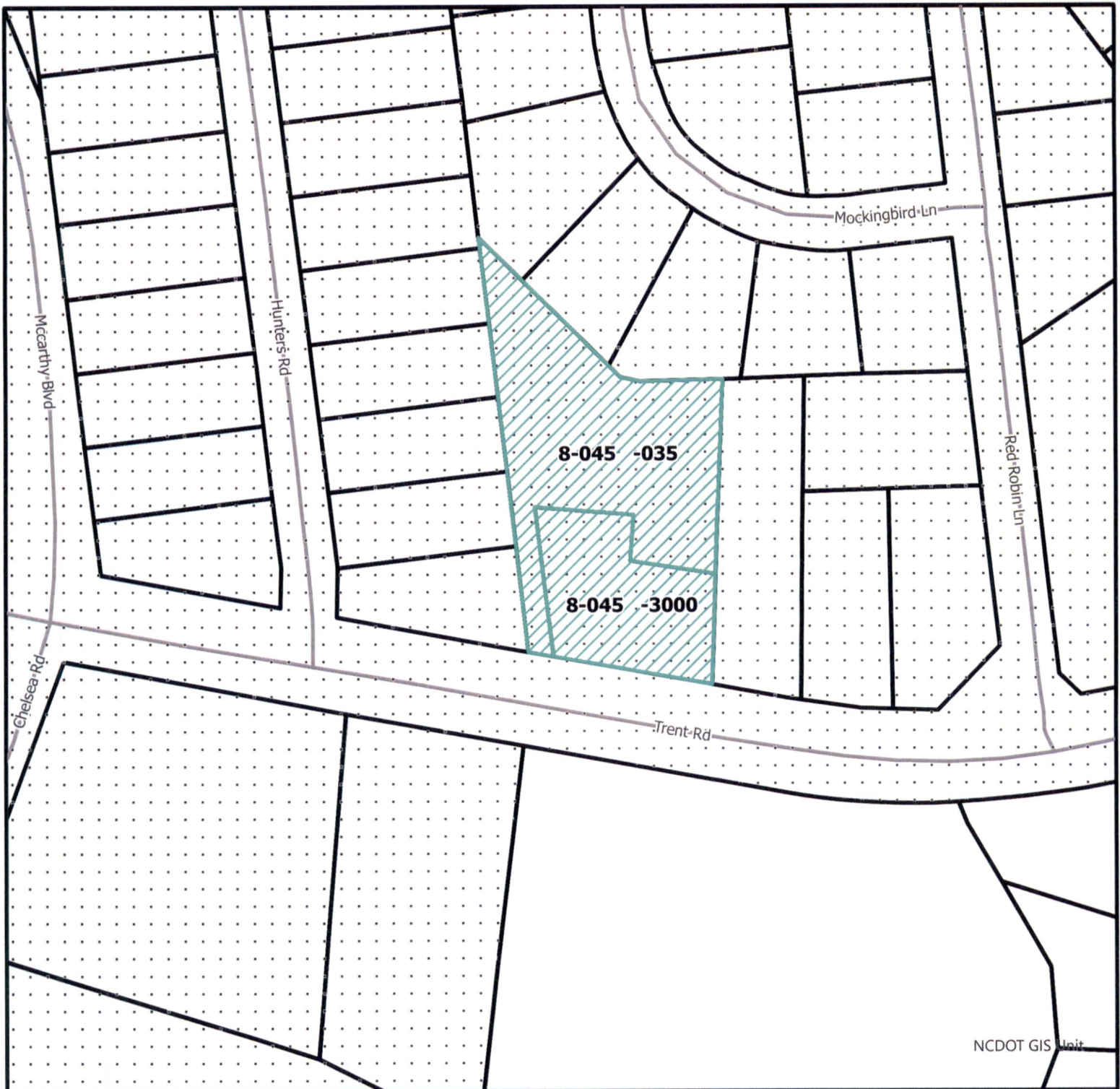
ADOPTED THIS 9<sup>th</sup> DAY OF JULY 2024.

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
JEFFREY T. ODHAM, MAYOR

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BRENDA E. BLANCO, CITY CLERK



NCDOT GIS Unit

-  Railroad
-  ETJ
-  City Limits

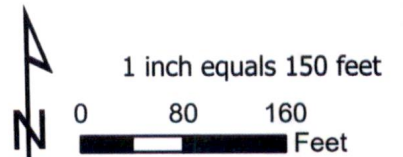
-  Parcels
-  Parcels: 8-045-035 & 8-045-3000



**NEW BERN**  
 CITY OF NEW BERN  
 Development Services

**REZ-002870-2024, Trent Road Rezoning**  
**Parcel ID: 8-045-035 & 8-045-3000**  
**Current Zoning District: C-3 & C-4 (Split Zoned)**  
**Proposed Zoning District: C-3**  
**Total Acres: 1.89**

Imagery Flown: Early 2021. Print Date: 5/22/2024  
 This map is intended for reference only. All dimensions are approximate.  
 As per NCGS 132-10, this map is not to be resold or otherwise used for commercial purposes.





## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider Adopting a Resolution Calling for a Public Hearing to amend Section 15-28 of Article III and Part II of Article IV “Major and Minor Subdivisions” of the Code of Ordinances

<b>Date of Meeting:</b> 7/9/2024	<b>Ward # if applicable:</b> N/A
<b>Department:</b> Development Services	<b>Person Submitting Item:</b> Robert Gough, Assistant Director of Development Services
<b>Call for Public Hearing:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Date of Public Hearing:</b> 7/23/2024

<b>Explanation of Item:</b>	Staff has identified the need to streamline the review process for Subdivision Review. NCGS 160D-803(c) gives authority to a local government to designate final decisions of subdivision plats to a Planning Board or to City Staff. This procedural change would have been included in the new Land Use Ordinance, but fast tracking this amendment has become an immediate need to continue providing a high level of service to the citizens of the City.
<b>Actions Needed by Board:</b>	Adopt a resolution calling for a public hearing.
<b>Backup Attached:</b>	Memo, Resolution

<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

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:** Robert Gough, Assistant Director of Development Services

**DATE:** June 27, 2024

**SUBJECT:** Consider Adopting a Resolution Calling for a Public Hearing to amend Section 15-28 of Article III and Part II of Article IV "Major and Minor Subdivisions" of the Code of Ordinances.

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Development Services staff have identified the need to streamline the review process for Subdivision Review. The Planning and Zoning Board is currently the final reviewing and approving authority. This process is administrative in nature, and requires approval if the proposal meets all of the standards and requirements of the Land Use Ordinance. This request is to amend the Land Use Ordinance to give final review and approval authority to the Zoning Administrator. This procedural change would have been included in the new Land Use Ordinance, but fast tracking this amendment has become an immediate need to continue providing a high level of service to the citizens of the City and the development community.

North Carolina General Statute Chapter 160D-803(c) gives authority to a local government to designate final decisions of subdivision plats to either a Planning Board or to City staff members.

The proposed amendments will reduce processing times, cost and resources required for both staff and the development community. The reduced workload on City Staff and the Planning and Zoning Board would allow more efficient use of time and resources. Additionally, the requirement to meet all applicable standards found in the Land Use Ordinance would still apply.

Section 15-397 (b) of the City of New Bern Code of Ordinances governs amendment requests initiated by a City Department Head. Chapter 160D-604(b) of State Statutes governs zoning amendments. It requires all proposed amendments to zoning regulations



be submitted to the Planning & Zoning Board for review and comment. If no written report is received within 30 days of being referred, the governing board may act without a report. The governing board is not bound by any recommendation the Planning & Zoning Board may or may not provide.

The Planning and Zoning Board voted 7-0 to recommend approval and adoption of the text amendment to the Code of Ordinances at their June 20, 2024, meeting.

The Board is requested to Consider Adopting a Resolution to Call for a Public Hearing to take place on July 23, 2024.

For questions regarding this matter, please contact Assistant Director of Development Services Robert Gough at (252) 639-7585 [gough.robert@newbernnc.gov](mailto:gough.robert@newbernnc.gov)

## RESOLUTION CALLING FOR PUBLIC HEARING

WHEREAS, the Board of Aldermen of the City of New Bern desires to conduct a public hearing to receive public comments on amending Section 15-28 of Article III and Part II of Article IV "Major and Minor Subdivisions" of the Code of Ordinances, of the City of New Bern.

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

That a public hearing will be conducted by the Board of Aldermen of the City of New Bern on Tuesday, July 23, 2024, in the City Hall Courtroom at 6:00 p.m., or as soon thereafter as the matter may be reached, on amending Section 15-28 of Article III and Part II of Article IV "Major and Minor Subdivisions" of the Code of Ordinances, of the City of New Bern. All interested parties will be given an opportunity to be heard:

ADOPTED THIS THE 9<sup>th</sup> DAY OF JULY 2023.

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JEFFREY T. ODHAM, MAYOR

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BRENDA E. BLANCO, CITY CLERK

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider Adopting a Resolution to close streets for Duffyfield Resident Leaders Neighborhood Soul Food Festival.

<b>Date of Meeting:</b> July 9, 2024	<b>Ward # if applicable:</b> Ward 1 & 5
<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>	Duffyfield Resident Leaders has requested to close the 800 and 900 blocks of Cedar Street between Bern Street and Lees Avenue/Hattie Lane be closed to vehicular traffic from 2:00 p.m. until 9:00 p.m. on Saturday, August 10, 2024, with a rain date of August 17, 2024, for Duffyfield Resident Leaders Neighborhood Soul Food Festival.
<b>Actions Needed by Board:</b>	Adopt the Resolution
<b>Backup Attached:</b>	Resolution – Memo- Map – Application - Petition
<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:** June 19, 2024  
  
**Memo To:** Mayor and Board of Aldermen  
  
**From:** Kari Warren, CPRP *KW*  
Director of Parks and Recreation  
  
**Re:** Street Closure for Duffyfield Resident Leaders Neighborhood Soul Food Festival.

**Background Information:**

Duffyfield Resident Leaders has made a request to close the 800 and 900 blocks of Cedar Street between Bern Street and Lees Avenue/Hattie Lane to vehicular traffic from 2:00 p.m. until 9:00 p.m. on Saturday, August 10, 2024, with a rain date of August 17, 2024, for Duffyfield Resident Leaders Neighborhood Soul Food Festival.

**Recommendation:**

The Director of Parks and Recreation recommends approval and request 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 Duffyfield Resident Leaders has scheduled a Neighborhood Soul Food Festival and has requested the 800 and 900 blocks of Cedar Street between Bern Street and Lees Avenue/Hattie Lane be closed to vehicular traffic from 2:00 p.m. until 9:00 p.m. on Saturday, August 10, 2024, with a rain date of August 17, 2024; 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 800 and 900 blocks of Cedar Street between Bern Street and Lees Avenue/Hattie Lane be closed to vehicular traffic from 2:00 p.m. until 9:00 p.m. on Saturday, August 10, 2024, with a rain date of August 17, 2024, for the Duffyfield Neighborhood Soul Food Festival.

ADOPTED THIS 9<sup>th</sup> DAY OF JULY 2024.

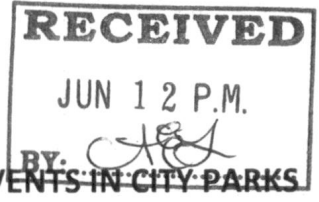
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JRFFREY T. ODHAM, MAYOR

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BRENDA E. BLANCO, CITY CLERK

Aug 10<sup>th</sup>  
Saturday



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: Our Neighborhood Soul Food Festival

Organization Name: Duffyfield Block Captains / Greater Duffyfield Residents Council

Responsible Contact: Carlillie Swindell / Antoinette Boskey

Address: 1204 Goldsboro St.

City: \_\_\_\_\_ State: NC Zip code: 28562

Phone: 252-229-2960 Alternate Phone: 252-229-1019

Email: stillirise2022@yahoo.com

- Type of Event:  Demonstration  Festival  Parade
- Date of Event: 08/10/2024 Proposed Rain Date: 08/17/2024
- Event Set up time: 2pm Event Tear Down Completed Time: 9pm
- Event Start Time: 3pm Event End Time: 8pm
- Are you selling any goods or services?  Yes\*  No
- Are you charging an admission fee or collecting donations?  Yes\*  No

What is the specific location and/or route of the proposed event? (Attach additional information if needed)

Central Location is the Omega Center. The festival will have food vendors from Bern St. to Lees Ave/Hattie Ln.

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)

This event is to create an opportunity for the community to gather. Block captains will have sponsors who's support will help raise funds to continue community cookouts and projects around community gardening.

Estimated attendance: 250; Attendance not to exceed: 500.

\*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 # 7 Sizes 10x10 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 # 2 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: Cedar St @ Bern St. - Cedar St. @ Lees Ave/Hatties Ln- Cedar St @ West St - Cedar St. @ Smith 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. There will be a live DJ providing family friendly music.

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.
- Written Statement of how and when business's/residents affected are (were) informed of road closure.

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

- Certificate of Insurance from organizer & vendors – 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 (Event) layout
- Notification statement to residents/businesses (if road closure is requested)
- Proof of Crowd Manager training & Public Safety Plan (if attendance is 1,000 or more)

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

*Abdullah Jinnah* \_\_\_\_\_ 6/10/2024  
 Authorized Signature Date

All documents have been provided and this application is recommended for approval  
 \_\_\_\_\_  
 Administrative Support Supervisor Date

This application has been approved.  
*Hari Warren* \_\_\_\_\_ 6-12-2024  
 Director of Parks & Recreation Date

- Have HOA's been notified?  Yes  No Spoke with: \_\_\_\_\_
- Approved by Department Date: 6-12-2024 Staff Initials: KW
- Submitted for Board Approval Date: 6-19-2024 Staff Initials: KW
- All Paperwork collected Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_
- All fees collected \$ \_\_\_\_\_ Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_

City Sponsored Event	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No



////// = DAMCAGES x 2  
(10 TOTAL)

V = Food Vendor


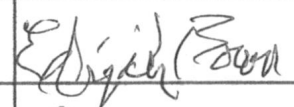

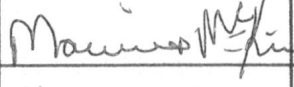
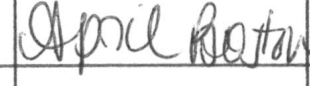
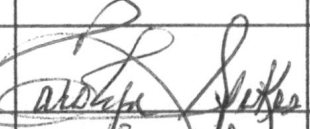

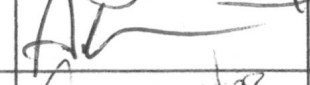
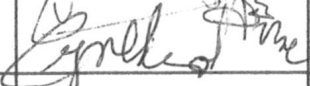


on a good black...



**PETITION OF SIGNATURES**

By signing this petition I agree to the closure of Cedar St. from Bern St. to Lee's Ave./Hattie's Ln. from 2pm-9pm on Saturday, August 10, 2024. *Rain Date 8/17/24*

<u>HOUSE NUMBER</u>	<u>PRINTED NAME</u>	<u>SIGNATURE</u>	<u>DATE</u>
<del>915</del>			
820 Cedar Street	Elijah Brown Jr		6-11-24
815 Cedar Street	Quinyara Sparrow		6-11-24
716 Hatties Lane	Maurice McKinnon		6-11-24
915 Cedar St	April Boston		6/11/24
913 Cedar St	Richard Roy		6-11-24
912 Cedar St	<del>Archie Spiker</del>	<del></del>	<del>6/13/24</del>
803 West St.	TINA JACOBO		6-11-24
703 West St	Aaron Cooper		6-11-24
524 Cedar	Cynthia Adams		6-11-24
13 SW 1st Ave	Jessie Cedar		

Please find attached signatures of residents/homeowners who will be impacted by the street closure. These signatures show their support of this event. Block captains knocked on each door to inform homeowners/residents. All are excited and ready to participate in this festival. Closer to the festival date a reminder will be provided in each door by leaving a flyer with the event date and time as well as a contact number for those who may have questions.

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Conduct a Public Hearing and Consider Adopting an Ordinance to Annex Tax Parcel IDs 8-210-044 and 8-210-23001

<b>Date of Meeting:</b> 7/9/2024	<b>Ward # if applicable:</b>
<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>	Peter Bosworth, Managing Member of BPNC, LLC, requested to annex PID 8-210-044 and 8-210-23001 consisting of approximately 98.43 acres total. The property is located off MLK Boulevard.
<b>Actions Needed by Board:</b>	Conduct a public hearing and Consider Adopting an Ordinance Approving the annexation
<b>Backup Attached:</b>	Memo, ordinance, map
<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:**



**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:** June 28, 2024

**SUBJECT:** Conduct a Public Hearing and Consider Ordinance to Annex PIDs 8-210-044 and 8-210-23001

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**Background**

Peter Bosworth, Managing Member of BPNC, LLC, petitioned the City to annex two parcels identified as PIDs 8-210-044 and 8-210-23001. The property is located off MLK Boulevard and consists of approximately 98.43 acres. The property is contiguous to other parcels that are within the city limits. If annexation is approved, the property will fall within Ward 6.

**Recommendation**

Conduct a public hearing and consider adopting a resolution annexing the two properties.

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

Prepared by and return to:

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

**AN ORDINANCE ANNEXING TO THE CITY OF NEW BERN PROPERTY OF BPNC, LLC, CONSISTING OF 102.958 ACRES, MORE OR LESS, LOCATED EAST AND WEST OF THE FUTURE NC HIGHWAY 43 CONNECTOR SOUTH IN NUMBER EIGHT TOWNSHIP, AND BEING IDENTIFIED AS CRAVEN COUNTY TAX PARCEL 8-210-044 and 8-210-23001**

THAT WHEREAS, BPNC, 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 102.958 acres, more or less, which said parcel is located east and west of the Future NC Highway 43 Connector South, being further identified as Craven County parcel numbers 8-210-044 and 8-210-23001 in Number Eight 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 July 9, 2024, 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 July 9, 2024, 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 BPNC, LLC, the boundaries of which are more particularly described on Exhibit A attached hereto and incorporated herein by reference, consisting of 102.958 acres, more or less, which said parcel is located east and west of the Future NC Highway 43 Connector South, being further identified as Craven County parcel numbers 8-210-044 and 8-210-23001 in Number Eight 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 \_\_\_\_\_ of the Craven County Registry.

Section 3. That the effective date of annexation shall be midnight on July 9, 2024.

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 9<sup>th</sup> DAY OF JULY, 2024.

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JEFFREY T. ODHAM, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

EXHIBIT A

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

**Parcel ID #8-210-044 (Craven County Tax)**

Beginning at the northeasternmost corner of the tract shown on Plat Cabinet H, Slide 32F; thence along the easternmost line South 01 degrees 36 minutes 20 seconds East 3311.82 feet to a point; thence North 78 degrees 53 minutes 51 seconds West 103.53 feet to a point; thence North 21 degrees 55 minutes 53 seconds West 3320.52 feet to a point; thence South 84 degrees 58 minutes 05 seconds West 209.03 feet to a point; thence North 21 degrees 55 minutes 53 seconds West 104.51 feet to a point in the northernmost line; thence North 84 degrees 58 minutes 05 seconds East 1502.05 feet to the point of beginning, containing 52.958 acres more or less.

SAVING AND EXCEPTING that parcel designated as AREA ONE on that Highway Right of Way Deed in Book 3730, page 1243 recorded June 20, 2022, Craven County Registry, and described as follows:

Point of beginning being S 42°7'28.1" E, 352.999 feet from -L- Sta 70+00 thence to a point on a bearing S 21°55'53.0" E 1161.874 feet thence to a point on a bearing of S 78°53'51.0" E 48.422 feet thence to a point on a bearing of N 22°55'48.4" W 18.201 feet thence to a point on a bearing of S 67°4'11.6" W 20.000 feet thence to a point on a bearing of N 22°55'48.4" W 1100.708 feet thence along a curve 69.889 feet and having a radius of 19880.000 feet. The chord of said curve being on a bearing of N 22°49'45.8" W, a distance of 69.889 feet returning to the point and place of beginning. Having an area of approximately 11988.865 Square feet and being approximately 0.275 acres.

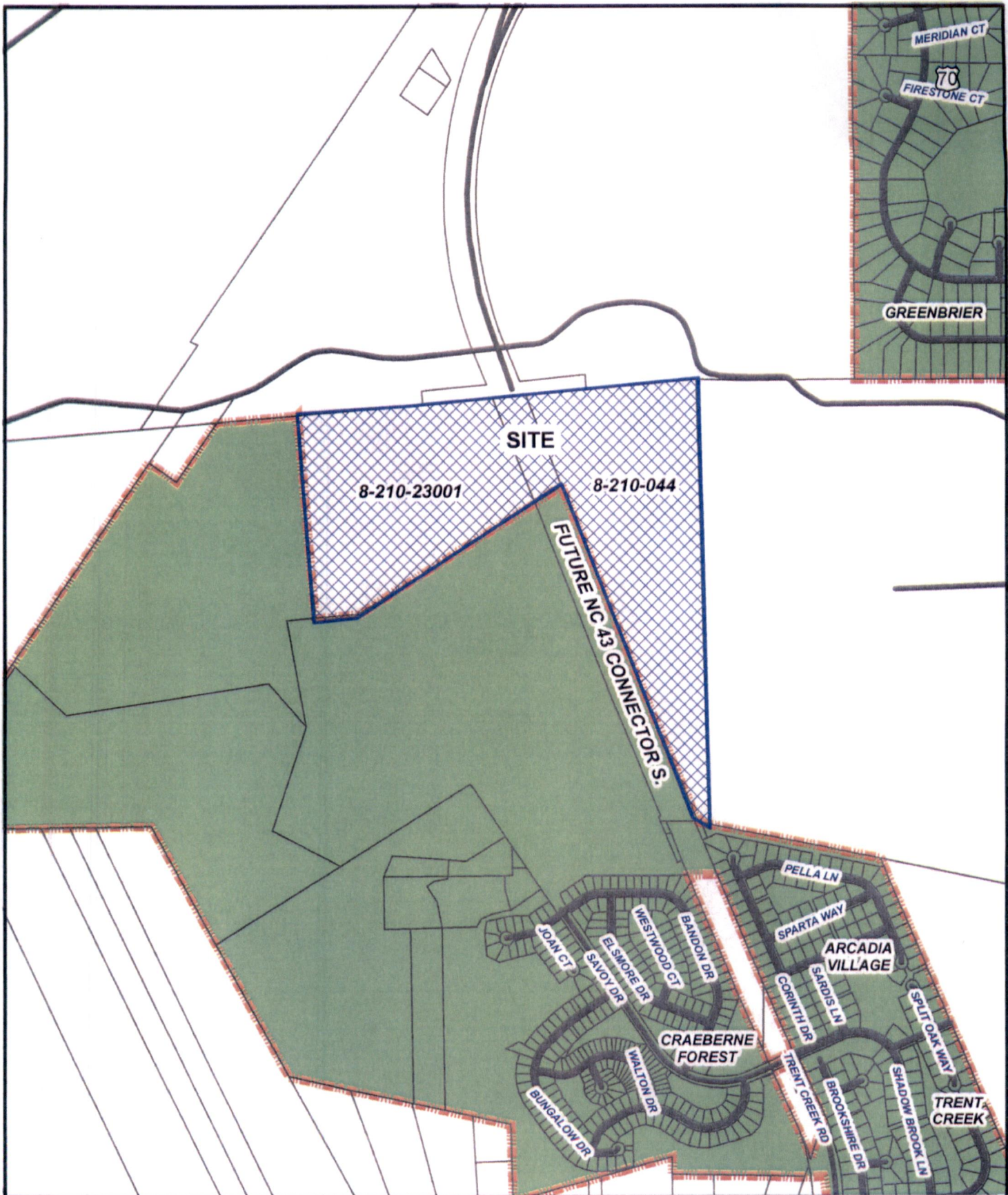
**Parcel ID# 8-210-23001 (Craven County Tax)**

Beginning at a point in the northern line of the tract shown on Plat Cabinet H Slide 32F, said point being located South 84 degrees 58 minutes 05 seconds West 1502.05 feet from the northwesternmost corner; thence South 21 degrees 55 minutes 53 seconds East 104.51 feet to a point; thence North 84 degrees 58 minutes 05 seconds East 209.03 feet a point; thence South 21 degrees 55 minutes 53 seconds East 626.89 feet to a point in the centerline of an 80 foot access easement; thence along and with the centerline of the access easement South 57 degrees 58 minutes 00 seconds West 1799.14 feet to a point; thence continuing along the centerline of the access easement South 84 degrees 42 minutes 00 seconds West 325.60 feet to a point; thence leaving the centerline continuing North 05 degrees 10 minutes 00 seconds West 1518.18 feet a point; thence North 84 degrees 59 minutes 05 seconds East 1510.55 feet to the point of beginning, containing 50.000 acres more or less.



SAVING AND EXCEPTING that parcel designated as AREA TWO on that Highway Right of Way Deed in Book 3730, page 1243 recorded June 20, 2022, Craven County Registry, and described as follows:

Point of beginning being N 6°50'7.6" E, 253.197 feet from -L- Sta 70+00 thence along a curve 193.917 feet and having a radius of 19880.000 feet. The chord of said curve being on a bearing of N 20°51'16.8" W, a distance of 193.916 feet thence along a curve 654.507 feet and having a radius of 20120.000 feet. The chord of said curve being on a bearing of N 21°30'25.7" W, a distance of 654.479 feet thence to a point on a bearing of N 22°26'20.6" W 859.587 feet thence to a point on a bearing of S 84°58'39.8" W 209.141 feet thence to a point on a bearing of S 84°58'39.8" W 42.391 feet thence to a point on a bearing of S 22°26'20.6" E 844.615 feet thence to a point on a bearing of N 57°58'0.0" E 235.958 feet thence to a point on a bearing of S 21°55'53.0" E 977.861 feet returning to the point and place of beginning. Having an area of approximately 195289.230 Square feet and being approximately 4.483 acres.



Proposed Annexation: BPNC, LLC Property - 102.958 Acres+-; Tax ID's PIDs: 8-210-044 & 8-210-23001



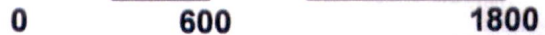
Existing New Bern Limits  
Proposed Annexation Area

N



1 inch = 1,000 feet

EXHIBIT B



# AGENDA ITEM COVER SHEET



## Agenda Item Title:

Consider Adopting a Resolution to Sell 910 Green Street

<b>Date of Meeting:</b> 7/9/2024	<b>Ward # if applicable:</b> 2
<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>	BCJ, LLC submitted a bid of \$3,000 for the purchase of 910 Green Street (PID 8-006-286). The bid was advertised but no upset bids were received. The property is a vacant 0.115-acre residential tract. It was acquired by the City and County in June 2015 through tax foreclosure.
<b>Actions Needed by Board:</b>	Consider adopting a resolution to sell the parcel
<b>Backup Attached:</b>	Memo, resolution, quitclaim deed, offer to purchase, tax property card, pictures, and map of the 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:**



**Aldermen**

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

**NEW BERN**  
**CITY OF NEW BERN**

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

**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:** Brenda Blanco, City Clerk  
**DATE:** June 28, 2024  
**SUBJECT:** Sale of 910 Green Street, PID 8-006-286

BCJ Development, LLC submitted a bid of \$3,000 for the purchase of 910 Green Street, PID 8-006-286. The Board adopted a resolution on April 9, 2024 to initiate the upset bid process. The bid was advertised but no upset bids were received. The property is a vacant 0.115-acre residential tract with a tax value of \$6,000. It was jointly acquired by the City and County in June 2015 through tax foreclosure. If the property is sold for this bid, the City will receive \$623.29 and the County will receive \$2,376.71 from the proceeds.



## RESOLUTION

THAT WHEREAS, the City of New Bern has received an offer to purchase a parcel of property owned by the City and County located at 910 Green Street, and being more particularly described herein; and

WHEREAS, the City owns a seventy percent (70%) undivided interest in the subject property, and Craven County owns a thirty percent (30%) undivided interest; and

WHEREAS, the Board of Aldermen is authorized to sell the City's interest in the property pursuant to North Carolina General Statute §160A-269; and

WHEREAS, the offer to purchase was in the sum of \$3,000.00 by BCJ Development, LLC of 910 Williams Road, New Bern, North Carolina 28562; that no increased bids were received, and the Board of Aldermen deemed it advisable and in the best interest of the City to sell the subject property to the successful bidder for the bid amount of \$3,000.00, and to convey said property by quitclaim deed.

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

Section 1. That the bid of BCJ Development, LLC in the sum of \$3,000.00 for said parcel bearing the postal enumeration for the City of New Bern of 910 Green Street, and being more particularly described herein, be and the same is hereby accepted, and the Mayor and the City Clerk be and they are hereby authorized and directed to execute a quitclaim deed for the City's interest in said property to BCJ Development, LLC.

Section 2. That a copy of said quitclaim deed is attached hereto and incorporated herein by reference, and the original deed shall be delivered to said purchaser once the same has been executed on behalf of the City upon payment of the balance due on the purchase price.

Section 3. That the subject property is more particularly described as follows:

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

Being all of Lot 92, in Pavietown Subdivision as shown on the map recorded in Book 106 at Page 385 of the Craven County Registry.

This property is also commonly referred to by its tax parcel identification numbers which are 8-006-286. A description of the property is recorded in Book 1454, Page 366 of the Craven County Registry.

ADOPTED THIS 9<sup>th</sup> DAY OF JULY, 2024.

---

JEFFREY T. ODHAM, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

Prepared by and return to:

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

PARCEL NO. 8-006-286  
REVENUE STAMPS: \$0.00

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

QUITCLAIM DEED

THIS QUITCLAIM DEED, made and entered into this 9<sup>th</sup> day of July, 2024, by and between the CITY OF NEW BERN, a municipal corporation of the State of North Carolina, and CRAVEN COUNTY, a body politic and corporate of the State of North Carolina (“Grantors”); to BCJ DEVELOPMENT, LLC, whose mailing address is 910 Williams Road, New Bern, North Carolina 28562, (“Grantee”);

WITNESSETH:

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

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

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

---

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

TO HAVE AND TO HOLD the above described lot or parcel of land and all privileges and appurtenances thereunto belonging to the Grantee, Grantee's heirs and assigns, free and discharged from all right, title, claim or interest of the said Grantors or anyone claiming by, through or under the Grantors.

IN TESTIMONY WHEREOF, the CITY OF NEW BERN has caused this instrument to be executed as its act and deed by its Mayor, attested by its City Clerk, and its seal to be hereunto affixed, all by the authority of its Board of Aldermen, and CRAVEN COUNTY has caused this instrument to be executed as its act and deed by the Chairman of its Board of Commissioners, attested by its Clerk, and its seal to be hereunto affixed, all by the authority of its Board of Commissioners, as of the day and year first above written.

**CITY OF NEW BERN**

(SEAL)

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

ATTEST:

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



STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public in and for said County and State, do hereby certify that on the \_\_\_\_ day of July, 2024 before me personally appeared JEFFREY T. ODHAM, with whom I am personally acquainted, who, being by me duly sworn, says that he is the Mayor and that BRENDA E. BLANCO is the City Clerk for the City of New Bern, the municipal corporation described in and which executed the foregoing instrument; that he knows the common seal of said municipal corporation; that the seal affixed to the foregoing instrument is said common seal; that the name of the municipal corporation was subscribed thereto by the said Mayor; that the said common seal was affixed, all by order of the Board of Aldermen of said municipal corporation and that the said instrument is the act and deed of said municipal corporation.

WITNESS my hand and official seal this the \_\_\_\_ day of July, 2024.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

**CRAVEN COUNTY**

(SEAL)

By: \_\_\_\_\_  
Chairman, Craven County Board of  
Commissioners

ATTEST:

\_\_\_\_\_  
Clerk, Craven County Board of  
Commissioners

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public in and for said County and State do hereby certify that on the \_\_\_\_ day of July, 2024, before me personally appeared JASON R. JONES with whom I am personally acquainted, who, being by me duly sworn, says that he is the Chairman of the Board of Commissioners for Craven County, and that NAN HOLTON is the Clerk of the Board of Commissioners for Craven County, the body politic and corporate describe in and which executed the foregoing instrument; that he knows the common seal of said body politic and corporate; that the seal affixed to the foregoing instrument is said common seal; that the name of the body politic and corporate was subscribed thereto by the said Chairman; that the said common seal was affixed, all by order of the Board of Commissioners of said body politic and corporate; and that the said instrument is the act and deed of said body politic and corporate.

WITNESS my hand and official seal this the \_\_\_\_ day of July, 2024.

\_\_\_\_\_

Notary Public

My Commission Expires:

\_\_\_\_\_

EXHIBIT A

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

Being all of Lot 92, in Pavietown Subdivision as shown on the map recorded in Book 106 at Page 385 of the Craven County Registry.

This property is also commonly referred to by its tax parcel identification numbers which are 8-006-286. A description of the property is recorded in Book 1454, Page 366 of the Craven County Registry.

NORTH CAROLINA

OFFER TO PURCHASE AND CONTRACT

CRAVEN COUNTY

BCJ Development, LLC., as Buyer, hereby offers to purchase and CRAVEN COUNTY and the CITY OF NEW BERN, collectively as Seller, upon acceptance of said offer, agrees to sell and convey, all of that plot, piece or parcel of land described below (hereafter referred to as the "Property"), upon the following terms and conditions:

1. REAL PROPERTY: Located in or near the City of New Bern, Craven County, North Carolina, being known as and more particularly described as:

Street Address: 910 Green St

Subdivision Name: \_\_\_\_\_

Tax Parcel ID No.: 8-006-286

Plat Reference: \_\_\_\_\_

Being all of that property more particularly described in Deed Book \_\_\_\_\_, Page \_\_\_\_\_ in the Craven County Registry.

2. PURCHASE PRICE: The purchase price is \$ 3000 and shall be paid as follows:

(a) \$ 500, EARNEST MONEY DEPOSIT with this offer by  cash  bank check  certified check to be held by Seller until the sale is closed, at which time it will be credited to Buyer, or until this contract is otherwise properly terminated. In the event this offer is not accepted, then all earnest monies shall be refunded to Buyer. In the event of breach of this contract by Seller, all earnest monies shall be refunded to Buyer upon Buyer's request. In the event of breach of this contract by Buyer, then all earnest monies shall be forfeited to Seller upon Seller's request, but such forfeiture shall not affect any other remedies available to Seller for such breach.

(b) \$ 2500, BALANCE of the purchase price in cash or readily available funds at Closing.

3. CONDITIONS:

(a) This contract is not subject to Buyer obtaining financing.

(b) The Property must be in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear excepted.

(c) The Property is being sold subject to all liens and encumbrances of record, if any.

(d) Other than as provided herein, the Property is being conveyed "as is".

(e) This contract is subject to the provisions of G.S. §160A-269. Buyer acknowledges that this contract is subject to certain notice provisions and the rights in others to submit upset bids in accordance therewith.

(f) Title shall be delivered at Closing by QUITCLAIM DEED

4. SPECIAL ASSESSMENTS: Seller makes no warranty or representation as to any pending or confirmed governmental special assessments for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, or pending or confirmed owners' association special assessments. Buyer shall take title subject to all pending assessments, if any.

5. PAYMENT OF TAXES: Any ad valorem taxes to which the Property is subject shall be paid in their entirety by Buyer.

6. EXPENSES: Buyer shall be responsible for all costs with respect to any title search, title insurance, recording of the deed, and its legal fees. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this agreement, and for any excise tax (revenue stamps) required by law.

7. EVIDENCE OF TITLE: Not Applicable.

8. CLOSING: Closing shall be defined as the date and time of recording of the deed. All parties agree to execute any and all documents and papers necessary in connection with Closing and transfer of title within thirty (30) days of the granting of final approval of the sale by Craven County's Board of Commissioners and the City of New Bern's Board of Aldermen pursuant to G.S. §160A-269. The deed is to be made to BCJ Development, LLC.

9. POSSESSION: Unless otherwise provided herein, possession shall be delivered at Closing.

10. PROPERTY INSPECTION, APPRAISAL, INVESTIGATION:

(a) This contract is not subject to inspection, appraisal or investigation, as the Property is being bought "as is." Seller makes no representation as to water, sewer, conditions, title, access, or fitness for any intended use.

(b) CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION.

11. RIGHT OF ENTRY, RESTORATION AND INDEMNITY: Buyer and Buyer's agents and contractors shall not have the right to enter upon the Property for any purpose without advance written permission of the Seller. If such permission is given, Buyer will indemnify and hold Seller harmless from all loss, damage, claims, suits or costs, which shall arise out of any contract, agreement, or injury to any person or property as a result of any activities of Buyer and Buyer's agents and contractors relating to the Property. This indemnity shall survive this contract and any termination hereof.

12. OTHER PROVISIONS AND CONDITIONS: (ITEMIZE ALL ADDENDA TO THIS CONTRACT AND ATTACH HERETO.): None.

Buyer Initials BH Seller Initials \_\_\_\_\_

13. **RISK OF LOSS:** The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller.

14. **ASSIGNMENTS:** This contract may not be assigned without the written consent of all parties, but if assigned by agreement, then this contract shall be binding on the assignee and the assignee's heirs, successors or assigns (as the case may be).

15. **PARTIES:** This contract shall be binding upon and shall inure to the benefit of the parties, i.e., Buyer and Seller and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.

16. **SURVIVAL:** If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.

17. **ENTIRE AGREEMENT:** This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties.

18. **NOTICE AND EXECUTION:** Any notice or communication to be given to a party herein may be given to the party or to such party's agent. This offer shall become a binding contract (the "Effective Date") when signed by both Buyer and Seller and such signing is communicated to the offering party. This contract is executed under seal in signed multiple originals, all of which together constitute one and the same instrument, with a signed original being retained by each party, and the parties adopt the word "SEAL" beside their signatures below.

BUYER:

SELLER

(If an individual)

CRAVEN COUNTY

\_\_\_\_\_(SEAL)

By: \_\_\_\_\_(SEAL)

Name: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

(If a business entity)

CITY OF NEW BERN

By: Berry D. Hester (SEAL)

By: \_\_\_\_\_(SEAL)

Its: Owner

Its: \_\_\_\_\_

Date: 3/14/2024

Date: \_\_\_\_\_

Address: 910 Williams Rd  
New Bern NC 28562

Phone: 252-617-1237

Buyer Initials BH \_\_\_\_\_ Seller Initials \_\_\_\_\_

**Craven County Geographic Information System**



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**PARCEL ID : 8-006 -286**

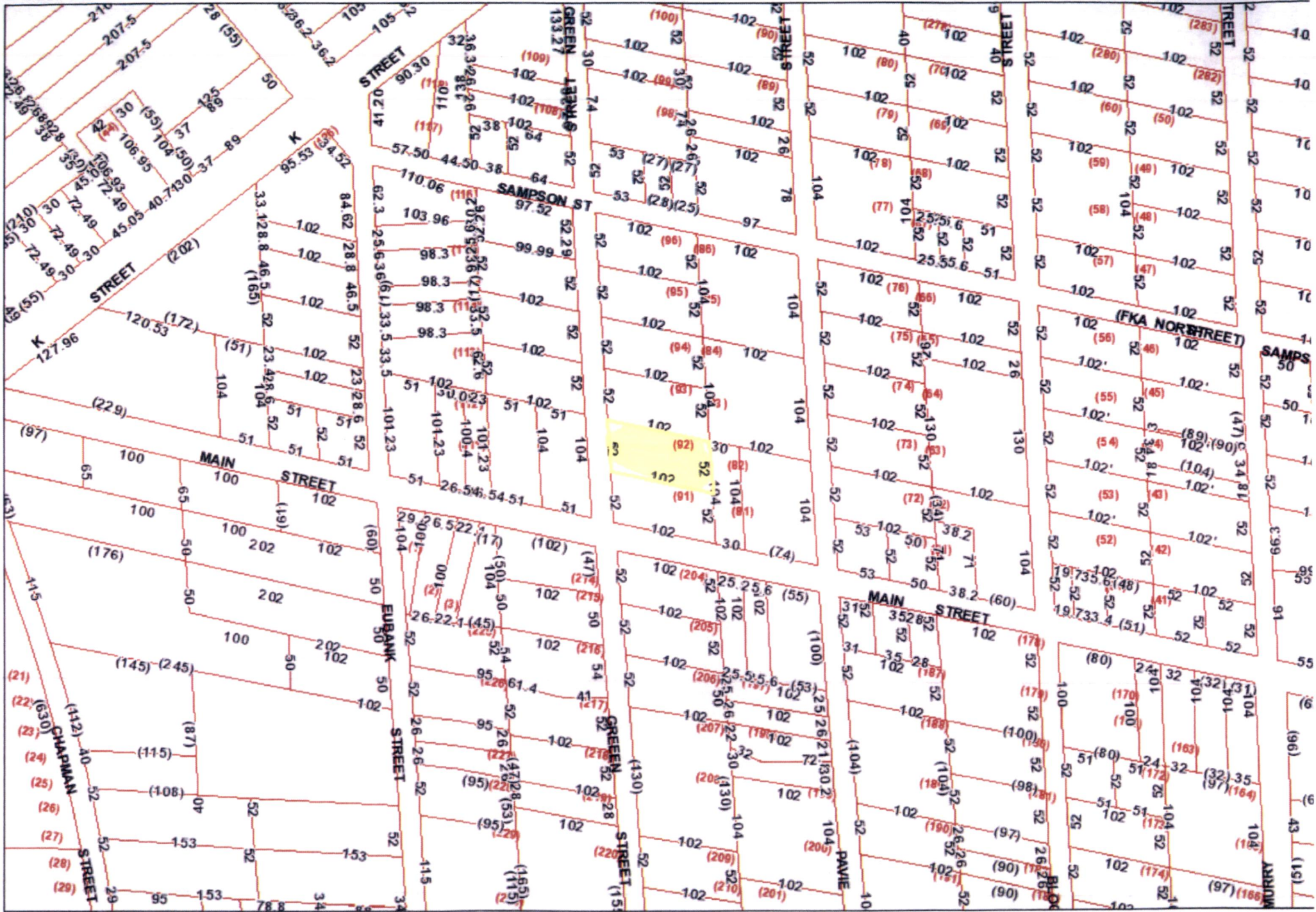
<b>Owner :</b>	CRAVEN COUNTY & NEW BERN-CITY		
<b>Mailing Address :</b>	406 CRAVEN ST NEW BERN, NC 28560		
<b>Address of Property :</b>	910 GREEN ST		
<b>Subdivision :</b>			
<b>Property Description :</b>	92 PAVIETOWN 910 GREEN ST		
<b>Assessed Acreage :</b>	0.115	<b>Deed Recording Date :</b>	6 23 2015
<b>Deed Book Page :</b>	3365 0740	<b>Recorded Survey :</b>	
<b>Land Value :</b>	\$6,000	<b>Life Estate Deed :</b>	
<b>Total Improvement(s) Value :</b>	\$0	<b>Estate File Year-E-Folder :</b>	
<b>Total Assessed Value :</b>	\$6,000	<b>Tax Exempt :</b>	Yes
<b>Number of Improvements:</b>	0	<b>Fire Tax District :</b>	
<b>City Name :</b>	NEW BERN	<b>Lot Dimension :</b>	
<b>Drainage District :</b>		<b>Land Use :</b>	VACANT - RESIDENTIAL TRACT
<b>Special District :</b>			

**Recent Sales Information**

Sale Date Deed	Seller Name	Buyer Name	Type of Sale	Sale Price
6/23/2015 3365-0740	BRYANT, GLORIA S	CRAVEN COUNTY & NEW BERN-CITY	STRAIGHT TRANSFER	\$3,000
3/3/1995 1454-0366	BRYANT, CHARLEY L & GLORIA S	BRYANT, GLORIA S	STRAIGHT TRANSFER	\$0
3/3/1995 1454-0366	PICKETT, SIMONETTA HRS	BRYANT, CHARLEY L & GLORIA S	MULTI-PARCEL SALE-2 OR MORE PA	\$5,000

**Buildings or improvements where not found on this parcel.**





# Craven County GIS 910 Green Street

1 inch = 125 feet





910 Green Street





910 Green Street



FINAL OF DIVISION OF PROCEEDS

Property: 910 Green Street, PID: 8-006-286			
Offer Amount			\$ 3,000.00
Less: Reimb to City for publication of notice of offer		\$ 181.70	
Balance			\$ 2,818.30
County cost reimbursement		\$ 2,187.13	
City cost reimbursement		\$ -	\$ 2,187.13
Remaining Balance			\$ 631.17
County Taxes at Foreclosure	\$ 182.51	30.037%	\$ 189.58
City Taxes/Priority Liens at Foreclosure	\$ 425.11	69.963%	\$ 441.59
Total Taxes	\$ 607.62		
County Total	\$ 2,376.71		
City Total	\$ 623.29		

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider Adopting a Resolution to Sell 408 Suttons Alley

<b>Date of Meeting:</b> 7/9/2024	<b>Ward # if applicable:</b> 1
<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>	Lay Team and Remodelers, LLC submitted a bid of \$1,500 for the purchase of 408 Suttons Alley (PID 8-008-166). The bid was advertised but no upset bids were received. The property is a vacant 0.03-acre commercial tract. It was acquired by the City and County in July 2013 through tax foreclosure.
<b>Actions Needed by Board:</b>	Consider adopting a resolution to sell the property
<b>Backup Attached:</b>	Memo, resolution, quitclaim deed, offer to purchase, tax property card, pictures, and map of the 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 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:** Brenda Blanco, City Clerk  
**DATE:** June 28, 2024  
**SUBJECT:** Sale of 408 Suttons Alley, PID 8-008-166

Lay Team and Remodelers, LLC submitted a bid of \$1,500 for the purchase of 408 Suttons Alley, PID 8-008-166. The bid was advertised but no upset bids were received. The property is a vacant 0.03-acre commercial tract with a tax value of \$3,000. It was jointly acquired by the City and County in July 2013 through tax foreclosure. If the property is sold for this bid, the City will receive \$415.72 and the County \$1,084.28 from the proceeds.

/beb

## RESOLUTION

THAT WHEREAS, the City of New Bern has received an offer to purchase a parcel of property owned by the City and County located at 408 Suttons Alley, and being more particularly described herein; and

WHEREAS, the City owns a thirty-five percent (35%) undivided interest in the subject property, and Craven County owns a sixty-five percent (65%) undivided interest; and

WHEREAS, the Board of Aldermen is authorized to sell the City's interest in the property pursuant to North Carolina General Statute §160A-269; and

WHEREAS, the offer to purchase was in the sum of \$1,500.00 by Lay Team and Remodelers, LLC of 6103 Cardinal Drive, New Bern, North Carolina 28560; that no increased bids were received, and the Board of Aldermen deemed it advisable and in the best interest of the City to sell the subject property to the successful bidder for the bid amount of \$1,500.00, and to convey said property by quitclaim deed.

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

Section 1. That the bid of Lay Team and Remodelers, LLC in the sum of \$1,500.00 for said parcel bearing the postal enumeration for the City of New Bern of 408 Suttons Alley, and being more particularly described herein, be and the same is hereby accepted, and the Mayor and the City Clerk be and they are hereby authorized and directed to execute a quitclaim deed for the City's interest in said property to Dre Way, Inc.

Section 2. That a copy of said quitclaim deed is attached hereto and incorporated herein by reference, and the original deed shall be delivered to said purchaser once the same has been executed on behalf of the City upon payment of the balance due on the purchase price.



Section 3. That the subject property is more particularly described as follows:

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

A certain tract or parcel of land in the City of New Bern, Craven County, State of North Carolina, adjoining the lands formerly owned by William Colligan, bounded as follows, viz: Situated in the City of New Bern in that portion known as Forbes land and Clitherell land and on Scotts Alley, beginning at the corner of the lot of land formerly owned by William Colligan (see record of deeds of said County, Book 83, Page 253) and runs North with Scott's Alley Forty-One feet (41'); thence Eastward Sixty feet (60'); thence Southward Forty-One feet (41'); thence Westward Sixty feet (60') to the beginning, the said lot and premises bearing the City number Thirteen (13) according to the numbering of house premises. Further described as the whole of the same land conveyed by Geo. B. Cletherell and others to Sopronia Jones by deed in same records in Book 84, Page 327, and is the same devised to Patsy Collins and Minerva Jones, by Will recorded in said County Book of Wills G, Page 406 and 407 to which refer; being No. 20 in a deed to Dill & Co., recorded in Book 265, Page 200.

LESS AND EXCEPTING that property as described in that deed from Minerva Jones to The Standard Building and Loan Association, dated December 6, 1910, and recorded in Deed Book 186, Page 23, Craven County Registry.

Subject to restrictive covenants and easements of record.

Parcel Number: 8 008 166

ADOPTED THIS 9<sup>th</sup> DAY OF JULY, 2024.

---

JEFFREY T. ODHAM, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

Prepared by and return to:

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

PARCEL NO. 8-008-166  
REVENUE STAMPS: \$0.00

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

QUITCLAIM DEED

THIS QUITCLAIM DEED, made and entered into this 9<sup>th</sup> day of July, 2024, by and between the CITY OF NEW BERN, a municipal corporation of the State of North Carolina, and CRAVEN COUNTY, a body politic and corporate of the State of North Carolina (“Grantors”); to DRE WAY, INC, whose mailing address is 6103 Cardinal Drive, New Bern, North Carolina 28560, (“Grantee”);

WITNESSETH:

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

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

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

---

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

TO HAVE AND TO HOLD the above described lot or parcel of land and all privileges and appurtenances thereunto belonging to the Grantee, Grantee's heirs and assigns, free and discharged from all right, title, claim or interest of the said Grantors or anyone claiming by, through or under the Grantors.

IN TESTIMONY WHEREOF, the CITY OF NEW BERN has caused this instrument to be executed as its act and deed by its Mayor, attested by its City Clerk, and its seal to be hereunto affixed, all by the authority of its Board of Aldermen, and CRAVEN COUNTY has caused this instrument to be executed as its act and deed by the Chairman of its Board of Commissioners, attested by its Clerk, and its seal to be hereunto affixed, all by the authority of its Board of Commissioners, as of the day and year first above written.

**CITY OF NEW BERN**

(SEAL)

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

ATTEST:

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

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public in and for said County and State, do hereby certify that on the \_\_\_\_ day of July, 2024 before me personally appeared JEFFREY T. ODHAM, with whom I am personally acquainted, who, being by me duly sworn, says that he is the Mayor and that BRENDA E. BLANCO is the City Clerk for the City of New Bern, the municipal corporation described in and which executed the foregoing instrument; that he knows the common seal of said municipal corporation; that the seal affixed to the foregoing instrument is said common seal; that the name of the municipal corporation was subscribed thereto by the said Mayor; that the said common seal was affixed, all by order of the Board of Aldermen of said municipal corporation and that the said instrument is the act and deed of said municipal corporation.

WITNESS my hand and official seal this the \_\_\_\_ day of July, 2024.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

**CRAVEN COUNTY**

(SEAL)

By: \_\_\_\_\_  
Chairman, Craven County Board of  
Commissioners

ATTEST:

\_\_\_\_\_  
Clerk, Craven County Board of  
Commissioners

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public in and for said County and State do hereby certify that on the \_\_\_\_ day of July, 2024, before me personally appeared JASON R. JONES with whom I am personally acquainted, who, being by me duly sworn, says that he is the Chairman of the Board of Commissioners for Craven County, and that NAN HOLTON is the Clerk of the Board of Commissioners for Craven County, the body politic and corporate describe in and which executed the foregoing instrument; that he knows the common seal of said body politic and corporate; that the seal affixed to the foregoing instrument is said common seal; that the name of the body politic and corporate was subscribed thereto by the said Chairman; that the said common seal was affixed, all by order of the Board of Commissioners of said body politic and corporate; and that the said instrument is the act and deed of said body politic and corporate.

WITNESS my hand and official seal this the \_\_\_\_ day of July, 2024.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

EXHIBIT A

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

A certain tract or parcel of land in the City of New Bern, Craven County, State of North Carolina, adjoining the lands formerly owned by William Colligan, bounded as follows, viz: Situated in the City of New Bern in that portion known as Forbes land and Clitherell land and on Scotts Alley, beginning at the corner of the lot of land formerly owned by William Colligan (see record of deeds of said County, Book 83, Page 253) and runs North with Scott's Alley Forty-One feet (41'); thence Eastward Sixty feet (60'); thence Southward Forty-One feet (41'); thence Westward Sixty feet (60') to the beginning, the said lot and premises bearing the City number Thirteen (13) according to the numbering of house premises. Further described as the whole of the same land conveyed by Geo. B. Cletherell and others to Sopronia Jones by deed in same records in Book 84, Page 327, and is the same devised to Patsy Collins and Minerva Jones, by Will recorded in said County Book of Wills G, Page 406 and 407 to which refer; being No. 20 in a deed to Dill & Co., recorded in Book 265, Page 200.

LESS AND EXCEPTING that property as described in that deed from Minerva Jones to The Standard Building and Loan Association, dated December 6, 1910, and recorded in Deed Book 186, Page 23, Craven County Registry.

Subject to restrictive covenants and easements of record.  
Parcel 8 008 166



NORTH CAROLINA

OFFER TO PURCHASE AND CONTRACT

CRAVEN COUNTY

Lay Team and Remodelers, LLC, as Buyer, hereby offers to purchase and CRAVEN COUNTY and the CITY OF NEW BERN, collectively as Seller, upon acceptance of said offer, agrees to sell and convey, all of that plot, piece or parcel of land described below (hereafter referred to as the "Property"), upon the following terms and conditions:

1. REAL PROPERTY: Located in or near the City of New Bern, Craven County, North Carolina, being known as and more particularly described as:

Street Address: 408 Suttons Alley

Subdivision Name:

Tax Parcel ID No.: 8-008-166

Plat Reference:

Being all of that property more particularly described in Deed Book 3217, Page 0288 in the Craven County Registry.

2. PURCHASE PRICE: The purchase price is \$ 1,500.00 and shall be paid as follows:

(a) \$ 150.00, EARNEST MONEY DEPOSIT with this offer by [X] cash [ ] bank check [ ] certified check to be held by Seller until the sale is closed, at which time it will be credited to Buyer, or until this contract is otherwise properly terminated. In the event this offer is not accepted, then all earnest monies shall be refunded to Buyer. In the event of breach of this contract by Seller, all earnest monies shall be refunded to Buyer upon Buyer's request. In the event of breach of this contract by Buyer, then all earnest monies shall be forfeited to Seller upon Seller's request, but such forfeiture shall not affect any other remedies available to Seller for such breach.

(b) \$ 1,350.00, BALANCE of the purchase price in cash or readily available funds at Closing.

3. CONDITIONS:

(a) This contract is not subject to Buyer obtaining financing.

(b) The Property must be in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear excepted.

(c) The Property is being sold subject to all liens and encumbrances of record, if any.

(d) Other than as provided herein, the Property is being conveyed "as is".

(e) This contract is subject to the provisions of G.S. §160A-269. Buyer acknowledges that this contract is subject to certain notice provisions and the rights in others to submit upset bids in accordance therewith.

(f) Title shall be delivered at Closing by QUITCLAIM DEED

4. SPECIAL ASSESSMENTS: Seller makes no warranty or representation as to any pending or confirmed governmental special assessments for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, or pending or confirmed owners' association special assessments. Buyer shall take title subject to all pending assessments, if any.

5. PAYMENT OF TAXES: Any ad valorem taxes to which the Property is subject shall be paid in their entirety by Buyer.

6. EXPENSES: Buyer shall be responsible for all costs with respect to any title search, title insurance, recording of the deed, and its legal fees. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this agreement, and for any excise tax (revenue stamps) required by law.

7. EVIDENCE OF TITLE: Not Applicable.

8. CLOSING: Closing shall be defined as the date and time of recording of the deed. All parties agree to execute any and all documents and papers necessary in connection with Closing and transfer of title within thirty (30) days of the granting of final approval of the sale by Craven County's Board of Commissioners and the City of New Bern's Board of Aldermen pursuant to G.S. §160A-269. The deed is to be made to Dre Way, Inc.

9. POSSESSION: Unless otherwise provided herein, possession shall be delivered at Closing.

10. PROPERTY INSPECTION, APPRAISAL, INVESTIGATION:

(a) This contract is not subject to inspection, appraisal or investigation, as the Property is being bought "as is." Seller makes no representation as to water, sewer, conditions, title, access, or fitness for any intended use.

(b) CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION.

11. RIGHT OF ENTRY, RESTORATION AND INDEMNITY: Buyer and Buyer's agents and contractors shall not have the right to enter upon the Property for any purpose without advance written permission of the Seller. If such permission is given, Buyer will indemnify and hold Seller harmless from all loss, damage, claims, suits or costs, which shall arise out of any contract, agreement, or injury to any person or property as a result of any activities of Buyer and Buyer's agents and contractors relating to the Property. This indemnity shall survive this contract and any termination hereof.

12. OTHER PROVISIONS AND CONDITIONS: (ITEMIZE ALL ADDENDA TO THIS CONTRACT AND ATTACH HERETO.): None.

Buyer Initials [Signature] Seller Initials \_\_\_\_\_

- 13. **RISK OF LOSS:** The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller.
- 14. **ASSIGNMENTS:** This contract may not be assigned without the written consent of all parties, but if assigned by agreement, then this contract shall be binding on the assignee and the assignee's heirs, successors or assigns (as the case may be).
- 15. **PARTIES:** This contract shall be binding upon and shall inure to the benefit of the parties, i.e., Buyer and Seller and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.
- 16. **SURVIVAL:** If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.
- 17. **ENTIRE AGREEMENT:** This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties.
- 18. **NOTICE AND EXECUTION:** Any notice or communication to be given to a party herein may be given to the party or to such party's agent. This offer shall become a binding contract (the "Effective Date") when signed by both Buyer and Seller and such signing is communicated to the offering party. This contract is executed under seal in signed multiple originals, all of which together constitute one and the same instrument, with a signed original being retained by each party, and the parties adopt the word "SEAL" beside their signatures below.

BUYER:  
 (If an individual)  
 \_\_\_\_\_ (SEAL)  
 Name: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Phone: \_\_\_\_\_

SELLER  
 CRAVEN COUNTY  
 By: \_\_\_\_\_ (SEAL)  
 Its: \_\_\_\_\_  
 Date: \_\_\_\_\_

(If a business entity)  
 By: ANDRE WILLIAMS (SEAL)  
 Its: Managing Director  
 Date: 03/19/2024  
 Address: 6103 Cardinal Drive  
New Bern, NC 28560  
 Phone: 267-247-2530 layteam101@gmail.com

CITY OF NEW BERN  
 By: \_\_\_\_\_ (SEAL)  
 Its: \_\_\_\_\_  
 Date: \_\_\_\_\_

Buyer Initials  Seller Initials \_\_\_\_\_

# Craven County Geographic Information System



Craven County does NOT warrant the information shown on this page and should be used ONLY for tax assessments purposes. Page generated on 3/19/2024 at 10:06:37 AM

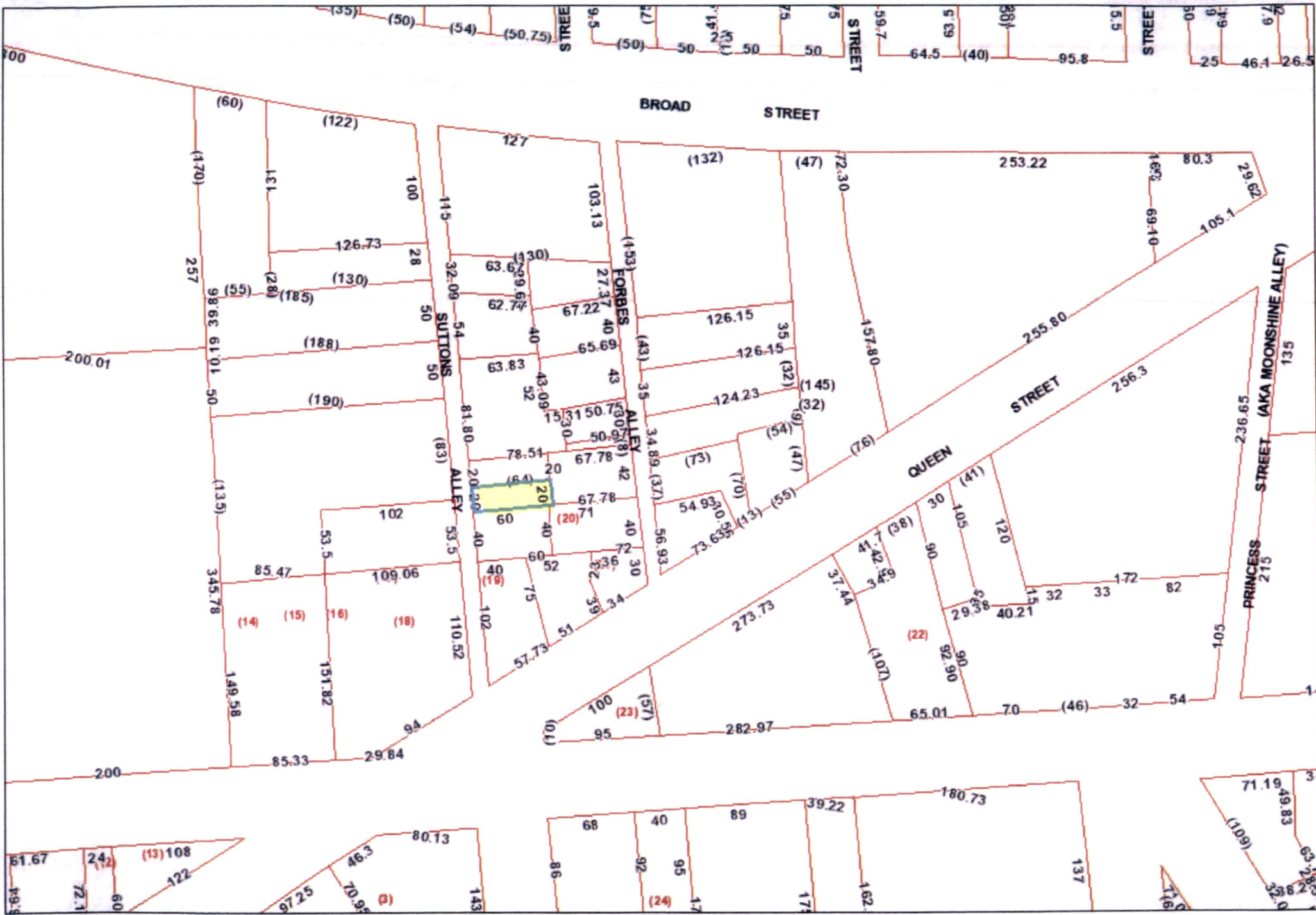
**PARCEL ID : 8-008 -166**

<b>Owner :</b>	CRAVEN COUNTY & NEW BERN-CITY		
<b>Mailing Address :</b>	406 CRAVEN ST NEW BERN, NC 28560		
<b>Address of Property :</b>	408 SUTTONS ALLEY		
<b>Subdivision :</b>			
<b>Property Description :</b>	410 SUTTON ALLEY		
<b>Assessed Acreage :</b>	0.03		
<b>Deed Book Page :</b>	3217 0288	<b>Deed Recording Date :</b>	7 30 2013
<b>Land Value :</b>	\$3,000	<b>Recorded Survey :</b>	
<b>Total Improvement(s) Value :</b>	\$0	<b>Life Estate Deed :</b>	
<b>Total Assessed Value :</b>	\$3,000	<b>Estate File Year-E-Folder :</b>	
<b>Number of Improvements:</b>	0	<b>Tax Exempt :</b>	Yes
<b>City Name :</b>	NEW BERN	<b>Fire Tax District :</b>	
<b>Drainage District :</b>		<b>Lot Dimension :</b>	
<b>Special District :</b>		<b>Land Use :</b>	SERVICE - GOVERNMENT OWNED - EXEMPT

## Recent Sales Information

Sale Date Deed	Seller Name	Buyer Name	Type of Sale	Sale Price
7/30/2013 3217-0288	HATCH, EDNA	CRAVEN COUNTY & NEW BERN-CITY	STRAIGHT TRANSFER	\$4,500

**Buildings or improvements where not found on this parcel.**



# Craven County GIS 408 Suttons Alley PID 8-008-166

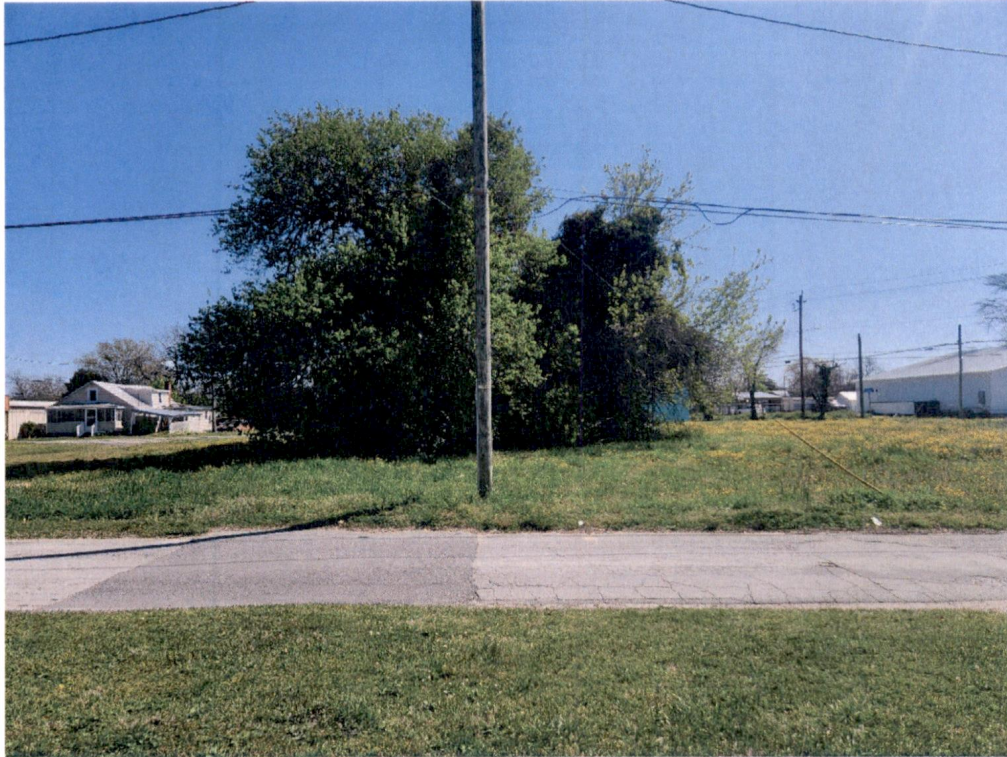
Craven County does NOT warrant the information shown on this map and should be used ONLY for tax assessment purposes. Printed on March 19, 2024 at 10:08:53 AM

1 inch = 100 feet





408 Suttons Alley





**408 Suttons Alley**



FINAL OF DIVISION OF PROCEEDS

Property: 408 Suttons Alley, PID: 8-008-166			
Offer Amount			\$ 1,500.00
Less: Reimb to City for publication of notice of offer		\$ 266.80	
Balance			\$ 1,233.20
County cost reimbursement		\$ 2,313.68	
City cost reimbursement		\$ 816.47	\$ 3,130.15
Remaining Balance			\$ (1,896.95)
County Taxes at Foreclosure	\$ 640.10	64.809%	\$ (1,229.40)
City Taxes/Priority Liens at Foreclosure	\$ 347.57	35.191%	\$ (667.55)
Total Taxes	\$ 987.67		
County Total	\$ 1,084.28		
City Total	\$ 415.72		



# AGENDA ITEM COVER SHEET

## **Agenda Item Title:**

Consider adopting an ordinance amendment to close the 2021 Make Ready Public Infrastructure for Broadband Service Providers Project Fund.

<b>Date of Meeting:</b> 7/9/2024	<b>Ward # if applicable:</b>
<b>Department:</b> Finance	<b>Person Submitting Item:</b> Kimberly Ostrom
<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 budget ordinance amends and closes the 2021 Make Ready Public Infrastructure for Broadband Service Providers Project Fund.
<b>Actions Needed by Board:</b>	Adopt ordinance amendment
<b>Backup Attached:</b>	Memo; Ordinance
<b>Is item time sensitive?</b> <input checked="" type="checkbox"/> Yes <input 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 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

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

FROM: Kimberly Ostrom – Director of Finance

DATE: June 28, 2024

RE: Consider Adopting an Ordinance Amendment to the 2021 Make Ready Public Infrastructure for Broadband Service Providers Project Fund

**Background**

On July 27, 2021, the Board of Aldermen adopted an ordinance to establish the 2021 Make Ready Public Infrastructure for Broadband Service Providers Project Fund with an initial budget of \$7,200,000. An intent to reimburse the transfers from operating funds was also adopted by the Board on July 27, 2021. An amendment to this fund was approved by the Board of Aldermen on August 8, 2023, reducing the budget of the project fund to \$3,065,000 based on revised estimates.

**Current**

Upon reviewing the current expenditures and anticipated future activity of the project fund, it has been determined that the Make Ready Public Infrastructure for Broadband Service Providers project does not meet the criteria for capital project funds; therefore, expenses will be charged to the respective operating funds.

This ordinance amendment will acknowledge a net transfer of funds to the respective operating funds and close the project fund. Future revenues and expenses related to this project will be posted in the Electric operating fund.

	Transfer to Project Fund	Transfer to Operating Fund (net) Prior Years	Recode (net) Current Year
Water Fund	20,000.00	2,231.09	-
Sewer Fund	20,000.00	5,146.44	-
General Fund	25,000.00	25,000.00	-
Electric Fund	3,000,000.00	2,886,428.30	131,535.73
<b>Total</b>	<b>3,065,000.00</b>	<b>2,918,805.83</b>	<b>131,535.73</b>

**Requested Action**

The Board considers adopting the enclosed ordinance amendment to close the fund at its meeting on July 9, 2024.

**AN ORDINANCE TO AMEND THE 2021 MAKE READY PUBLIC INFRASTRUCTURE  
FOR BROADBAND SERVICE PROVIDERS PROJECT FUND**

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

**Section 1.** That section 3 and 4 of the 2021 Make Ready Public Infrastructure for Broadband Service Providers Project ordinance adopted on July 27, 2021, is hereby amended to recognize a reimbursement of unspent transfers from operating funds.

**Section 2.** That the 2021 Make Ready Public Infrastructure for Broadband Service Providers Project Fund is hereby closed.

**Section 3.** This amendment shall become effective upon adoption.

ADOPTED THIS 9<sup>TH</sup> DAY OF JULY, 2024.

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JEFFREY T. ODHAM, MAYOR

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BRENDA E. BLANCO, CITY CLERK

# AGENDA ITEM COVER SHEET

## **Agenda Item Title:**

Consider adopting an ordinance amendment to close the Northwest Interceptor Rehabilitation Phase II Project Fund.

<b>Date of Meeting:</b> 7/9/2024	<b>Ward # if applicable:</b>
<b>Department:</b> Finance	<b>Person Submitting Item:</b> Kimberly Ostrom
<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 budget ordinance amends and closes the Northwest Interceptor Rehabilitation Phase II Project Fund.
<b>Actions Needed by Board:</b>	Adopt ordinance amendment
<b>Backup Attached:</b>	Memo; Ordinance
<b>Is item time sensitive?</b> <input checked="" type="checkbox"/> Yes <input 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 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

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen  
FROM: Kimberly Ostrom – Director of Finance  
DATE: June 28, 2024  
RE: Consider Adopting an Ordinance Amendment to the Northwest Interceptor Rehabilitation Phase II Project Fund

**Background**

On April 26, 2022, the Board of Aldermen adopted an ordinance to establish the Northwest Interceptor Rehabilitation Phase II Project Fund. The project was completed at a cost of \$1,267,456.91.

Revenues	\$1,267,456.91
Expenses	- \$1,267,456.91
Revenues over/(under) expenses	<u>0</u>

**Current**

This ordinance amendment will officially close the Northwest Interceptor Rehabilitation Phase II Project Fund.

**Requested Action**

The Board considers adopting the enclosed ordinance amendment to close the fund at its meeting on July 9, 2024.

**AN ORDINANCE TO AMEND THE NORTHWEST INTERCEPTOR REHABILITATION  
PHASE II PROJECT FUND**

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

- Section 1.** That Section 2 of the Northwest Interceptor Rehabilitation Phase II Project Fund Ordinance adopted on April 26, 2022 is hereby amended to recognize project appropriations in the amount of \$1,267,456.91.
- Section 2.** That Section 2 of the Northwest Interceptor Rehabilitation Phase II Project Fund Ordinance adopted on April 26, 2022 is hereby amended to recognize project revenues in the amount of \$1,267,456.91.
- Section 3.** That the Northwest Interceptor Rehabilitation Phase II Project Fund is hereby closed.
- Section 4.** This amendment shall become effective upon adoption.

ADOPTED THIS 9<sup>TH</sup> DAY OF JULY, 2024.

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JEFFREY T. ODHAM, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider adopting an ordinance to amend the 212 Kale Road Project Fund

<b>Date of Meeting:</b> 7/9/2024	<b>Ward # if applicable:</b>
<b>Department:</b> Finance	<b>Person Submitting Item:</b> Kimberly Ostrom
<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>	This ordinance amends the 212 Kale Road Project Fund.
<b>Actions Needed by Board:</b>	Adopt ordinance amendment
<b>Backup Attached:</b>	Memo; Ordinance
<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:**





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Robert Brinson, Jr.

Jeffrey T. Odham  
Mayor

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

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

FROM: Kim Ostrom - Director of Finance

DATE: June 28, 2024

RE: Amendment to 212 Kale Road Project Fund

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### **Current**

The 212 Kale Road Project Fund was established on February 27, 2024, with an initial budget of \$2,000,000 for the acquisition of the property and the cost of building improvements at 212 Kale Road for use as the Electric operations building. An installment financing agreement in the amount of \$2,200,000 was approved by the Board on May 28, 2024. This amendment will increase the loan proceeds budget by \$200,000 to align it with the installment financing agreement.

### **Requested Action**

It is requested that the Board considers adopting the enclosed budget amendment at its meeting on July 9, 2024.

**AN ORDINANCE TO AMEND THE CAPITAL PROJECT ORDINANCE  
212 KALE ROAD PROJECT FUND**

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

**Section 1.** That Section 3 of the 212 Kale Road Project Fund Ordinance adopted on February 27, 2024 is hereby amended to recognize additional appropriation:

Increase: Land & Structures \$200,000

**Section 2.** That Section 4 of the 212 Kale Road Project Fund Ordinance adopted on February 27, 2024 is hereby amended to recognize revenue:

Increase: Proceeds from Borrowing \$200,000

**Section 3.** This amendment shall become effective upon adoption.

ADOPTED THIS 9<sup>TH</sup> DAY OF JULY 2024.

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

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

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider adopting an ordinance amendment to realign the Township 7 Sewer Improvements Project Fund.

<b>Date of Meeting:</b> 7/9/2024	<b>Ward # if applicable:</b>
<b>Department:</b> Finance	<b>Person Submitting Item:</b> Kimberly Ostrom
<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 budget ordinance realigns the Township 7 Sewer Improvements Project Fund.
<b>Actions Needed by Board:</b>	Adopt ordinance amendment
<b>Backup Attached:</b>	Memo; Ordinance
<b>Is item time sensitive?</b> <input checked="" type="checkbox"/> Yes <input 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:**



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City Clerk  
Kimberly A. Ostrom  
Director of Finance

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

FROM: Kimberly Ostrom – Director of Finance

DATE: June 28, 2024

RE: Consider Adopting an Ordinance Amendment to the Township 7 Sewer Improvements Project Fund

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**Background**

On December 10, 2015, the Board of Aldermen adopted an ordinance to establish the Township 7 Sewer Improvements Project Fund. The project has been amended seven (7) times since inception to recognize various transfers, grants and debt proceeds.

**Current**

This ordinance amendment will realign budgeted revenues and expenditures within the project fund.

**Requested Action**

The Board considers adopting the enclosed ordinance amendment to close the fund at its meeting on July 9, 2024.

**AN ORDINANCE TO AMEND THE TOWNSHIP 7 SEWER IMPROVEMENTS  
PROJECT FUND**

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

**Section 1.** That Section 3 of the Township 7 Sewer Improvements Project Fund Ordinance adopted on December 10, 2015 is hereby amended to recognize project appropriations in the amount of \$ 9,714,139.

**Section 2.** That Section 4 of the Township 7 Sewer Improvements Project Fund Ordinance adopted on December 10, 2015 is hereby amended to recognize project revenues in the amount of \$ 9,714,139.

**Section 3.** This amendment shall become effective upon adoption.

ADOPTED THIS 9<sup>TH</sup> DAY OF JULY, 2024.

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

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



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Director of Finance

## Memorandum

TO: Alderman Johnnie Ray Kinsey

FROM: Brenda Blanco, City Clerk

DATE: May 8, 2024

SUBJECT: Appointment to Board of Adjustment

George "Eric" Jones has resigned from the Board of Adjustment due to scheduling conflicts. A new appointment is needed to fill the remainder of his term which expires on June 30, 2025.

**Aldermen**

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



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Director of Finance

**MEMO TO:** Mayor and Board of Aldermen  
**FROM:** Brenda Blanco, City Clerk  
**DATE:** May 31, 2024  
**SUBJECT:** Various Appointments Expiring June 30, 2024

Attached please find a listing of several appointments that will expire on June 30, 2024. The list provides information as to whether current appointees are eligible for reappointment and, if so, whether they are interested in continuing to serve. Current appointees are permitted to continue serving until a new appointment is made.

Applications of interest have been circulated by email. When considering an applicant, please keep in mind the desired qualifications or background for serving on each respective board or commission.

/beb



	Eligible for Reappt?	Interested in Reappt	Phone	Appointing Authority
<b>Board of Adjustment – Terms Expiring 06/30/24</b>				
<b>Appointments made 6/25/24; no further action needed</b>				
James “Trey” Ferguson	Yes	Yes	919-995-2946	Ward 1
Tim Tabak	Yes	Yes	252-636-9484	Ward 3
<b>Bike &amp; Ped – Term Expiring 07/10/24</b>				
<b>Appointment made 6/25/24; no further action needed</b>				
Bill Sadler	Yes	No	252-635-0866	Anyone
<b>Community Development &amp; Advisory Committee – Terms Expiring 06/30/24</b>				
<b>See Note Below**</b>				
Corinne Corr		No		Ward 1
Carol Williams				Ward 2
Marshall Williams				Ward 3
Vernon Guion				Ward 4
James Woods, Jr.				Ward 5
Della Wally				Ward 6
<b>HPC – Terms Expiring 06/30/24</b>				
Marc Wartner	Yes	Yes	252-349-2001	Ward 4
Jim Morrison Reapptd 6/11/25	Yes	Yes	252-256-0062	Ward 6
Candace Sullivan New appt made	Yes	No	252-670-1032	Ward 1 rotation
<b>P&amp;Z – Terms Expiring 06/30/24</b>				
Margie Dunn	No	N/A		Ward 2
Gaspar “Sonny” Aluzzo New appt made	No	N/A		Ward 3
<b>Police Civil Service Board – Terms Expiring 06/30/24</b>				
<b>Appointments made 6/11/24; no further action needed</b>				
Tyrone Brown	No	N/A		Anyone
Amy James	No	N/A		Anyone

**Requirements / Preferences for Appointment**

**Board of Adjustment:** The Board meets at 5:30 p.m. on the last Monday of each month, unless the date is changed due to an observed holiday. The meetings are held in the City Hall courtroom.



The Board of Adjustment consists of 7 regular members and 2 alternates. Regular members participate in and vote on all issues. Alternate members shall only serve in the absence of regular members. The 2 alternates and 6 regular members are appointed by the Board of Aldermen and must reside in the city limits; 1 regular member is appointed by Craven County and must reside in the ETJ. Members serve 3-year terms and may be removed by the appointing authority for failure to attend 3 consecutive meetings without excuse, for missing more than 30% of the meetings within any 12-month period, or for other good cause related to performance of duties. **Because the Board of Adjustment is a “quasi-judicial” administrative body that operates between the enforcement officers and the courts, members shall have the ability to read and understand complex land ownership and development issues. Members should have backgrounds related to land ownership and development issues (i.e., law, real estate, banking, building, environmental groups, governmental agencies, community organizations, etc.).**

***Bike & Ped:*** City residency not required. Prefer an active bicyclist, an avid or regular walker, or someone with children who actively participate in these activities.

***Community Development & Advisory Committee (“CDAC”):*** **\*\*The CDAC is being reviewed for realignment. It is requested that reappointments or new appointments not be made until after the Assistant City Attorney has thoroughly reviewed that Committee, as terms may be adjusted.**

***HPC:*** The Commission meets for design review at 5:30 p.m. and holds regular, official meetings at 5:30 p.m. on the third Wednesday of each month, unless the date is changed due to an observed holiday. Design review meetings are held in the Development Services Department conference room located at 303 First Street. Regular meetings are held in the second floor courtroom at City Hall, located at 300 Pollock Street. Terms are 3 years.

The Commission is responsible for: (1) defining the rules of procedure for how it conducts business; (2) determining the form used for the certificate of appropriateness application; (3) ultimately deciding if an application for certificate of appropriateness is complete; (4) ultimately deciding if the required data necessary to determine the nature of the application has been submitted; (5) reviewing and acting on a certificate of appropriateness application through a quasi-judicial hearing; (6) negotiating with property owners who propose to demolish or relocate contributing properties in an historic district; (7) prevention of demolition by neglect; and (8) following accepted best practices and rules of procedure and conduct for a quasi-judicial hearing. It is recommended members have an understanding of a historically-designated area and can understand and interpret ordinances to ensure buildings or structures in a historic district are harmonious with the character of the district.

Updated 06/26/24

**P&Z:** Meetings are held the first Tuesday of each month at 5:30 p.m. in the Development Services' conference room. P&Z consists of 8 members, 7 of whom are appointed by the Board of Aldermen and must reside in the city. One member is appointed by the County and must reside in the ETJ area. Terms are 3 years. It is recommended members have backgrounds related to real estate, development, construction, etc.

**Police Civil Service Board:** Two-year terms; members are ineligible to serve a consecutive term. The Board meets on an as-needed basis to hear appeals of sworn officers. It is recommended members have a background in law enforcement or human resources. Anyone who is a member of the NBPD or has served or volunteered with the NBPD within the last 3 years is ineligible for appointment.



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**Kimberly A. Ostrom**  
Director of Finance

**Memorandum**

**TO:** Mayor and Aldermen  
**FROM:** Brenda Blanco, City Clerk  
**DATE:** June 28, 2024  
**SUBJECT:** Appointment to Board of Adjustment

Mike Duffy, an alternate on the Board of Adjustment, has resigned. A new appointment is needed to fill the remainder of a term which expires on June 30, 2026. This appointment is open to the Mayor or any Alderman.



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Director of Finance

## Memorandum

TO: Alderman Johnnie Ray Kinsey

FROM: Brenda Blanco, City Clerk

DATE: June 28, 2024

SUBJECT: Appointment to Firemen's Museum Board

Wayne Unangst has resigned from the Firemen's Museum Board of Directors. The Board of Directors has requested that James McConnell be appointed to fill the remainder of the term which expires on April 22, 2026.

## David Finn

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**From:** Wayne Unangst [efd751@gmail.com]  
**Sent:** Wednesday, June 12, 2024 7:33 PM  
**To:** Dave Finn  
**Subject:** Resignation of Board

Dave,

Due to a recent medical condition, I must submit my resignation of my position as Secretary of the Board of Directors for the New Bern Fire Museum.

I have enjoyed my time with the Museum and all of the volunteers and especially meeting all of the visitors.

I wish you and the Museum only the best.

Respectfully,

Wayne Unangst

Sent from my iPhone=





The Board of Directors of the New Bern Firemen's Museum request the Board of Aldermen appoint James McConnell to the BOD of the New Bern Firemen's Museum to fill the vacancy created by the resignation of Wayne Unangst.

Thank you in advance,

David F. Finn

A handwritten signature in black ink that reads "David F. Finn". The signature is written in a cursive style with a large, prominent "D" and "F".

Chairman of the Board



James McConnell  
305 Edgehill Road  
New Bern, NC 28562

Born and raised in Pittsburgh PA  
Served in the USMC 1993-1997  
25 years with the New Bern Fire-Rescue  
Currently Division Chief, Training & Safety  
Married to Andrea McConnell  
Three Sons, Nicholas, Zack and Aidan