

**City of New Bern
Board of Aldermen Meeting
June 25, 2019 – 6:00 P.M.
City Hall Courtroom
300 Pollock Street**

- 1. Meeting opened by Mayor Outlaw. Prayer given by Ethel Belle Sampson, a citizen. Pledge of Allegiance.**

- 2. Roll Call.**

Present: Mayor Dana Outlaw, Alderman Sabrina Bengel, Alderwoman Jameesha Harris, Alderman Robert Aster, Alderman Johnnie Ray Kinsey and Alderman Jeffrey Odham. Absent: Alderman Barbara Best. A quorum was present.

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

Consent Agenda

- 3. Consider Adopting a Resolution Calling for a Public Hearing to Rezone Properties in Martin Marietta Park Identified as Tax Parcel Numbers 8-244-033, 8-242-096, 8-244-4000, 8-242-9000, 8-244-2000 and 8-244-021 from I-1 and I-2 Industrial Districts to R-10 Residential District.**

The City of New Bern Parks and Recreation Department requested to rezone approximately 294+/- acres from I-1 and I-2 Industrial Districts to R-10 Residential District. The subject property is located in Martin Marietta Park and is identified as Tax Parcels 8-244-033, 8-242-096, 8-244-4000, 8-242-9000, 8-244-2000 and 8-244-021. It is requested that a public hearing be called for July 9, 2019 to receive comments on this request.

- 4. Approve Minutes.**

Minutes from the June 11, 2019 regular meeting were provided for review and approval.

Alderwoman Harris made a motion to approve Items 3-4 of the Consent Agenda, seconded by Alderman Odham. The motion carried unanimously 6-0.

Alderman Bengel asked for clarification as to why the Martin Marietta Park must be rezoned from an industrial to a residential zone. Mr. Stephens explained that parks are not allowed in industrial zones, but are allowed in residential zones. A change in the zoning will not interfere with the proposed plans for the park, including the sale of concessions.

5. Discussion of Dangerous Animals.

Chapter 6 of the Code of Ordinances addresses dangerous and potentially dangerous dogs. Section 6-14(k) of the Code requires that a licensed veterinarian and an appeal board be appointed by the Board of Aldermen to make determinations as to dangerous animals. At least one incident occurred recently involving a potentially dangerous dog.

Mr. Davis explained procedurally the veterinarian could be appointed by motion and that the appeal board would consist of three members. Alderman Odham pointed out Police Chief Toussaint Summers had spoken with Dr. Steve Stelma, who is willing to serve in the capacity of the veterinarian.

Alderman Odham made a motion to designate Dr. Steve Stelma as the veterinarian who makes determinations as to dangerous animals, seconded by Alderman Kinsey. The motion carried unanimously 6-0.

Staff will circulate information on the requirements for appeal board members with anticipation that the Board may be ready to make appointments at the next meeting.

6. Consider Adopting a Resolution Approving an Audit Contract with Thompson, Price, Scott & Adams for Fiscal Year Ending June 30, 2019.

At its May 28, 2019 meeting, the Board voted to enter into an audit contract with Thompson, Price, Scott, Adams & Co., P.A. for audit contract services for Fiscal Year Ending June 30, 2019. The fee to provide these services will be \$34,500, and a copy of the contract was presented to the Board.

Alderman Aster made a motion to adopt a resolution approving an audit contract with Thompson, Price, Scott & Adams for fiscal year ending June 30, 2019, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 6-0.

7. Consider Adopting a Resolution Approving a Lease Agreement with State Employees Credit Union for ATM Located in the Parking Lot at the Corner of Pollock and Craven Streets.

The State Employee's Credit Union requested renewal of the lease agreement for the ATM currently located in the City's parking lot at 302 Craven Street. This ATM provides a needed service for those who live and work in the downtown area. The proposed lease term is for a period of 12 months beginning July 1, 2019, at a rate of \$225.00 a month.

Alderman Bengel made a motion to adopt a resolution approving a lease agreement with State Employees Credit Union for the ATM located in the parking lot at the corner of Pollock and Craven Streets, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 6-0.

8. Consider Adopting a Resolution Approving a Lease Agreement with the Area Day Reporting Program for Youth for Property Located at 500 Fort Totten Drive.

The Area Day Reporting Program for Youth, which is a nonprofit corporation, requested renewal of the lease agreement for the property located at 500 Fort Totten Drive. The proposed lease term is for a period of 12 months beginning on July 1, 2019, at a rate of \$1.00 a year.

Alderwoman Harris made a motion to adopt a resolution approving a lease agreement with the Area Day Reporting Program for Youth for the property located at 500 Fort Totten Drive, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 6-0.

9. Consider Adopting a Resolution Approving a Lease Agreement with Habitat for Humanity of Greater New Bern NC for Property Located at 920 George Street.

Habitat for Humanity of Greater New Bern NC requested renewal of the lease agreement for the property located at 920 George Street. The proposed lease term is for a period of 12 months beginning on July 1, 2019, at a rate of \$1.00 a year.

Alderman Bengel made a motion to adopt a resolution approving a lease agreement with Habitat for Humanity of Greater New Bern NC for property located at 920 George Street, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 6-0.

10. Consider Adopting a Resolution Authorizing the City of New Bern Parks and Recreation Department to Solicit Fund Donations for Kidsville 2.0.

The Board of Aldermen previously appropriated funds for the replacement of Kidsville. Plans to rebuild the playground have been prepared, and the Parks and Recreation Department desires to solicit fund donations and sponsorship opportunities. The proposed resolution will authorize this solicitation and community involvement.

Joseph Sabatelli, Director of Finance, explained after conferring with the City Attorney and Local Government Commission, it was suggested the Board adopt a resolution authorizing the solicitation of funds, which may include the use of a GoFundMe account.

Alderman Odham made a motion to adopt a resolution authorizing the City of New Bern Parks and Recreation Department to solicit fund donations for Kidsville 2.0, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 6-0.

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

On May 28, 2019, the Board adopted a fee schedule to be effective July 1, 2019. That schedule inadvertently omitted some of Parks and Recreation's fees and has been amended to include these omissions. Additionally, it is revised to expand the returned check fee to include any type of returned payment, regardless of the method used for remittance (i.e. bank drafts, etc.).

Alderman Bengel made a motion to adopt an ordinance amending the Schedule of Fees and Charges, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 6-0.

12. Consider Adopting an Ordinance to Amend Chapter 74 "Utilities" of the Code of Ordinances.

At the retreat on January 26, 2019, the Board voted to eliminate the Stormwater Fund and implement a revenue-neutral property tax rate for Fiscal Year 2019-20 to replace the stormwater fee revenue. The proposed ordinance will amend Chapter 74 by repealing the stormwater utility and fees. Mr. Sabatelli stated any monies left in the stormwater fund would still be used for stormwater activities. He noted there are several projects scheduled, which will consume the funds.

Alderman Odham made a motion to adopt an ordinance to amend Chapter 74 "Utilities" of the Code of Ordinances, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 6-0.

13. Consider Adopting an Ordinance to Amend the Hurricane Florence Grant Project Fund.

On October 9, 2018, a project fund was created for Hurricane Florence grants. The fund was amended on December 11, 2018 to increase the estimated revenues. It is again necessary to amend the fund to reflect additional estimated revenues that are needed to continue recovery efforts and account for staff efforts during the event. The amendment will increase the budget by \$7 million.

Alderwoman Harris made a motion to adopt an ordinance to amend the Hurricane Florence Grant Project Fund, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 6-0.

14. Consider Adopting an Amendment to the FY2018-19 Budget Ordinance Amendment Dated April 23, 2019 and Identified as Ordinance #19-011.

On April 23, 2019, a budget ordinance amendment was adopted to advance repayment of the installment purchase debt for Phase I of the ERP. It also acknowledged grant funds from the Governors Highway Safety Program ("GHSP") and matching funds from the City for the purchase of a traffic enforcement vehicle. That amendment contained a typographical error in Section 2 – Estimated

Revenues. The funds relating to the GHSP grant item were listed as “Schedule E – Electric Fund” when they should have been listed as “Schedule K- Grants Fund”. The proposed amendment will correct this error.

Alderman Odham made a motion to adopt an amendment to the FY2018-19 budget ordinance amendment dated April 23, 2019 and identified as Ordinance #19-011, seconded by Alderman Bengel. Upon a roll-call vote, the motion carried unanimously 6-0.

15. Consider Adopting a Budget Ordinance to Amend the FY2018-19 Operating Budget for Various Funds.

The final budget ordinance for FY2018-19 ensures all projected expenditures have sufficient funds, and it realigns revenues to equal the appropriations. With regard to the General Fund, amendments are made to redistribute funds within the divisions of Public Works, acknowledge the transfer required to close the Stormwater Fund, and increase estimated revenues for PILOT transfers from the utility funds. The Electric, Water and Sewer funds are amended to meet the actual PILOT due. Further, the Electric Fund is amended to redistribute funds within various divisions, increase power supply costs, and establish a transfer from the Rate Stabilization Fund. The Water and Sewer Funds are also amended to allocate the estimated system development fees to the respective Capital Reserve Funds, and the Capital Reserve Funds are adjusted to recognize the increases.

The Employees’ Benefit Insurance Fund is amended to cover additional costs for health and workers compensation claims. The Grants Fund is amended to provide for rollovers from Fiscal Year 2017-18 and the new Bullet-Proof Vest Grant in the amount of \$5,770.

Alderwoman Harris made a motion to adopt a budget ordinance amendment for the FY2018-19 operating budget for various funds, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 6-0.

16. Appointment(s).

Mayor Outlaw made a motion to appoint Tripp Eure to the Historic Preservation Commission, seconded by Alderwoman Harris. The motion carried unanimously 6-0. Mr. Eure will fill the seat previously held by David Griffith and will serve a three-year term to expire on June 25, 2022.

Alderman Bengel made a motion to reappoint Kip Peregoy to the Board of Adjustment, seconded by Alderwoman Harris. The motion carried unanimously 6-0. Mr. Peregoy’s reappointment will be effective at the end of his current term on June 30, 2019. He will serve another three-year term to expire on June 30, 2022.

Alderman Aster made a motion to appoint Eric Queen to the Police Civil Service Board, seconded by Alderman Bengel. The motion carried unanimously 6-0. Mr.

Queen will fill the seat previously held by Jon Skinner and will serve a two-year term to expire on June 25, 2021.

Alderman Odham made a motion to reappoint John Riggs to the Board of Adjustment, seconded by Alderman Bengel. The motion carried unanimously 6-0. Mr. Riggs' reappointment will be effective at the end of his current term on June 30, 2019. He will serve another three-year term to expire on June 30, 2022.

17. Attorney's Report.

The City Attorney had nothing to report.

18. City Manager's Report.

Mr. Stephens announced Foster Hughes, Director of Parks and Recreation, received a request from the US Department of Veterans Affairs to provide shuttle service from Ruth's Chapel Church to the National Cemetery for the burial of Korean War soldier, Cpl. Stephen Nemec. The Board voiced support for providing shuttle service.

Tomorrow, Mr. Stephens and Mayor Outlaw will attend the Metro Mayors meeting to discuss affordable housing, along with several other topics. The Mayor will also attend a luncheon with Governor Roy Cooper.

19. New Business.

Mayor Outlaw

Pictures were shared of well-groomed sidewalks along Third Avenue, as well as sidewalks in other areas that are not well groomed. Mayor Outlaw expressed concern about properly maintaining the sidewalks. He suggested the Board consider giving the City Manager authority to sub out a contract to catch up on all of the sidewalk edging. Once it is caught up, maybe churches, nonprofits, scout troops, etc. would be willing to keep up the maintenance. Discussion ensued about possible options. Alderwoman Harris made a motion to appropriate \$10,000 toward grooming sidewalks in need of manicures, seconded by Alderman Kinsey. The motion carried unanimously 6-0.

Pictures of the McCotter House were also shown to reveal the amount of overgrowth on the property. Alderman Bengel noted the Redevelopment Commission would be considering options relative to this property as part of their discussions and overall plan. Mr. Stephens stated Public Works would address the overgrowth the following morning.

Alderman Bengel

At the last meeting, the Board voted to demolish 602 First Street. Habitat for Humanity has since spoken with the owner, and the owner has indicated a willingness to donate the property to Habitat. The demolition will be stayed for two weeks until this option can be pursued.

She and Alderman Odham met to discuss the election process. A new ordinance will be presented to the Board proposing a November election in 2021 with that Board being elected to a five-year term. That will move the election cycle to an even year with the next election being held in 2026 and subsequent elections every four years.

A meeting was held yesterday about calming traffic, especially along East Front Street. She alerted Chief Summers that she and residents would need to meet to discuss the intersection of Cedar and West Streets. There are also traffic concerns in the Ghent neighborhood, which are being reviewed.

(Alderman Kinsey stepped out momentarily at 6:54 p.m.)

A year ago, the Board voted to seek a change in the Alfred Cunningham bridge schedule. There has been no response from the Coast Guard to that request for change. Mr. Stephens stated staff would again follow up, and he explained it was his understanding that the Coast Guard has asked the NC Department of Transportation for a vessel survey.

(Alderman Kinsey returned at 6:57 p.m.)

She suggested the City Manager start a conversation with Sheriff Chip Hughes and the County Manager about the prospect of partnering with respect to animal control. The Board expressed consensus.

Thanks was expressed to City staff for all of their work. Gratitude was also expressed to the Chamber of Commerce for all of their hard work with the events held over the past weekend.

Alderwoman Harris

Thanks was expressed to Talina Massey and Sharon Bryant for their work on Juneteenth.

Alderman Aster

Gratitude was expressed to the Ghent Neighborhood Homeowners Association for the invitation to attend their recent meeting. He asked the City Manager to look at the exits from the Volt Center to see if those on Rhem Street could be restricted to left-hand turns. Alderwoman Harris asked that the options be reported to the Board, as she felt there needed to be a compromise between the residents and the motorists who utilize the street.

Alderman Kinsey

A new director has been selected for the Eastern Carolina Council of Government. It was suggested representatives from the City meet with the director.

Alderman Odham

Those who ran in the special election for the third district congressional seat who are not in a runoff were asked to pick up their campaign signs.

The transformation of the VOLT Center is phenomenal, and everyone was encouraged to see it. He suggested Jeff Ruggieri, Director of Development Services, invite the residents of the Ghent Community to view the property and share information with them about previous traffic counts versus projected traffic counts.

20. Closed Session.

A closed session was not needed.

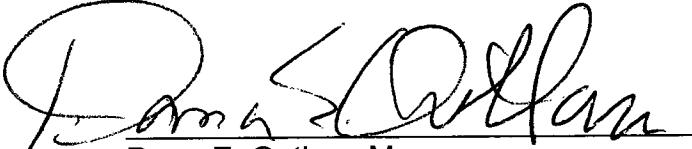
21. Adjourn.

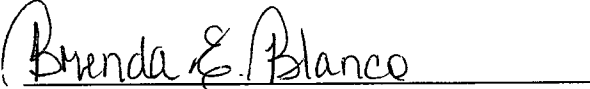
Alderman Odham made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously 6-0, time being 7:11 p.m.

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: ^{July 9,} ~~June 11,~~ 2019


Dana E. Outlaw, Mayor


Brenda E. Blanco, City Clerk