

**City of New Bern
Board of Aldermen Meeting
June 11, 2019 – 6:00 P.M.
City Hall Courtroom
300 Pollock Street**

- 1. Meeting opened by Mayor Outlaw. Prayer by Ethel Belle Sampson. Pledge of Allegiance.**
- 2. Roll Call.**

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

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

- 3. Request and Petition of Citizens**

Barbara Sampson of R149 Craven Terrace voiced a desire for Stanley White Recreation Center to remain on Chapman Street. She suggested it be remodeled or rebuilt in its current location. In response, Alderwoman Harris stated her comments at the last meeting may have been taken out of context. Noting she would support them, she stated it was her duty to make sure citizens were aware of all the viable options.

Consent Agenda

- 4. Consider Adopting a Resolution to Close the 500 Block of Roundtree Street for Colorfest.**

Derrick Bryant, CEO of Colorfest, Inc., requested the 500 block of Roundtree Street be closed for the Colorfest Community Art event on Saturday, June 29, 2019 from 10 a.m. until 7 p.m.

- 5. Consider Adopting a Resolution to Close the 500-600 Blocks of Roundtree Street for Craven Terrace's National Night Out Event.**

Latisha Bell, Resident Services Coordinator at Craven Terrace, requested the 500-600 block of Roundtree Street be closed on August 6, 2019 from 3 p.m. to 9 p.m. for an annual National Night Out event.

6. Approve Minutes.

Minutes from the May 28, 2019 regular meeting were provided for review and approval.

Alderwoman Harris made a motion to approve Items 4-6 of the Consent Agenda, seconded by Alderman Aster. The motion carried unanimously 7-0.

7. Recognition of Graduates of Citizens Police Academy.

The Citizens Police Academy recently concluded its 23rd session. Detective Alex Raney introduced Class President, Peter Dillon of 1116 Ardbon Lane, who provided an overview of the experience. The graduates were extended a handshake of appreciation from the Mayor, Aldermen, and Police Chief Toussaint Summers.

Noting the benefit of the Citizens Police Academy, Alderman Bengel suggested a citizen academy be established to provide an overall view of City government. Mr. Stephens stated he would be glad to work on that at the Board's direction.

**8. Conduct a Public Hearing on the Rezoning of 2409 Oaks Road from R-6S Residential District to C-3 Commercial District; and
a) Consider Adopting a Statement of Zoning Consistency; and
b) Consider Adopting an Ordinance Rezoning 2409 Oaks Road.**

Nasr Algaradi, owner of 2409 Oaks Roads, requested that the ¼-acre parcel be rezoned from R-6S Residential District to C-3 Commercial District. The Oaks Road property is further identified as Tax Parcel ID 8-019-008. A public hearing was noticed and advertised as required. Morgan Potts, City Planner, shared a PowerPoint presentation depicting the property and its historical use. The Planning and Zoning Board recommended rezoning by a vote of 5-1.

Mayor Outlaw opened the public hearing. Mark Radford of 2007 Alabama Avenue stated he lived in the neighborhood and was a member of the community. He was glad to see the building being rehabbed following Hurricane Florence, but noted the neighborhood was still struggling. He expressed concern with the building be used as a tobacco smoke shop, instead of a convenience store. He felt a smoke shop would yield to a criminal element.

Alderman Bengel made a motion to close the public hearing, seconded by Alderwoman Harris. The motion carried unanimously 7-0.

Nasr Algaradi's son spoke on his behalf, after stating his father's English was not good. He confirmed his father owned a couple of other convenience stores, which are located in Sunnyside and on Oaks Road. Noting the proximity to the

convenience stores they already own at 1509 National Avenue and 3419 Oaks Road, Alderman Best questioned what type of business they would open at 2409 Oaks Road. Mr. Algaradi stated the proposed use would be a tobacco store with a drive through operating during the hours of 8 a.m. to 8 p.m. Alderman Best expressed concern with having a tobacco shop in the middle of a residential area. Mr. Algaradi's son stated the difference is the 2409 Oaks Road property offers the ability to have a drive-thru.

At the Mayor's request, Mr. Davis discussed the process of the zoning change and what the Board could and could not consider. Brad Sceviour, Land and Community Development Administrator, described the uses under a C-3 zoning district. He confirmed the subject property was historically used commercially and that the building on the site was obviously constructed with commercial intent. Several aldermen voiced their plan to vote against the rezoning since area was heavily residential.

Alderman Best made a motion to rezone 2409 Oaks Road (Parcel ID 8-019-008) from R-6S to C-3. The motion died for lack of a second. Mr. Stephens pointed out the Board first needed to vote on a statement of zoning consistency or inconsistency.

Alderman Best made a motion to adopt a Statement of Zoning Inconsistency, seconded by Alderman Bengel. Upon a roll-call vote, the motion carried unanimously 7-0.

Alderman Best made a motion to deny the request to rezone 2409 Oaks Road, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

9. Consider Adopting a Resolution Approving the FY2019-2023 CDBG Five-Year Consolidated Plan and FY2019 Annual Action Plan.

The FY2019-2023 CDBG Five-Year Consolidated Plan and FY2019 Annual Action Plan have been available for public review and comment since May 10, 2019. A public hearing was held on June 4, 2019, but no questions or comments were received.

Amanda Ohlensehlen, Community & Economic Development Manager, provided a brief overview of the process for the two plans. She noted a CDBG allocation was provided for each fiscal year to benefit low and moderate-income people. Public input was sought for the plan, which included input from more than 500 survey responses and 25 agencies. Mrs. Ohlensehlen described the goals of the Annual Action Plan and provided the dollar amounts associated with each goal. She also addressed numerous concerns and questions that were posed by the Board.

Alderman Odham made a recommendation to meet with the Housing Authority to obtain an update. Mrs. Ohlensehlen confirmed HUD has a deadline for approving the plans, and an extension would need to be sought if they are not to be approved by that deadline. She pointed out the plan could be amended after its adoption.

(Alderman Kinsey momentarily stepped out of the room at 7:19 p.m.)

Marshall Williams, a member of the Community Development Advisory Committee (“CDAC”), stated that it was important to pass the five-year plan because a delay would mean points would be deducted from the next application. He suggested the Board support the plan and amend it later, if needed. Alderman Bengel asked that next year staff and the CDAC provide an update to the Board prior to it being presented for approval.

Alderwoman Harris made a motion to adopt a resolution approving the FY2019-2023 CDBG Five-Year Consolidated Plan and FY2019 Annual Action Plan, seconded by Alderman Best.

(Alderman Kinsey returned to the room at 7:22 p.m.)

Upon a roll-call vote, the motion carried unanimously 7-0.

10. Consider Adopting an Ordinance for the Demolition of 602 First Street.

On February 22, 2018, staff received a complaint from the Police Department about illegal activities occurring around the structures at 602 First Street. Upon inspection, the house was found to be vacant and unsecure. Public Works boarded up and secured the structure on February 27, 2018. A hearing was held before the Chief Building Inspector on April 9, 2019, and the property owner was given 60 days in which to bring the structure into compliance. To date, no permits have been applied for and the structure remains noncompliant.

Members of the Board questioned the feasibility of rehabbing the home. Jeff Ruggieri, Director of Development Services, stated older homes such as this structure are not cost effective for Habitat for Humanity to rehab. Prior discussions with them have yielded they have no interest in older properties.

Alderwoman Harris made a motion to adopt an ordinance for the demolition of 602 First Street, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

11. Appointment(s).

Alderman Odham made a motion to reappoint Mark Stephens to the Craven County Tourism Development Authority, seconded by Alderwoman Harris. The motion carried unanimously 7-0.

Mayor Outlaw made a motion to appoint Anne Schout to the Planning and Zoning Board, seconded by Alderman Odham. The motion carried unanimously 7-0. Mrs. Schout will fill the seat to be vacated by Willie Newkirk on June 30, 2019, and she will serve a three-year term to expire June 30, 2022.

Alderman Bengel made a motion to appoint Suzannah Talton to the New Bern Appearance Commission, seconded by Alderman Odham. The motion carried unanimously 7-0. Ms. Talton will fill the seat previously held by Mattie Tatum and will serve a three-year term that will expire on June 11, 2022.

Alderman Bengel made a motion to reappoint Ellen Sheridan to the Historic Preservation Commission, seconded by Alderman Odham. The motion carried unanimously 7-0. Ms. Sheridan will serve a three-year term to expire on June 13, 2022.

Mayor Outlaw made a motion to appoint Martha “Molly” Ingram to the New Bern Appearance Commission, seconded by Alderwoman Harris. Ms. Ingram will fill the seat previously held by Rose Williams and will serve a three-year term that will expire on June 11, 2022.

12. Attorney’s Report.

The City Attorney had nothing to report.

13. City Manager’s Report.

Mr. Stephens called forth Foster Hughes, Director of Parks and Recreation, to provide an update on the Hurricane Preparedness Expo scheduled for Saturday, June 15, 2019. Mr. Hughes announced the location as West New Bern Recreation Center and provided the times of the event.

14. New Business.

Alderman Bengel

A dog was killed last weekend on East Front Street, and residents of the historic district are concerned about speeding along the street. Alderman Bengel asked to pull together a committee to be chaired by Maria Cho for the purpose of looking at traffic patterns in the area. This will not be an official board or commission.

Work continues on the noise ordinance. Mr. Stephens will facilitate a meeting between the residents and the entertainment businesses.

Complaints have been received about tree grates coming up around some of the downtown trees. Matt Montanye, Director of Public Works, stated he, the City Manager and Foster Hughes were looking at some options.

Alderman Harris

An update was requested on the retention pond at Woodland Crossing. Mr. Montanye stated he was drafting a response to explain that the pond is the homeowners' responsibility. Once water discharges into the ditch, it becomes the City's responsibility.

The Juneteenth celebration begins on June 14th and will continue through next week.

Alderman Aster

The results of the speed data for Brices Crossing was requested. Mr. Montanye stated the findings revealed speeding was at a minimum, and most traffic was found to be traveling below 25 mph. Although residents requested a four-way stop sign, Mr. Montanye did not make that recommendation.

Mayor Outlaw

An update on Autumn Chase was requested. Mr. Stephens responded he did not have a status report at this time.

Alderman Kinsey

An update was requested on any actions taken as a result of Mayor Zimmer's visit. Mr. Stephens stated the City contracted with Margaret Shields to seek and apply for grants. As a result, a grant has been awarded that will fully fund phase one of a resiliency plan. Other grants have also been received. Mr. Stephens reported on the status of FEMA and insurance funds.

Alderman Best

Thanks was expressed to Public Works for the work that has begun on the canal near Hazel Avenue. Residents have requested the cones be removed at the location of where a stop sign was installed. Mr. Montanye stated staff was in the process of making the sign permanent and will remove the cones at that time.

Residents of Hazel Avenue and Washington Court have expressed concern that the drains in that area have not been cleaned lately. Mr. Montanye stated staff would inspect the drains.

A utility pole near the bridge at Jack Smith's Creek is leaning. It was requested Public Utilities look into this.

Thanks were expressed to Mr. Stephens for speeding up the process of making plans to address workforce violence. Alderman Best also commented it was nice to have the City Manager and City Attorney seated in their normal locations.

15. Closed Session.

Alderman Odham made a motion to go into closed session pursuant to NCGS §143-318.11(a)(3) to maintain attorney-client privilege and NCGS §143-318.11(a)(5) to discuss potential acquisition of property, seconded by Alderman Aster. The motion carried unanimously 7-0, time being 7:52 p.m.

16. Adjourn.

Alderman Best made a motion to adjourn, seconded by Alderman Bengel. The motion carried unanimously 7-0, time being 8:10 p.m.

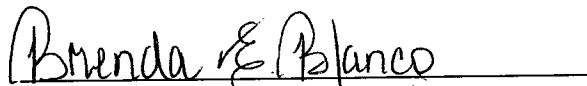
The attached documents are incorporated herewith and are hereby made a part of these minutes.

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: June 25, 2019



Dana E. Outlaw, Mayor



Brenda E. Blanco, City Clerk