

**City of New Bern
Board of Aldermen Meeting
March 13, 2018 – 6:00 P.M.
City Hall Courtroom
300 Pollock Street**

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer by Fire Captain Scott Gladson. Pledge of Allegiance.**

- 2. Roll Call.**

Present: Mayor Dana Outlaw; Aldermen Sabrina Bengel, Jameesha Harris, Robert Aster, Johnnie Ray Kinsey, Barbara Best, and Jeffrey Odham. Absent: None. A quorum was present.

Also Present: Mark Stephens, City Manager; Kristen Culler, Assistant City Manager; Michael Scott Davis, City Attorney; and Brenda Blanco, City Clerk.

- 3. Request and Petition of Citizens.**

Quillie Canady of 104 Tobiano Drive expressed safety concerns for pedestrians who walk in the area of Neuse Boulevard near Bosch, Kensington Park, and the Dollar General. He requested the addition of sidewalks, a pedestrian crosswalk with a flashing light, and rails near a large ditch. Mr. Stephens responded staff would reach out to the NC Department of Transportation, as this area of roadway is owned and maintained by the state.

Cheri Moyers of 606 Hancock Street again requested accessible traffic signals and expressed concern that action has possibly not yet been taken to implement these signals or any other safety features. Mr. Stephens noted staff is in the process of evaluating the issue and has had a meeting with a lot of people in the downtown area. One of the main focuses was the intersection of Broad and Middle Streets. Information continues to be gathered, and a subgroup will be formed to analyze the needs.

James Woods of 1903 Country Club Road announced he is the new chairman of the Craven County Veterans Council and extended an invitation for the Board, City Attorney, and management to attend the upcoming Memorial Day celebration that will begin at 11 a.m. An email invitation will be sent with additional details. On March 26th at 9 a.m., the First Tee of Coastal Carolinas will hold a challenge at the Emerald Golf Club, and the Board, Manager, and Director of Parks and Recreation were invited to attend. Lastly, Mr. Woods noted he attends Trinity Chapel AME Zion Church located at 1208 Broad Street. Two trees planted in front of the church are a safety hazard as they prohibit motorists from having a clear line of vision when pulling out from First Avenue.

Braedon Welsh of 224 Hunters Landing Drive spoke in favor of the proclamation recognizing Human Trafficking Awareness Week, which is April 8-14, 2018. North

Carolina is one of the top 10 states affected by human trafficking. A symposium will be held April 8-10th at the Riverfront Convention Center.

Consent Agenda

4. Consider Approving a Proclamation for Juneteenth.

As one of the collaborators planning a Juneteenth Celebration for New Bern, Alderman Harris requested a proclamation recognizing Juneteenth. Information about the planned celebratory events will be available in the near future.

5. Consider Approving a Proclamation for the 25th Anniversary of the New Bern Chapter of Continental Societies, Inc.

Phyllis Robinson requested a proclamation in honor of the 25th anniversary of New Bern's Chapter of Continental Societies, Inc. The organization is a public service group that assists underprivileged children and youth. The local chapter was inducted into the national organization on February 20, 1993.

6. Consider Approving a Proclamation for Human Trafficking Awareness Week.

Sarah Tellis requested a proclamation acknowledging the week of April 8-14, 2018 as Human Trafficking Awareness Week. A conference will be held during the week of April 8th to address this important issue.

7. Approve Minutes.

Minutes from the February 13, 2018 and February 27, 2018 regular meetings and the February 16, 2018 work session were provided for review and approval.

Alderman Bengel made a motion to approve Items 4-7 of the Consent Agenda, seconded by Alderman Harris. The motion carried unanimously.

8. Presentation of Longevity Certificates.

Employment service is recognized at five-year increments. A roster of all employees eligible to receive a service certificate for the period of July to December 2017 was provided. Service certificates were presented to those employees who were in attendance, and they were extended a handshake of appreciation from the Mayor and Aldermen.

Mayor Outlaw recognized Ralph Puckett a former employee who was in attendance. Mr. Puckett previously served as the Electric Director.

Alderman Bengel made a motion to briefly recess for a reception honoring the employees, seconded by Alderman Aster. The motion carried unanimously at 6:25 p.m. The meeting resumed at 6:34 p.m.

9. Conduct a Public Hearing, Consider Adopting a Statement of Zoning Consistency, and Consider Adopting an Ordinance to Initially Zone Property Located at the Intersection of Waterscape Way and West Thurman Road Identified as Tax Parcel 7-104-12002.

Kip Peregoy of Carolina Colours Association submitted a request to have an approximately 1.77-acre of land zoned C-3 Commercial. The parcel is located at the intersection of W. Thurman Road and Waterscape Way and is further identified as Tax Parcel ID 7-104-12002. This is an initial zoning request which requires a public hearing pursuant to state statute and local ordinance.

The C-3 commercial district is established as a district for offices, personal services, and the retailing of durable and convenience goods. Staff has reviewed the request and finds the initial zoning consistent with the Land Use Plan, Transportation Plan, and nearby land uses and, therefore, recommends approval of the request. Additionally, the Planning and Zoning Board considered the request at its February 7, 2018 meeting and voted unanimously to approve the request, according to Jeff Ruggieri, Director of Development Services.

Mayor Outlaw opened the public hearing. Fred Pittenger of 2916 Weathersby Drive stated he regularly used the intersection in question. He asked about possible plans to improve the intersection, as he anticipated an increase in traffic due to the zoning. Mr. Stephens felt the traffic impact would be minimal, but indicated staff would look into this.

Alderman Bengel made a motion to close the public hearing, seconded by Alderman Odham. The motion carried unanimously.

Alderman Aster made a motion to adopt a statement of zoning consistency, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously.

Alderman Aster made a motion to adopt an ordinance to initially zone the property located at the intersection of Waterscape Way and West Thurman Road identified as Tax Parcel 7-104-12002, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously.

10. Conduct a Public Hearing, Consider Adopting a Statement of Zoning Consistency, and Consider Adopting an Ordinance to Rezone Property Located Near the Intersection of Waterscape Way and West Thurman Road Identified as Tax Parcels 7-104-9004 and 7-104-10006 from R-8 Residential to C-3 Commercial.

Kip Peregoy of Carolina Colours Association also submitted a request to rezone two parcels of land from R-8 Single Family Residential to C-3 Commercial District. The parcels consist of approximately 3.86 acres of land and are located near the intersection of Waterscape Way and W. Thurman Road. They are identified as Tax

Parcel IDs 7-104-9004 and 7-104-10006. State statute and local ordinance require the Board to hold a public hearing to receive comments on the requested rezoning.

The C-3 commercial district is established as a district for offices, personal services, and the retailing of durable and convenience goods. Staff has reviewed the request and finds the initial zoning consistent with the Land Use Plan, Transportation Plan, and nearby land uses and, therefore, recommends approval of the request. Mr. Ruggieri pointed out the Planning and Zoning Board also considered this request at its February 7, 2018 meeting and voted unanimously to approve the request.

Mayor Outlaw opened the public hearing, but no one spoke.

Alderman Bengel made a motion to close the public hearing, seconded by Alderman Aster. The motion carried unanimously.

Alderman Aster made a motion to adopt a statement of zoning consistency, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously.

Alderman Aster made a motion to adopt an ordinance to rezone the property located near the intersection of Waterscape Way and West Thurman Road identified as Tax Parcels 7-104-9004 and 7-104-10006, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously.

11. Consider Adopting a Resolution Approving an Agreement with NC Department of Transportation for Old Airport Road.

The City has been working on a plan to improve the condition and safety of three main roadway arteries, one of which is Old Airport Road between Taberna Circle and County Line Road. Because Old Airport Road is mostly owned and maintained by the NC Department of Transportation (“DOT”), staff has been working with DOT to iron out a possible agreement whereby the City would assume ownership and/or maintenance of several sections of the road in return for DOT contributing funds toward the maintenance of the project. One of the concerns with Old Airport Road was its width and ability of vehicles to safely meet, especially larger vehicles such as school buses. Other than resurfacing the road, DOT had no plan to widen or otherwise improve the road.

An agreement has been reached, the terms of which are as follows:

- The City will assume ownership and maintenance of a 1.51-mile stretch of roadway and a bridge located at the connection point of SR-1111 and SR-1997 near Evans Mill Subdivision, which is identified as Bridge #10;
- The City will assume maintenance of an additional 0.51-mile stretch of roadway;
- The City will widen and resurface Old Airport Road (SR-1111 and SR-1997) within 24 months of the agreement;
- NCDOT will abandon from the state road system all sections of Old Airport Road within the municipal city limits of New Bern, including Bridge #10;

- NCDOT will pay the City \$687,000 for widening, resurfacing, and pavement repairs once the abandoned sections of road have been accepted by the City; and
- Either party may terminate this agreement with consent of the other party prior to the transfer of funds.

Alderman Aster made a motion to adopt a resolution approving an agreement with the NC Department of Transportation for Old Airport Road, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously.

12. Consider Adopting a Resolution in Support of a Speed Limit Change in the Pleasant Hill Community.

Alderman Best announced at the Board's last meeting that residents of Pleasant Hill have signed a petition seeking a reduction of the speed limit along Highway 55W from the Highway 43 Connector to Beaman's Fork. The current speed limit ranges from 45 to 55 mph. This area is a moderately-populated residential area that also includes a daycare center and a city-owned park with a playground (Pleasant Hill Park). The current speed limits raise safety concerns for the residents, children, and pedestrians.

Additionally, the residents have expressed a desire for NCDOT to consider resurfacing the area of Highway 55W from the NC 43 Connector to the end of the city limits, which is in the vicinity of Clarks. It is the residents' recollection that this area of roadway has not been resurfaced in at least 25 years. The proposed resolution signifies the City's support of both these requests and, if approved, will be forwarded to NCDOT's Division and Local District offices, Hugh Overholt as the representative on the local Board of Transportation, and the Metropolitan Planning Organization.

Alderman Best made a motion to adopt a resolution in support of a speed limit change in the Pleasant Hill community, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously.

13. Consider Adopting an Ordinance to Amend the FY2017-18 General Fund and MSD Fund Budgets.

At its last meeting, the Board adopted an ordinance amendment to implement changes in downtown parking. As a result of those changes, the proposed budget amendment appropriates \$39,100 for the parking enforcement program. These funds will be used specifically for part-time parking enforcement officers, uniforms, software to manage the parking citations, and a vehicle to be utilized by parking enforcement. Funding will be provided through a transfer of \$34,000 from the Municipal Service District ("MSD") and \$5,100 from the General Fund. Police Chief Toussaint Summers confirmed the recent ordinance amendment also changed the parking violations from criminal offenses to civil, which means the City will retain the fines.

Alderman Bengel made a motion to adopt an ordinance to amend the FY2017-18 General Fund and MSD Fund budgets, seconded by Alderman Harris. Upon a roll-call vote, the motion carried unanimously.

14. Consider Adopting an Ordinance Amending the Schedule of Fees and Charges.

Also at its last meeting, the Board adopted a resolution placing the structure at 408 Hancock Street under the purview of Parks and Recreation as a multipurpose art center. The Schedule of Fees and Charges, which was last updated and adopted on May 23, 2017, will be amended to include the fees associated with the operation of this center. Additionally, Parks and Recreation and Development Services have identified some other fees that need to be adjusted. All of the proposed changes were identified on a “redline” version of the schedule.

Alderman Odham made a motion to adopt an ordinance to amend the Schedule of Fees and Charges with the exception of the 408 Hancock Street rates, seconded by Alderman Harris. Upon a roll-call vote, the motion failed 4-3 with Mayor Outlaw and Aldermen Bengel, Aster and Kinsey voting against it.

Alderman Bengel made a motion to adopt the ordinance to amend the Schedule of Fees and Charges as stated, seconded by Alderman Aster. Upon a roll-call vote, the motion carried 4-3 with Aldermen Harris, Kinsey and Odham voting against it.

15. Appointment(s).

Alderman Odham made a motion to appoint Alderman Aster to the Firemen’s Museum Board to fill the vacancy created by the untimely passing of Richard Blythe, seconded by Alderman Kinsey. The motion carried unanimously.

Due to scheduling conflicts, Alderman Odham announced he is not able to continue as the City’s representative on Allies for Cherry Point’s Tomorrow. Alderman Odham made a motion to appoint Kristen Culler to replace him, seconded by Alderman Kinsey. The motion carried unanimously.

Alderman Odham made a motion to appoint Mike Duffy to the New Bern Appearance Commission, seconded by Alderman Kinsey. The motion carried unanimously. Mr. Duffy will fill the seat previously filled by Peggy Broadway, and his term will expire on March 12, 2021.

16. Attorney’s Report.

The City Attorney had nothing to report.

17. City Manager’s Report.

Mr. Stephens asked the Board if there was interest in starting the budget work sessions on May 1st and 2nd at 1 p.m. instead of 6 p.m. Alderman Odham made a motion to eliminate the March 20, 2017 work session to hear from lobbyists and to

begin the budget work sessions on May 1st and 2nd at 1 p.m., seconded by Alderman Harris. The motion carried unanimously.

18. New Business.

Alderman Bengel

Craven Terrace held a nice ribbon-cutting event today, which included tours of the renovated property.

Alderman Bengel made a motion to conduct a work session on March 19, 2018 at 1 p.m. at City Hall to discuss a Redevelopment Commission as led by the School of Government and to limit the discussion to the School of Government with questions and answers between them and the Board, seconded by Alderman Harris. Mr. Stephens mentioned the possible need to include a discussion about the Martin Marietta Park in order to obtain direction from the Board. Alderman Bengel then made an amended motion to conduct a work session on March 19, 2018 at 1 p.m. at City Hall to include a presentation from the School of Government DFI on a Redevelopment Commission with questions and answers only from the Board of Aldermen, as well as a discussion on Martin Marietta Park, seconded by Alderman Harris. The motion carried unanimously.

The Rotary Club is holding its major fundraiser, Shamrock Rockin', on Friday evening at the North Carolina History Center.

Alderman Harris

A report was provided on the National League of Cities Conference, which Alderman Harris attended over the last four days. One of the opportunities she learned about is the possibility of the City applying for designation as an opportunity zone. Mr. Ruggieri provided some information on this program. Alderman Harris also reported on a race equity grant that addresses diversity.

Alderman Aster

The fire code dealing with cul-de-sacs was to be brought back before the Governing Board, and Alderman Aster inquired as to the status. Mr. Ruggieri stated the code is scheduled to go before the Planning and Zoning Board at their next meeting, after which it will be brought before the Board of Aldermen.

With cold weather, asphalt has taken a beating, specifically at the entrance of Taberna. Mr. Stephens was asked to contact NCDOT to look at this section of roadway.

Alderman Kinsey

Comments were shared on Craven Terrace's ribbon-cutting ceremony, noting the impact of private-public partnerships. Alderman Aster pointed out all of the speakers commended the New Bern Police Department for their work in the area. Mr. Stephens reported there were previously 4-5 crime-related incidents per week, which is now down to 1-2 per month according to Michele Folino of Preservation Management.

Alderman Best

She too attended today's ceremony at Craven Terrace. An additional tour will be scheduled for the Board to view the grounds and building renovations.

A vacancy still exists on the Firemen's Museum Board. Anyone interested in serving on this Board should contact Alderman Best or Nancy Mansfield, President of the Firemen's Museum Board.

One of her constituents, who is a quadriplegic, has asked for assistance with locating a full-size van to get to and from his healthcare appointments.

Alderman Odham

A constituent reported a trash truck traveling on the James City bridge was losing a lot of trash. An unmarked Sheriff's vehicle came alongside the truck, and the constituent thought he would pull the vehicle, but did not.

There is an issue with the City's trash contractor having leaky trucks. Although there have been meetings with the vendor, Alderman Odham felt it is time to take additional action. Mr. Stephens noted previous meetings were held with Republic Services, which is now owned by Waste Industries. He suggested the issue be brought to the attention of the new owner before taking other steps. .

19. Closed Session.

A closed session was not needed.

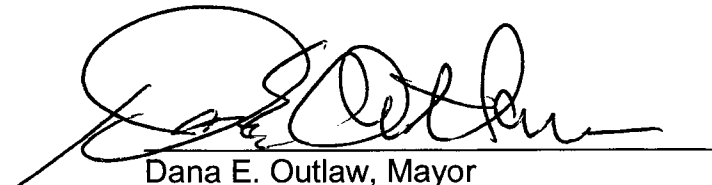
20. Adjourn.

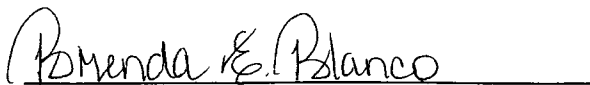
Alderman Odham made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously, time being 7:34 p.m.

The attached documents are incorporated herewith and are hereby made a part of these minutes.

NOTE: For additional details and information on the Board of Aldermen meetings, please visit the City of New Bern's website at www.newbern-nc.org. Video and audio recordings of the meeting have been archived.

Minutes approved: March 27, 2018


Dana E. Outlaw, Mayor


Brenda E. Blanco, City Clerk