

**City of New Bern
Board of Aldermen Meeting
June 09, 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.

- 3. Request and Petition of Citizens.**

James Woods of 1903 Country Club Road said he received information that Stanley White Recreation Center ("SWRC") would be rebuilt on the property purchased along Gaston Boulevard and that a Request for Proposal was issued referencing the new location. The Board previously indicated the facility would not be moved unless FEMA required it be moved. He questioned who made the decision to move the facility and asked that the Board keep its word.

(Alderwoman Harris stepped out of the room at 6:08 p.m., returning seconds later at 6:08 p.m.)

Bernard White of 1811 Durham Street also spoke on the topic of moving SWRC. He felt the facility could be rebuilt in its current location, stating it was no different than the convention center. He said the Board should be working for the people, not themselves.

Barbara Lee of 1813 Beaufort Street said she was told the Board had already decided where to locate SWRC. Stating she was speaking on behalf of the Stanley White Recreation Center Advisory Committee, she questioned where the facility would be located.

Anthony Raynor of 610 National Court Drive said the location of SWRC had previously been discussed. Remarking that prejudice still existed in New Bern, he questioned why the City would consider moving the location. Mr. Raynor suggested citizens protest and remember the Board's actions when it is time to vote again.

Rev. Robert Johnson of 716 Bern Street spoke in favor of SWRC being rebuilt in its current location. He stated it was sad to read on Facebook that a decision had been made to move the facility instead of hearing that directly from City officials. He expressed pleasure with the announcement that FEMA funding had been awarded for the project, and he thought those funds would repair or rebuild the facility in its current location. He expressed a desire to receive clear answers as to how things would move forward.

Antoinette Boskey of 4766 Corena Drive stated she was big on unity, partnership, and ensuring that the voices of those who are unheard could be heard. She said the death of George Floyd has highlighted racial tensions and hatred. The community wants SWRC built back in its current location and built back better. Although she was excited by earlier conversations and discussions with the community, she was disappointed to learn that a decision had been made to put SWRC on Broad Street. Although the new location is only 600 feet away, relocating the facility 600 feet will move it out of the community. Only the community knows what it needs, according to Ms. Boskey.

Kelly Rogers of 2102 Bridges Street, Morehead City, spoke about the dangers of a disjointed relationship between the members of the community and its Governing Body. She spoke about racism and the need for change among a vulnerable population. She suggested transparency and accountability, investment in community self-governance and intervention programs, assessment of community needs, etc.

Barbara Sampson of R149 Craven Terrace said she was fighting for the people and community, which did not need the City to take anything else from them. She stated SWRC was all they had left and while the City did not have its knee on their neck, it did have a chokehold around them. She said she would not stand by and let dignity be taken away from her people. If the convention center could be built around water, she did not see why SWRC was an issue. If the drainage problem is addressed and the facility is built to specifications, then the facility should be suitable for its current location. Ms. Sampson stated by her calculations, \$15 million was available to address SWRC.

Ethel Sampson of 1038 Sampson Street asked the Board to do what was right for the people in the Duffyfield area.

Terre Holloway of 1204 Goldsboro Street said he spent five hours on Sunday tracking drainage issues from the Spring Garden area to Duffyfield. He stated Duffyfield flooded because the City has not been addressing drainage as it should. Hearing today that the City plans to move SWRC makes him upset. Mr. Holloway commented if the City has already determined where it will locate SWRC, then that seemed like war, and maybe there is a need for citizens to get attorneys involved. He asked the City to communicate with the citizens and encouraged citizens to vote out the Board members who were not doing anything.

Elijah Brown of 916 Ft. Totten Drive spoke about racial tensions and questioned whether the Board voted to move the SWRC. He stated all lives cannot matter until black lives matter. He questioned why the same preparation for West New Bern Recreation Center ("WNB") was not put into SWRC, noting WNB was built up on good dirt that was hauled onto the site. He also questioned why soil testing at SWRC was conducted at the baseball field. Stanley White's daughter showed him a picture of a New Orleans high school that was built up, and he questioned why SWRC could not be built up.

Christine Webster of 835 Pavie Avenue was called forward, but she changed her mind about speaking and stated she would instead sit in the audience and pray.

David Woodby of 1001 Main Street said he moved here from Albany, New York. The first time he visited New Bern he felt like something was wrong. He questioned why one side of town was not as nice as the other. He felt the Duffyfield area had been given a bad reputation. Those who know it is not such a bad area do nothing to clear its reputation because of an ulterior motive.

In response to the public comments, Alderwoman Harris apologized to Mr. Woodby for his feelings that they did not have a good relationship and that he had been slighted. She noted she had always supported SWRC being rebuilt in the same location. As she has served on the Board for three years, she has been frustrated by individuals who have tried to blackmail, harass, and make her be quiet about certain things. She stated she was not the one who posted on Facebook or put the word out about the relocation of SWRC. Citizens are frustrated and are asking whether the facility can be built back in the same location, and no one is answering them. She stated she agreed to support the new location as a plan B. With the City's general fund balance of \$13 million, she questioned why money was not being spent in the Duffyfield community. She stated the Board was not going to continue to operate as if it does not see the people of that community, and she would continue to be vocal, post on Facebook, make videos, have interviews, and use all of her contacts to blast all of the Board. She also stated she was tired of being harassed, stalked on Facebook, and receiving texts about things she posts. She said the rest of the Board would not silence her nor the people, and the Board should give them what they are asking for and that the decision on SWRC should be made by the people.

Alderman Best addressed Alderwoman Harris' comments, asking for an apology. She said Alderwoman Harris needed to make it clear that Alderman Best had never harassed her. Alderwoman Harris said she used the word "we" collectively, and if Alderman Best felt a certain way then that was just how she felt. Alderwoman Harris said she did not want to call names as she was trying to be respectful, but she would clarify that Alderman Best had never slighted nor disrespected her and had always supported her. Alderman Best said her only other comment is she is not sure why the public had not been advised that SWRC could not be rebuilt at its same location. She thought that information had been given to the people. She, too, wanted to know why that could not be done.

Mayor Outlaw asked Mr. Stephens to provide a quick update on SWRC. Mr. Stephens explained there was an announcement that just over \$8 million in funding had been awarded for SWRC. In response to the numbers referenced by Barbara Sampson, Mr. Stephens reiterated the correct amount awarded and provided a breakdown of the funding that totaled slightly more than \$8 million. He noted the City had not yet received the federal funding or the state's portion of the funds, both of which have been obligated. As far as the SWRC process, the Director of Parks and Recreation drafted a Request for Qualifications ("RFQ") for services of a consultant to engage the community and obtain community information and input. The RFQ did not say the facility would be placed at a new location, in the same location, or even mention a location. The RFQ only mentioned what would be submitted in the design for the development and reconstruction of a recreation center. Once information was gathered, the design and location of the building would then be reviewed. Noting Mr. Brown had questioned soil borings, Mr. Stephens said multiple soil borings were taken at the current SWRC site. At this point, Mr. Stephens explained the City is simply waiting for funding. There was a discussion about considering an alternative location, but that decision has not yet been made. Alderwoman Harris asked Mr. Stephens how he could say the location had not yet been determined. She said the City is still lying to the people and that the City was looking at an alternative location even before it had heard from FEMA. She stated she knew Mr. Stephens was trying to take care of the Board members, but there was a need to be transparent. She said that there are a lot of closed-door meetings that take place at the City. She said the people needed answers, but the City did not want to rebuild at the current location because the bottom line was the City did not want to put \$8 million back in the black community.

Alderman Odham made a motion for the total amount of \$8,006,649 to be established in a project fund for the SWRC, seconded by Alderman Kinsey. Alderwoman Harris asked for clarity. Alderman Odham responded the public was concerned that there are additional funds that will not be put back into the facility, and the spirit of the motion is to show the money will only be used for the rebuilding of the SWRC. Upon a roll-call vote, the motion carried unanimously 7-0.

Alderman Bengel asked about the role of the SWRC Advisory Committee, stating she thought their role was to investigate all this information. Alderwoman Harris said that was not true and that Alderman Bengel thought the role of the Committee was for them to have a conversation and bring back something. Alderwoman Harris said the Board did not want the Advisory Committee, and that she had to beg Board members to vote in favor of the Committee.

Alderman Best said she was not aware of the Board agreeing to rebuild SWRC on Broad Street, and she did not believe that was said and was not aware of a meeting that took place to discuss that. If FEMA says the facility cannot be built back at its same location, her understanding was the City was trying to find a suitable alternative location in the black community.

Consent Agenda

4. Consider Adopting a Resolution to Call for a Public Hearing on the Rezoning of 1001 and 1003 S. Glenburnie Road.

John Delk requested to rezone 1.28 +/- acres located at 1001 and 1003 South Glenburnie Road from R-6 Residential District to C-3 Commercial District. The Planning and Zoning Board heard this petition at their June 2, 2020 meeting and unanimously approved the request. It was requested a public hearing be scheduled for June 23, 2020.

5. Consider Adopting a Resolution to Call for a Public Hearing on the Rezoning of 4416 S. US 17 Hwy.

Corey Thomas requested to rezone a 0.46+/- parcel located at 4416 South US 17 Hwy. from R-10 Residential District to C-3 Commercial District. The Planning and Zoning Board heard this petition at their June 2, 2020 meeting and unanimously approved the request. It was requested a public hearing be scheduled for June 23, 2020.

6. Approve Minutes.

Draft minutes from the May 26, 2020 meeting were provided for review and approval.

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

7. Presentation of Comprehensive Annual Finance Report and Audit for Fiscal Year Ending June 30, 2019.

Copies of the Comprehensive Annual Finance Report ("CAFR") and Auditor's Discussion and Analysis were previously distributed to the Board. Alan Thompson with Thompson, Price, Scott, Adams and Company, P.A., the firm that performed the City's audit, discussed the findings of the June 30, 2019 CAFR and audit.

(Alderwoman Harris momentarily stepped out of the room at 7:10 p.m.)

Mr. Thompson said there were no difficulties encountered when performing the audit. Three significant audit findings that were identified included the timeliness of the audit, reconciling accounts in a timely manner, and negative fund balances on project funds. He reviewed fund balances for the general and enterprise funds and provided a comparison for the last four years. The City's revenue is made up of 50.42% of the property taxes. Mr. Thompson explained the City's June 30, 2019 fund balance of 5.19% does not look healthy because \$12.2 million was still

reflected as a receivable from FEMA for Hurricane Florence. Mr. Stephens reiterated that this fund balance was as of fiscal year end for 2019. Since that time, the City has received reimbursement of \$6.5 million from FEMA, and fund balance is now around 30%.

Considering things that have happened in Rocky Mount, Mayor Outlaw asked about the scope of the audit. Mr. Thompson said his firm could not assist with internal control reviews, as that would be a conflict for them to perform those reviews as well as the audit.

(Alderwoman Harris returned to the room at 7:21 p.m.)

However, his firm could step up the internal control review without helping to actually create controls.

Alderman Odham asked whether the auditors review grants to make sure grant funds received match the grant funds expended, and Mr. Thompson confirmed that is part of the scope of work. Alderman Odham asked Mary Hogan, Director of Finance, if she would provide a summary of that information.

8. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex 203 Riverside Drive.

Robert A. Yulick petitioned the City to annex his property located at 203 Riverside Drive, which is a 0.4-acre vacant lot located in Number 2 Township in the Sandy Point/Bridgeton area. This public hearing was originally noticed for April 14, 2020 and has been continued twice due to the restrictions imposed by the Governor's Executive Order relative to the COVID-19 pandemic.

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 Bengel made a motion to adopt an ordinance to annex 203 Riverside Drive, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

9. Conduct a Public Hearing on the Rezoning of 2409 Oaks Road; and
a) Consider Adopting a Statement of Zoning Consistency or Inconsistency; and
b) Consider Adopting an Ordinance Rezoning 2409 Oaks Road.

Nasr Algaradi requested to rezone a 0.25-acre parcel located at 2409 Oaks Road from R-6S Residential District to C-4 Neighborhood Business District. A previous request to rezone this property to C-3 Commercial District was denied by the Board of Alderman due to the perceived impacts a vape/tobacco shop would have on the surrounding neighborhood. Mr. Algaradi has since amended his plans to utilize the property as a convenience store. He is, therefore, seeking to have the property rezoned as C-4 Neighborhood Business District. The Planning and Zoning Board unanimously approved this request at its March 3, 2020 meeting. This public

hearing was originally noticed for April 14, 2020 and has been continued twice due to the restrictions imposed by the Governor's Executive Order relative to the COVID-19 pandemic.

Jeff Ruggieri, Director of Development Services, shared a brief PowerPoint presentation to review the rezoning request. He pointed out the property was historically used in a commercial capacity, and he reviewed a list of potential uses in the C-4 zone. Vape shops are not allowed in C-4.

Mayor Outlaw opened the public hearing, and the following came forward to speak:

- Pete Townshend of 403 Harbor Drive said he spoke on behalf of his friends and many neighbors who, overwhelmingly, were not in favor of the rezoning request. Since Hurricane Florence, the area has undergone major transformation and revitalization. In the past, there have been issues with illegal activity taking place at the subject location. A convenience store does not sell produce, but sells alcohol and other items that will not be beneficial to the area. Mr. Townshend noted the property is also close to a school, and rezoning would have a negative effect on the neighborhood. He suggested the property revert to residential zoning and become a project for Habitat for Humanity.
- Anthony Raynor of 610 National Court Drive also spoke against the rezoning and expressed a desire that it remain zoned as residential.
- James Woods of 1903 Country Club Road commented that almost everything around the property is residential, although there are a couple of businesses across the street. The properties on each side of 2409 Oaks Road are also residential.

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

Alderman Aster asked about the Board's obligations and what actions it could take. Mr. Davis suggested if the Board was thinking about denying the rezoning, it may want to give the applicant an opportunity to be heard. The applicant could not be at this meeting as they were in Raleigh today. The applicant was not aware that the request may be controversial, considering it passed unanimously by Planning and Zoning. Although the applicant indicated its anticipated use, Mr. Davis said the Board could not expect a particular use, but would need to consider all permissible uses under the assigned zoning.

Alderman Best made a motion to table this item until the next meeting to allow the applicant a chance to appear before the Board, seconded by Alderman Bengel. The motion carried 6-1, with Mayor Outlaw voting against it.

Alderman Bengel stated she wanted to go on record to say she would vote against the rezoning, as she agreed with the others that the area is mostly residential. She pointed out that there was a convenience store a short distance down the street.

Alderwoman Harris made a motion to reopen the public hearing and continue it until the next meeting, seconded by Alderman Odham. The motion carried unanimously 7-0.

10. Conduct a Public Hearing and Consider Adopting a Resolution Approving the Pamlico Sound Regional Hazard Mitigation Plan.

To remain eligible to receive state and federal assistance in the event of a declared disaster, the City needs to adopt the Pamlico Sound Regional Hazard Mitigation Plan. Prior to adoption, a public hearing must be held.

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

(Alderman Kinsey momentarily stepped out of the room at 7:48 p.m.)

Alderman Odham made a motion to adopt a resolution approving the Pamlico Sound Regional Hazard Mitigation Plan, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0. Of note, Alderman Kinsey had momentarily stepped out of the room, thus technically yielding an affirmative vote.

(Note: The Board amended the agenda to consider Item 13 before Items 11 and 12.)

13. Consider Adopting the Budget Ordinance for Fiscal Year 2020-21.

The City Manager presented the proposed budget to the Board on May 12, 2020, and a public hearing was held on May 26, 2020. The budget ordinance for FY2020-21 reflects no changes from the proposed budget.

(Alderman Kinsey returned to the room at 7:50 p.m.)

Alderman Bengel asked for clarification on the request for two animal control vehicles. Chief Summers stated it was a clerical error and only one animal control vehicle was sought. Considering the economic impact from COVID-19, Alderman Bengel suggested the Cost-of-Living Adjustment ("COLA") be given to employees, but the merit increase be reserved until finances could be reviewed in October. Alderwoman Harris said she was in favor of leaving the budget as presented and make adjustments in October, if needed. She explained employees work hard and deserve the COLA and merit based on their evaluations. Mr. Stephens noted fund balance was around 30% and would be near 40%, if the hurricane had not happened.

Alderwoman Harris made a motion to adopt the budget ordinance for Fiscal Year 2020-21, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

Alderman Best made a motion to take a brief recess, seconded by Alderman Aster. The motion carried unanimously, time being 8:06 p.m. The meeting resumed at 8:15 p.m.

11. Consider Adopting a Resolution Approving the Classification Pay Plan for Fiscal Year 2020-21.

Annually, the Board adopts a Classification Pay Plan. In the past, the plan was adopted as part of the annual budget ordinance. At the recommendation of the City Attorney, the last two years the plan has been adopted in the format of a resolution and separate from the budget ordinance.

Alderman Aster made a motion to adopt a resolution approving the Classification Pay Plan for Fiscal Year 2020-21, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

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

As part of the budget process, the Board annually adopts an Amended Schedule of Fees and Charges to, in part, identify in one place all the fees charged by the City. The fees identified in the schedule are included in the revenue projections for Fiscal Year 2020-21 and will be effective July 1, 2020.

Alderwoman Harris made a motion to adopt an ordinance amending the schedule of fees and charges, seconded by Alderman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

14. Consider Adopting a Resolution Establishing Repayment Terms for Non-Residential Electric Customers for the Period of March 16, 2020 through May 31, 2020.

Governor Cooper issued Executive Order 124 suspending utility disconnects for nonpayment and specifying the administration of late fees and payment plans for residential customers from March 31, 2020 to May 31, 2020. The Governor has since extended that time through July 29, 2020 via the issuance of Executive Order 142.

As discussed at the last meeting, the Board desires to offer some assistance to non-residential customers affected by the pandemic. The proposed resolution will establish a three-month repayment period for non-residential utility customers with past-due balances between March 31, 2020 and May 31, 2020.

Alderwoman Harris made a motion to adopt a resolution establishing repayment terms for non-residential electric customers for the period of March 16, 2020

through May 31, 2020, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

15. Consider Adopting a Resolution Approving a Lease with Craven Community College for 106 and 114-120 Rhem Street.

Craven Community College requested to lease the old city garage facility located at 114-120 Rhem Street and the parking lot at 106 Rhem Street. The property will be used as an expansion to the VOLT Center campus, and the garage will be used as a diesel mechanic and heavy equipment operator training center. The proposed lease is for a period of 10 years with a one-time lease payment of \$175,000 at the execution of the lease and \$1.00 a year for subsequent years. The initial lease payment will be utilized to improve and upgrade the facility as detailed on Exhibit B of the lease.

Alderwoman Harris made a motion to adopt a resolution approving a lease with Craven Community College for 106 and 114-120 Rhem Street, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

16. Consider Adopting a Resolution Approving a Special Warranty Deed Conveying a Portion of 703 Carolina Avenue to the Housing Authority of the City of New Bern, NC.

The Board previously adopted a resolution approving an agreement with the Housing Authority of the City of New Bern for the purchase of a portion of property located at 703 Carolina Avenue. That agreement was subsequently amended to extend the closing date from February 1, 2020 to June 1, 2020 and allow for an additional extension of three months upon payment of \$10,000 that would be applied toward the purchase price. The Housing Authority has exercised its right to extend the closing date to the latest option of September 1, 2020 and has remitted the required payment of \$10,000. The Authority has indicated it anticipates closing later in June, and executing the Deed now will mean the document will be ready when a closing date is set.

Alderwoman Harris made a motion to adopt a resolution approving a special warranty deed conveying a portion of 703 Carolina Avenue to the Housing Authority of the City of New Bern, NC, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

17. Consider Adopting a Resolution Approving the NC Statewide Emergency Management Mutual Aid and Assistance Agreement – Revision 2020.

The NC Statewide Emergency Management Mutual Aid and Assistance Agreement was recently revised, and the City needs to approve and execute the 2020 revision. The previous version approved by the City was in 2017. The 2020 updates expand on the definition of emergency and adds language about contracting with third parties. Approving this agreement helps to speed up the process for local governments when applying for FEMA reimbursement after a declared disaster.

Alderman Aster made a motion to adopt a resolution approving the NC Statewide Emergency Management Mutual Aid and Assistance Agreement – Revision 2020, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

18. Consider Adopting a Resolution to Request an Amendment to the Historic District Guidelines.

Pursuant to Section 15-397(a) of the Code of Ordinances, the Board is asked to consider adopting a resolution to request that the Historic Preservation Commission and the Planning and Zoning Board review and recommend an amendment to the Historic District Guidelines to allow the use of precast concrete products in the construction of piers, docks and marinas as part of the City's comprehensive flood resilience program.

Alderman Bengel made a motion to adopt a resolution to request an amendment to the Historic District Guidelines, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

19. Consider Adopting a Budget Ordinance Amendment for FY2019-20 General Fund and Grants Fund Budget.

This budget ordinance amendment will transfer funds of \$175,000 to the Drainage Improvements Project Fund for the Duffyfield Wetlands Project. It also recognizes a Hazard Mitigation Grant Program award of \$191,472 from the NC Division of Emergency Management for the acquisition of three residential structures that are in a special flood hazard area. Matt Montanye, Director of Public Works, stated the wetlands project has been bid and is ready to go upon approval of the contract.

Alderman Best made a motion to adopt a budget ordinance amendment for the FY2019-20 General Fund and Grants Fund budget, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

20. Discuss Widening of Racetrack Road and Consider Adopting an Ordinance to Amend the Roadway Improvements Project Fund.

At a recent meeting, Alderman Kinsey expressed concern about the ability of school buses to meet along Racetrack Road. He suggested there may be a need to widen the road, similar to the need that was identified on Old Airport Road. Staff has estimated the initial design phase for such a project would be \$150,000, and the initial construction costs are estimated at \$2,500,000. After discussing the need and estimated costs, the Board can consider an amendment to the Roadway Improvements Project in the amount of \$2,650,000 to fund the widening of Racetrack Road. In the alternative, a study could be performed to review the needs.

While he knew there were some needs in that area, Mayor Outlaw said he was not expecting the cost to be around \$2,500,000, and he expressed concern about a

project of that amount at this time. He questioned whether there were other options that could be explored. Alderman Odham asked if it was possible to create the fund to show good-faith effort and put enough money in it to obtain engineering services to provide estimates for various options.

While discussing various options, Mr. Montanye explained to remove the bike lanes and add sidewalks would increase the cost of the project. Ditches would need to be piped before sidewalks could be installed. After much discussion, Mr. Stephens suggested staff have someone evaluate the various options and provide estimates for each of those. Alderman Aster suggested the numbers be brought back before the Board at a budget workshop in October. Mr. Montanye said he would get estimates and have an amendment at the next meeting to reflect the cost of engineering services. Alderman Odham expressed concern about allocating money at this time without knowing the true costs. The ultimate consensus was to bring this back before the Board after Mr. Montanye obtained estimates.

21. Consider Adopting an Amendment to the Budget Ordinance for the Drainage Improvements Project Fund.

The Duffyfield Wetlands Project Fund is partially funded with grant funds of \$348,102 from the CDBG program and existing drainage improvement project funds of \$347,449. It is estimated the total cost of the project will be \$870,551, which includes professional services. The project fund needs to be increased by \$175,000 to cover the full cost of the project. These funds will be transferred from the General Fund.

Alderman Odham made a motion to adopt an amendment to the budget ordinance for the Drainage Improvements Project Fund, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

22. Consider Adopting a Resolution Approving a Contract for Phase I of the Duffyfield Wetlands Project.

The Duffyfield Wetlands Project will consist of expanding the existing stormwater pond on Biddle Street and increasing the size of the discharge pumps. It will also increase the size of the casing underneath the railroad tracks and include a standby generator. Bids for the project were received, and Jones and Smith Contracting submitted the lowest bid at \$789,920. It was requested the Board adopt a resolution authorizing the City Manager to execute a contract with Jones and Smith, including all change orders within the contract amount, for Phase I of the Duffyfield Wetlands Project.

Alderman Bengel made a motion to adopt a resolution approving a contract for Phase I of the Duffyfield Wetlands Project, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

23. Consider Adopting a Resolution Approving the Partial Release of an Easement with Weyerhaeuser NR Company.

In 2007, Weyerhaeuser granted the City various easements over their properties to the west of New Bern to allow access to the City's new water supply wells. Since that time, access to the well sites has been improved, and many of the sites can now be accessed via paved roads. Thus, Weyerhaeuser has requested a partial release of the 2007 easement to unencumber a portion of the West New Bern Development. The City Engineer has reviewed the request and determined the release will not affect the City's current operations nor impede future operations planned at that site.

Alderman Kinsey made a motion to adopt a resolution approving the partial release of an easement with Weyerhaeuser NR Company, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

24. Consider Adopting a Resolution Authorizing the Submission of a Grant Application for the Federal Clean Water Act Amendments of 1987 and the NC Water Infrastructure Act of 2005.

The Federal Clean Water Act Amendments of 1987 and NC Water Infrastructure Act of 2005 have authorized the making of loans and grants to aid eligible government units in financing the construction costs of wastewater and stormwater treatment systems. Staff is working with Withers Ravenel, the engineering firm assisting with the Duffyfield Stormwater Enhancement Project, to prepare an application for submission. The total amount requested for that project is \$885,000. Award announcements are anticipated in July 2020. If the City is awarded a loan or grant, it is not committed to accept the funds. If it does accept funds, it can decide at that time whether to accept the award in whole or part.

Alderman Best made a motion to adopt a resolution authorizing the submission of a grant application for the Federal Clean Water Act Amendments of 1987 and the NC Water Infrastructure Act of 2005, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

25. Consider Adopting a Resolution Authorizing the Submission of a Grant Application for the National Fish and Wildlife Foundation's 2020 National Coastal Resilience Fund.

The City was invited to submit a grant application through the National Fish and Wildlife Foundation 2020 National Coastal Resilience Fund. If awarded, the grant would be used to support planning for future implementation of nature-based solutions to meet the City's restoration and community resilience goals. The grant amount requested is \$150,000, and an equal match of \$150,000 would be required. Staff will seek additional grants to cover the match or use previous awards, if possible.

Alderman Bengel made a motion to adopt a resolution authorizing the submission of a grant application for the National Fish and Wildlife Foundation's 2020 National Coastal Resilience Fund, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

26. Appointment(s).

Alderman Bengel made a motion to appoint Shelley Maloy to the New Bern-Craven County Library Board, seconded by Alderwoman Harris. The motion carried unanimously 7-0. Ms. Maloy will serve the remainder of the term vacated by Ethel Staten, which expires on December 1, 2020.

Alderman Kinsey made a motion to reappoint Raymond Layton to the Planning & Zoning Board, seconded by Alderman Bengel. The motion carried unanimously 7-0. Mr. Layton will serve a three-year term to expire on June 30, 2023.

Alderman Odham made a motion to reappoint Pat Dougherty to the Planning & Zoning Board, seconded by Alderwoman Harris. The motion carried unanimously 7-0. Mr. Dougherty will serve a three-year term to expire on June 30, 2023.

27. Attorney's Report.

The City Attorney had nothing to report.

28. City Manager's Report.

The City Manager had nothing to report.

29. New Business.

Mayor Outlaw

Appreciation was expressed to staff and the Board for their hard work. The Mayor voiced a willingness to assist anyone whenever a need arises.

Alderman Bengel

The Firemen's Museum current lease is for a 5-year period. Noting grant agencies desire to see long-term leases, Alderman Bengel recommended the Museum be given a 10-year lease with an automatic renewal of 10 years. Alderman Aster questioned why a lease was even needed since the museum occupies a city-owned building with city-owned property on display. Mayor Outlaw explained grant agencies want to make sure the museum will be in existence long term, and a lease helps to signify that. Mr. Davis also offered explanation about the expenses to the City to operate the museum versus it being operated by the Friends of the Firemen's Museum. The Board directed Mr. Davis to pursue the 10-year lease with a 10-year renewal. An agenda item will likely come before the Board in July for approval, as long-term leases must be noticed.

The New Bern Housing Authority ("NBHA") has not been able to meet at the New Bern Towers because of COVID-19. The Authority has asked if they could use

Development Services' conference room to conduct their meetings. Meetings would start at 4 p.m. and if they run beyond 5 p.m. then staff would need to be there to lock up and possibly assist with helping handicap individuals into and out of the building. Alderman Odham asked if the Omega Center could be used instead. Foster Hughes, Director of Parks and Recreation, said that was a possibility, as the City has use of the building Monday through Thursday. Alderman Bengel stated she would pose that suggestion to the NBHA.

Alderwoman Harris

An update on summer programs was requested. Mr. Hughes announced summer camps will start on Monday and will be based out of the Omega Center. Playgrounds are closed through Phase 2. The pool, splashpad, tennis courts, and pickleball courts are open, as well as parks. Basketball courts, however, are still closed. A drive-in theater begins this Friday at Lawson Creek Park, which is a new event. Once summer camps start, the recreation facilities will not be open to other activities per the Governor's executive orders.

Alderman Aster

The Greenville Fire Department recovered the body of one of its young firefighters. The 24-year-old drowned in the Tar River while swimming with fellow firefighters. Alderman Aster asked for prayers for the family and that Department.

Alderman Kinsey

Gratitude was voiced for everyone's hard work.

Mayor Outlaw requested an update on the stage for Union Point Park. Mr. Hughes distributed handouts depicting the options of a permanent or portable stage. The cost estimate for a permanent stage is \$153,500. In case the permanent stage is desired, staff obtained a Certificate of Appropriateness ("COA") from the Historic Preservation Commission. The permanent stage would be constructed of block, brick and concrete with steel columns and a metal roof. It would measure 40' x 30'. A mobile stage would cost approximately \$130,000. Noting its benefits, Mr. Hughes recommended the mobile stage. Insurance proceeds allocated for the stage and restrooms at Union Point Park was \$155,000. About \$10,000 of that has been spent on the restrooms, so sufficient funds remain available to purchase the mobile stage. Parks and Recreation has a vehicle that can pull the mobile unit. After some voiced a desire to move forward with the mobile stage, Mr. Stephens said a budget amendment would be on the next agenda to move the insurance funds from the general fund.

Alderman Bengel asked for an update on Juneteenth. Alderwoman Harris said a lot of events were cancelled, but a town hall meeting was scheduled for June 13, 2020 at Henderson Park. Social distancing guidelines must be followed during the event.

30. Closed Session.

A closed session was not needed.

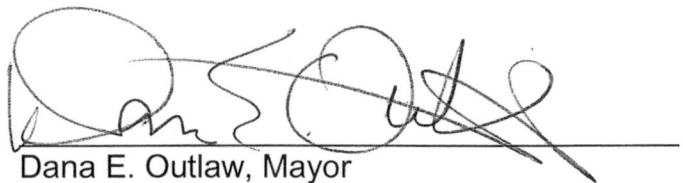
31. Adjourn.

Alderman Odham made a motion to adjourn, seconded by Alderman Aster. The motion carried unanimously 7-0, time being 9:36 p.m.

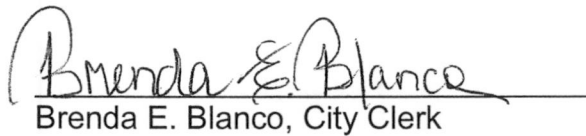
The attached documents are incorporated herewith and are hereby made a part of these minutes.

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

Minutes approved: June 23, 2020



Dana E. Outlaw, Mayor



Brenda E. Blanco, City Clerk