

**CITY OF NEW BERN
BOARD OF ALDERMEN MEETING
NOVEMBER 28, 2023 – 6:00 P.M.
CITY HALL COURTROOM
300 POLLOCK STREET**

- 1. Meeting opened by Mayor Pro Tem Robert Brinson. Prayer by Rev. Paul Canady, III, Director of Christ Church. Pledge of Allegiance.**

- 2. Roll Call.**

Present: Mayor Jeffrey Odham (arrived at 6:25 p.m.), Alderman Rick Prill, Alderman Hazel Royal, Alderman Robert Aster, Alderman Johnnie Ray Kinsey (arrived at 6:01 p.m.), Alderman Barbara Best, and Alderman Robert Brinson.
Absent: None. A quorum was present.

Also Present: Foster Hughes, City Manager; Marvin Williams, Assistant City Manager; Michael Scott Davis, City Attorney; and Brenda Blanco, City Clerk.

- 3. Approve Agenda**

Alderman Aster made a motion to approve the agenda, seconded by Alderman Prill. The motion carried unanimously 7-0.

Consent Agenda

- 4. Consider Adopting a Resolution to Initiate the Upset Bid Process for 512 Second Avenue.**

All Access Enterprises submitted a bid of \$2,700 for the purchase of 512 Second Avenue (PID 8-012-A-230), a vacant 0.07-acre residential lot acquired by the City and County in 2013 through tax foreclosure.

- 5. Consider Adopting a Resolution to Initiate the Upset Bid Process for 801 Queen Street.**

Phil Hedrick submitted an offer of \$3,750 for the purchase of 801 Queen Street (PID 8-008-141). The property is a vacant 0.06-acre residential lot acquired by the City and County in 2016 through tax foreclosure.

- 6. Consider Adopting a Resolution Calling for a Public Hearing to Annex a Portion of Tax Parcel ID 8-209-13001.**

Weyerhaeuser NR Company seeks to annex a portion of Tax Parcel ID 8-209-13001 in the West New Bern area. Portions of this parcel have previously been annexed. It is requested a public hearing be held on December 12, 2023.

7. Approve Minutes.

Minutes from the August 22, 2023, September 12, 2023, and October 10, 2023 closed sessions and the November 14, 2023 regular meeting were provided for review and approval.

Alderman Best made a motion to approve Items 4-7 of the Consent Agenda, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 6-0.

8. Conduct a Public Hearing on Amending the 2020 and 2021 Annual Action Plans for the Community Development Block Grant Program.

This public hearing was to receive comments on substantial amendments to the previously adopted 2020 and 2021 CDBG Annual Action Plans. Program regulations allow for substantial plan amendments in accordance with the Citizen Participation Plan. NCGS §160A-512 prohibits the Redevelopment Commission from acting as a permanent landlord, as was originally proposed in the plans. The suggested amendments will provide funding to the Redevelopment Commission to rehabilitate two single-family homes that will be donated to Habitat for Humanity and sold to low to moderate-income households in the Greater Five Points area. The plans' line-item budgets will not change.

Alderman Kinsey confirmed with D'Aja Fulmore, Community Development Coordinator, that proceeds from the sale will be returned to the CDBG program. However, Habitat for Humanity may retain a portion to pay for administrative costs associated with the project.

Mayor Pro Tem Brinson opened the public hearing, but no one came forward to speak. Alderman Best made a motion to close the public hearing, seconded by Alderman Prill. The motion carried unanimously 6-0.

9. Consider Adopting a Resolution Approving and Authorizing the Execution of an Amended and Restated Full Requirements Power Sales Agreement Between the City and NCEMPA.

NC Eastern Municipal Power Agency ("NCEMPA") and its member municipalities previously entered into a power sales agreement. The agreement was amended as approved by NCEMPA's Board of Commissioners and ElectriCities Board of Directors. Each member municipality is also required to approve and execute the amendment. Charlie Bauschard, Director of Public Utilities, explained the changes and felt they were beneficial to the City and its customers.

Alderman Best made a motion to adopt a resolution approving and authorizing the execution of an amended and restated full requirements power sales agreement between the City and NCEMPA, seconded by Alderman Kinsey. Upon a roll-call, the motion carried unanimously 6-0.

(Mayor Odham arrived at 6:25 p.m.)

10. Consider Adopting a Resolution Authorizing the City Manager to Execute a Contract with Trader Construction for Phase One of the Duffyfield Stormwater Enhancement Project.

Bids were solicited for the Duffyfield Stormwater Enhancement Phase 1 Project. Trader Construction was the only vendor to bid on the project. This resolution authorizes the execution of a contract with Trader for \$1,698,490 and any changes orders within the budgeted amount.

Alderman Aster made a motion to adopt a resolution authorizing the City Manager to execute a contract with Trader Construction for Phase One of the Duffyfield Stormwater Enhancement Project, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

(After the vote, Mayor Odham began presiding over the meeting and Mayor Pro Tem Brinson took his regular seat at the dais.)

11. Appointment(s).

No appointments were made.

12. Attorney's Report.

The City Attorney had nothing to report.

13. City Manager's Report.

Mr. Hughes reported on the following:

- The Governing Board should have received a copy of New Bern Housing Authority's most recently-approved minutes. Moving forward, the Board will also receive a copy of the agenda. The Interim Executive Director was unaware that the Board had previously been receiving this information.
- The City Clerk placed at the Board's seat a copy of the MSD Advisory Committee applications and a spreadsheet compiling the information. It is anticipated appointments will be made at the next meeting after the Board has reviewed the applications. The process for appointments was very briefly discussed.

14. New Business.

Alderman Prill

Alderman Kinsey has an appointment to make to the Planning and Zoning Board but has been unable to find a candidate. Alderman Prill was uncomfortable with a someone continuing to serve despite their expired term, and he questioned the ordinance that allows a person to do so for an extended length after their term

expires. He asked the City Attorney whether this practice put the City at risk. Mr. Davis explained it is common across the state for all appointees to serve until their successor has been appointed. If the rule were otherwise, there would be quorum issues. Alderman Prill suggested another official be allowed to make the appointment in a case where the designated official does not have a candidate. Mr. Davis and Alderman Kinsey explained it is not uncommon for other officials to share the name of a potential candidate for the appointing official's consideration.

Alderman Brinson

Information provided by the NC Department of Transportation ("NCDOT") at the quarterly MPO meeting was shared. The Havelock bypass is on track to open the summer of 2024, and the James City work is on track to be completed in the summer of 2025. Citizens can sign up for notifications by visiting NCDOT's website.

Craven Pamlico Animal Shelter will celebrate Shelter Pets Day on November 30, 2023. The pet adoption fee will be reduced during the celebration.

Mayor Odham

He and Alderman Royal attended the Giving Tuesday event at Union Point Park today.

The estimated attendance at the Christmas Tree lighting was 4,900, and attendance at the air show was estimated at 4,400.

15. Closed Session.

A closed session was not needed.

16. Adjourn.

Alderman Royal made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 6:45 p.m.

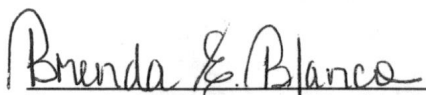
The attached documents are incorporated herewith and are hereby made a part of these minutes.

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

Minutes approved: December 12, 2023



Jeffrey T. Odham, Mayor



Brenda E. Blanco, City Clerk