

**City of New Bern
Board of Aldermen Meeting
April 27, 2021 – 6:00 P.M.
Craven Community College – Orringer Auditorium
800 College Court**

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

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

Consent Agenda

- 3. Consider Adopting a Resolution Calling for a Public Hearing on the Proposed Budget for Fiscal Year 2021-2022.**

Budget workshops are scheduled for May 4th and 5th to review the proposed budget for Fiscal Year 2021-2022. Following the workshops, a public hearing will be held as required by statute. The proposed date of the hearing is May 11, 2021.

- 4. Consider Adopting a Resolution Calling for a Public Hearing to Rezone Tax Parcel ID 8-216-011 from C-4 Neighborhood Business District to C-3 Commercial District.**

Michelle Lynn, the owner of Parcel ID 8-216-011, requested to rezone the property identified as Tax Parcel ID 8-216-011 from C-4 Neighborhood District to C-3 Commercial District. The parcel is approximately 0.76 of an acre and is located on the northern side of Neuse Boulevard just east of Kensington Park Drive. The Planning and Zoning Board unanimously approved the request at their April 6, 2021 meeting.

- 5. Consider Adopting a Resolution Calling for a Public Hearing to Rezone 431 NC Hwy. 55 W. from R-20 Residential District/A-5 Agriculture District to C-4 Neighborhood Business District.**

On behalf of the City of New Bern, Foster Hughes, Director of Parks and Recreation, requested that 431 NC Hwy. 55 W. be rezoned from R-20 Residential District/A-5 Agriculture District to C-4 Neighborhood Business District. The parcel

is approximately 7.43 acres and is located on the southern side of NC Hwy. 55 W. and the western side of Hillmont Road. The Planning and Zoning Board unanimously approved the request at their April 6, 2021 meeting.

6. Consider Adopting a Resolution Calling for a Public Hearing to Annex a Portion of Tax Parcel ID 8-209-13001.

Clifford Parson, on behalf of Weyerhaeuser NC Company, requested that a portion of Tax Parcel ID 8-209-13001 consisting of approximately 5.24 acres be annexed into the city limits. The parcel is in the area of the West New Bern development. It was requested a public hearing be held on May 11, 2021 to consider the request.

7. Approve Minutes.

Minutes from the April 13, 2021 regular meeting and April 16, 2021 work session were provided for review and approval.

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

8. Conduct a Public Hearing on the 2021-2022 CDBG Draft Annual Action Plan.

The CDBG Annual Action Plan serves as the City's application for funding under the Entitlement Cities Program. The plan provides a summary of the actions, activities, and specific federal and non-federal resources that will be used to address the priority needs and specific goals identified in the Strategic Plan section of the Fiscal Year 2021-22 Consolidated Plan.

Amanda Ohlensehlen, Community and Economic Development Manager, shared a PowerPoint reviewing the highlights of the plan. She announced the draft plan was made available for public inspection, and a public hearing was conducted in the Office of Development Services on March 1, 2021 to receive comment on priority community needs. The City will receive \$264,866 in entitlement funds. It is proposed that \$52,973 be used for administration, \$125,000 for housing rehabilitation, and \$86,893 for the Duffyfield Stormwater Project. The plan will be considered for adoption at the Board's May 11, 2021 meeting.

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 Aster. The motion carried unanimously 7-0.

Mayor Outlaw stated it was his hope that the funds designated for the Duffyfield Stormwater Project would actually be used on "brick and mortar" items and not tied up in fees.

9. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex Tax Parcel IDs 8-206-132 and 8-206-133.

Goshen Medical Center requested the annexation of property known as Tax Parcel IDs 8-206-132 and 8-206-133. The property is located on Dr. MLK Jr. Boulevard near Ben D. Quinn Elementary School.

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

Alderman Odham made a motion to adopt an ordinance to annex Parcel IDs 8-206-132 and 8-206-133, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

10. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex 3412 Old Airport Road.

Barbara Fulcher requested to annex the property she owns at 3412 Old Airport Road. The property consists of 1.29 acres and is in Number 7 Township. The Board approved a Sewer Use Agreement for this property at its April 13, 2021 meeting.

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

Alderman Aster made a motion to adopt an ordinance to annex 3412 Old Airport Road, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

Alderman Aster voiced concerns about the potential for public safety confusion during an emergency when one house is in the city limits, but the adjacent homes are not.

11. City Manager's Presentation of Fiscal Year 2021-2022 Budget.

The recommended budget for Fiscal Year 2021-2022 was distributed to the Board and a brief overview provided by the City Manager. Mr. Stephens noted the budget workshops were scheduled for May 4th and 5th beginning at 4 p.m. With the City Hall courtroom still under renovation, the Board will need to consider an alternate location and could adjust the meeting time, if desired.

Budget requests were \$10.5 million over projected revenues; thus, the requests had to be culled down. A total of 26 additional positions were requested, but only 6 of those are recommended. Despite COVID-19, the sales tax revenue was surprisingly high for FY20-21. The proposed budget does not seek a tax increase,

nor an increase in utility rates. A 1.4% cost-of-living adjustment is recommended for employees, as well as merit increases ranging from 0-2.1%. Additional highlights of the budget were also reviewed with respect to operating and capital expenses. Mr. Stephens suggested a fund be established for other post-employment benefits (“OPEB”) using residual funds from the FY2021 budget, and he indicated a policy would soon be presented to the Board for consideration.

A discussion ensued with respect to the ongoing need to address maintenance of ditches and the stormwater system following the Category A work being performed with FEMA funding. George Chiles, Interim Director of Public Works, answered questions posed by the Board.

Mr. Stephens noted a summary of all departmental requests was included in the front flap of the budget notebook, along with a 5-year Capital Improvement Plan.

Alderman Odham made a motion to call for two budget workshops on May 4, 2021 and May 5, 2021 at 5:30 p.m. at West New Bern Recreation Center, seconded by Alderman Bengel. The motion carried unanimously 7-0.

12. Consider Adopting a Resolution Authorizing the Sale of 1213 Mechanic Street by the Redevelopment Commission of the City of New Bern.

The Redevelopment Commission desires to sell the property located at 1213 Mechanic Street to the adjoining property owner, who wishes to utilize the parcel to expand and enhance their outdoor space. The property is not suitable for development by the Commission because it is in the 100-year flood plain.

Alderman Best made a motion to adopt a resolution authorizing the sale of 1213 Mechanic Street by the Redevelopment Commission of the City of New Bern, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

Noting the City had conveyed the property to the Redevelopment Commission, Alderman Odham asked for an explanation as to why the Governing Board must approve the sale of the property. Mr. Davis explained that state statute required the Board to approve the sale of property to ensure that the sale is consistent with the redevelopment plan.

13. Consider Adopting a Resolution to Recommend Strategic Buy-Out Program Zones to the North Carolina Office of Recovery and Resiliency Strategic Buy-Out Program.

The NC Office of Recovery and Resiliency (“NCORR”) consulted with staff regarding a plan to initiate the ReBuild NC Strategic Buyout Program within New Bern’s jurisdiction. The Board was asked to consider the recommendation of four buyout zones for acceptance into the program: 1) the North Hills/Oakland Gardens Area and Coopers Landing Apartments; 2) Trappers Creek area; 3) Autumn Chase

and DeGraffenreid Park/Green Park Place area; and 4) Attmore Drive/Glenview area and Glenburnie Gardens. Mrs. Ohlensehlen briefly reviewed the process and answered questions posed by the Board.

Alderwoman Harris made a motion to adopt a resolution to recommend strategic buy-out program zones to the NCORR's strategic buyout program, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

Items 14 and 15 were voted on collaboratively as noted under Item 15.

14. Consider Adopting a Resolution Accepting Ownership and Maintenance of Arbor Green Way.

The City received a request to accept ownership and maintenance of Arbor Green Way. Public Works performed a built-to-standards inspection and confirmed that the street has been constructed to meet the City's street design standards. Staff recommended the street be accepted.

15. Consider Adopting an Ordinance to Amend the Schedule of Maximum Speed Limits as Defined in Section 70-132 of the Code of Ordinances.

As noted in the previous item, it was requested that Arbor Green Way be accepted by the City for ownership and maintenance. Assuming the request is approved, the street will need to be added to the list of streets referenced in Section 70-132 of the Code of Ordinances to establish a maximum speed limit of 25 mph.

Alderman Odham made a motion to adopt a resolution accepting ownership and maintenance of Arbor Green Way and an ordinance to amend the schedule of maximum speed limits as defined in Section 70-132 of the Code of Ordinances, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

16. Consider Adopting a Resolution Approving Additional Streetlights on Racetrack Road.

Public Works requested the installation of additional streetlights along Racetrack Road. Staff evaluated the request and determined the area did not meet the City's light standard and recommended the addition of eight streetlights. The installation of the lights will cost \$4,514.10, and the monthly utility charge for service will be \$67.52.

Alderman Kinsey made a motion to adopt a resolution approving additional streetlights on Racetrack Road, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

17. Appointment(s).

Alderman Best made a motion to appoint Annette Stone to the Historic Preservation Commission, seconded by Alderman Bengel. The motion carried unanimously 7-0. Ms. Stone will fill the remainder of James Woods' unexpired term.

18. Attorney's Report.

The City Attorney had nothing to report.

19. City Manager's Report.

The Fire Department will have their accreditation assessment May 16-18, 2021, to determine whether the department will need to go before the accreditation board in July. The Governing Board was invited to attend a meet and greet with the assessors on Sunday, May 16th, at 5 p.m. Once that date is confirmed, an invitation will be distributed by email.

Alderman Best asked for an update on the environmental assessment for the Stanley White Recreation Center. At Mr. Stephens' request, Foster Hughes, Director of Parks and Recreation, provided an update. He stated staff participates in a weekly meeting with FEMA to discuss the assessment. The next meeting is slated for Thursday, April 29th. Chelsea Klein, a FEMA representative, indicated last week that the process would be opened to the public sooner than later to provide a 30-day window for the public to review the complete environmental assessment. FEMA will decide whether to also have a public meeting to obtain public input.

20. New Business.

Alderman Best

The State trimmed the tree lines on Highway 55 and left behind debris in the ditches. She asked Mr. Chiles to contact NCDOT about removing the debris.

During discussions about the buyout zones, North Hills Drive and North Hills Court were apparently taken off the City's repaving list. Alderman Best asked the Board to support her request to add the streets back to the list because of their poor condition and the length of time it may take for the buyout process. Mr. Chiles confirmed the streets were replaced with Walt Bellamy and Main Street, and he stated staff could move those two streets to next year's budget and keep North Hills Drive and North Hills Court on this year's repaving plan. Alderman Odham suggested a decision be delayed until the budget workshops when the list of streets could be reviewed. Alderman Best expressed concern that the buyout program may take 12 years to complete, and Jeffrey Ruggieri, Director of Development Services, confirmed that the program could be quite lengthy and that there was also the possibility that not all four of the recommended zones would be approved. Alderman Best made a motion to put North Hills Drive and North Hills Court back

on the FY20-21 paving list, seconded by Alderwoman Harris. The motion carried 5-2 with Mayor Outlaw and Alderman Odham voting against it. Gratitude was expressed to Public Works for cleaning the sidewalks in the area of Blades Avenue.

Alderman Aster

The paving of Old Airport Road is in the final days. The project should be complete in the next one to two days, except for minor striping.

Alderwoman Harris

Constituents have reached out regarding the discussion at the last meeting about the City Market and VOLT Center. Alderwoman Harris stated an email was sent to the Economic Development Agency (“EDA”) and copied to the Board. An excerpt from the EDA’s response was read: *the “EDA received from the grantee(s) a request and justification for expanding the workforce element of this award. Based upon EDA’s review of the approved scope of work and success of the workforce component the request was approved. EDA regrets that there is a difference of opinion within the Board, however that is viewed as a local issue that is best resolved locally”.* Alderwoman Harris she responded to the writer requesting the Grant Officer and their supervisor’s contact information so City residents could reach out to them regarding their decision. Citizens felt like the Choice Neighborhoods Initiative (“CNI”) engagement should have been utilized in the decision to change the scope of work, and there was concern that citizens were not involved in the decision. Alderwoman Harris expressed concern that the Governing Board is comprised of seven members with the City Manager serving at the entire Board’s pleasure, not the pleasure of individual members. Moving forward, she requested that if the City Manager is asked to hold meetings or do anything regarding projects that she be copied on the request. She noted that she was not notified or involved with respect to the change in scope for the City Market. She also expressed concerns about a meeting held between Alderman Bengel and some other Board members regarding the Redevelopment Commission. She asked Alderman Bengel about her concern with respect to a contract involving the Commission. Alderman Bengel explained that at the meeting held following Dr. Caldwell’s presentation, a Board member questioned whether the contract was between Dr. Caldwell and the Redevelopment Commission or Dr. Caldwell and Development Services. The reply was that the contract was through Development Services. However, upon seeing the contract, Alderman Bengel noted it involved the Redevelopment Commission and not the City department. Alderman Bengel stated she subsequently learned the contract was signed on March 16, 2021 and had never been taken before the full Board for review. She stated she had no issues with Dr. Caldwell, but was simply questioning the parties to the contract. Alderwoman Harris asked whether Alderman Bengel had an issue with the Commission voting to move forward, and Alderman Bengel stated she had an issue with the process involving the contract and invited Alderwoman Harris to have an offline conversation with her so they could discuss the matter. Alderman Bengel expressed concern that emails were being sent to members of the Redevelopment

Commission that were not being copied to Alderwoman Harris, Alderman Best or herself.

Alderwoman Harris said there was an issue with transparency on the Governing Board. She commented about the importance of the contract with Dr. Caldwell, as it would create affordable housing in Duffyfield. She expressed concern about the Governing Board not working together as a team and emphasized the need to allow the Redevelopment Commission to do what it should with respect to redevelopment. Alderman Bengel stated she expected everyone, from Aldermen to Commission members to staff members, to be truthful and upfront, and Alderwoman Harris agreed. Alderwoman Harris stated it had also been brought to her attention that meetings have been held in which the City Manager and City Attorney had been asked to advise how the Housing Authority could be dismantled and brought under the City or the Redevelopment Commission. She expressed concern with individuals serving at the pleasure of the Board doing something specifically for certain aldermen and the rest of the Governing Board not being copied or made aware of that.

It was questioned whether there would be additional discussion on the utilization of the American Rescue Plan Funding. The Pembroke community has inquired as to whether funding can be used in their area for beautification and infrastructure.

Complaints have been received about the two-hour parking downtown, with requests for parking enforcement only along the main streets with the outer streets excluded. Alderman Bengel pointed out Broad Street did not have parking restrictions, and it was found that a three-hour period tended to be abused by employees. Alderman Bengel also noted more tickets were issued for parking over the lines and in the wrong direction than tickets for exceeding the time limit. Alderwoman Harris asked about the possibility of using stickers to identify downtown employees so they could be told to park elsewhere. Alderman Bengel noted a couple of concerns with that practice and stated the employees should know better.

Although it is important for people to have their own views, Alderwoman Harris stated she felt it was insensitive for someone to make comments about people preferring to stay home and draw unemployment versus working a job during COVID. She asked that the Board refrain from making such remarks.

Alderman Bengel

Concerns have been expressed about speed on North Craven Street, Second Street, and in the Woodrow area, and requests have been made for traffic-calming devices. Alderman Best stated she was not in favor of speed bumps and felt the police should monitor the areas or use four-way stop signs as an option. Alderman Bengel asked for the City Manager or City Attorney to investigate the alternative options being used by the City of Durham.

Alderman Best

Referring to Alderwoman Harris' earlier request, Alderman Best also asked to be copied on any requests for changes in scope of work/plans or requests that involve other aldermen.

Gratitude was expressed to Mr. Ruggieri and Mrs. Ohlensehlen for an outstanding job on the buyout program and working with the NC Office of Recovery and Resiliency ("NCORR") and ReBuild NC.

21. Closed Session.

Alderman Odham made a motion to enter into closed session pursuant to NCGS 143-318.11(a)(6) to discuss a personnel matter, seconded by Alderman Best. The motion carried unanimously 7-0.

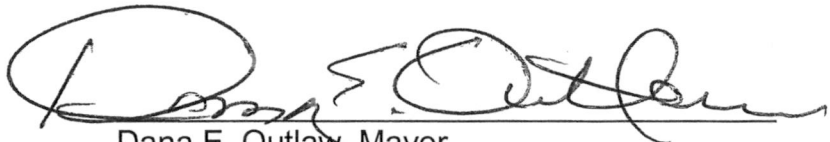
22. Adjourn.

Alderwoman Harris made a motion to adjourn, seconded by Alderman Bengel. The motion carried unanimously 7-0, time being 8:22 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: May 11, 2021



Dana E. Outlaw, Mayor



Brenda E. Blanco, City Clerk