

**City of New Bern  
Board of Aldermen Virtual (Electronic) Meeting  
Conducted Via Zoom Platform  
April 28, 2020 – 6:00 P.M.  
City Hall Courtroom  
300 Pollock Street**

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer by Mayor Outlaw. Pledge of Allegiance.**
- 2. Roll Call.**

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

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

**Consent Agenda**

- 3. Consider Adopting a Resolution Designating Agents for COVID-19 Assistance.**

North Carolina has received a major disaster declaration to assist the areas affected by COVID-19. The City must designate primary and secondary agents to execute and file applications for assistance on its behalf and to represent the City in all dealings with the State and FEMA. The designated agents will be the Accounting Manager and the Director of Finance. Previously named agents for Hurricanes Florence and Dorian will also be updated.

- 4. Approve Minutes.**

Draft minutes of the April 14, 2020 meeting were provided for review and approval.

Alderman Aster made a motion to approve Items 3-4 of the Consent Agenda, seconded by Alderman Kinsey. The motion carried unanimously 7-0.

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**5. Consider Adopting a Resolution Authorizing the City Manager to Sign a Contract with MBF Architects, PA for Architectural Services for the City Hall Annex.**

A Request for Qualifications ("RFQ") was issued for the design and construction administration associated with the proposed City Hall Annex. After reviewing the responses, MBF Architects, PA ("MBF") was selected as the most qualified firm. The cost will be \$524,300 for the design phase and \$224,700 for construction administration, for a total of \$749,000. The resolution authorizes the City Manager to execute a contract with MBF for these services.

Alderman Bengel said it was imperative for disabled and elderly citizens to have access to the second-floor courtroom to attend meetings and other functions. However, considering the pandemic and its economic impact, she asked for the Board to consider delaying this decision for 90 days. She did not feel good about appropriating \$750,000 at a time when people have lost their jobs and the City would also be losing sales tax revenue.

Alderman Bengel made a motion to table this item for a period of 90 days, seconded by Alderwoman Harris. The motion carried unanimously 7-0.

**6. Consider Adopting an Amendment to a Capital Project Ordinance to Rename the City Hall Elevator Project Fund as the City Hall Annex Building Project Fund.**

On May 2, 2019, an ordinance was adopted to establish a capital project fund for the design and construction of an elevator at City Hall. The scope of that project has now expanded to include an annex for City Hall. Mr. Stephens explained that the amendment simply renames the project as the City Hall Annex Building Project Fund to reflect the scope of work more appropriately. This action does not in any way move the project forward.

Alderman Bengel made a motion to adopt an amendment to a capital project ordinance to rename the City Hall Elevator Project Fund as the City Hall Annex Building Project Fund, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

**7. Consider Adopting a Resolution Approving an Amendment to the Lease Agreement with the New Bern/Craven County Area Farmers' Market.**

The New Bern/Craven County Farmers' Market entered into a 5-year lease with the City effective July 1, 2017 for the property located at 421 South Front Street. The lease provides for monthly rental payments of \$500. The Farmers' Market has requested that their payments for the months of July through December 2020 be waived considering the economic impact from COVID-19.

Alderwoman Harris said there had been questions as to why the City would consider suspending the payments since the market is still operating. Mr. Stephens

explained that while the market is operating at some capacity, booth rentals are down as is rental of the facility for private functions.

Alderman Bengel made a motion to adopt a resolution approving an amendment to the lease agreement with the New Bern/Craven County area Farmers' Market, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

Note: Items 8 and 9 were voted on collaboratively as noted under Item 9.

**8. Consider Adopting a Resolution Authorizing the Mayor to Execute an Agreement for the Purchase and Sale of Real Property Located on Broad Street and Gaston Boulevard.**

Staff is recommending the purchase of adjoining properties on Broad Street and Gaston Boulevard, which are identified as tax parcel numbers 8-012-12000, 8-012-131, 8-012-126, 8-012-12001 and 8-012-322, for future use. A resolution is proposed authorizing the Mayor to execute an agreement for the purchase of the property at a price of \$455,000.

**9. Consider Adopting a Resolution Authorizing the Mayor to Execute an Agreement for the Purchase and Sale of Real Property Located on Gaston Boulevard.**

Staff has also identified a 1.08-acre parcel of land identified as tax parcel number 8-012-119 that is contiguous to the property identified in the previous item and available for purchase. A resolution is proposed authorizing the Mayor to execute an agreement for the purchase of the property at a price of \$40,000.

Alderman Harris made a motion to adopt resolutions authorizing the Mayor to execute agreements for the purchase and sale of real properties located on Broad Street and Gaston Boulevard as referenced and identified in Items 8 and 9, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

**10. Appointment(s).**

No appointments were made.

**11. Attorney's Report.**

The City Attorney had nothing to report

**12. City Manager's Report.**

Mr. Stephens reported on COVID-related activities, noting staff is still practicing social distancing and a lot of projects continue to move forward. He asked Matt Montanye, Director of Public Works, to provide an update on several issues

involving the NC Department of Transportation (“DOT”). Mr. Montanye reported the following:

- Dedicated left turn lane at Pembroke Exit onto Hwy. 70W: DOT did not find any issues with the lane after visiting the site several times. They will revisit during peak hours.
- Alfred Cunningham Bridge opening/closing schedule: Paperwork has been sent to the Admiral for final signature. Hopefully by this summer, the schedule will be updated.
- Ramp on Hwy. 70W near Outback that washed out during Hurricane Florence: Some repairs were made after the hurricane, and the rest of the repairs will be made in the next week or two.
- Reflectors for Glenburnie Road and Hwy. 70: DOT does not know at this point whether reflectors will be added to Glenburnie Road.
- Culvert at Colony Drive and Neuse Boulevard: Information was sent to DOT. They reviewed and patched the problem. It is unknown if the patch will be the only course of action or if the pipe will be replaced.
- Intersection of Glenburnie and Yarmouth: The nondedicated left turn lane is under review by DOT.

Alderman Aster requested an update on Old Airport Road. Mr. Montanye stated the construction phase just began, and the project will take 10-12 months. Alderman Aster then asked Mr. Montanye to check on the repair status of the turn signal at Thurman Road and Hwy. 70E.

In conjunction with Items 8 and 9, Mr. Stephens notified the Board that a budget amendment would be on the next agenda to transfer funds from fund balance to pay for the property purchases.

At Alderman Bengel’s request, Mr. Stephens explained what a municipality could and could not do in response to the Governor’s Executive Orders. He stated the City is obligated to enforce the Executive Orders. While a municipality does not have the ability to lessen the terms of the orders, it can make the terms more stringent. In an effort to remain proactive, the Police Department is sharing flyers that provide both information and phone numbers that people can call with questions. After acknowledging that the virus is dangerous, deadly, and real, Alderman Bengel said she did not agree with the Governor and that it was time to get back to work. Citizens need to be able to provide for their families. She stated it was time to reopen in a responsible, measured manner. At this point, full service at restaurants is not anticipated until August. Alderman Best said the pandemic has caused a severe hardship on the country, and she felt employees should be allowed to return to work. Although she expressed respect for Governor Cooper’s Executive Orders, Alderman Best said information for each county is different, and counties should have the responsibility to impose restrictions and make decisions based on the data for their county. Alderman Odham remarked that small business has a big impact on the City and the country. He agreed there should be some leniency and expressed full support of the Craven County Commissioners’ unanimous action to seek control on a county level. He also commented on the devastation of the economy.

### **13. New Business.**

#### Alderman Kinsey

As a business owner who is not working, it is time to get things running so that people go back to work and earn a living.

#### Alderman Aster

The City Manager was asked to provide a brief on the FEMA update meeting that took place earlier in the day. Mr. Stephens said approximately 40 project worksheets were submitted, some of which are still outstanding. Claims for Hurricane Florence will be in the \$60-63 million range. Roughly \$13.5 million has been spent out of pocket. To date, approximately \$3.9 million has been received, with an additional \$2 million received from insurance funds. Alderman Best requested a copy of the spreadsheet depicting the breakdown. Alderman Aster suggested a quick memo be provided, which would be easier than understanding the spreadsheet.

#### Alderwoman Harris

She, along with Aldermen Odham and Aster, met with the Board of Education to discuss School Resource Officers. It was apparent that the County Commissioners need to be brought to the table to participate in the discussions.

A Facebook group named Make a Joyful Noise is coordinating efforts for people to go outside on May 1, 2020 at 3 p.m. to sing a song, make music, etc.

Gratitude was expressed to Police Chief Toussaint Summers and the Police Department for their visits to high school seniors.

A Happy Mother's Day was expressed for the upcoming occasion.

Alderwoman Harris stated although she understood how her colleagues felt about returning to work, her views were different. She suggested following guidelines to continue to flatten the COVID-19 curve.

#### Alderman Bengel

As a member of the UNC-TV Board of Trustees, Alderman Bengel received notice that the Longleaf Film Festival selected a piece about New Bern's role in freeing slaves as the best historical documentary for 2020. A video clip of the presentation and documentary was shared.

Alderman Odham asked Mr. Stephens if he needed direction from the Board with respect to a small business loan pool. Mr. Stephens explained that Swiss Bear approached the City about the possibility of utilizing their \$100,000 donation from Mastercard to provide small business loans up to a maximum of \$5,000 per business. Two Board members met electronically with Kevin Roberts, President of New Bern Area Chamber of Commerce, and Lynne Harakal, Executive Director of Swiss Bear, to discuss the program. Mrs. Harakal asked the City to provide some funding for the loans, and Mrs. Stephens identified \$20,000 that could be utilized from the Governing Board and Administration travel budgets. Only small businesses within the city limits of New Bern would qualify for the loans, and other criteria would also be established. The program would be administered by the Chamber, and additional contributions would be made by the Craven 100 Alliance

("C1A") and possibly some of the banks. After discussion, Alderman Aster recommended staff prepare the necessary documents to place this matter on the Board's next agenda.

**14. Closed Session.**

A closed session was not needed.

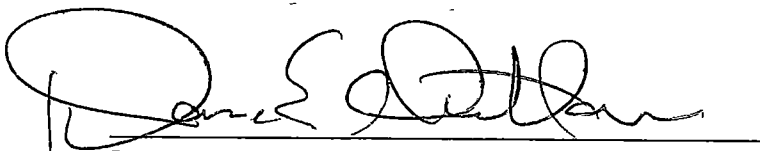
**15. Adjourn.**

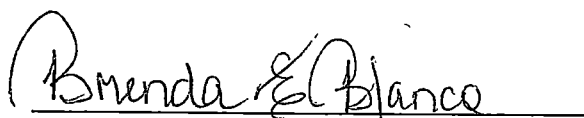
Alderman Odham made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 7:13 p.m.

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](http://www.newbernnc.gov). Video and audio recordings of the meeting have been archived.

Minutes approved: May 12, 2020

  
Dana E. Outlaw, Mayor

  
Brenda E. Blanco, City Clerk