

**City of New Bern
Board of Aldermen Meeting
January 28, 2020 – 6:00 P.M.
City Hall Courtroom
300 Pollock Street**

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer by Rev. Robert Johnson of Ebenezer Presbyterian Church. Pledge of Allegiance.**

- 2. Roll Call.**

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

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

Alderman Aster made a motion to recognize a city employee later in the meeting, seconded by Alderman Kinsey. The motion carried unanimously 7-0.

Consent Agenda

- 3. Consider Adopting a Resolution to Call for a Public Hearing on Zoning 618 W. Thurman Road.**

Property located at 618 W. Thurman Road was recently annexed into the City. The owners, Charles and Dana Riddick, requested an initial zoning designation of R-20 Residential District for the roughly 6-acre parcel. The parcel is further identified as Craven County Parcel ID 7-109-15001. The request was considered at the Planning and Zoning Board's January 7, 2020 meeting and was unanimously approved. It is requested a public hearing be held on February 11, 2020 to consider the zoning.

- 4. Consider Adopting a Resolution to Call for a Public Hearing to Rezone 524 Roundtree Street.**

Tried by Fire Inc. requested to rezone 524 Roundtree Street from R-6 Residential District to C-5 Office and Institutional District. The parcel is 0.14+/- acres and is further identified as Craven County Parcel ID Parcel ID 8-008-047. The request was considered at the Planning and Zoning Board's January 7, 2020 meeting and was unanimously approved. It is requested a public hearing be held on February 11, 2020 to consider the rezoning.

5. Consider Adopting a Resolution to Call for a Public Hearing on the Adoption of the Redevelopment Commission Plan.

The City of New Bern Redevelopment Commission drafted a proposed Redevelopment Plan to facilitate rebuilding and rehabilitation in the boundaries of the Redevelopment Commission, which encompasses a total of 1,899 parcels located within 474 acres of land. The Plan is designed to reverse the overall decline of neighborhood character and create a functional transportation network that supports economic growth and public welfare. The proposed plan was initially considered at the Planning and Zoning Board's December 3, 2019 meeting and was continued to their January 7, 2020 meeting. At the January meeting, the plan was approved by a vote of 7-3.

6. Consider Adopting a Resolution to Close Specific Streets for the Ghent Neighborhood Mardi Gras Parade and Block Party.

Michael Genest and Margaret Bartlett, event organizers, requested the 1400-2000 blocks of Spencer Avenue be closed to vehicular traffic on February 22, 2020 from 1:00 p.m. to 3:00 p.m. for the Ghent Neighborhood's annual Mardi Gras Parade. It was also requested that the 1400-1600 blocks of Spencer Avenue be closed to vehicular traffic from 10:00 a.m. until 6:00 p.m. for a block party.

7. Consider Approving a Proclamation for International Civitan Clergy Appreciation Week.

One of the local civitan clubs requested a proclamation recognizing International Civitan Clergy Appreciation Week, which is observed annually at the beginning of February. The proclamation has been prepared in perpetuity.

8. Approve Minutes.

Draft minutes from the January 10, 2020 special meeting and January 14, 2020 regular meeting were provided for review and approval.

Alderman Aster made a motion to approve Items 3-8 of the Consent Agenda, seconded by Alderman Bengel. The motion carried unanimously 7-0.

Alderwoman Harris pointed out that Item 5 simply called for a public hearing and that the Board would not be taking action on the proposed plan at this meeting.

9. Conduct a Public Hearing and Consider Adopting an Amendment to the Land Use Ordinance Regarding Vape Shops in C-3/C-3H Zones.

Interest had been expressed in adding language to the Code of Ordinances to allow for vape shop use in C-3 and C-3H Commercial Districts. The proposed ordinance will add the definition of vape shops, list it in the table of permissible uses, and

provide that such shops be allowed in C-3/C3-H Commercial Districts. The proposed tobacco and vape shop use is consistent with the type of commercial uses already permitted within the C-3 zoning district. The Planning and Zoning Board considered this change at their December 3, 2019 meeting and unanimously approved it.

Mayor Outlaw opened the public hearing, but no one came forward to speak. Alderman Bengel made a motion to close the public hearing, seconded by Alderman Best. The motion carried unanimously 7-0.

Alderman Best made a motion to adopt an amendment to the Land Use Ordinance regarding vape shops in C-3/C-3H zones, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

10. Discussion of Funding for Plaque Placements at Cedar Grove and Greenwood Cemeteries.

In February 2014, Bill Hand wrote an article for the New Bern Sun Journal about several New Bern citizens whose remains were moved from Cedar Grove Cemetery in 1914 and relocated to Greenwood Cemetery. Subsequent to the article, a group of concerned citizens led by Ben Watford and Rev. Robert Johnson expressed concerns to City officials. The City contacted Dr. Charles Ewen, Director of the Department of Anthropology at East Carolina University (“ECU”), for assistance. On March 15, 2019, students from ECU’s Bioarcheology Laboratory, led by Dr. Ewen, excavated the burial vault of the remains of the individuals who were removed from Cedar Grove Cemetery in 1914. Upon excavation, only a few bones were present and were in a fractured and commingled state. Mr. Watford and Rev. Johnson made the recommendation to keep the remains in their current location at Greenwood Cemetery.

The Board was asked to approve funding to install bronze plaques at each cemetery to highlight the efforts to bring healing, dignity, honor and respect to those individuals whose remains were removed and re-interred. Foster Hughes, Director of Parks and Recreation, described the plaques and noted they would be 2 feet by 3 feet in size. Ben Watford thanked the Board of Aldermen and Parks and Recreation for their cooperation in the matter. Rev. Robert Johnson announced a public celebration of healing and the unveiling of the markers would hopefully take place the last Saturday in February. Alderman Best asked if the City could provide the refreshments for the celebration, and Alderman Bengel said she felt that would be appropriate since the ceremony and unveiling was sponsored by Parks and Recreation.

Alderman Bengel made a motion to approve funding for the plaques, their placement at Cedar Grove and Greenwood Cemeteries, and refreshments at the ceremony, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

11. Discussion of Transportation for Display of Vietnam Veteran Wall Memorial.

George Halyak, with American Legion Post 539, is the Chairman of a committee responsible for bringing the Vietnam Veteran's traveling wall to New Bern. The wall will be on public display at Thalmann Field in Lawson Creek Park from March 26-29, 2020. Mr. Halyak announced the event at the Board's January 14, 2020 meeting, at which time he requested the City assist with providing transportation from Temple Baptist Church to the park. The dates and times of needed assistance are March 27th from 12 noon to 6:00 p.m., March 28th from 10:00 a.m. to 8:00 p.m. and March 29th from 10:00 a.m. to 2:00 p.m. The organizers are aware that the City buses are not handicap accessible. The cost to provide these in-kind services would total \$553.90, which includes staff labor of \$468.40 and fuel of approximately \$85.50.

Alderman Kinsey made a motion to provide transportation for the display of the Vietnam Veteran Wall Memorial, seconded by Alderman Best. The motion carried unanimously 7-0.

Alderman Aster called Stephen Jasset, a Fire Department employee, to the podium to recognize his participation and placing in the World's Strongest Firefighter Competition in California. Mr. Jasset took second place in two out of the four events and finished third overall.

12. Consider Adopting a Resolution Approving a Lease with Craven Community College for 209 First Street.

A lease was proposed with Craven Community College for the city-owned property located at 209 First Street. The premises will be used as a small business center, workforce training area and makerspace for entrepreneurs. The proposed lease will expire on May 14, 2029. In an amended and adopted lease dated September 12, 2017, the City leased another portion of the property, 205 First Street, to the College to be used as a workforce development center. That site is commonly referred to as the Volt Center Workforce Development Training Center. Craven Community College will be responsible for all costs associated with up-fitting the space for use as the small business center, makerspace for entrepreneurs and any workforce training programs.

Stating the initial project was designed to allow for vendors of all types to set up at the VOLT Center, Alderman Kinsey asked when the plan changed. Amanda Ohlensehlen, Community & Economic Development Manager, stated the current plan deals with a makerspace, which is the second of three components planned for the space. Alderwoman Harris elaborated upon Alderman Kinsey's inquiry to explain the concern is that the Board was not aware of the proposed lease and additional plans until the item was added to the agenda.

Alderman Bengel commented about the outstanding job Craven Community College was doing with the training programs offered at the VOLT Center. Dr. Ray Staats, President of the College, and Gery Boucher, Vice President for Students,

would like to make a presentation to advise the Board of their plans to expand the programs. Alderwoman Harris said she was amenable to the presentation, but asked for information to also be incorporated on an additional Farmer's Market being located at the site.

Alderman Odham made a motion to adopt a resolution approving a lease with Craven Community College for 209 First Street, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

13. Consider Adopting a Resolution Approving the NBAMPO 5303 Grant Contract.

On behalf of the New Bern Area Metropolitan Planning Organization ("MPO"), the City was identified as the direct recipient of Section 5303 Federal Transit Administration Urban Planning Funds. These funds are managed by NCDOT's Public Transportation Division. In order to receive the funds, the Board of Aldermen must adopt a resolution authorizing the City Manager to sign a grant agreement with NCDOT. The total allocation for FY2019-20 is \$25,000, which reflects a Federal and State share of \$22,500 and a local share of \$2,500. The local share will be provided by the jurisdictions participating in the New Bern Area MPO as follows: New Bern \$1,387.00; River Bend \$148.50; Trent Woods \$203.50; Bridgeton \$21.00; and Craven County \$740.00.

Alderman Bengel inquired as to how the funds would be used, and Alderman Odham explained the grant is for planning. He pointed out the MPO is a long-range planning board and that results from the planning may not be immediately evident. Upon questions from Alderman Best, Alderman Odham also explained that the Craven Area Rural Transit System ("CARTS") is managed completely by Craven County and is not governed by the MPO.

Alderman Aster made a motion to adopt a resolution approving the NBAMPO 5303 Grant Contract, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

14. Consider Adopting a Resolution Approving a Substantial Amendment to the City of New Bern's CDBG FY2016, 2017 and 2018 Annual Action Plans.

A substantial amendment was proposed for the FY2016, FY2017 and FY2018 CDBG Annual Action Plans to move unspent funds in housing rehabilitation and public-service activities to a stormwater system improvement project in Duffyfield. The project is projected to assist with heavy rainfalls, etc. in the Duffyfield area. Amendments to the plans require a public hearing, which was held at the Board's last meeting on January 14, 2020.

Alderman Kinsey questioned whether Parks and Recreation could maintain an additional park area and whether the size of the retention pond had been vetted by Jordan Hughes, City Engineer, or George Chiles, Engineer. Mr. Stephens stated the size of the pond would depend on what size rainfall the City was trying to

accommodate. Matt Montanye, Director of Public Works, stated the proposed pond is designed for a 5-6 inch storm, which is about three times larger than what the State recommends for a residential or commercial development. Other than a hurricane or tropical storm, the proposed pond size should accommodate any other storm.

Mayor Outlaw expressed concern about mosquitos in that area and said it was his hope that abatement efforts would be in place. Mr. Montanye stated aquatic plants and movement of the water would assist with controlling the mosquitos. The plan proposes that the size of the pumps be increased and generators be added to assist during power failures. Alderman Odham asked about a timeline for the project, and Mrs. Ohlensehlen replied that is not yet known, although it is not likely to be in place by hurricane season later in the year.

Alderman Best made a motion to adopt a resolution approving a substantial amendment to the City of New Bern's CDBG FY2016, 2017 and 2018 Annual Action Plans, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

15. Consider Adopting a Resolution Initiating the Upset Bid Process for 318 Crescent Street.

Ruben Hassell, Jr. made an offer to purchase 318 Crescent Street for \$3,800.00. He owns the adjacent property and is interested in extending his lawn. The tax value of the vacant 0.08-acre lot is \$7,600.00, and the offer represents 50% of the value. The property was acquired jointly by the City and County through tax foreclosure in March of 2013. If the property is sold for the initial offer, the County will receive approximately \$1,698.78 of the proceeds, and the City will receive approximately \$2,101.22. These estimates take into account the cost of publishing the legal advertisement.

Alderman Bengel made a motion to adopt a resolution initiating the upset bid process for 318 Crescent Street, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

16. Consider Adopting a Resolution Authorizing the Addition of a Street Light on Midyette Avenue.

Linda Simons of 303 Midyette Avenue requested additional street lighting on Midyette Avenue between Karen and Powell Streets. The Department of Public Utilities evaluated the area and determined the current lighting does not meet the City's light standard and recommended the addition of one light. The installation of the light will cost \$666.41, and the monthly utility charge for service will be \$8.44.

Alderman Kinsey made a motion to adopt a resolution authorizing the addition of a street light on Midyette Avenue, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

17. Consider Adopting a Resolution Authorizing the Addition of a Street Light on New Bern Avenue.

Mary Koonce of 2609 New Bern Avenue requested additional street lighting near New Bern Avenue between Wake and Sycamore Streets. The Department of Public Utilities evaluated the area and determined the current lighting does not meet the City's light standard and recommended the addition of one light. The installation of the light will cost \$666.41, and the monthly utility charge for service will be \$8.44.

Alderwoman Harris made a motion to adopt a resolution authorizing the addition of a street light on New Bern Avenue, seconded by Alderman Bengel. Upon a roll-call vote, the motion carried unanimously 7-0.

18. Consider Adopting a Resolution Approving a Memorandum of Understanding with the Craven County Board of Commissioners for the 2019 Byrne Justice Assistance Grant.

The New Bern Police Department applied for and received \$11,488.00 in grant funds from the FY2019 Edward Byrne Memorial Justice Assistance Grant ("JAG"), which requires no match. The grant was a joint application with Craven County, and the Craven County Commissioners approved a Memorandum of Understanding ("MOU") at its January 6, 2020 meeting regarding the use of the funds. Grant funds will be utilized to purchase equipment to assist the Coastal Narcotics Enforcement Team with investigating illegal drug trafficking.

Alderman Odham made a motion to adopt a resolution approving a Memorandum of Understanding with the Craven County Board of Commissioners for the 2019 Byrne Justice Assistance Grant, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

19. Consider Adopting a Budget Ordinance Amendment for the Grants Fund.

The Police Department has been awarded a 2019 Edward Byrne Memorial Grant in the amount of \$11,488.00 by the Department of Justice, Bureau of Justice Assistance. The budget ordinance amendment acknowledges receipt of the grant funds and establishes the necessary budget. Grant proceeds will be used for the purchase of equipment and does not require a city match.

Alderman Kinsey made a motion to adopt a budget ordinance amendment for the Grants Fund, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

20. Appointment(s).

No appointments were made.

21. Attorney's Report.

The City Attorney had nothing to report.

22. City Manager's Report.

Mr. Stephens announced Fire Chief Robert Boyd was selected as Eastern North Carolina's Fire Chief of the Year. Mr. Stephens also reminded everyone that the Board's retreat is scheduled for February 7, 2020, in the Development Services' Conference Room.

23. New Business.

Mayor Outlaw

A welcome was extended to former Alderman Bernard White, Craven County Commissioner Johnnie Sampson and his wife, Ethel Sampson, and Danny Meadows, former Public Works Director.

The Mayor expressed a desire to assist the Housing Authority in any way it can with the process of demolishing the Trent Court units. Alderman Bengel stated she attended the Housing Authority's last meeting, at which time it was reported that the process is still ongoing and is currently being reviewed by the State Historic Preservation office.

At the conclusion of the new business, Mayor Outlaw asked for a status on the elevator. Mr. Stephens stated he was scheduled to meet with the architect on the following day, and that the plan would be presented at the retreat.

Aldерwoman Harris

Mr. Stephens was asked to provide an update for Stanley White Recreation Center ("SWRC"), after Aldерwoman Harris noted an announcement had been made that FEMA approved roughly \$32 million in funding for the City of New Bern. Mr. Stephens stated those funds were just for Category A work. Staff has posted a FEMA-required notice for comments to be submitted to FEMA regarding the allocation of funds for SWRC. Potentially, a little over \$8 million will be received for SWRC. Once confirmation of funds are received, the desire is to expeditiously move forward with the engineering and architectural stages. The community will likely be engaged with respect to the desired recreational services.

Alderman Aster

A status was sought on the School Resource Officers ("SRO"), with Alderman Aster noting the need to discuss that topic in preparation of the budget process. Police Chief Toussaint Summers provided a brief update on the current contracts, confirming they were expired. Although the contracts are expired, the City is being paid for the services provided. It was suggested by Alderman Bengel that the Chair of the Board of Education possibly speak at the retreat. Alderman Bengel asked for clarification as to whether SRO funding lies solely at the State level or is in combination with the Board of Education.

Alderman Aster asked how many of the 10 ditch zones had been surveyed. Mr. Montanye stated the 3 smaller zones had been tackled, and the larger zones would take more time.

Easements are being obtained for the Old Airport Road work.

Alderman Kinsey

It was questioned whether the stormwater pre-audit was complete, and Mr. Montanye replied it had not yet been completed.

Alderman Best

Chief Summers was asked about the complaint regarding residents parking on Rainmaker Drive. Mr. Montanye said staff had been working with Major Bobby Jones of the Police Department. The citizen who voiced a complaint was advised to report issues to the Police Department at the time violations are observed.

An inquiry was made as to the status of applying for the HGTV Home Town Takeover project. Mr. Stephens announced the Public Information Officer was putting together a video for submission. The deadline for entries is February 7, 2020.

24. Closed Session.

A closed session was not needed.

25. Adjourn.

Alderwoman Harris made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 7:26 p.m.


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

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

Minutes approved: February 11, 2020



Dana E. Outlaw, Mayor



Brenda E. Blanco, City Clerk