

**CITY OF NEW BERN
BOARD OF ALDERMEN MEETING
SEPTEMBER 10, 2019 – 6:00 P.M.
CITY HALL COURTROOM
300 POLLOCK STREET**

1. Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Mayor Outlaw. Pledge of Allegiance.
2. Roll Call.
3. Request and Petition of Citizens.

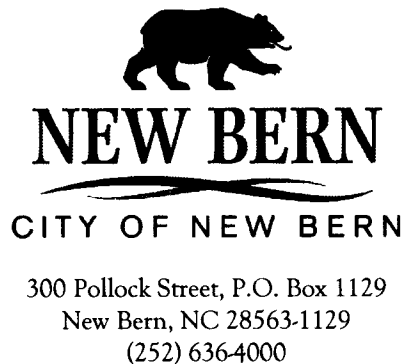
Consent Agenda

4. Consider Adopting a Resolution to Close the 3600 Block of Cranberry Lane and the Cul-de-sac of Sienna Woods for a Sienna Woods Neighborhood Picnic in Carolina Colours on September 21, 2019.
5. Consider Adopting a Resolution to Close Specific Streets for the Tryon Palace Candlelight Christmas Event on December 14, 2019 and December 21, 2019.
6. Consider Adopting a Resolution to Close the 200-300 Blocks of Middle Street and 300-400 Blocks of Pollock Street for MERCI on Middle Fundraiser on November 3, 2019.
7. Consider Adopting a Resolution to Close the 200 Block of King Street for a Block Party on September 14, 2019.
8. Approve Minutes.

9. Presentation by Craven County Alcoholic Beverage Control Board.
10. Presentation of 2019 National Night Out Event.
11. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex Contiguous Property Owned by Weyerhaeuser NR Company in Craven 30 West (Also Known as Craven 30 and West New Bern) Identified as Tax Parcel ID 8-209-13001.
12. Conduct a Public Hearing on Rezoning a Part of 1701 Simmons Street (Tax Parcel ID 8-240-105); and
 - a) Consider Adopting a Statement of Zoning Consistency or Inconsistency; and
 - b) Consider Adopting an Ordinance Rezoning Part of 1701 Simmons Street (Tax Parcel ID 8-240-105) from C-4 Neighborhood Business District and C-5 Office and Institutional District to C-3 Commercial District.

13. Consider Adopting a Resolution in Support of an EDA Resiliency Grant Application for an Electric Substation.
14. Consider Adopting a Resolution Approving the Installation of an Additional Street Light Near 1901 Garden Street.
15. Consider Adopting a Budget Ordinance Amendment for the FY2019-20 Annual Operating Budget.
16. Consider Adopting a Resolution to Request Amendment to Land Use Ordinance Regarding Bed and Breakfast Establishments.
17. Discussion of Options for Board of Adjustment.
18. Appointment(s).
19. Attorney's Report.
20. City Manager's Report.
21. New Business.
22. Closed Session.
23. Adjourn.

Aldermen
Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



Dana E. Outlaw
Mayor
Mark A. Stephens
City Manager
Brenda E. Blanco
City Clerk
Joseph R. Sabatelli
Director of Finance

Memo to: Mayor and Board of Aldermen

From: Mark A. Stephens, City Manager



9/4/19

Date: September 4, 2019

Re: September 10, 2019 Agenda Explanations

1. **Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Mayor Outlaw. Pledge of Allegiance.**
2. **Roll Call.**
3. **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 citizen 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 to 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

- 4. Consider Adopting a Resolution to Close the 3600 Block of Cranberry Lane and the Cul-de-sac of Sienna Woods for a Sienna Woods Neighborhood Picnic in Carolina Colours on September 21, 2019.**

(Ward 3) Jerry Trenholm of Carolina Colours has requested to close the 3600 block of Cranberry Lane and the cul-de-sac of Sienna Woods on Saturday, September 21, 2019 from 9 a.m. until 10 p.m. for a neighborhood picnic. A brief memo from Foster Hughes, Director of Parks and Recreation, is attached along with supporting documentation.

- 5. Consider Adopting a Resolution to Close Specific Streets for the Tryon Palace Candlelight Christmas Event on December 14, 2019 and December 21, 2019.**

(Ward 1) Rebekah Hornek, Cultural Arts Coordinator with Tryon Palace, has requested the 600 block of Pollock Street and 300 block of George Street be closed on December 14th and 21st from 2:00 p.m. until 10:30 p.m. for Tryon Palace's Candlelight Christmas Celebration. To accommodate a fireworks display both evenings, she has also requested a temporary block of South Front Street at the location of Palace Point Commons. A memo from Foster Hughes is attached along with a map of the proposed closures.

- 6. Consider Adopting a Resolution to Close the 200-300 Blocks of Middle Street and 300-400 Blocks of Pollock Street for MERCI on Middle Fundraiser on November 3, 2019.**

(Ward 1) Barbara Krcmar, Executive Director of MERCI Clinic has requested the 200-300 blocks of Middle Street and 300-400 blocks of Pollock Street be closed to vehicular traffic from 12 noon until 10:00 p.m. on Sunday, November 3, 2019 for the annual MERCI on Middle fundraiser. A memo from Foster Hughes is attached along with a map of the proposed closures.

- 7. Consider Adopting a Resolution to Close the 200 Block of King Street for a Block Party on September 14, 2019.**

(Ward 1) Ann Henson has requested the 200 block of King Street be closed to vehicular traffic on September 14, 2019 from 5:00 p.m. until midnight for a King Street homeowners' party to commemorate the recovery of Hurricane Florence. A memo from Foster Hughes is attached along with a map of the proposed closure.

- 8. Approve Minutes.**

Draft minutes from the August 27, 2019 regular meeting are provided for review and approval.

9. Presentation by Craven County Alcoholic Beverage Control Board.

Paul Brown with the Craven County Alcoholic Beverage Control Board will present a check in the amount of \$64,667 for the City's portion of ABC sales for Fiscal Year 2018-19. He will also provide an annual briefing to review the status of last year's goals and describe future goals.

10. Presentation of 2019 National Night Out Event.

The annual National Night Out event was held on August 6, 2019. Police Chief Toussaint Summers will recognize the participating communities and share a video of the activities.

11. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex Contiguous Property Owned by Weyerhaeuser NR Company in Craven 30 West (Also Known as Craven 30 and West New Bern) Identified as Tax Parcel ID 8-209-13001.

(Ward 4) Clifford Parson, authorized representative for Weyerhaeuser NR Company, submitted a petition to annex contiguous property consisting of approximately 58.36 acres located in the Craven 30/Craven 30 West development identified as Tax Parcel ID 8-209-13001. The Board voted at its August 27, 2019 meeting to accept the petition and to call for a public hearing to receive comments on the annexation. A copy of the petition is attached.

12. Conduct a Public Hearing on Rezoning a Part of 1701 Simmons Street (Tax Parcel ID 8-240-105); and

- a) Consider Adopting a Statement of Zoning Consistency or Inconsistency; and**
- b) Consider Adopting an Ordinance Rezoning Part of 1701 Simmons Street (Tax Parcel ID 8-240-105) from C-4 Neighborhood Business District/C-5 Office and Institutional District to C-3 Commercial District.**

(Ward 5) Steve Tyson, registered agent for Lake New Bern Development Company, LLC, requested a portion of 88.1 +/- acres located at 1701 Simmons Street and further identified as Tax Parcel ID 8-240-105 be rezoned from C-4 Neighborhood Business District/C-5 Office and Institutional District to C-3 Commercial District. The request was approved by the Planning and Zoning Board at its August 8, 2019 meeting. Staff recommends a statement of zoning consistency be adopted and that the rezoning request be approved. A memo from Jeff Ruggieri, Director of Development Services, is attached.

13. Consider Adopting a Resolution in Support of an EDA Resiliency Grant Application for an Electric Substation.

Public Utilities desires to apply for grant funding from the FY2019 Disaster Supplemental Funds and seeks support of the application. If the grant is awarded, funds will be utilized to construct a new electric substation in the area of County Line Road. The grant funds are estimated to be \$10 million, and a 20% match may be required. The City can fund the match through cash, bonds, and/or in-kind services. A memo from Charles Bauschard, Director of Public Utilities, is attached.

14. Consider Adopting a Resolution Approving the Installation of an Additional Street Light Near 1901 Garden Street.

(Ward 5) Hazel Royal, Pastor of Abundant Life Miracle Center, has requested an additional street light in the area of 1901 Garden Street. Upon evaluating the request, Public Utilities found that the area met the established street-lighting standard. However, the Police Department recommended an additional light since there are late-night events in which people are exiting the building in darkness. The estimated cost to Public Utilities to add the light is \$493.12, and the estimated monthly utility cost for Public Works is \$8.44. A memo from Mr. Bauschard is attached.

15. Consider Adopting a Budget Ordinance Amendment for the FY2019-20 Annual Operating Budget.

This budget ordinance amendment recognizes \$37,000 for repairs to the Cub House Welcome Center following a fire and an additional \$95,000 for estimated costs associated with Kidsville 2.0. The cub house funds represent \$27,000 in insurance proceeds and \$10,000 for the deductible, which will be transferred from contingency. The funds for Kidsville represent approximately \$60,000 from fundraising and \$35,000 to be transferred from contingency. Additionally, the amendment recognizes a \$5,000 donation to purchase trashcans as part of the City's litter program. A memo from J.R. Sabatelli, Director of Finance, is attached.

16. Consider Adopting a Resolution to Request Amendment to Land Use Ordinance Regarding Bed and Breakfast Establishments.

(Ward 1) Interest has been expressed in possibly removing the special-use permit designation for bed and breakfast establishments in R-6, R-8 and R-10 zones. This resolution is to indicate the Board's desire to move forward with amending the land-use ordinance for this purpose.

17. Discussion of Options for Board of Adjustment.

As requested at the August 27, 2019 meeting, the City Attorney will discuss the options related to the Board of Adjustment, which has had difficulty in holding meetings due to a lack of a quorum.

18. Appointment(s).

- a) In January of this year, Robert West was appointed to serve out seven months of an existing term on the Police Civil Service Board. His seven months have now expired, and he is eligible for reappointment since he has not served a full term. Appointments to this board are on a rotating basis, and Alderman Best is asked to consider reappointing Mr. West to this seat or to make a new appointment. The appointee will serve a two-year term. A memo from Brenda Blanco, City Clerk, is attached.
- b) Jeffery Midgett's term on the Planning & Zoning Board will expire on September 12, 2019. Mr. Midgett is eligible to serve another three-year term. Alderman Best is asked to consider reappointing him to this seat or to make a new appointment. A memo from Mrs. Blanco is attached.
- c) Tripp Eure resigned from his seat on the Board of Adjustment to accept an appointment on the Historic Preservation Commission. You are asked to make an appointment to serve out the remainder of Mr. Eure's term, which will expire on June 30, 2021.

19. Attorney's Report.

20. City Manager's Report.

21. New Business.

22. Closed Session.

23. Adjourn.

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to close the 3600 block of Cranberry Lane and the Cul-de-Sac of Sienna Woods.

Date of Meeting: 9/10/2019	Ward # if applicable: Ward 3
Department: Parks & Recreation	Person Submitting Item: Foster Hughes, CPRE
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Jerry Trenholm of Carolina Colours has requested to close the 3600 block of Cranberry Lane and the cul-de-sac of Sienna Woods Saturday, September 21, 2019 from 9 a.m. until 10 p.m. for a neighborhood picnic
Actions Needed by Board:	Adopt the Resolution
Backup Attached:	Resolution- Memo – Application – Map - Petition

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:



Aldermen

Sabrina Bengel
Jameesha Harris
Bobby Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham

Foster Hughes, CPRE
Director of Parks & Recreation



Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Memo To: Mayor and Board of Aldermen

From: Foster Hughes, CPRE 
Director of Parks and Recreation

Re: Adopt the Resolution to close to vehicle traffic the 3600 block of Cranberry Lane and the Cul de Sac of Sienna Woods on September 21, 2019 from 9:00 a.m. until 10:00 p.m. for Carolina Colours, Sienna Woods Neighborhood Picnic.

Background Information:

Jerry Trenholm, Organizer has requested to close to vehicle traffic the 3600 block of Cranberry Lane and the Cul de Sac of Sienna Woods on September 21, 2019 from 9:00 a.m. until 10:00 p.m. for Carolina Colours, Sienna Woods Neighborhood Picnic.

Recommendation:

The Parks and Recreation Department recommends approval and requests the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please call.

1307 Country Club Rd
New Bern, NC 28562
Office 252 639-2901
Fax 252 636-4138

RESOLUTION

THAT WHEREAS, Sienna Woods in Carolina Colours has scheduled a neighborhood picnic and requested the 3600 block of Cranberry Lane and the cul-de-sac of Sienna Woods be closed to vehicular traffic from 9:00 a.m. until 10:00 p.m. on Saturday September 21, 2019, and

WHEREAS, the Director of Parks and Recreation of the City of New Bern recommends the streets be closed as requested.

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

That the 3600 block of Cranberry Lane and the cul-de-sac of Sienna Woods be closed to vehicular traffic from 9:00 a.m. until 10:00 p.m. on Saturday, September 21, 2019 for a Sienna Woods neighborhood picnic.

ADOPTED THIS 10th DAY OF SEPTEMBER 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

Sept. 21
Sat.

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:	<u>Sienna Wood Neighborhood</u>		
Organization Name:	<u>Carolina Colours Neighborhood</u>		
Responsible Contact:	<u>Jerry Trenholm</u>		
Address:	<u>3602 Cranberry Lane</u>		
City:	<u>New Bern</u>	State:	<u>NC</u> Zip code: <u>28562</u>
Phone:	<u>703.966.0020</u>	Alternate Phone:	<u>252.631.2449</u>
Email:	<u>mainer1125.jt@gmail.com</u>		

9am-10pm

Type of Event:

☐ Demonstration

☒ Festival

☐ Parade

Date of Event:

September 21, 2019

Neighborhood Picnic

Proposed Rain Date: September 22, 2019

Event Set up time:

9:00am

Event Tear Down Completed Time:

10:00pm

Event Start Time:

2:00pm

Event End Time:

8:00pm

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

Carolina Colours Sienna Woods Neighborhood. Corner of Sienna Woods and 3600 block of Cranberry Lane just off WaterScape Way

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)

Neighborhood camaraderie

Estimated attendance: 55-100; Attendance not to exceed: 148-175

*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 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 # _____ Sizes _____ 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 # _____ 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: 3600 Block Cranberry Lane
the short end of Cranberry

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.

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.

☒ Petition of Signatures – of business/residents affected – If roads are closed.

Residents on Cranberry Lane

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

☐ Certificate of Insurance – 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 layout

☒ Petition of signatures (if road closure is requested)

☐ Proof of Crowd Manager training & Public Safety Plan (If attendance is 1,000 or more)

Authorized Signature

G. A. Ironhelm, Jr.

Date

Aug 23, 2019

All documents have been provided and this application is recommended for approval

Veronica Evans Matthews

8/26/19

Administrative Support Supervisor

Date

This application has been approved.

Director of Parks & Recreation

Date

Total Anticipated Charges

Barricades: # _____
\$ _____

Trash Collection: \$ _____

City Staff: # _____
\$ _____

Vendor Fees # _____
\$ _____

Park/Facility Rental: \$ _____

Total Due: \$

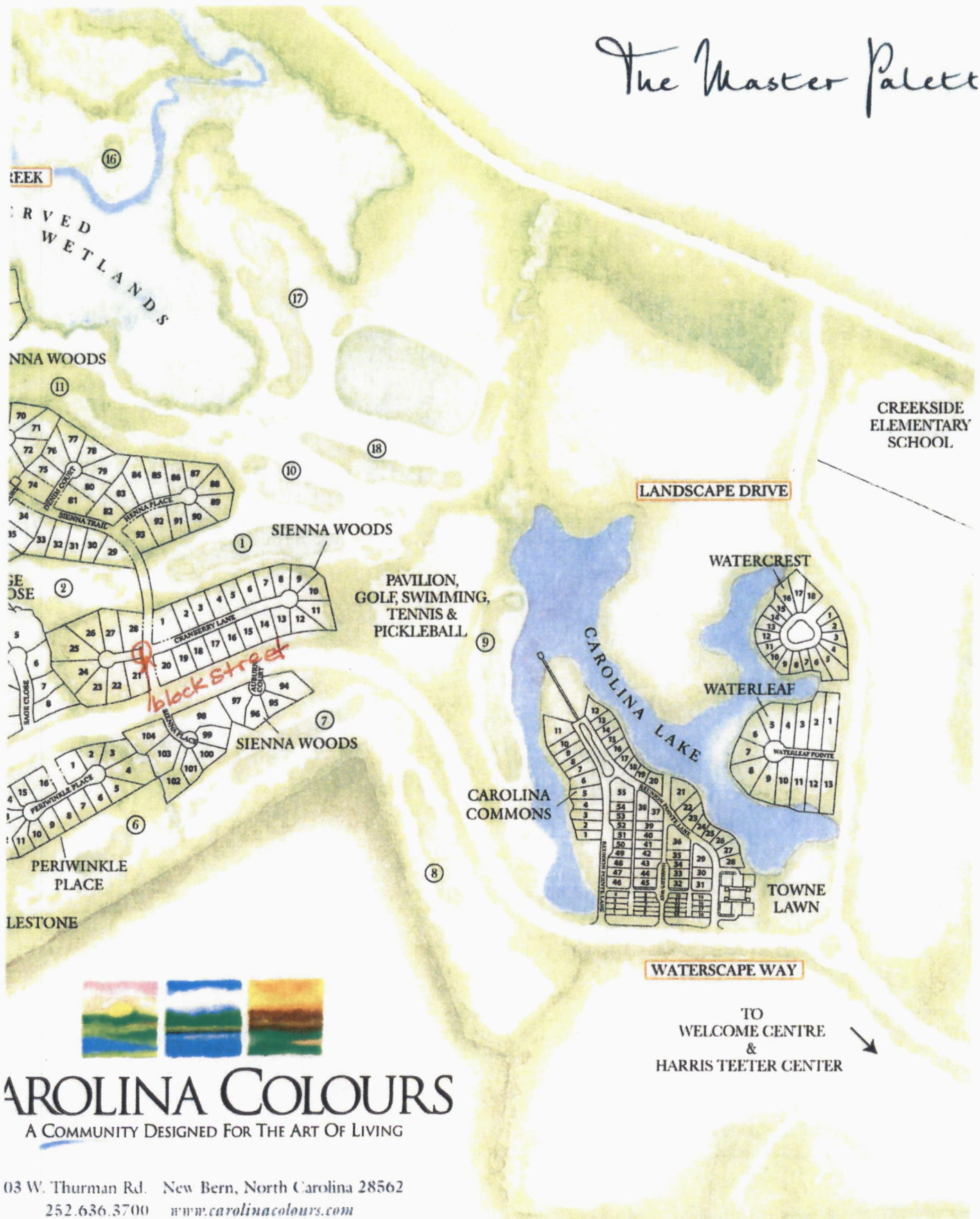
- ☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with: _____
- ☐ Approved by Department Date: _____ Staff Initials: _____
- ☐ Submitted for Board Approval Date: _____ Staff Initials: _____
- ☐ All Paperwork collected Date: _____ Staff Initials: _____
- ☐ All fees collected \$ _____ Date: _____ Staff Initials: _____

City Sponsored Event

☐ Yes ☐ No

Updated 6-3-2019

The Master Palette



CAROLINA COLOURS

A COMMUNITY DESIGNED FOR THE ART OF LIVING

03 W. Thurman Rd. New Bern, North Carolina 28562
252.636.3700 www.carolinacolours.com

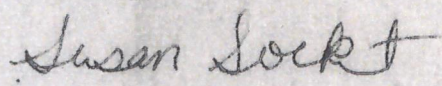
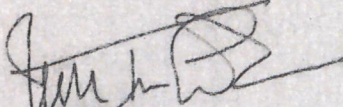
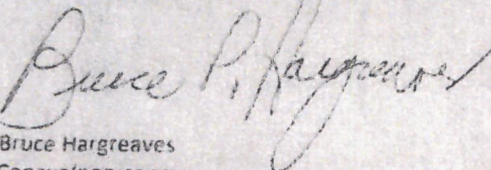
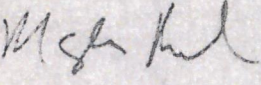
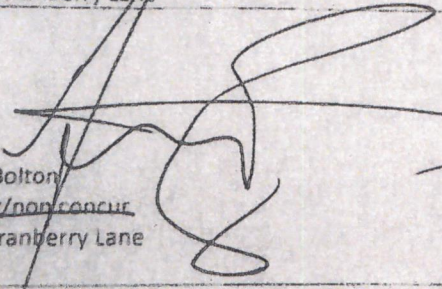
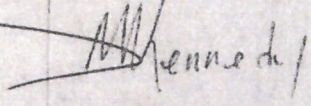
Plans and specifications are preliminary estimates and are subject to change without notification.
Please contact a Carolina Colours representative for additional information.

August 22, 2019

Board of Aldermen

New Bern NC 28560

We the residents of the 3600 block of Cranberry Lane (Carolina Colours) concur with closing the cul de sac for the Selma Woods Community Picnic on September 21, 2019.

 Susan Socket Concur/ non-concur 3601 Cranberry Lane	 Jerry Trenholm Concur/ non-concur 3602 Cranberry Lane
 Bruce Hargreaves Concur/ non-concur 3603 Cranberry Lane	 Bob or Mary Beth Mohn Concur/ non-concur 3604 Cranberry Lane
 Marc Bolton Concur/ non-concur 3603 Cranberry Lane	 Mike or Sue Kennedy Concur/ non-concur 3607 Cranberry Lane

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to close streets and use city property for Tryon Palace Candlelight Christmas Celebration.

Date of Meeting: 9/10/2019	Ward # if applicable: Ward 1
Department: Parks & Recreation	Person Submitting Item: Foster Hughes, CPRE
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Tryon Palace has made a request to close the following streets to vehicle traffic from 2:00 pm until 10:30 pm on Saturday, December 14th and 21st, 2019: 600 block of Pollock Street and the 300 block of George Street. A temporary blockage of South Front Street at Palace Point Commons and the portion of South Front Street behind Tryon Palace South Lawn be closed to vehicle/pedestrian traffic from 9:15 pm until 10:30 pm for fireworks.
Actions Needed by Board:	Adopt the Resolution
Backup Attached:	Resolution – Memo – Application - Map

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:



Aldermen

Sabrina Bengel
Jameesha Harris
Bobby Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham

Foster Hughes, CPRE
Director of Parks & Recreation



Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Memo To: Mayor and Board of Aldermen

From: Foster Hughes, CPRE 
Director of Parks and Recreation

Re: Adopt the Resolution to close the 600 block of Pollock Street and the 300 block of George Street to vehicle traffic for Tryon Palace annual Candlelight Christmas Celebration from 2:00 p.m. until 10:30 p.m., and a temporary blockage of South Front Street at Palace Point Commons behind Tryon Palace South Lawn be closed to vehicle traffic from 9:15 p.m. until 10:30 p.m. for fireworks on Saturday, December 14th and 21st, 2019.

Background Information:

Rebekah Hornek, Special Event Assistant has requested to close the 600 block of Pollock Street and the 300 block of George Street to vehicle traffic for Tryon Palace Candlelight Festival to be held 2:00 p.m. until 10:30 p.m., and a temporary blockage of South Front Street at Palace Point Commons behind Tryon Palace South Lawn be closed to vehicle traffic from 9:15 p.m. until 10:30 p.m. for fireworks on Saturday, December 14th and 21st, 2019.

Recommendation:

The Parks and Recreation Department recommends approval and request the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please call.

1307 Country Club Rd
New Bern, NC 28562
Office 252 639-2901
Fax 252 636-4138

RESOLUTION

THAT WHEREAS, Tryon Palace has scheduled their annual Candlelight Christmas Celebration and has requested specific streets be closed to vehicular traffic from 2:00 p.m. until 10:30 p.m. on both Saturday, December 14, 2019 and Saturday, December 21, 2019. The streets to be closed are the 600 block of Pollock Street and the 300 block of George Street; and

WHEREAS, a temporary blockage of South Front Street at Palace Point Commons and the portion of South Front Street behind Tryon Palace's south lawn is also requested to be closed to vehicular and pedestrian traffic from 9:15 p.m. until 10:30 p.m. for fireworks on Saturday, December 14, 2019 and Saturday, December 21, 2019 as part of the Palace's Annual Candlelight Christmas Celebration.

WHEREAS, the Director of Parks and Recreation of the City of New Bern recommends the streets be closed as requested.

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

That the 600 block of Pollock Street and the 300 block of George Street be closed from 2:00 p.m. until 10:30 p.m. on Saturday, December 14, 2019 and Saturday, December 21, 2019 for Tryon Palace's Annual Candlelight Christmas Celebration; and

FURTHER, a temporary blockage of South Front Street at Palace Point Commons and the portion of South Front Street behind Tryon Palace's south lawn shall be closed to vehicular and pedestrian traffic from 9:15 p.m. until 10:30 p.m. on the aforesaid dates for a fireworks display.

ADOPTED THIS 10TH OF SEPTEMBER 2019.

DANA E. OUTLAW, MAYOR

BRENDA BLANCO, CITY CLERK

Sat. Dec. 14th
Dec. 21st

street
closing

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: Christmas Belles: A Candlelight Christmas Celebration

Organization Name: Tryon Palace

Responsible Contact: Rebekah Hornek

Address: 529 South Front Street

City: New Bern State: NC Zip code: 28562

Phone: 252-639-3545 Alternate Phone: 615-772-4337

Email: rebekah.hornek@ncdcr.gov

Type of Event:

☐ Demonstration

☒ Festival

☐ Parade

Date of Event: 12/14/2019 Proposed Rain Date: none

Event Set up time: 2 PM

Event Tear Down Completed Time: 10:30 PM

Event Start Time: 4:30 PM

Event End Time: 9:30 PM

What is the specific location and/or route of the proposed event? (Attach additional information if needed)
Along some of the perimeter of the historic Tryon Palace Grounds and the site's historic buildings.

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 will be the 39th Candlelight Christmas festival at Tryon Palace, and it is held to raise funds for Tryon Palace, and for the state of NC, and to offer a fun, historically-themed Christmas event to New Bern and to Eastern NC.

Estimated attendance: *1,500 throughout the evening; Attendance not to exceed: 1,500 total.

*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** 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 # ** Sizes _____ 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 # 0 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.

*The majority of our ticketed guests will be inside our property and not on the street.

**All of our tents are inside the gates and none are on the street.

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:**

1. Palace Point Commons (the horseshoe), between South Front Street and Walt Bellamy 2. The section of Pollock Street between Eden and Metcalfe and 3. George Street between Pollock Street and Broad. Fireworks 9:15 pm til 10:30pm Dec 14 + 21
Palace Point Commons - behind Tryon Palace South Lawn closed to vehicle / pedestrian

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.

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.
- ☒ Petition of Signatures - of business/residents affected - If roads are closed.

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

- ☒ Certificate of Insurance - 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 layout
- ☒ Petition of signatures (if road closure is requested)
- ☒ Proof of Crowd Manager training & Public Safety Plan (if attendance is 1,000 or more)

Rebekah Hume
Authorized Signature

7/24/19
Date

All documents have been provided and this application is recommended for approval

Veronica E. Matlock
Administrative Support Supervisor

8/20/19
Date

This application has been approved.

72 HK
Director of Parks & Recreation

8-20-19
Date

Total Anticipated Charges

Barricades: # _____
\$ _____

Trash Collection: \$ _____

City Staff: # _____
\$ _____

Both dates
Vendor Fees # \$ 70 day (2)
\$ 140

Park/Facility Rental: \$ _____

Total Due: \$ _____

- ☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with: _____
- ☐ Approved by Department Date: _____ Staff Initials: _____
- ☐ Submitted for Board Approval Date: _____ Staff Initials: _____
- ☐ All Paperwork collected Date: _____ Staff Initials: _____
- ☐ All fees collected \$ _____ Date: _____ Staff Initials: _____

City Sponsored Event☐ Yes ☐ No

Updated 6-3-2019

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: Christmas Belles: A Candlelight Christmas Celebration

Organization Name: Tryon Palace

Responsible Contact: Rebekah Hornek

Address: 529 South Front Street

City: New Bern State: NC Zip code: 28562

Phone: 252-639-3545 Alternate Phone: 615-772-4337

Email: rebekah.hornek@ncdcr.gov

Type of Event: ☐ Demonstration ☒ Festival ☐ Parade

Date of Event: 12/21/2019 Proposed Rain Date: none

Event Set up time: 2 PM

Event Tear Down Completed Time: 10:30 PM

Event Start Time: 4:30 PM

Event End Time: 9:30 PM

What is the specific location and/or route of the proposed event? (Attach additional information if needed)
Along some of the perimeter of the historic Tryon Palace Grounds and the site's historic buildings.

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 will be the 39th Candlelight Christmas festival at Tryon Palace, and it is held to raise funds for Tryon Palace, and for the state of NC, and to offer a fun, historically-themed Christmas event to New Bern and to Eastern NC.

Estimated attendance: *1,500 throughout the evening; Attendance not to exceed: 1,500 total.

***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 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 # ** Sizes 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 # 0 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.

***The majority of our ticketed guests will be inside our property and not on the street.**

****All of our tents are inside the gates and none are on the street.**

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:

1. Palace Point Commons (the horseshoe), between South Front Street and Walt Bellamy 2. The section of Pollock Street between Eden and Metcalfe and 3. George Street between Pollock Street and Broad.

See application Dec. 14th

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.

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.
- ☒ Petition of Signatures – of business/residents affected – If roads are closed.

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

- ☒ Certificate of Insurance – 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 layout
- ☒ Petition of signatures (if road closure is requested)
- ☒ Proof of Crowd Manager training & Public Safety Plan (if attendance is 1,000 or more)

Authorized Signature

Date

All documents have been provided and this application is recommended for approval

Veronica E. Matthews
Administrative Support Supervisor

8/20/19
Date

This application has been approved.

Director of Parks & Recreation

8-20-19
Date

Total Anticipated Charges

Barricades: # _____
\$ _____

Trash Collection: \$ _____

City Staff: # _____
\$ _____

\$35 = \$70⁰⁰
Vendor Fees #2 vendor per night
\$ 140⁰⁰

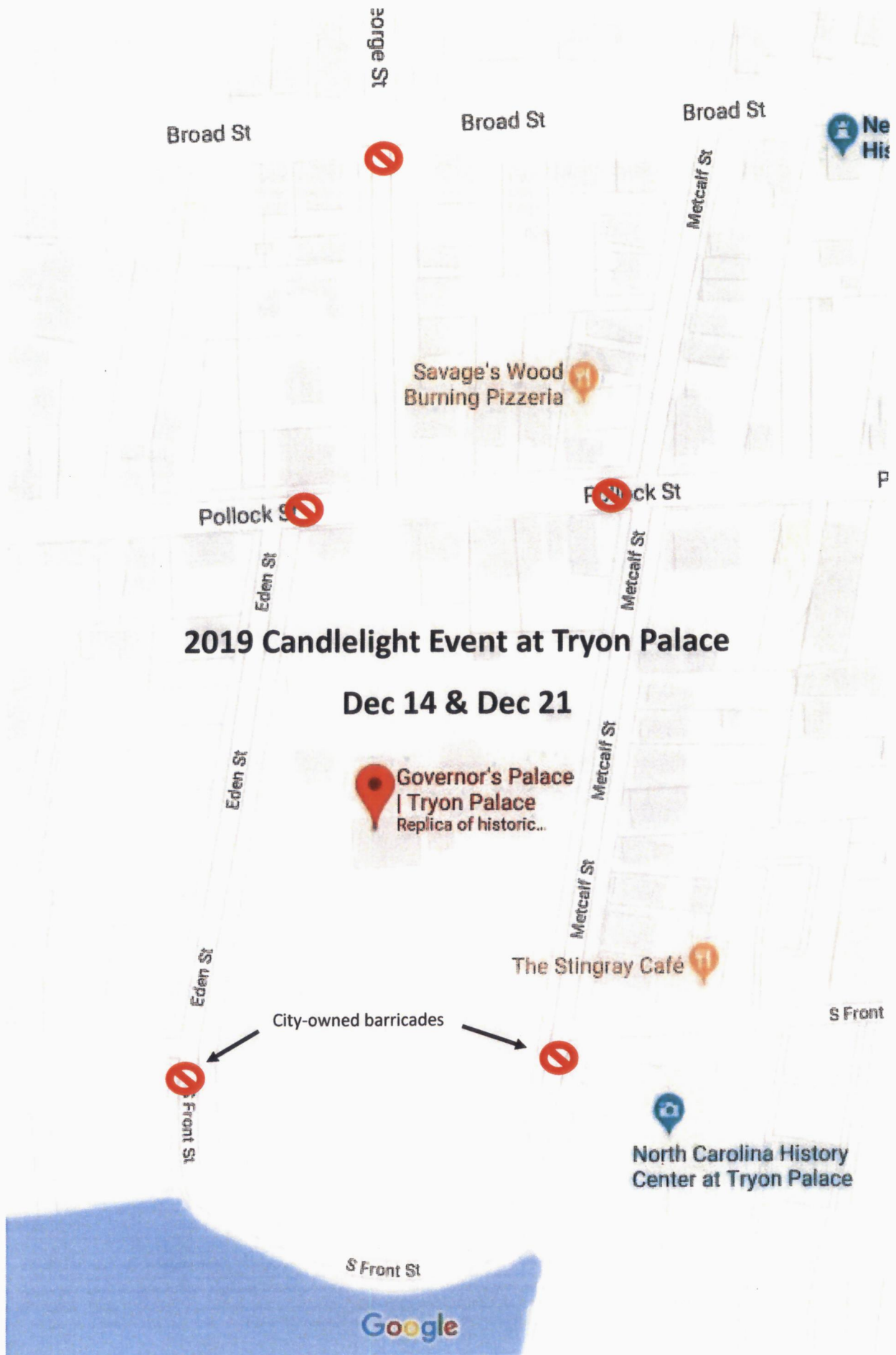
Park/Facility Rental: \$ _____

Total Due: \$ _____

- ☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with: _____
- ☐ Approved by Department Date: _____ Staff Initials: _____
- ☐ Submitted for Board Approval Date: _____ Staff Initials: _____
- ☐ All Paperwork collected Date: _____ Staff Initials: _____
- ☐ All fees collected \$ _____ Date: _____ Staff Initials: _____

City Sponsored Event

☐ Yes ☐ No
Updated 6-3-2019



AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to close the 200-300 blocks of Middle Street and 300-400 block of Pollock Street for Merci on Middle Fundraiser

Date of Meeting: 9/10/2019	Ward # if applicable: Ward 1
Department: Parks & Recreation	Person Submitting Item: Foster Hughes, CPRE
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Merci Clinic. Inc has requested to close the 200-300 blocks of Middle Street and 300-400 blocks of Pollock Street on Sunday, November 3, 2019 from 12:00 p.m. until 10:00 p.m. for their annual Merci On the Middle fundraiser.
Actions Needed by Board:	Adopt the Resolution
Backup Attached:	Resolution- Memo – Application - Map

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:



Aldermen

Sabrina Bengel
Jameesha Harris
Bobby Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham

Foster Hughes, CPRE
Director of Parks & Recreation



Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Memo to: Mayor and Board of Aldermen

From: Foster Hughes, CPRE 
Director of Parks and Recreation

Re: Adopt the Resolution to close the 200-300 blocks of Middle Street and 300-400 blocks of Pollock Street to vehicle traffic for on Sunday, November 3, 2019 from 12:00 p.m. until 10:00 p.m. for Merci Clinic, Inc annual Merci On the Middle fundraiser.

Background Information:

Barbara Krcmar, Executive Director has requested to close the 200-300 blocks of Middle Street and 300-400 blocks of Pollock Street to vehicle traffic for MERCI On Middle Annual Fundraising event on Sunday, November 3, 2019 from 12:00 p.m. until 10:00 p.m.

Recommendation:

The Parks and Recreation Director recommends approval and request the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please call.

1307 Country Club Rd
New Bern, NC 28562
Office 252 639-2901
Fax 252 636-4138

RESOLUTION

THAT WHEREAS, Merci Clinic, Inc. has requested the 200-300 blocks of Middle Street and 300-400 blocks of Pollock Street be closed to vehicular traffic from 12:00 noon until 10:00 p.m. Sunday, November 3, 2019 for the annual MERCI on Middle fundraising event; and

WHEREAS, the Director of Parks and Recreation of the City of New Bern recommends the streets be closed as requested.

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

That the 200-300 blocks of Middle Street and the 300-400 blocks of Pollock Street be closed to vehicular traffic from 12:00 noon until 10:00 p.m. November 3, 2019 for the MERCI On Middle fundraising event.

ADOPTED THIS 10th DAY OF SEPTEMBER 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

Nov. 3
Sunday
St Closing

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: MERCI on Middle
Organization Name: MERCI Clinic, Inc.
Responsible Contact: Barbara Krumar
Address: 1315 Tatum Dr.
City: New Bern State: Nc Zip code: 28560
Phone: 252 639 1599 ext 101 Alternate Phone: 252 626 4619
Email: director@merciclinic.org

KRC Mar

Type of Event: ☐ Demonstration ☒ Festival ☐ Parade

Date of Event: Nov. 3, 2019 Proposed Rain Date: _____

Event Set up time: 12 PM Event Tear Down Completed Time: 10 PM

Event Start Time: 5 PM Event End Time: 9 PM

10/1/19

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

200 - 300 blocks Middle St Bear Plaza
300 - 400 blocks Pollock St.
(see attached map)

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)

Annual fundraiser dinner benefiting MERCI Clinic

Estimated attendance: 500-750; Attendance not to exceed: 800

***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 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 # _____ Sizes _____ 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 # _____ 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:** 200-300 blocks Middle St
300-400 blocks Pollock 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.

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.
- ☒ Petition of Signatures – of business/residents affected – If roads are closed.

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

- ☐ Certificate of Insurance – 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 layout
- ☒ Petition of signatures (if road closure is requested)
- ☐ Proof of Crowd Manager training & Public Safety Plan (if attendance is 1,000 or more)

[Signature]

Authorized Signature

8/5/2019

Date

All documents have been provided and this application is recommended for approval

[Signature]

Administrative Support Supervisor

8/13/19

Date

This application has been approved.

[Signature]

Director of Parks & Recreation

8-13-19

Date

Total Anticipated Charges

Barricades: # 8
\$ 40.00

Trash Collection: \$ _____

City Staff: # _____
\$ _____

Vendor Fees # _____
\$ _____

Park/Facility Rental:
Bear Plaza \$ _____

Total Due: \$

- ☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with: _____
- ☐ Approved by Department Date: _____ Staff Initials: _____
- ☐ Submitted for Board Approval Date: _____ Staff Initials: _____
- ☐ All Paperwork collected Date: _____ Staff Initials: _____
- ☐ All fees collected \$ _____ Date: _____ Staff Initials: _____

City Sponsored Event

☐ Yes ☒ No

Updated 6-3-2019

PETITION

The following businesses understand that MERCI Clinic, Inc. is requesting street closures on Sunday November 3, 2019 from 12-10PM for their event, MERCI on Middle.

BUSINESS NAME	OWNER/MANAGER NAME	SIGNATURE
Craven Arts Council & Gallery	Eileen Bress	Eileen Bress director@cravenarts.org
Caroline Creations	Virginia Spencer	Virginia Spencer
Tranquil	Paul Toldy	Paul Toldy
Darts Bear	Shane Decker	Shane Decker
Surf, Wind & Fire	Sheila Batten	Sheila Batten
NB Historical Society	CARRIE GALLAGHER <small>FOR MICKEY MILE</small>	CARRIE GALLAGHER
Bending Ridge Co	Conrad Jordan	Conrad Jordan
Heart of the Home Kitchens	Jen Monette	Jen Monette
STANLEY HALL	DAVID HOOKER	David Hooker
Branch's Furniture	David Blythe (Sabrina Bengel)	David Blythe
Pepsi Store	Barbara Rohrbach	Barbara Rohrbach
The Four Cs	Mary Davidson	Mary Davidson
Nauti Paws	Shana Hewitt	Shana Hewitt
MT'S	Mike Lentz - Stan Morris	Stan Morris
THE BOATHOUSE	B. Curran	KIM GLENN
MIKE'S DOWNTOWN SERVICES	Carol Ann	Carol Ann
Juliettes Boutique	Sandra Digges	Sandra Digges
Bynum's	Perry Sowell	Perry Sowell



NEW BERN POLICE DEPARTMENT Request for Extra-duty Police Officer(s)

Terms and Conditions

All businesses, organizations, or individuals ("Employer") hosting/organizing an event ("Event") agree the following terms and conditions will apply to all extra-duty assignment requests of City of New Bern Police Department ("NBPD") employees in any and all enforcement capacities. Lack of compliance to these terms and conditions will result in cancellation of services.

1. This form must be submitted at least five (5) business days prior to the date of the event.
2. Extra-duty assignments are voluntary employment opportunities for police officers ("extra-duty officers"), therefore, manpower cannot be guaranteed.
3. NBPD reserves all rights in the assignment of extra-duty officers and coordinators.
4. Extra-duty Officers will be in police uniform unless specified otherwise. Extra-duty officers will only perform law enforcement related duties and will not enforce any "house rules/regulations".
5. The Employer will not interfere and/or attempt to influence decisions or actions made by the extra-duty officer(s).
6. Extra-duty officers are not permitted to work the interior portions of an "on-premises" licensed ABC establishment, without prior approval.
7. Extra-duty officers will be covered by the City of New Bern's ("City") workers' compensation insurance only if performing a law enforcement related function at time of injury. The Employer will save harmless from and against any and all claims or liabilities resulting from employment and indemnify the City for any loss due to any injury of the extra-duty officer.

CANCELLATION POLICY

Once a request has been approved, 48 hours' notice is required for cancellation.

1. The Employer must call NBPD's non-emergency number at (252) 633-2020 of any cancellation of an extra-duty assignment 48 hours prior to the start of the assignment.
2. Failure to provide notification will require the Employer to compensate the extra-duty officer(s) for the minimum compensation as contained herein.
3. **Employers with a recurring assignment must notify NBPD of any changes at least fourteen (14) business days' prior to the next scheduled event, and no less than thirty (30) days' notice of cancellation of any extra-duty assignment.**

RATES OF PAY & REQUIREMENTS – 3hr Minimum

1. The rate of pay for extra-duty officers and city declared holidays are established by the Board of Aldermen annually, and are maintained in the City's schedule of fees and charges.
2. Employers will pay the officer(s) directly and according to all appropriate federal and state tax-reporting requirements. Payment is expected up-front at the time of services. Businesses may pay the officer(s) by cash or check; private parties/individuals must pay the extra-duty officers in cash.
3. If extra-duty officers remain on assignment longer than originally requested, the Employer will compensate each officer a full hour pay for any portion of an hour worked beyond fifteen (15) minutes.
4. Extra-duty officers involved in law enforcement actions remain employees of NBPD and are subject to all laws and all departmental policies and procedures, and may be subject to emergency call-back. The Employer will not be responsible to compensate extra-duty officers for any time that extra-duty officers are called back from the extra-duty assignment to respond to police emergencies.
5. If an officer has to leave the Employer or Event premises to make an arrest for an incident related to the extra-duty assignment, the Employer shall only be responsible for compensating the extra-duty officer for the total hours originally established for the assignment. The City shall bear the additional cost associated with processing the arrest.

Regular Rate	Federal/City Holiday Rate
• \$27.00 per hour - 5am to 11pm	• \$35 per hour - 5am to 11pm
• \$35 per hour - 11pm to 5am	• \$40 per hour - 11pm to 5am

Number of Extra-duty Officers:	Will also Require:
1 - 4	No additional requirements
5 - 9	1 supervisor (rank of sergeant or higher).
10 - 14	1 supervisor (rank of sergeant or higher); AND 1 management level supervisor (rank of lieutenant or higher).
15 - 19	2 supervisors (rank of sergeant or higher); AND 1 management level supervisor (rank of lieutenant or higher).
20 or more	Staffed as directed by Chief of Police

Note: A supervisor's sole responsibility is to monitor the activity of the assigned extra-duty officers.

Please complete this form and email to: myersj@newbernnc.gov. Requests will not be accepted without a completed form. Once approved, your form will be returned to you via the email you provide. If you have questions, please call (252) 672-4134.

Business/Organization (Employer):		POC Name & Number:	
Mercy Clinic, Inc.			
Address: 1315 Tatum Dr. New Bern NC 28560			
Email: director@mercyclinic.org			
Venue: Mercy on Middle		Event Date: Nov. 3, 2019	
Venue Address: 200-300 Blocks Middle Street		New Bern	
Start time of Event:		End time of Event:	
Is the Event outdoors? Yes		Contingent on weather?	
Recurring Event? Yes	Recurrence Pattern: Annually		
Will alcohol be on-site during your event? (Initial) YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>			
I am anticipating 0-750 of attendees (including children of any age).			
I am requesting 2 extra-duty officer(s) from 4 am/pm to 9 am/pm			
Is the extra-duty officer(s) requested for traffic/security/both/other (please specify)?			
Signature: <u>Darlene R. Givens</u> Date: <u>6/10/19</u>			

DO NOT WRITE BELOW THIS LINE

Approved: _____ Date: _____



AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider adopting a Resolution to close the 200 block of King Street at Craven and East Front Streets.

Date of Meeting: 9/10/2019	Ward # if applicable: Ward 1
Department: Parks & Recreation	Person Submitting Item: Foster Hughes, CPRE
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Ann Henson, organizer has requested to close the 200 block of King Street at Craven and East Front Streets to vehicle traffic on September 14, 2019 from 5:00 p.m. until midnight for King Street homeowner block party/Florence party.
Actions Needed by Board:	Adopt the Resolution
Backup Attached:	Resolution – Memo – Application - Map

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:



Aldermen

Sabrina Bengel
Jameesha Harris
Bobby Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham

Foster Hughes, CPRE
Director of Parks & Recreation

Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager



Memo To: Mayor and Board of Aldermen

From: Foster Hughes, CPRE 
Director of Parks & Recreation

Re: Adopt the Resolution to close to vehicular traffic the 200 block of King Street at Craven and East Front Streets on September 14, 2019 from 5:00 p.m. until midnight for King Street homeowners block party/Florence party.

Background Information:

Ann Henson, organizer, has requested to close to vehicular traffic the 200 block of King Street at Craven and East Front Streets on September 14, 2019 from 5:00 p.m. until midnight for King Street homeowners block party/Florence party.

Recommendation:

The Parks and Recreation Department recommends approval and requests the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please call.

1307 Country Club Rd
New Bern, NC 28562
Office 252 639-2901
Fax 252 636-4138

RESOLUTION

WHEREAS, Ann Henson, a resident of King Street, has requested the 200 block of King Street at Craven and East Front Streets be closed to vehicular traffic on September 14, 2019 from 5:00 p.m. until midnight for a King Street homeowners' block party to commemorate recovery from Hurricane Florence; 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 200 block of King Street at Craven and East Front Streets be closed to vehicular traffic from 5:00 p.m. until midnight on Saturday, September 14, 2019 for King Street homeowners' block party to commemorate recovery from Hurricane Florence.

ADOPTED this the 10th day of September, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

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:	<u>Holence Party -</u>		
Organization Name:	<u>King Street Home Owners</u>		
Responsible Contact:	<u>Ann Henson</u>		
Address:	<u>215 King St.</u>		
City:	<u>New Bern</u>	State:	<u>nc</u>
		Zip code:	<u>28560</u>
Phone:	<u>252-638-1237</u>	Alternate Phone:	<u>703-980-9209</u>
Email:	<u>RONANDANNH@yahoo.com</u>		

Type of Event: ☐ Demonstration ☐ Festival ☐ Parade
Date of Event: Sept. 14th (Saturday) Proposed Rain Date: none
Event Set up time: 5 PM Event Tear Down Completed Time: 11:00
Event Start Time: 10 PM Event End Time: 12:00

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

200 Block of King Street
Between Crawlen Street & Front Street

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)

Holence recovery party - 6-7 houses
open a food & drinks - games &
kids activities

Estimated attendance:	<u>100</u>	; Attendance not to exceed:	<u>200</u>
<small>*Note: If more than 1,000 in attendance is expected 1) <u>Proof of Crowd Manager Training Certification is required.</u> Training is available at the following link: http://www.newbernnc.gov/departments/fire_department/crowd_manager_training.php 2) <u>Public Safety Plan is required.</u> Information must be submitted with application. For additional info, please contact the Fire Marshall at 252-639-2931.</small>			
Tents #	<u>0</u>	Sizes	<u>0</u>
<small>Provide additional info as needed (Note: Tents 700 sq. ft. or bigger must be inspected by Fire Marshall.)</small>			

How will you handle trash generated from the event?

We are requesting # 0 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: 200 Block of King 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.

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.

☐ Petition of Signatures – of business/residents affected – If roads are closed.

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

☐ Certificate of Insurance – 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 layout
- ☐ Petition of signatures (if road closure is requested)
- ☐ Proof of Crowd Manager training & Public Safety Plan (if attendance is 1,000 or more)

Ann D. Henson
Authorized Signature

Aug 30th 2019
Date

All documents have been provided and this application is recommended for approval

Administrative Support Supervisor

Date

This application has been approved.

7/2
Director of Parks & Recreation

8-30-19
Date

Total Anticipated Charges

Barricades: # _____
will depend on street width \$ _____

Trash Collection: \$ _____

City Staff: # _____
\$ _____

Vendor Fees # _____
\$ _____

Park/Facility Rental: \$ _____

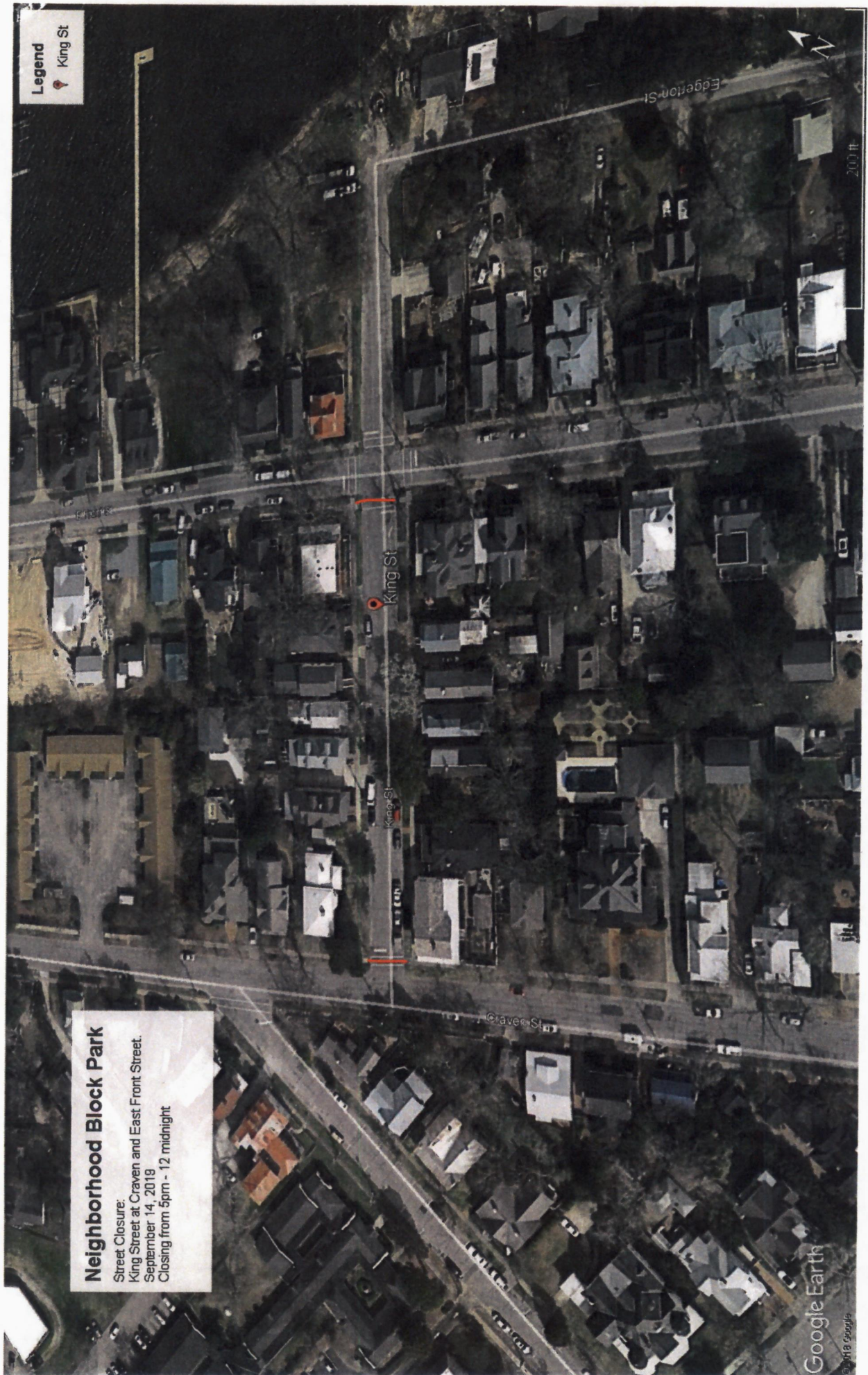
Total Due: \$ _____

- ☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with: _____
- ☐ Approved by Department Date: _____ Staff Initials: _____
- ☐ Submitted for Board Approval Date: _____ Staff Initials: _____
- ☐ All Paperwork collected Date: _____ Staff Initials: _____
- ☐ All fees collected \$ _____ Date: _____ Staff Initials: _____

City Sponsored Event

☐ Yes ☐ No

Updated 6-3-2019



Legend
King St

Neighborhood Block Park
Street Closure:
King Street at Craven and East Front Street.
September 14, 2019
Closing from 5pm - 12 midnight

Google Earth
© 2018 Google

AGENDA ITEM COVER SHEET

Agenda Item Title:

Presentation by Craven County Alcoholic Beverage Control Board

Date of Meeting: 9/10/2019	Ward # if applicable: N/A
Department: City Clerk	Person Submitting Item: Brenda Blanco
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing: N/A

Explanation of Item:	Paul Brown with the Craven County ABC Board will present a check in the amount of \$64,667 to the City for its portion of ABC sales and provide an annual briefing regarding the ABC Board.
Actions Needed by Board:	None
Backup Attached:	PowerPoint presentation

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Additional Notes:



CRAVEN COUNTY
established 1935

New Bern Mayor and Board of Alderman Annual Briefing September 10, 2019

MISSION STATEMENT

The mission of the Craven County ABC Board and its employees shall be to serve all Craven County and our localities responsibly by controlling the sale of spirituous liquor and promoting customer-friendly, safe, modern, and efficient stores.



CRAVEN COUNTY
established 1935





Craven County
established 1935

ABC Board Membership

- Dennis "Denny" Bucher: Member
 - Charles Collins : Member
 - Kathleen Cook: Secretary
 - Carol Crayton: Vice Chairman
- Wilfred "Chip" Chagnon : Chairman

ABC Board Management Team

- Paul Brown : General Manager
- Esther Patterson: Finance Officer
- **ALE Special Agent In Charge, Matt Knight, CCABC Enforcement**

And The 30+ Men & Women Professionals Who Serve Our Citizens With Care & Concern

We Thank The Craven County Board Of Commissioners And Our Citizens

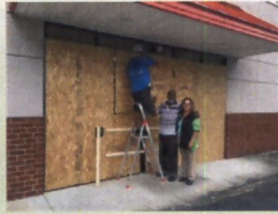
For Their Interest, Trust & Confidence.



Craven County
established 1935

Craven County ABC Board FY 2018-19 Goals & Objectives

- Grow 2% In Revenue Over FY 17-18
- Become More Efficient and Improved Security
- Improving Our "Promoting Customer Friendly Store" Policy:
 - Develop Store Unique Theme, Highlighting Craven County History, Location And Municipality
 - Improved Store Layouts & Upscale "Boutique Sales" Area
 - New Outdoor Signage & Branding
 - Provide Craven County additional funding earmarked for Anti-Underage Drinking , Opiate Crises, etc
 - Increased Employee Professional Development Improvements and Opportunities
 - Offer Tuition Assistance For Employees Desiring Continuing Education At Craven Community College
- Investigate Future Growth, And New Store Locations:
 - James City Store Will Be Greatly Affected By New Interchange In 2019-20
 - Aggressively Looking at US 17 Corridor For Land To Build A New State Of The Art Store



HURRICANE FLORENCE STORM PREP 2018

Storm scheduled to hit New Bern/Craven County

- Monday, 9/10 – Storm Prep
- Wednesday, 9/12 – Completed Stores' Prep
- State of Emergency in Craven County declared: CLOSED all stores at 5:00pm, 9/12
Mandatory Evacuation

**...THEN FLORENCE CALLED
UPON CRAVEN COUNTY**



POST HURRICANE FLORENCE STORM 2018

Storm hit and results effecting New Bern/Craven County –

Thursday, 9/13-Friday, 9/21

Downtown New Bern Store#1 flooded, 12+ inches in Sales Floor and Warehouse leaving behind a film of mud film.

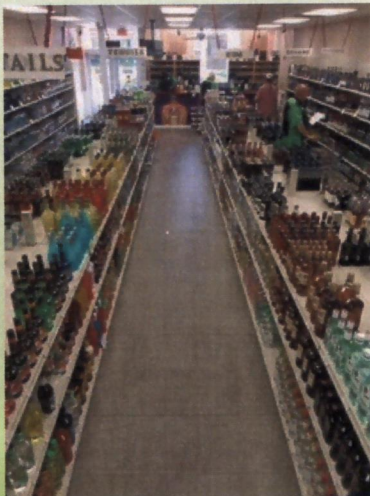
- Thursday, 9/13 assessed damage
- Friday, 9/29 contractor completed replacing walls and painted - nine staff members put sales floor back together, stock sequenced, and tagged.
- Monday, 10/1 DOORS OPEN FOR BUSINESS!.
- System Repair cost over \$40,000
- System Estimated lost revenue \$165,000

POST HURRICANE FLORENCE STORM 2018

Storm hit and results effecting New Bern/Craven County –

Thursday, 9/11-Friday, 9/30

- March 2019 – new shelving installed throughout store



abc

CRAVEN COUNTY
established 1935

CRAVEN COUNTY ABC BOARD FY 2018-19 RESULTS

- **Came back to “fully operational” from Florence before any county in ENC.** Housed Convention Center spirits and over \$80K of CC school supplies donated by local and national providers. PIE Volunteer Leadership Award.
- Growth over 6.2% In Revenue Over FY 17-18
- Provided Craven County over \$60,016 in funding earmarked for Opiate Crises assistance.
- Major sponsor for “Stop the Cravin” anti opiate program.
- Provided \$40,000 for security assistance from ALE; \$19,800 CCSD and local PD
- Become More Efficient and Improved Security: Upgraded IT System; Improved Security Cameras; training booklet.
- Improving Our “Promoting Customer Friendly Store” Policy:
 - Developed New Branding Campaign, new employee crew shirts, and new signage and outside trim
 - Improved Store Layouts & Upscale “Boutique Sales” Area, Improved “Curb Appeal” and parking.
 - Increased Employee Professional Development Improvements and Opportunities with new training handbook
 - Offered Tuition Assistance For Employees Desiring Continuing Education At Craven Community College
- Investigate Future Growth, And New Store Locations: Performing Due Diligence on Bridgeton Site



Store #5 Glenburnie –two new building signage, canopy, rear and side of building, handicap parking, parking blocks all painted, and roof repaired.



Store#5 S. Glenburnie new flooring installed Aug 2019



Craven County ABC Board Revenue Distribution

- The Craven County ABC Board Is Established And Operated With No State Or County Funds.
- Payroll \$1M
- The Sales Of Spirituous Liquor In Our Five ABC Stores Was \$11.425M For The Fiscal Ending June 30, 2019.
- CCABC Ranks In Top 10% Of Most Efficient Operations In N.C.



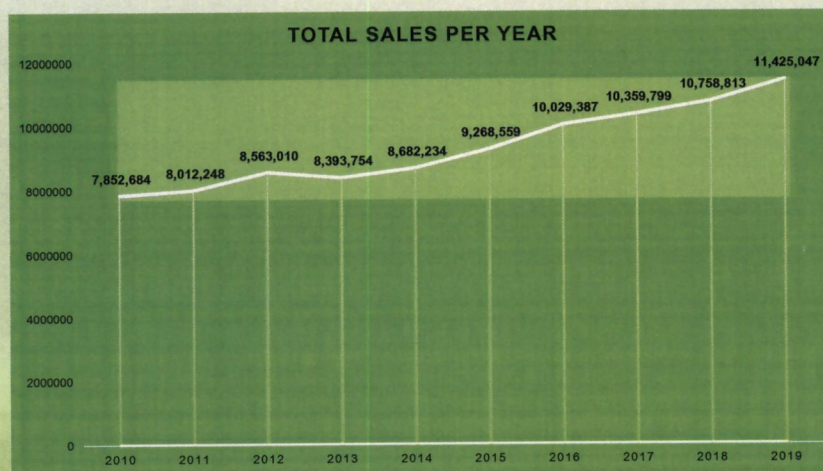
NC General Fund	\$3,288,558
County Distributions	\$800,448
City of New Bern	\$64,667
Local Alcohol Enforcement	\$61,773
CC Rehabilitation, Social Svc	\$32,419
Dept. of Health & Human Resources	\$14,584
Local Anti-Under Age Alcohol Education	\$61,773

- 7% required to support anti-underage drinking and anti-opiate campaign, earmarked for Craven County Social Svc.

- *Two percent revenue increase goal for 2018-19.*
- *2018-19 OVER 6.19%*



"84 YEARS OF SERVICE" 2010-2019 SALES IN CRAVEN COUNTY





CRAVEN COUNTY
established 1935

CRAVEN COUNTY ABC BOARD FY 2019-20 GOALS & OBJECTIVES

- Grow 3% (\$11.7M) In Revenue Over FY 18-19
- Gain approval to purchase land for new store from CCBOC & NC ABC Commission
- Analyze & implement new ABC law as it applies to Craven County; and with our ALE partners train store, establishments in implementation. Implement out reach program to public.
- Aggressively work on developing Bridgeton Site and new multi-purpose facility design to bring online in FY 2021-22
- Replace flooring at our Glenburnie and Havelock stores.
- Upgrade office space, storage, galley, restrooms and security at our Martin St Administration Office/Warehouse.
- Work closely with Craven County EMS to prepare for the next hurricane or natural disaster.
- Develop Vanceboro expansion and Store Unique Theme, Highlighting Craven County History, Location And Municipality
- Continue our training programs to improve employee knowledge of NC ABC laws; sales skills; and HR requirements.
- Modernize our Employee's Handbook; and business and management practices



CHEERS!



**NEW BERN MAYOR, BOARD OF ALDERMAN, and
CITY MANAGER AND HIS TEAM,
THANKS FOR YOUR SUPPORT!**

\$64,667

**FOR OUR CITIZENS, FROM THE PATRONS OF
THE CRAVEN COUNTY ABC BOARD**

BRIEFING CONCLUDED -- PENDING YOUR QUESTIONS?

AGENDA ITEM COVER SHEET

Agenda Item Title:

Recognition of National Night Out Communities.

Date of Meeting 09-10-19

Ward # if applicable N/A

Department Police



Person Submitting Item: Toussaint E. Summers, Jr.



Call for Public Hearing ☐ Yes ☒ No

Date of Public Hearing

Explanation of Item:

Recognition of National Night Out Communities.

Actions Needed by Board:

None.

Is item time sensitive? ☐ Yes ☒ No

Will there be advocates/opponents at the meeting? ☐ Yes ☒ No

Backup Attached:

NNO video will be shown.

Cost of Agenda Item: \$0.00

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : ☐ Yes ☒ No

Additional notes:

Participating communities: Court Yards at Berne Village, Home Place of New Bern, New Bern Older Adult Housing, Trent Court, Carolina Colours, Evans Mills, Olde Towne, Taberna New Bern Towers, St. John Missionary Baptist Church, HDRA, Pembroke, Craven Terrace, Ghent, Kings Row, Pleasant Hill, Duffield, Crabearne Forest, Sunnyside, The Meadows, Colony Estates, DeGraffenried, Historic Riverside, NBFD, EMS, Academy Sports, Target, Coastal Photo Club

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting an Ordinance annexing contiguous property owned by Weyerhaeuser NR Company

Date of Meeting: 9/10/2019	Ward # if applicable: 4
Department: City Attorney	Person Submitting Item: Scott Davis
Call for Public Hearing: <input type="checkbox"/> Yes <input type="checkbox"/> No	Date of Public Hearing: 9/10/2019

Explanation of Item:	Ordinance annexing contiguous property owned by Weyerhaeuser NR Company consisting of approximately 58.36 acres of Craven 30/Craven 30 West
Actions Needed by Board:	Adopt ordinance
Backup Attached:	Annexation ordinance

Is item time sensitive? <input type="checkbox"/> Yes <input type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input type="checkbox"/> No

Cost of Agenda Item: -0-
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Prepared by:

Michael Scott Davis
DAVIS HARTMAN WRIGHT PLLC
209 Pollock Street
New Bern, NC 28560

AN ORDINANCE ANNEXING TO THE CITY OF NEW BERN PROPERTY OF WEYERHAEUSER NR COMPANY CONSISTING OF 58.36 ACRES, MORE OR LESS, LOCATED SOUTH OF NC HIGHWAY 43 AND ATLANTIC AND EAST CAROLINA RAILROAD IN NUMBER EIGHT (8) TOWNSHIP

THAT WHEREAS, Weyerhaeuser NR Company 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 58.36 acres, more or less, which said parcel is a portion of Craven County parcel identification number 8-209-13001 lying south of NC Highway 43 and Atlantic and East Carolina Railroad in Number Eight (8) Township, Craven County, North Carolina, the boundaries of which are shown on a survey prepared by McKim & Creed, a copy of 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 September 10, 2019, 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 September 10, 2019, 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.

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 Weyerhaeuser NR Company, more particularly described on Exhibit A attached hereto and incorporated herein by reference, consisting of 58.36 acres, more or less, which said parcel is a portion of Craven County parcel identification number 8-209-13001 lying south of NC Highway 43 and Atlantic and East Carolina Railroad in Number Eight (8) Township, Craven County, North Carolina, the boundaries of which are shown on a survey prepared by McKim & Creed, a copy of which is attached hereto and incorporated herein by reference as Exhibit B, be and the same is hereby annexed to the City of New Bern.

Section 3. That the effective date of annexation shall be midnight on September 10, 2019.

Section 4. That the area to be annexed be and the same is hereby made a part of Ward 4 of the City of New Bern.

Section 5. That this ordinance, together with a plat reflecting the area being annexed, shall be recorded forthwith in the Office of the Register of Deeds of Craven County.

ADOPTED THIS 10th DAY OF SEPTEMBER, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

EXHIBIT A

That certain tract of land being in the Number 8 Township, Craven County, City of New Bern, North Carolina, said tract being part of the property described in Deed Book 2687 Page 346 and Deed Book 2687 Page 339, and depicted on Plat Cabinet H, Slide 113G-H of the Craven County Register of Deeds, and being more fully described as follows:

Commencing at an 5/8" rebar, said rebar being on the northern right of way of West New Bern Parkway (120' Public r/w) and the northern right of way of Clock Road (61' Public r/w) said rebar having NC Grid NAD 83/2011 coordinates of North 507646.59 feet and East 2560508.03 feet, said rebar also being North 68°48'41" East a distance of 3126.43 feet (ground distance) from a NCGS monument Voltage, said monument having NC Grid NAD 83(2011) coordinates of North 506516.72 feet and East 2557593.31 feet, said monument also being North 70°19'48" West a distance of 9724.64 feet (ground distance) from another NCGS monument Speed Limit with NC Grid NAD 83(2011) coordinates of North 503395.23 feet and East 2566325.69 feet; said rebar being the **Point of Beginning**.

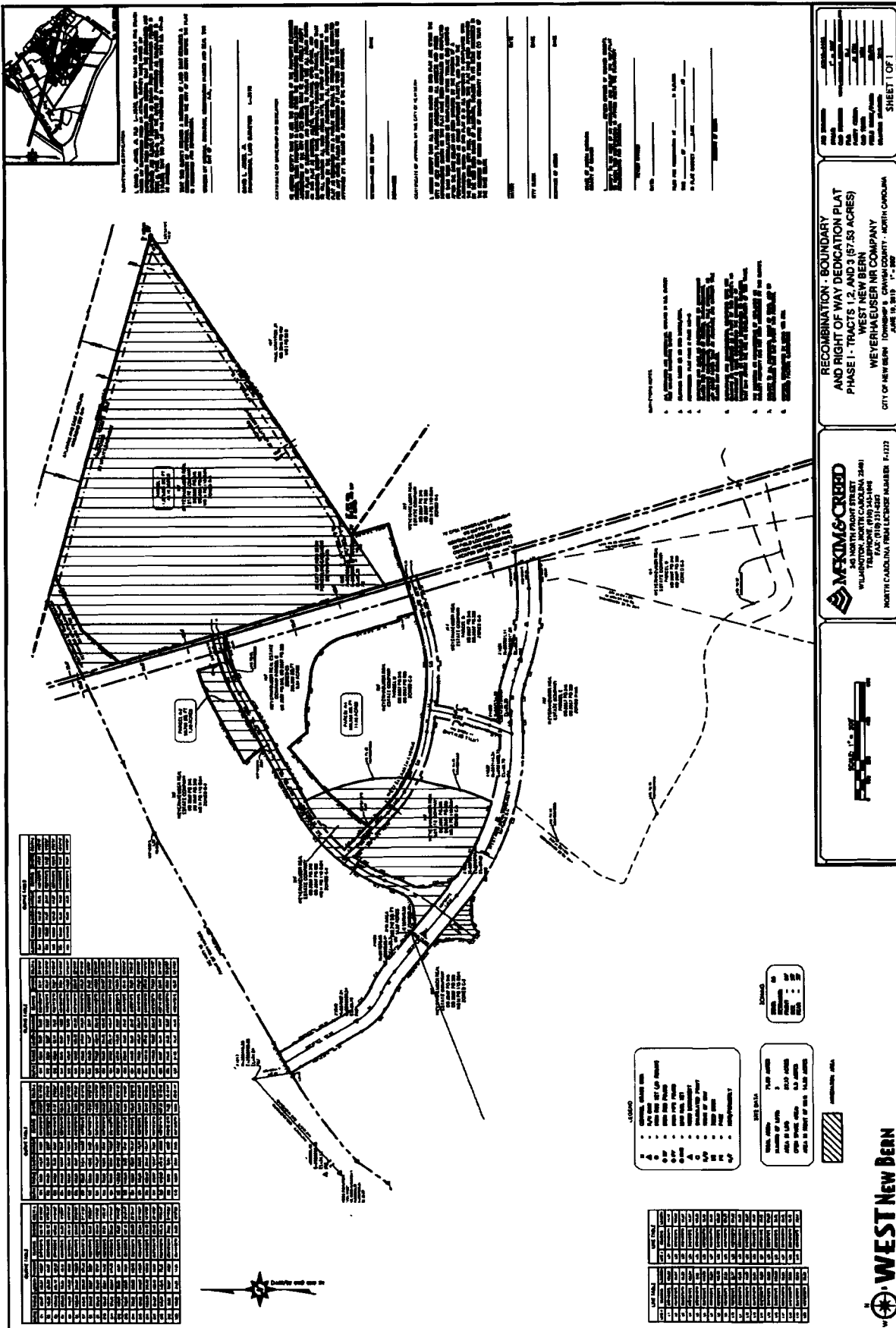
Thence from the **Point of Beginning**; and with the right of way of said Clock Road along the arc of a curve to the left a distance of 80.61 feet to a point, said curve having a radius of 90.00 feet, a central angle of 51°19'04" and a chord bearing and distance of South 76°12'19" East 77.94 feet to the beginning of a curve to the right; thence along the arc of said curve a distance of 34.36 feet to a point, said curve having a radius of 150.00 feet, a central angle of 13°07'29" and a chord bearing and distance of North 84°41'53" East 34.29 feet to a point at the beginning of a curve to the left; thence along the arc of said curve a distance of 113.80 feet to a point, said curve having a radius of 98.50 feet, a central angle of 66°11'40" and a chord bearing and distance of North 58°09'48" East, 107.57 feet to the beginning to the left; thence along the arc of said curve a distance of 105.02 feet to a point, said curve having a radius of 884.50 feet, a central angle of 6°48'10" and a chord bearing and distance of North 21°39'53" East 104.95 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 71.76 feet to a point, said curve having a radius of 417.50 feet, a central angle of 9°50'51" and a chord bearing and distance of North 23°11'14" East 71.67 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 159.97 feet to a point, said curve having a radius of 954.50 feet, a central angle of 9°36'09" and a chord bearing and distance of North 32°54'44" East 159.78 feet to a point of continuing curve to the right; thence along the arc of said curve a distance of 388.53 feet to a point, said curve having a radius of 954.50 feet, a central angle of 23°19'21" and a chord bearing and distance of North 49°22'29" East 385.86 feet; thence North 61°02'10" East, a distance of 281.26 feet to a point; thence North 64°27'49" East, a distance of 66.91 feet to a point; thence leaving said right of way North 39°14'37" West, a distance of 93.20 feet to the beginning of a curve to the left; thence along the arc of said curve a distance of 28.91 feet to a point, said curve having a radius of 562.50 feet, a central angle of 2°56'39" and a chord bearing and distance of North 40°42'56" West 28.90 feet; thence North 61°02'10" East, a distance of 319.04 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 212.16 feet to a point, said curve having a radius of 950.65 feet, a central angle of 12°47'13" and a chord bearing and distance of North 67°25'46" East 211.72 feet; thence South 16°20'11" East, a distance of 120.00 feet to a point on the

northern right of way of Clock Road; thence North 73°39'49" East, a distance of 130.95 feet to a point; thence leaving said right of way North 16°18'38" West, a distance of 696.68 feet to a point on the southern right of way of NC Hwy 43 (Variable Public r/w); thence with said right of way North 64°41'03" East, a distance of 432.66 feet to a right of way disc at the point of intersection of said Hwy 43 and the southern right of way of the Atlantic and East Carolina Rail Road (200' r/w); thence with said right of way South 73°52'10" East, a distance of 140.22 feet to a point; thence South 73°52'10" East, a distance of 1817.36 feet to a 5/8" rebar; thence South 56°29'51" West, a distance of 1846.96 feet to a 2 1/2" iron pipe; thence South 56°29'51" West, a distance of 330.69 feet to a point; thence North 16°20'11" West, a distance of 871.53 feet to a point; thence South 85°52'36" West, a distance of 43.39 feet to a point at the beginning of a curve to the left; thence along the arc of said curve a distance of 117.05 feet, said curve having a radius of 270.00 feet, a central angle of 24°50'23" a chord bearing and distance of South 73°27'23" West 116.14 feet to a point; thence South 61°02'10" West, a distance of 788.25 feet to a point on a non-tangent curve to the right; thence along the arc of said curve a distance of 369.16 feet, said curve having a radius of 1071.28 feet, a central angle of 19°44'39", a chord bearing and distance of South 17°38'48" East 367.34 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 254.60 feet, said curve having a radius of 671.11 feet, a central angle of 21°44'12" and a chord bearing and distance of South 02°59'19" West 253.08 feet to a point; thence South 13°51'24" West, a distance of 215.09 feet to the beginning of a curve to the right; thence along the arc of said curve a distance of 37.12 feet, said curve having a radius of 237.50 feet, a central angle of 8°57'15" and a chord bearing and distance of South 18°20'02" West 37.08 feet to a point; thence South 22°48'39" West, a distance of 113.21 feet to a point on the northern right of way of West New Bern Parkway a curve to the right; thence along the arc of said curve a distance of 420.30 feet, said curve having a radius of 1190.00 feet, a central angle of 20°14'11" and a chord bearing and distance of North 64°35'36" West 418.12 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 40.81 feet, said curve having a radius of 89.57 feet, a central angle of 26°06'27" and a chord bearing and distance of North 41°53'36" West 40.46 feet to a point; thence North 62°37'46" West, a distance of 42.50 feet to a point; thence North 50°32'47" West, a distance of 297.75 feet to the **Point of Beginning**. Containing 2,518,463 Sq. Ft. or 57.82 Acres.

Together with the following turn out area, for a beginning commence at the aforementioned described point of beginning and go thence South 39°27'13" West a distance of 120.00 feet to a 5/8" rebar on the southern right of way of West New Bern Parkway said rebar being the **Point of Beginning** of the herein after described parcel.

Thence from the **Point of Beginning**, South 50°32'40" East, a distance of 356.56 feet to a point on a non-tangent curve to the left; thence along the arc of said curve a distance of 61.61 feet, said curve having a radius of 90.00 feet, a central angle of 39°13'27" and a chord bearing and distance of North 82°55'32" West 60.42 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 53.94 feet, said curve having a radius of 150.00 feet, a central angle of 20°36'11" and a chord bearing and distance of South 87°45'50" West 53.65 feet to a point at the beginning of a curve to the left; thence along the arc of said curve a distance of 92.07 feet, said curve having a radius of 90.00 feet, a central angle of 58°36'43" and a chord bearing and distance of South 68°45'34" West 88.11 feet to a point; thence North

50°32'47" West, a distance of 35.00 feet to a point; thence North 50°32'47" West, a distance of 35.00 feet to a point at the beginning of a curve to the left; thence along the arc of said curve a distance of 92.07 feet, said curve having a radius of 90.00 feet, a central angle of 58°36'43" and a chord bearing and distance of North 10°08'52" East 88.11 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 52.18 feet, said curve having a radius of 150.00 feet, a central angle of 19°55'47" and a chord bearing and distance of North 09°11'36" West 51.91 feet to a point at the beginning of a curve to the left; thence along the arc of said curve a distance of 80.61 feet, said curve having a radius of 90.00 feet, a central angle of 51°19'04" and a chord bearing and distance of North 24°53'15" West 77.94 feet to the **Point of Beginning**. Containing 23,444 Sq. Ft. or 0.54 Acres.



Page : 1 of 1 08/27/2019 11:26:07

Order Number : 15505690
PO Number :
Customer : 89029 City of New Bern - Legals
Contact : ACCOUNTS PAYABLE
Address1 : PO Box 1129
Address2 :
City St Zip : New Bern NC 28563
Phone : (252) 639-2717
Fax : (252) 636-4108

Printed By : Gwen Landry
Entered By : Gwen Landry

Keywords : Board of Alderman - 9/10/19
Notes :
Zones :

Ad Number : 16996621
Ad Key :
Salesperson : GL - Gwen Landry
Publication : New Bern Sun Journal
Section : Classifieds
Sub Section : Classifieds
Category : 015 Legal Notices
Dates Run : 08/31/2019-08/31/2019
Days : 1
Size : 2 x 2.00, 18 lines
Words : 138
Ad Rate : L1
Ad Price : 111.99
Amount Paid : 0.00
Amount Due : 111.99

NOTICE OF PUBLIC HEARING

TAKE NOTICE THAT the Board of Aldermen of the City of New Bern will conduct a public hearing on September 10, 2019, in the City Hall Courtroom located at 300 Pollock Street in the City of New Bern at 6:00 p.m., or as soon thereafter as the matter may be reached, on the question of annexing to the City of New Bern a parcel of land owned by Weyerhaeuser NR Company, consisting of 58.36 acres, more or less, which said parcel is a portion of Craven County parcel ID #8-209-13001 lying south of NC Highway 43 and Atlantic and East Carolina Railroad in Number Eight (8) Township, Craven County. All interested parties will be given an opportunity to be heard.

THIS 31st DAY OF AUGUST, 2019.

BRENDA BLANCO, CITY CLERK

August 31, 2019 (adv)

PETITION TO ANNEX

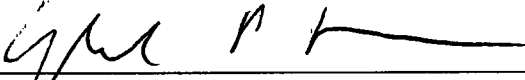
TO: BOARD OF ALDERMEN OF THE CITY OF NEW BERN

1. Weyerhaeuser NR Company, the undersigned owner of real property, respectfully requests that the area described in Paragraph 2 below be annexed to the City of New Bern.

2. The area to be annexed is contiguous to the City of New Bern, and the boundaries of such territory are more particularly described on Exhibit A attached hereto and incorporated herein by reference.

OWNER:

WEYERHAEUSER NR COMPANY

By: 
Clifford P. Parson, Authorized Representative

Date: August 14, 2019

Mailing Address: Ward and Smith, P.A.
Post Office Box 867
New Bern, NC 28563

Exhibit A

That certain tract of land being in the Number 8 Township, Craven County, City of New Bern, North Carolina, said tract being part of the property described in Deed Book 2687 Page 346 and Deed Book 2687 Page 339, and depicted on Plat Cabinet H, Slide 113G-H of the Craven County Register of Deeds, and being more fully described as follows:

Commencing at an 5/8" rebar, said rebar being on the northern right of way of West New Bern Parkway (120' Public r/w) and the northern right of way of Clock Road (61' Public r/w) said rebar having NC Grid NAD 83/2011 coordinates of North 507646.59 feet and East 2560508.03 feet, said rebar also being North 68°48'41" East a distance of 3126.43 feet (ground distance) from a NCGS monument Voltage, said monument having NC Grid NAD 83(2011) coordinates of North 506516.72 feet and East 2557593.31 feet, said monument also being North 70°19'48" West a distance of 9724.64 feet (ground distance) from another NCGS monument Speed Limit with NC Grid NAD 83(2011) coordinates of North 503395.23 feet and East 2566325.69 feet; said rebar being the **Point of Beginning**.

Thence from the **Point of Beginning**; and with the right of way of said Clock Road along the arc of a curve to the left a distance of 80.61 feet to a point, said curve having a radius of 90.00 feet, a central angle of 51°19'04" and a chord bearing and distance of South 76°12'19" East 77.94 feet to the beginning of a curve to the right; thence along the arc of said curve a distance of 34.36 feet to a point, said curve having a radius of 150.00 feet, a central angle of 13°07'29" and a chord bearing and distance of North 84°41'53" East 34.29 feet to a point at the beginning of a curve to the left; thence along the arc of said curve a distance of 113.80 feet to a point, said curve having a radius of 98.50 feet, a central angle of 66°11'40" and a chord bearing and distance of North 58°09'48" East, 107.57 feet to the beginning to the left; thence along the arc of said curve a distance of 105.02 feet to a point, said curve having a radius of 884.50 feet, a central angle of 6°48'10" and a chord bearing and distance of North 21°39'53" East 104.95 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 71.76 feet to a point, said curve having a radius of 417.50 feet, a central angle of 9°50'51" and a chord bearing and distance of North 23°11'14" East 71.67 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 159.97 feet to a point, said curve having a radius of 954.50 feet, a central angle of 9°36'09" and a chord bearing and distance of North 32°54'44" East 159.78 feet to a point of continuing curve to the right; thence along the arc of said curve a distance of 388.53 feet to a point, said curve having a radius of 954.50 feet, a central angle of 23°19'21" and a chord bearing and distance of North 49°22'29" East 385.86 feet; thence North 61°02'10" East, a distance of 281.26 feet to a point; thence North 64°27'49" East, a distance of 66.91 feet to a point; thence leaving said right of way North 39°14'37" West, a distance of 93.20 feet to the beginning of a curve to the left; thence along the arc of said curve a distance of 28.91 feet to a point, said curve having a radius of 562.50 feet, a central angle of 2°56'39" and a chord bearing and distance of North 40°42'56" West 28.90 feet; thence North 61°02'10" East, a distance of 319.04 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 212.16 feet to a point, said curve having a radius of 950.65 feet, a central angle of 12°47'13" and a chord bearing and distance of North 67°25'46" East 211.72 feet; thence South 16°20'11" East, a distance of 120.00 feet to a point on the northern right of way of Clock Road; thence North 73°39'49" East, a distance of 130.95 feet to a point; thence leaving said right of way North 16°18'38" West, a distance of 696.68 feet to a point on the southern right of way of NC Hwy 43 (Variable Public r/w); thence with said right of way North 64°41'03" East, a distance of 432.66 feet to a right of way disc at the point of intersection of said Hwy 43 and the southern right of way of the Atlantic and East Carolina Rail Road (200' r/w); thence with said right of

way South 73°52'10" East, a distance of 140.22 feet to a point; thence South 73°52'10" East, a distance of 1817.36 feet to a 5/8" rebar; thence South 56°29'51" West, a distance of 1846.96 feet to a 2 1/2" iron pipe; thence South 56°29'51" West, a distance of 330.69 feet to a point; thence North 16°20'11" West, a distance of 871.53 feet to a point; thence South 85°52'36" West, a distance of 43.39 feet to a point at the beginning of a curve to the left; thence along the arc of said curve a distance of 117.05 feet, said curve having a radius of 270.00 feet, a central angle of 24°50'23" a chord bearing and distance of South 73°27'23" West 116.14 feet to a point; thence South 61°02'10" West, a distance of 788.25 feet to a point on a non-tangent curve to the right; thence along the arc of said curve a distance of 369.16 feet, said curve having a radius of 1071.28 feet, a central angle of 19°44'39", a chord bearing and distance of South 17°38'48" East 367.34 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 254.60 feet, said curve having a radius of 671.11 feet, a central angle of 21°44'12" and a chord bearing and distance of South 02°59'19" West 253.08 feet to a point; thence South 13°51'24" West, a distance of 215.09 feet to the beginning of a curve to the right; thence along the arc of said curve a distance of 37.12 feet, said curve having a radius of 237.50 feet, a central angle of 8°57'15" and a chord bearing and distance of South 18°20'02" West 37.08 feet to a point; thence South 22°48'39" West, a distance of 113.21 feet to a point on the northern right of way of West New Bern Parkway a curve to the right; thence along the arc of said curve a distance of 420.30 feet, said curve having a radius of 1190.00 feet, a central angle of 20°14'11" and a chord bearing and distance of North 64°35'36" West 418.12 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 40.81 feet, said curve having a radius of 89.57 feet, a central angle of 26°06'27" and a chord bearing and distance of North 41°53'36" West 40.46 feet to a point; thence North 62°37'46" West, a distance of 42.50 feet to a point; thence North 50°32'47" West, a distance of 297.75 feet to the **Point of Beginning**. Containing 2,518,463 Sq. Ft. or 57.82 Acres.

Together with the following turn out area, for a beginning commence at the aforementioned described point of beginning and go thence South 39°27'13" West a distance of 120.00 feet to a 5/8" rebar on the southern right of way of West New Bern Parkway said rebar being the **Point of Beginning** of the herein after described parcel.

Thence from the **Point of Beginning**, South 50°32'40" East, a distance of 356.56 feet to a point on a non-tangent curve to the left; thence along the arc of said curve a distance of 61.61 feet, said curve having a radius of 90.00 feet, a central angle of 39°13'27" and a chord bearing and distance of North 82°55'32" West 60.42 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 53.94 feet, said curve having a radius of 150.00 feet, a central angle of 20°36'11" and a chord bearing and distance of South 87°45'50" West 53.65 feet to a point at the beginning of a curve to the left; thence along the arc of said curve a distance of 92.07 feet, said curve having a radius of 90.00 feet, a central angle of 58°36'43" and a chord bearing and distance of South 68°45'34" West 88.11 feet to a point; thence North 50°32'47" West, a distance of 35.00 feet to a point; thence North 50°32'47" West, a distance of 35.00 feet to a point at the beginning of a curve to the left; thence along the arc of said curve a distance of 92.07 feet, said curve having a radius of 90.00 feet, a central angle of 58°36'43" and a chord bearing and distance of North 10°08'52" East 88.11 feet to a point at the beginning of a curve to the right; thence along the arc of said curve a distance of 52.18 feet, said curve having a radius of 150.00 feet, a central angle of 19°55'47" and a chord bearing and distance of North 09°11'36" West 51.91 feet to a point at the beginning of a curve to the left; thence along the arc of said curve a distance of 80.61 feet, said curve having a radius of 90.00 feet, a central angle of 51°19'04" and a chord bearing and distance of North 24°53'15" West 77.94 feet to the **Point of Beginning**. Containing 23,444 Sq. Ft. or 0.54 Acres.

AGENDA ITEM COVER SHEET

Agenda Item Title: Conduct a Public Hearing on the Rezoning of Property Identified as Portions of Tax Parcel Number 8-240-105, from C4 Neighborhood Business and C5 Office and Institutional Districts to C3 Commercial District; and

- a) Consider Adopting a Statement of Zoning Consistency; and
b) Consider Adopting an Ordinance Rezoning portions of the property Identified as Craven County Property ID#8-240-105.

Date of Meeting: 9/10/2019	Ward # if applicable: 5
Department: Development Services	Person Submitting Item: Jeff Ruggieri
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing: 9/10/2019

Explanation of Item:	Conduct a public hearing to rezone a portion of Craven County Parcel ID #8-240-105
Actions Needed by Board:	Adoption of a zoning consistency statement and ordinance for portions of Craven County Parcel ID#8-240-105
Backup Attached:	Rezoning application, staff report, informational maps, ordinance, consistency statements

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:



MEMORANDUM

TO: Mayor Dana Outlaw, City of New Bern Board of Aldermen

FROM: Jeff Ruggieri, Director Development Services

DATE: 8.29.2019

SUBJECT: Request to Rezone 1701 Simmons (PID# 8-240-105)

Mr. Steve Tyson registered agent of the company *Lake New Bern Development Company LLC* has requested consideration of his application to rezone one parcel totaling approximately 88.1 acres from C4 – Neighborhood Business District and C5-Office and Institutional District to C3 – Commercial District. The Parcel is located at 1701 Simmons Street, and is further identified as Craven County Parcel ID # 8-240-105.

The request was heard by the Planning and Zoning Board on August 8, 2019 and was approved

All public notice requirements have been fulfilled.

Staff Recommendation: Adopt a zoning consistency statement and ordinance approving the rezoning request Craven County Parcel ID#

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF NEW BERN SO AS TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY LAKE NEW BERN DEVELOPMENT COMPANY, LLC CONSISTING OF APPROXIMATELY 88.1 ACRES LOCATED AT 1701 SIMMONS STREET FROM THE ZONING CLASSIFICATIONS OF C-4 NEIGHBORHOOD BUSINESS DISTRICT AND C-5 OFFICE AND INSTITUTIONAL DISTRICT TO C-3 COMMERCIAL DISTRICT

THAT WHEREAS, Lake New Bern Development Company, LLC owns approximately 88.1 acres, more or less, located at 1701 Simmons Street in the City of New Bern, and an application has been made to change the zoning classification of the subject property from C-4 Neighborhood Business District and C-5 Office and Institutional District to C-3 Commercial District consistent with the attached plat entitled “REZONING CASE: 1701 Simmons Street – Approx. 88.1 Acres: PID: 8-240-105 part” prepared by the Development Services Department of the City of New Bern; and

WHEREAS, the Planning and Zoning Board unanimously recommended that said request be approved; and

WHEREAS, the Board of Aldermen of the City of New Bern conducted a duly advertised public hearing with respect to the proposed amendment on September 10, 2019, at which time all interested parties were given an opportunity to be heard; and

WHEREAS, the Board of Aldermen of the City of New Bern deems it advisable and in the public interest to effect said change, as the requested C-3 Commercial District classification is consistent with the CAMA Land Use Plan and Transportation Plan and nearby land uses.

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

Section 1. That the zoning map of the City of New Bern be and the same is hereby amended by changing the zoning classification of subject property owned by Lake New Bern Development Company, LLC consisting of 88.1 acres, more or less, located at 1701 Simmons Street in the City of New Bern, from C-4 Neighborhood Business District and C-5 Office and Institutional District to C-3 Commercial District as more specifically shown on the plat entitled “REZONING CASE: 1701 Simmons Street – Approx. 88.1 Acres: PID: 8-240-105 part” prepared by the Development Services Department of the City of New Bern, a copy of which is attached hereto and incorporated herein by reference.

Section 2. That the Board deems it in the public interest to rezone the subject property consistent with the attached plat as the requested C-3 Commercial District classification is consistent with the CAMA Land Use Plan and Transportation Plan and nearby land uses.

Section 3. That this ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED THIS 10th DAY OF SEPTEMBER, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

Craven County Parcel ID # 8-240-105

STATEMENT OF ZONING CONSISTENCY WITH ADOPTED PLANS

The Board of Aldermen of the City of New Bern finds the action of rezoning portions of Craven County Parcel ID # 8-240-105 from C-4 Neighborhood Business District/ C-5 Office and Institutional District to C-3 Commercial District is reasonable and is in the public interest, and finds it to be consistent with the nearby land uses in that the proposed C-3 Commercial District is compatible with the uses permitted on nearby, and other properties in the vicinity. And that:

1. The proposed C-3 Commercial District is deemed to be compatible with adjacent zoning classifications.
2. The proposed rezoning to C-3 Commercial District is deemed to be compatible with all adopted plans.

Craven County Parcel ID # 8-240-105

**STATEMENT OF ZONING INCONSISTENCY WITH ADOPTED
PLANS**

The Board of Aldermen of the City of New Bern finds the action of rezoning portions of Craven County Parcel ID # 8-240-105, from C-4 Neighborhood Business District/ C-5 Office and Institutional District to C-3 Commercial District is not reasonable and is not in the public interest, and finds it to be inconsistent with the nearby land uses in that the proposed C-3 Commercial District is incompatible with the uses permitted on nearby, and other properties in the vicinity. And that:

1. The proposed C-3 Commercial District is deemed to be incompatible with adjacent zoning classifications.
2. The proposed rezoning to C-3 Commercial District is deemed to be incompatible with adopted plans.



**City of New Bern
1701 Simmons St. (Parcel ID#8-240-105)
Rezoning Request Analysis**

Date: August 1, 2019

Applicant: Steve Tyson/Lake New Bern Development Company, LLC

Requested Change:

Existing: C-4 Neighborhood Business District/C-5 Office and Institutional District
Proposed: C-3 Commercial District

Location:

The property is located at 1701 Simmons St., and is further identified as Craven County Parcel ID#8-240-105.

Size:

The property covers an area of approximately 88.1+/- acres.

Reason for Change:

The purpose of the proposed re-zoning request is to permit the establishment of a multi-family housing development.

History/Background:

The parcel has never been developed.

Present Land Use:

Vacant.

Surrounding Land Uses and Zoning:

North: R-10/R-8 Residential Districts
South: R-15/R-10A Residential Districts
East: Mixed R-10/R10A Residential Districts and C-4 Neighborhood Business District/C-5 Office and Institutional District
West: R-10/R-6 Residential Districts

City Provided Utilities and Services:

All city provided utilities and services are available to the general area.

Comprehensive Plan:

2010 CAMA Regional Land Use Plan

The area is classified as "Developed", a mix of land uses are included in this designation. Residential densities range from a maximum of one to five dwelling units per acre. Higher densities are permitted within multi-family residential and planned unit developments and within some zoning overlay districts within commercial areas of New Bern. The intensity permitted varies depending on the zoning district and overlay standards specified in the Land Use Ordinance. Generally the area is characterized by urban and higher intensity uses that require urban municipal or public services. Incompatible uses within this land classification are industrial and agricultural land uses.

1993 Thoroughfare Plan/Traffic:

According to the 1993 Thoroughfare Plan Simmons Street is classified as partial crosstown facility and inner loop.

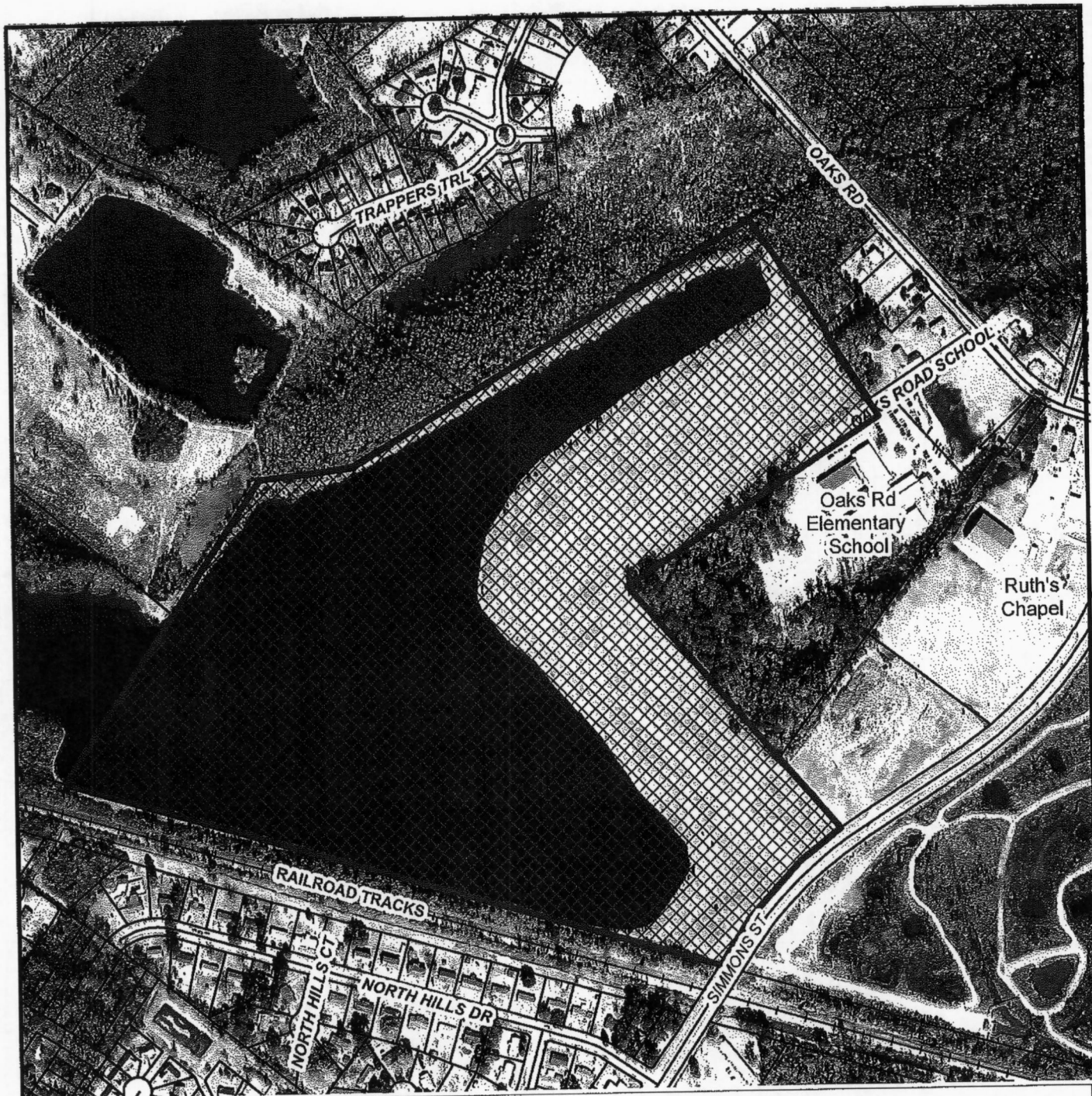
Environment:

According to the Regional Land Use Plan, the subject property has medium suitability for development. There are no known environmental hazards.

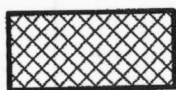
Staff Comments:

The proposal to rezone the subject property to C-3 Commercial District is consistent with the character of the adjacent land uses and zoning classifications. Staff has found the proposed rezoning to be in the public interest and is consistent with the CAMA Land use Plan and Transportation Plan. Staff recommends approval of the requested rezoning.

Bradleigh Sceviour
Land & Community Development Admin.



REZONING ZONING CASE: 1701 Simmons St. - Approx. 88.1 Acres: PID: 8-240-105 part
LOCATION: West side of Simmons St & South of Oaks Road

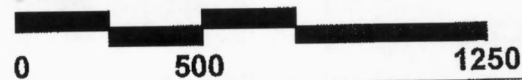


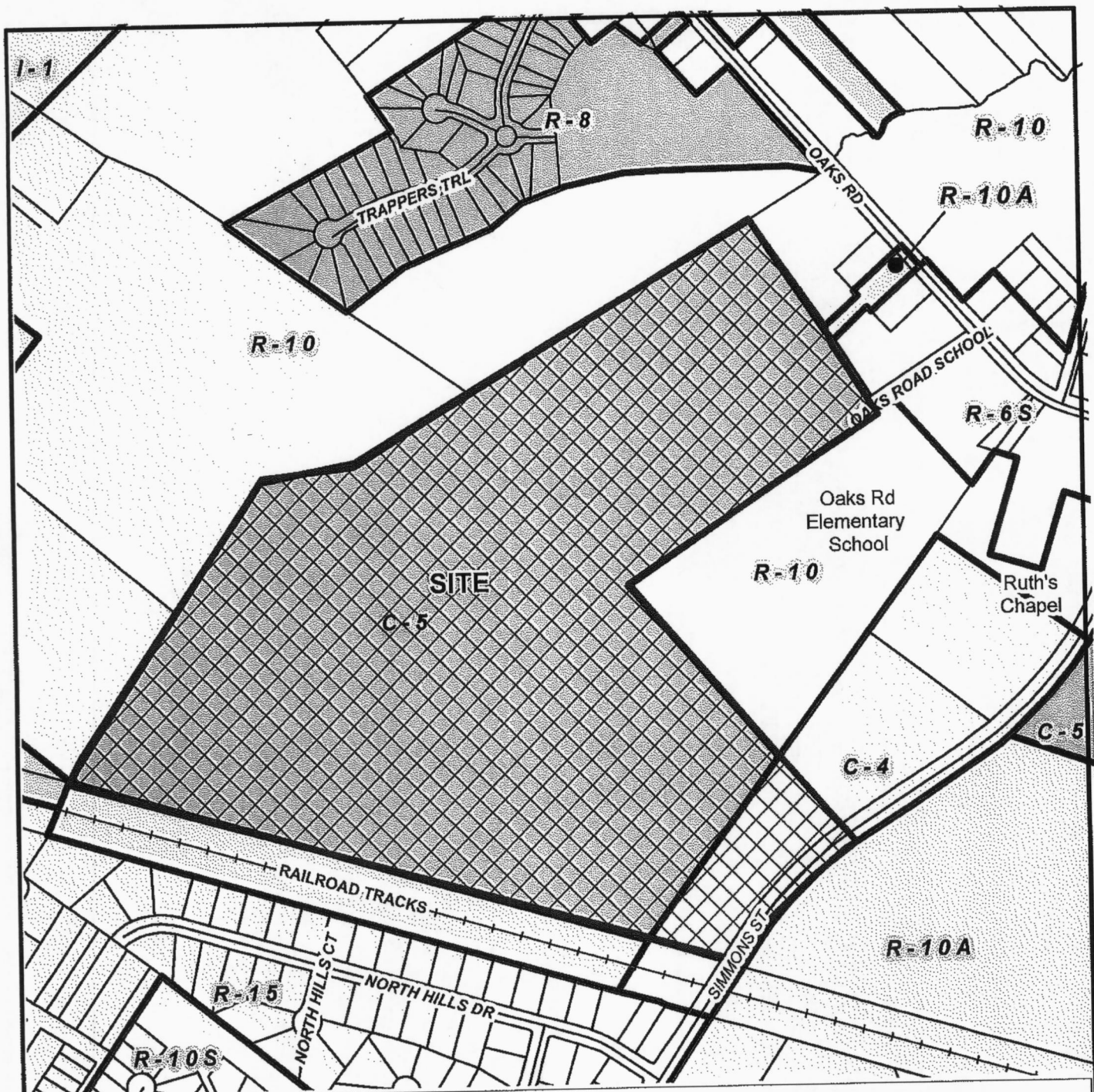
AREA TO BE REZONED
 Existing Zones: C-4 & C-5
 Proposed Zoning: C-3



CITY of NEW BERN
Development
Services

Scale: 1 = 500 ft






REZONING ZONING CASE: 1701 Simmons St. - Approx. 88.1 Acres: PID: 8-240-105 part
LOCATION: West side of Simmons St & South of Oaks Road

Existing Site Zoning

 C-4

 C-5

 **AREA TO BE REZONED**
Proposed Zoning C-3

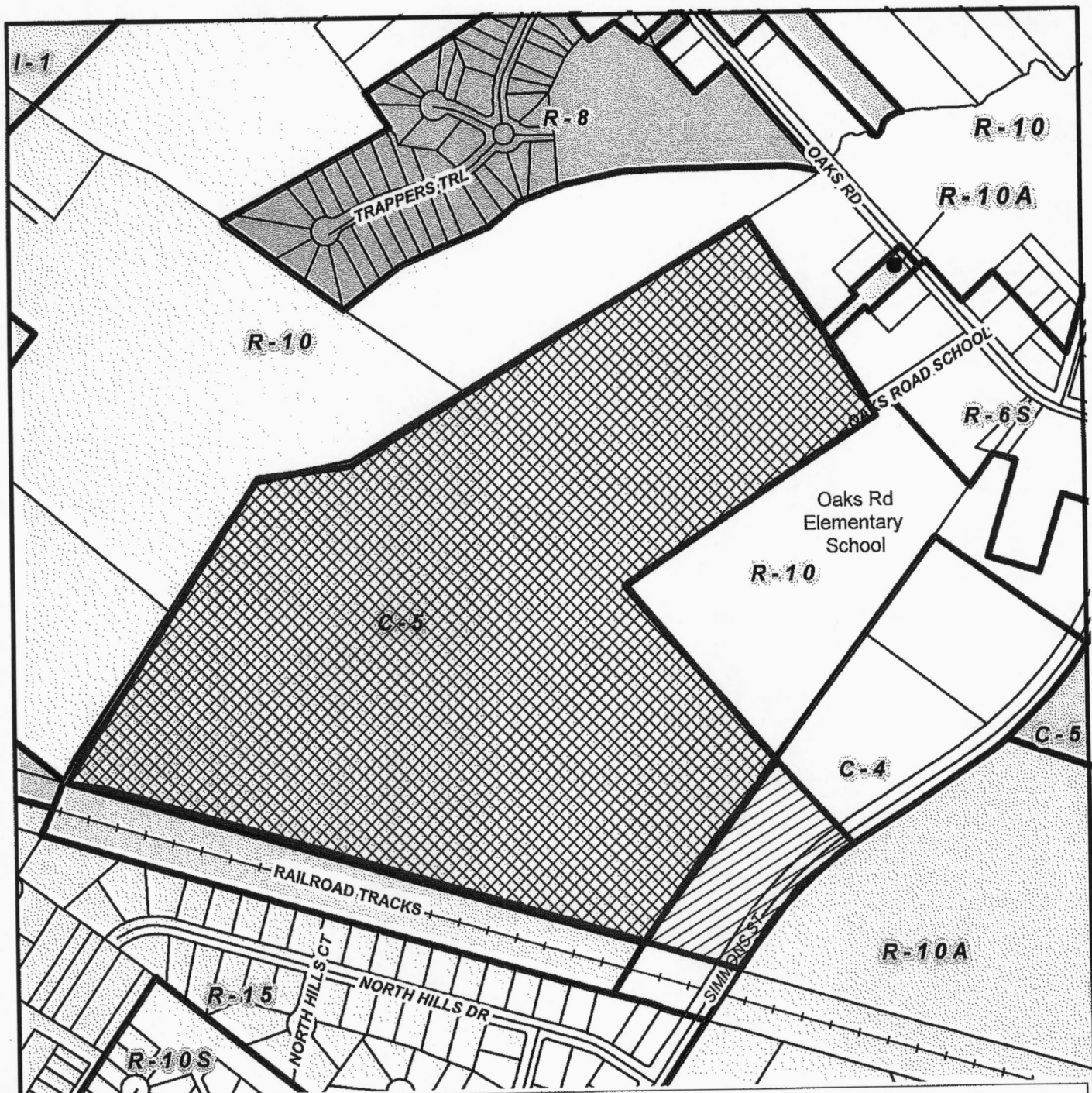
N



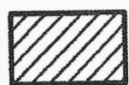
CITY of NEW BERN
Development
Services

Scale: 1 = 500 ft

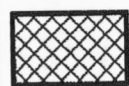




REZONING ZONING CASE: 1701 Simmons St. - Approx. 88.1 Acres: PID: 8-240-105 part
LOCATION: West side of Simmons St & South of Oaks Rd



Proposed Rezoning
C-4 to C-3



Proposed Rezoning
C-5 to C-3



CITY of NEW BERN
Development
Services

Scale: 1 = 500 ft



MAPA-001794-2019

APPLICATION TO AMEND
LAND USE ORDINANCE

Fee: \$375.00

fee paid



NEW BERN
NORTH CAROLINA

Everything comes together here

Morgan Potts
(252) 639-7583

pottsm@newbernnc.gov

Fax: (252) 636-2146

1. NAME: Steve Tyson (Lake New Bern Development Company)
ADDRESS: 1701 Simmons St. Mailing Address = 2301 Grace Avenue
CELL: 252 514 9157 HOME/WORK: 675 9595
EMAIL: Steve.tyson55@gmail.com FAX: _____

2. ZONING CHANGE REQUESTED

- A. Amendment to zoning classification, from C-5 C-4 to C-3
B. Amendment to Land Use Ordinance text _____

Give section of City's Land Use Ordinance to be amended and attach explanation to application.

3. LOCATION OF PROPERTY 1701 Simmons Street
Note: If there is no street address, list other means such as landmarks, community or neighborhood names, subdivision name, lot number highway number.

4. If rezoning request, provide Metes and Bounds description of property: see attached Deed

Use separate sheet if necessary and attaché to application. In lieu of the above, a surveyor's map (plat) containing the Metes, Bounds and Distance of property is acceptable. see attached

5. If request involves property owned by persons other than the applicant, list names and addresses (use separate sheet if necessary and attach to application).

NAME	ADDRESS

Image ID: 000000940177 Type: CRP
Recorded: 02/28/2006 at 09:34:08 AM
Fee Amt: \$2,423.00 Page 1 of 4
Excise Tax: \$2,400.00
Craven, NC
Rocky Thompson Register of Deeds
BK **2420** PG **475**

Tax Parcel ID 8-240-010; 8-240-3000; 8-240-105

Revenue Stamps 2400.00

Prepared by:

Moses D. Lasitter, Attorney at Law
507 Pollock Street, Suite 5
New Bern, NC 28562
(File: 31740)

R & R - Stubbs & Gardner

NO TITLE EXAMINATION REQUESTED; NONE PERFORMED.

NORTH CAROLINA

CRAVEN COUNTY

DEED

THIS DEED, made this 27th day of February, 2006, by **RENNY'S CREEK MINE, INC.** (hereinafter referred to as "Grantor"), and **LAKE NEW BERN DEVELOPMENT COMPANY, LLC**, whose address is 820 Broad Street, New Bern, NC 28562, (hereinafter referred to as "Grantee");

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH:

That the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all those certain lots or parcels of land situated in Number Eight Township, Craven County, North Carolina, and more particularly described as follows:

See **EXHIBIT A** attached hereto and incorporated herein by reference.



Image ID: 000000940179 Type: CRP
Page 3 of 4

BK 2420 PG 477

EXHIBIT A

TRACT NO. 1: All that certain tract or parcel of land lying and being in Number Eight Township, Craven County, North Carolina, lying on the north side of Atlantic and East Carolina Railroad 200-foot right of way and in the western right of way line of Simmons Street Extension, said point being the point of beginning; said point of beginning also lying North 41° 56' 06" East 374.74 feet and North 18° 25' 56" East 100.68 feet from a pk nail marking the intersection of the centerlines of Simmons Street and North Hills Drive; running thence from this point of beginning along and with the northern right of way line of Atlantic and East Carolina Railroad North 65° 45' 00" West 2,421.24 feet to a point; thence North 43° 31' 00" East 1,321.89 feet to a point; thence North 88° 07' 00" East 336.82 feet to a point; thence North 68° 24' 00" East 482.67 feet to a point; thence North 68° 33' 00" East 313.10 feet to a point; thence North 68° 38' 00" East 778.37 feet to a point in the rear property line of the Church of God of Prophecy as described in Deed Book 958 at Page 503 of the Craven County Registry; thence South 25° 59' 00" East 469.51 feet to a point; thence North 56° 36' 00" East 165.04 feet; thence North 33° 24' 00" West 20.00 feet; thence North 56° 36' 00" East 200.00 feet to the southern right of way line of Oaks Road (NCSR 1403); thence along the southern right of way line of Oaks Road South 33° 24' 00" East 100.00 feet; thence leaving the southern right of way line of Oaks Road running South 56° 36' 00" West 200.00 feet; thence North 33° 24' 00" West 20.00 feet; thence South 56° 36' 00" West 172.85 feet to a point; thence South 25° 59' 00" East 238.73 feet to a point; thence North 64° 37' 05" East 63.88 feet to a point; thence North 66° 48' 22" East 345.88 feet to the southern right of way line of Oaks Road (NCSR 1403); thence along and with the southern right of way line of Oaks Road South 33° 24' 00" East 60.96 feet to a point; thence South 66° 48' 22" West 355.54 feet to a point; thence South 64° 37' 05" West 1,144.35 feet to a point; thence South 33° 24' 00" East 785.59 feet to a point; thence South 33° 24' 00" East 326.35 feet to the western right of way line of Simmons Street Extension; thence along and with the curve to the left having a radius of 1,472.30 feet, a length of curve of 556.98 feet, a chord distance and bearing of South 52° 46' 22" West 553.57 feet to a point; thence continuing with the western right of way line of Simmons Street Extension South 41° 56' 06" West 91.08 feet to the point of beginning, containing 90.27 acres, more or less, according to a survey for Steve Tyson by Brad L. Suitt and Associates dated January 6, 2006.

TRACT NO. 2: Beginning at a point in the southern right of way line of Oaks Road (NCSR 1403), which point of beginning marks the northeasternmost corner of that certain tract or parcel of land conveyed to the Craven County Board of Education by Renny's Creek Mine, Inc. dated the 7th day of August, 2003, and recorded in Book

TO HAVE AND TO HOLD the aforesaid lots or parcels of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, except as set forth above, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, Grantor has caused this instrument to be properly executed in such form as to be binding after proper authority having been given, this the day and year first above written.

RENNY'S CREEK MINE, INC.

By: Calvin A. Hawks
Calvin A. Hawks, President

NORTH CAROLINA
CRAVEN COUNTY

I certify that Calvin A. Hawks personally appeared before me this day and acknowledged to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Date: 2/27/06

James Dow Lasitter
James Dow Lasitter, Notary Public
My commission expires: 2/8/2011



FILED FOR REGISTRATION
at 9:34 o'clock A.m.
This 28 day of Feb, 2006
Book 2420, Page 475

Becky Thompson
Register of Deeds Craven County
Becky Thompson



Image ID: 000000940180 Type: CRP
Page 4 of 4

BK 2420 pg 478

EXHIBIT A
(Page 2)

2076 at Page 492 of the Craven County Registry, which point is also shown upon a plat recorded in Plat Cabinet G at Slide 172-H which should be referred to for a more particular description of said beginning point; running thence from this point of beginning and along the southern right of way line of NCSR 1403 South $43^{\circ} 34' 14''$ East 15.00 feet; thence South $45^{\circ} 16' 46''$ West 231.67 feet; thence North $63^{\circ} 48' 43''$ West 60.70 feet; thence North $54^{\circ} 49' 45''$ East 255.36 feet to the southern right of way line of NCSR 1403, said point being the point of beginning.



Craven County GIS 1701 Simmons St.

Craven County does NOT warrant the information shown on this map and should be used ONLY for tax assessment purposes. Printed on July 25, 2019 at 12:18:53 PM



1 inch = 1133 feet





July 29, 2019

TO: Matt Montayne, Director of Public Works
FROM: Nadia Abdul-Hadi, Planner
SUBJECT: Posting for Public Hearing

The Planning & Zoning Board of the City of New Bern, will review a request for a rezoning located at 1701 Simmons St., on Thursday, August 8, 2019, at 5:30 pm in the City Hall Courtroom, located at 300 Pollock Street, New Bern, NC 28560. Please post the following information by August 1st at 8:00 a.m. at the below noted locations. **Per the Land Use Ordinance, we must use a colored sign.** Thank you in advance for your assistance and if you have any questions please call me at ext. 7585.

NOTICE OF PUBLIC HEARING

(Post sign #1 where the parcel meets Oaks Rd., as shown on map)

(Post sign #2 at the front of the parcel along Simmons St., as shown on map)

WHERE: City Hall Courtroom, located at 300 Pollock Street
WHEN: August 8, 2019 at 5:30 pm
PURPOSE: To consider a rezoning request from C-4/C-5 to C-3

Nadia Abdul-Hadi, Planner

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution Authorizing the Submission of an EDA Resiliency Grant

Date of Meeting: 9/10/2019	Ward # if applicable:
Department: Public Utilities	Person Submitting Item: Charles Bauschard
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Application for grant funding from the FY2019 Disaster Supplemental Funds for the purpose of constructing a new electric substation.
Actions Needed by Board:	Consider adoption of Resolution
Backup Attached:	Memo and Resolution

Is item time sensitive? ☒Yes ☐No

Will there be advocates/opponents at the meeting? ☐Yes ☒No

Cost of Agenda Item: Possible 20% match

If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? ☒Yes ☐No

Additional Notes:

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



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

Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Brenda E. Blanco
City Clerk

Joseph R. Sabatelli
Director of Finance

To: Mayor and Board of Aldermen
From: Charles Bauschard, Director of Public Utilities
Date: August 29, 2019
Subject: Resolution for Grant Funding Application

Background

The Public Utilities desires to apply for grant funding from the FY 2019 Disaster Supplemental Funds for the purpose of constructing a new electric substation that will advance economic resiliency in the local community of which was heavily impacted by Hurricane Florence. The grant is estimated to be \$10,000,000; pending final engineering and design details; of which this grant may require a City match up to twenty percent. The City is committed to funding this match either through cash, bonds and/or in-kind services, pending which method may be of the City's best interest at the time of award.

Recommendation

City of New Bern Board of Aldermen adoption of resolution authorizing the submission of an application for grant funding from the FY 2019 Disaster Supplemental Funds in the estimated amount of \$10,000,000, with twenty percent matching funds, for the purpose of advancing economic resiliency through the construction of a new electrical substation, to be located in the area of County Line Road, Craven County, North Carolina.

RESOLUTION

WHEREAS, the City of New Bern desires to apply for grant funding from the FY2019 Disaster Supplemental Funds for the purpose of constructing a new electric substation that will advance economic resiliency in the local community of which was heavily impacted by Hurricane Florence. The grant is estimated to be \$10,000,000; pending final engineering and design details; of which this grant may require a City match up to 20%. The City is committed to funding this match.

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

The Board authorizes the submission of an application for grant funding from the FY2019 Disaster Supplemental Funds in the estimated amount of \$10,000,000, with 20% matching funds, for the purpose of advancing economic resiliency thru the construction of a new electrical substation to be located in the area of County Line Road, Craven County, NC.

ADOPTED THIS THE 10th DAY OF SEPTEMBER, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to Add a Street Light

Date of Meeting: 9/10/2019	Ward # if applicable: 5
Department: Public Utilities	Person Submitting Item: Charles Bauschard
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	Request for street light at 1901 Garden Street at Abundant Life Miracle Center
Actions Needed by Board:	Approval of request
Backup Attached:	Street Light Request Form, Memo, Resolution

Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item: \$593.12 Electric Dept. \$8.44 per month Public Works
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



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

Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Brenda E. Blanco
City Clerk

Joseph R. Sabatelli
Director of Finance

TO: Mark Stephen, City Manager
FROM: Charles Bauschard, Director of Public Utilities
DATE: August 29, 2019
SUBJECT: Request for Additional Street Lighting

Background Information:

In August of 2010, the Board of Aldermen adopted a procedure for addressing requests for additional street lighting from residents. This procedure requires Electric Utilities to evaluate the area of the request. The existing lighting must also comply with or be brought up to the American National Standard Practice for Roadway Lighting.

The Department of Public Utilities has received a request from a resident for additional street lighting infrastructure at a section of Garden Street between Beaufort Street and Kinston Street. This area was evaluated, and it was determined that it does not meet the City's light standard. The recommendation and cost estimate is included.

Recommendation:

Upon completion of the staff's evaluation, I recommend the Board of Aldermen approve the resolution for the addition of a streetlight on a section of Garden Street between Beaufort Street and Kinston Street.

RESOLUTION

THAT WHEREAS, the City of New Bern has adopted the American National Standard Practice for Roadway Lighting as the design standard for new street lighting installations within the City of New Bern; and

WHEREAS, the standard outlines the level of lighting necessary for the safe interaction of pedestrians and vehicles along municipal roadways; and

WHEREAS, it has been determined by the New Bern Police Department that additional street lighting is required along Garden Street between Beaufort Street and Kinston Street to enhance public safety.

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

That the Mayor and the City Clerk be and they are hereby authorized and directed to accept the installation and costs to the Department of Public Utilities and Public Works for additional street lighting infrastructure on Garden Street between Beaufort Street and Kinston Street.

ADOPTED THIS 10TH DAY OF SEPTEMBER 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

Street Lighting Request Form

REQ#96

Customer Name: Pastor Hazel Royal

Customer Address: 1901 Garden Street - Abundant Life Miracle Center

Phone Number of Requestor: (252) 633-3376

Area of Request:

Section of Garden St between Beaufort St and Kinston St.

(Street address, intersection, general description, etc)

Pole # (if known): 11439

Sent to Police Department Date:

Police Recommendations:

IN SPEAKING WITH PARISHIONERS, THERE ARE MANY LATE NIGHT EVENTS WITH PEOPLE, MANY ELDERLY, LEAVING OUT THE GARDEN STREET SIDE OF THE BUILDING. THERE ARE CONCERNS WITH DARKNESS, SURFACE AREAS THAT ARE UNEVEN / TRANSITION FROM PAVEMENT TO LOOSE DIRT, AND SOME ILLEGAL ACTIVITY IN THE AREA THAT CONCERNS THE GROUP.

I WOULD RECOMMEND A LIGHT AT #11439 TO INCREASE

All items below this must be filled out by an Electric Department Engineer

OVERALL SAFETY, COIN. NICK LUCAS

Electric Department Engineer: Dustin Cayton

Evaluation Results/Recommendation:

This area meets the street lighting standard for the Electric Department.
Per recommendation of the Police Department, a 72w LED street light is needed at pole #11439

Estimated Cost to Electric Department: \$593.12

Estimated Cost to Public Works: \$8.44/month

NEW BERN ELECTRIC

DATE:

W.O.#

CUSTOMER: Pastor Hazel Royal

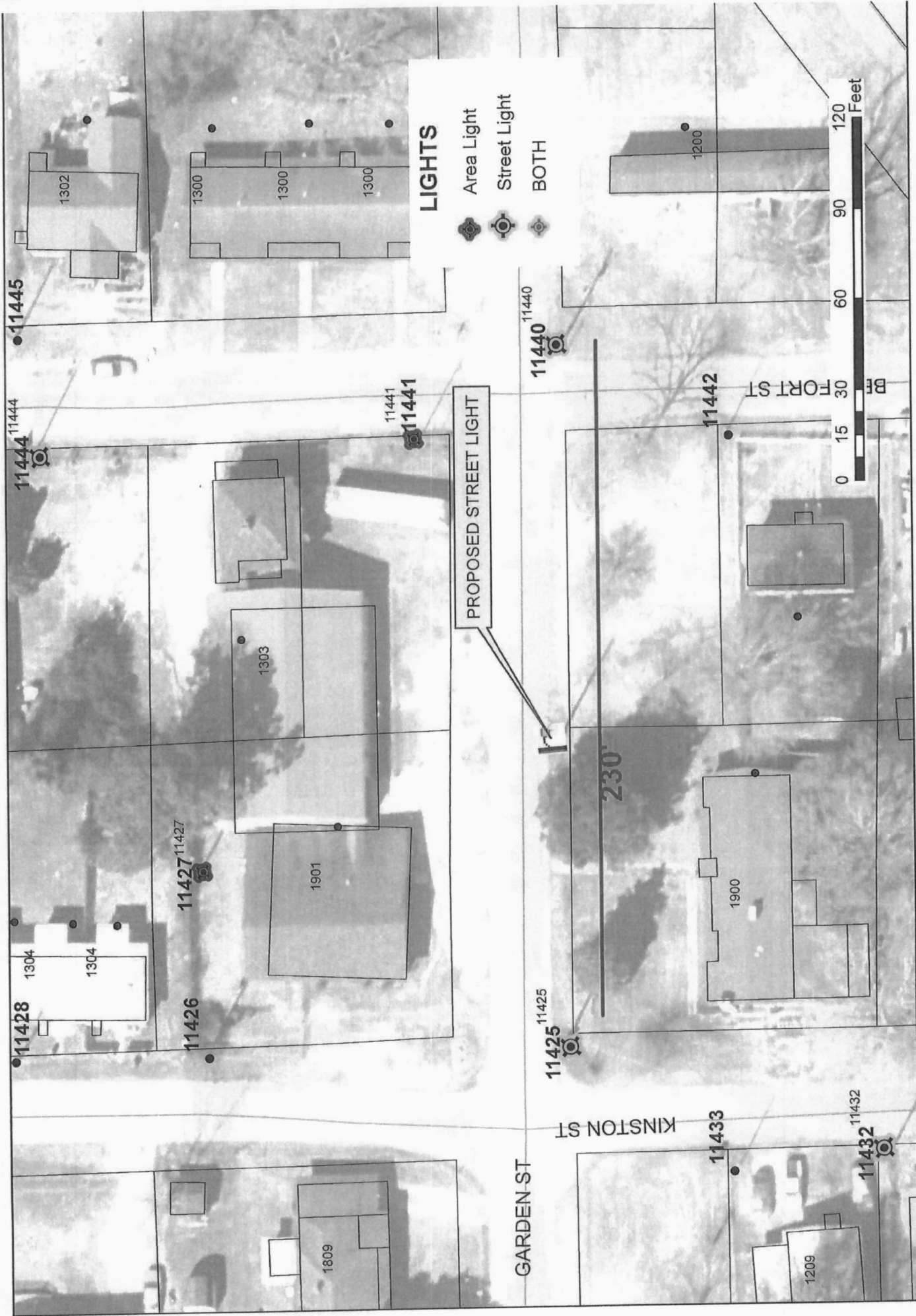
LOCATION: 1901 Garden Street

LABOR	QUANTITY	REG. HOURS	OT HOURS	RATE	TOTALS
Crew Leader	1	2	0	\$ 46.10	\$ 92.20
2nd Class	1	2	0	\$ 30.38	\$ 60.76
				TOTAL	\$ 152.96

EQUIPMENT	QUANTITY	HOURS	RATE	TOTALS
Bucket Truck 50' or Less	1	2	\$ 34.25	\$ 68.50
			TOTAL	\$ 68.50

MATERIAL	QUANTITY	PRICE	TOTALS
8' Arm	1	\$ 106.80	\$ 106.80
73w LED Street Light	1	\$ 188.47	\$ 188.47
Photo Cell	1	\$ 4.08	\$ 4.08
#6 acsr tpx	120	\$ 0.40	\$ 48.00
		TOTAL	\$ 347.35

SUB TOTAL	\$ 568.81
7%TAX	\$ 24.31
TOTAL JOB	\$ 593.12



DONE BY: DUSTIN CAYTON
 DATE: 7/29/19
 SO #:

STREET LIGHT REQ #96

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting an Ordinance to Amend the FY2019-20 Annual Operating Budget

Date of Meeting: 9/10/2019	Ward # if applicable: N/A
Department: Finance	Person Submitting Item: Joseph R. Sabatelli, CPA, Director of Finance
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	This ordinance amends the FY 2019-20 - General Fund budget for repairs to the Cub House and construction of Kidsville 2.0; Solid Waste Fund for the litter program
Actions Needed by Board:	Consider Adopting Ordinance
Backup Attached:	Memo; Ordinance

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:



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

FROM: Joseph R. Sabatelli, CPA - Director of Finance

DATE: August 29, 2019

RE: Amendments to the FY2019-20 Operating Budget

The attached ordinance amends the Fiscal Year 2019-20 Annual Operating Budget as follows:

General Fund

Cub House Welcome Center – The facility was damaged due to a fire caused by vandalism. The repair cost is estimated to be \$37,000. The costs will be funded by \$27,000 of proceeds from the City's insurance carrier and the \$10,000 deductible will be transferred from Contingency.

Kidsville 2.0 – The Board of Aldermen have previously allocated \$150,000 for the demolition of Kidsville and development of Kidsville 2.0. This amendment includes an additional appropriation of \$95,000 for the estimated additional costs of the project. This will be covered from an estimated \$60,000 in fund raising proceeds and \$35,000 transferred from Contingency. Please note that the annual Purchase Order carryover amendment will include the portion of the original \$150,000 not spent prior to June 30, 2019.

Solid Waste Fund

The City received a \$5,000 donation to purchase trash cans as part of the City's litter program. This amendment recognizes the donation and allocations the funds accordingly.

Requested Action

It is recommended that the Board adopt the attached budget amendment at its meeting to be held on September 10, 2019.

CITY OF NEW BERN, NORTH CAROLINA
REQUESTED AMENDMENT TO
Fiscal Year 2019-2020

FROM Joseph R. Sabatelli, CPA, Director of Finance MEETING DATE: Sept 10, 2019

EXPLANATION: This ordinance will amend the fiscal year 2019-20 General Fund budget: \$37,000 in Public Buildings for damages at the Cub House Welcome Center to be funded by \$27,000 of insurance proceeds and \$10,000 from contingency for the deductible; \$95,000 additional appropriation for Kidsville 2.0, to be funded by \$60,000 in proceeds from donations and other fundraising activities and \$35,000 from contingency; and Solid Waste Fund budget to acknowledge receipt of a \$5,000 donation for the City's litter program and the related allocation for trash cans.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN
THAT THE 2019-2020 Annual Budget ORDINANCE IS AMENDED AS FOLLOWS

Section 1 – Appropriations

Schedule A – General Fund

Increase:	Public Buildings	\$ 37,000
	Recreation: Parks & Grounds	95,000
Decrease:	Contingency	<u>(45,000)</u>
		<u>\$ 87,000</u>

Schedule T – Solid Waste

Increase:	Solid Waste	<u>\$ 5,000</u>
-----------	-------------	-----------------

Section 2 – Estimated Revenues

Schedule A – General Fund

Increase:	Miscellaneous Revenue	\$ 27,000
	Recreation Revenues	<u>60,000</u>
		<u>\$ 87,000</u>

Schedule T – Solid Waste

Increase:	Miscellaneous Revenue	<u>\$ 5,000</u>
-----------	-----------------------	-----------------

NATURE OF TRANSACTION

 X ADDITIONAL REVENUE AVAILABLE FOR APPROPRIATION
 X TRANSFER WITH ACCOUNTS OF SAME FUND
 OTHER:

APPROVED BY THE BOARD OF ALDERMEN AND
ENTERED ON MINUTES DATED _____
AGENDA ITEM NUMBER _____

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution to Request an Amendment of the Land Use Ordinance

Date of Meeting: 9/10/2019	Ward # if applicable: 1
Department: City Attorney	Person Submitting Item: Scott Davis
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing: N/A

Explanation of Item:	Interest has been expressed in possibly removing the special use permit designation for bed and breakfast establishments in the R-6, R-8 and R-10 zones. This ordinance will confirm the Board's desire to move forward with amending the land use ordinance in this capacity.
Actions Needed by Board:	Consider adopting resolution
Backup Attached:	Resolution

Is item time sensitive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

RESOLUTION TO REQUEST AMENDMENT OF LAND USE ORDINANCE

THAT WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to consider amending Section 15-146 "Table of Permissible Uses" of the Code of Ordinances of the City of New Bern to remove the special use permit designation for use category 1.520 – Bed and Breakfast in the R-6, R-8, and R-10 zones; and

WHEREAS, pursuant to Section 15-397(a) of the Code of Ordinances of the City of New Bern, the Board of Aldermen desires to request that the planning staff review the aforementioned request and forward it to the planning and zoning board for its review and recommendations.

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

That pursuant to Section 15-397(a) of the Code of Ordinances of the City of New Bern, the Board of Aldermen hereby requests that the planning staff review the Board's request to amend Section 15-146 "Table of Permissible Uses" of the Code of Ordinances of the City of New Bern to remove the special use permit designation for use category 1.520 – Bed and Breakfast in the R-6, R-8, and R-10 zones, and forward it to the planning and zoning board for its review and recommendations.

ADOPTED THIS 10th DAY OF SEPTEMBER, 2019.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AGENDA ITEM COVER SHEET

Agenda Item Title:

Discussion of Options for Board of Adjustment

Date of Meeting: 9/10/2019	Ward # if applicable:
Department: City Attorney	Person Submitting Item: Scott Davis
Call for Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Public Hearing:

Explanation of Item:	As requested at the August 27, 2019 meeting, the City Attorney will discuss the options related to the Board of Adjustment. This Board has had difficulty in holding meetings due to a lack of quorum.
Actions Needed by Board:	Consider options and provide direction
Backup Attached:	None

Is item time sensitive? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will there be advocates/opponents at the meeting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Cost of Agenda Item:
If this requires an expenditure, has it be budgeted and are funds available and certified by the Finance Director? <input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Notes:

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



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

Dana E. Outlaw
Mayor
Mark A. Stephens
City Manager
Brenda E. Blanco
City Clerk
Joseph R. Sabatelli
Director of Finance

Memo to: Alderman Barbara Best
From: Brenda Blanco, City Clerk *BEB*
Date: August 30, 2019
Re: Appointment to Police Civil Service Board


In January 2019, Robert West was appointed to serve out seven months of an existing term on the Police Civil Service Board. His seven months have now expired, and he is eligible for reappointment since he has not served a full term. You are asked to consider reappointing him to this seat or make a new appointment. The appointee will serve a two-year term.

Aldermen
Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



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

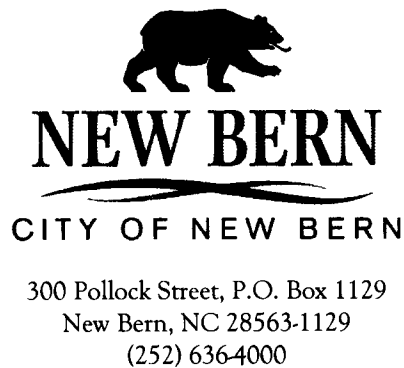
Dana E. Outlaw
Mayor
Mark A. Stephens
City Manager
Brenda E. Blanco
City Clerk
Joseph R. Sabatelli
Director of Finance

Memo to: Alderman Barbara Best
From: Brenda Blanco, City Clerk 
Date: August 30, 2019
Re: Appointment to Planning & Zoning Board

Jeffery Midgett's term on the Planning & Zoning Board will expire on September 12, 2019. Mr. Midgett is eligible to serve another three-year term. You are asked to consider reappointing him to this seat or to make a new appointment.

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



Dana E. Outlaw
Mayor
Mark A. Stephens
City Manager
Brenda E. Blanco
City Clerk
Joseph R. Sabatelli
Director of Finance

Memo to: Alderman Johnnie Ray Kinsey
From: Brenda Blanco, City Clerk *BEB*
Date: August 30, 2019
Re: Appointment to Board of Adjustment

Tripp Eure has resigned from his seat on the Board of Adjustment to accept an appointment on the Historic Preservation Commission. You are asked to make an appointment to serve out the remainder of Mr. Eure's term, which will expire on June 30, 2021.