

**CITY OF NEW BERN  
BOARD OF ALDERMEN MEETING  
AUGUST 24, 2021 – 6:00 P.M.  
CITY HALL COURTROOM  
300 POLLOCK STREET**

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

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

Also Present: Foster Hughes, Interim City Manager; Michael Scott Davis, City Attorney; Jaimee Bullock-Mosley, Assistant City Attorney; and Brenda Blanco, City Clerk.

**Consent Agenda**

- 3. Consider Adopting a Resolution Approving the Closure of the 1000 Block of K Street for a Family Reunion/Memorial Celebration.**

Antoinette Green, a resident of K Street, requested the 1000 block of K Street be closed to vehicular traffic on Saturday, September 4, 2021, and Sunday, September 5, 2021, from 5:00 p.m. until 11:59 p.m. for a family reunion/memorial celebration.

- 4. Approve Minutes.**

Draft minutes from the August 10, 2021 meeting were provided for review and approval.

Alderman Bengel made a motion to approve Items 3-4 of the Consent Agenda, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

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- 5. Presentation by MetroNet.**

Kris Smith, Governmental Affairs Director with MetroNet, introduced Bobby Shatterly, Regional Representative, and Warren Jarman, Construction Manager. Ms. Smith shared a PowerPoint presentation to review the communication plan for

the construction phase of MetroNet's broadband project. The infrastructure will be 100% fiberoptics. Once construction begins, MetroNet will handle any questions from the public within 24 hours of receipt. The construction phase will likely begin in areas where underground infrastructure is utilized, and the total project will take roughly 18-36 months. Alderman Aster suggested Bluewater Rise be considered as an initial point of construction.

Alderman Bengel asked for information on how citizens could sign up for service. Ms. Smith stated residents should use MetroNet.com to pre-register for service, sign up for service, and to see updates on areas where service is available. It was suggested by Alderman Bengel that MetroNet consider New Bern as a setting for a local office.

**6. Discuss FEMA Update on Stanley White Recreation Center.**

On August 16, 2021, FEMA released its findings on the environmental assessment ("EA") for Stanley White Recreation Center ("SWRC"). A Finding of No Significant Impact ("FONSI") was issued approving the Third Avenue site as the new location. Mr. Hughes sought direction from the Board on how to move forward. Noting it had been almost three years since the original facility was damaged, Alderman Bengel voiced a desire to waste no time in moving forward so the facility could be rebuilt and citizens could again have a center to use. She confirmed with Mr. Hughes that based on FEMA's decision, the City must legally place the facility in the new location.

Alderwoman Harris made a motion to move forward with the SWRC project at the approved FEMA location and to give the Interim City Manager direction to proceed with issuing a Request for Proposal ("RFP") for contractors and architects, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

Prior to the vote on the motion, Alderman Odham asked about the previous discussion to turn the original site slab into a basketball court, etc. Mr. Hughes stated an additional change in the scope of work would be sought to move the outdoor restrooms to a centralized location that is not in a low-lying area and to make other upgrades. Affirming this has been a controversial topic, Alderwoman Harris said she was supporting the relocation since FEMA had approved the site. She encouraged diversity with respect to the individuals who would reconstruct the facility as she felt that would bring wealth to the community.

**7. Consider Adopting a Resolution Approving the Sale of 125 Hillmont Road.**

After receiving an offer from Hilliard Thompson to purchase 125 Hillmont Road for \$7,500.00, the Board adopted a resolution on June 22, 2021 to initiate the upset bid process. The bid was advertised, but no upset bids were received. This parcel is a vacant, nearly ½-acre lot with a tax value of \$15,000.00. The property was acquired jointly by the City and County in May 2019 through tax foreclosure. The

unpaid taxes at that time were \$6,349.65. The City was projected to receive \$3,244.62 and the County was projected to receive \$4,255.38 from the proceeds.

Alderman Best made a motion to adopt a resolution approving the sale of 125 Hillmont Road, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

**8. Consider Adopting a Resolution Approving the Sale of 597 Hwy. 55 West.**

Hilliard Thompson also rendered an offer to purchase 597 Hwy. 55 West for \$3,375.00. The Board adopted a resolution on June 22, 2021 to initiate the upset bid process. The bid was advertised, but no upset bids were received. This parcel is a vacant 0.14-acre tract. Tax records indicate an additional value of \$19,570.00 for a mobile home or structure, but Public Works' staff has confirmed the property is vacant. The property was acquired jointly by the City and County in May 2019 through tax foreclosure. The unpaid taxes at that time were \$4,851.10. The City was projected to receive \$140.50 and the County was projected to receive \$3,234.50 from the proceeds.

Alderman Best made a motion to adopt a resolution approving the sale of 597 Hwy. 55 West, seconded by Alderman Bengel. Upon a roll-call vote, the motion carried unanimously 7-0.

**9. Consider Adopting a Budget Ordinance Amendment for FY2021-22.**

This ordinance will amend the E911 Telephone System Fund to reduce the annual PSAP distribution from the State. The reduction of \$28,325 is due to the City exceeding the allowable 20% that could be carried forward from FY2021. The Grant Fund would be amended to recognize a \$1,500 grant from the Juvenile Crime Prevention Council ("JCPC") for National Night Out, which requires no match. Lastly, the Water Fund will be amended to appropriate \$18,583 from fund balance to replace a 2013 Ford F250 that was totaled in an accident in June 2021. Insurance proceeds of \$16,417 were received and will be used toward the replacement vehicle, which will cost \$35,000.

Alderman Odham made a motion to adopt a budget ordinance amendment for FY2021-22, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

**10. Appointment(s).**

Alderman Aster made a motion to reappoint Gasper "Sonny" Aluzzo to the Planning and Zoning Board, seconded by Alderman Bengel. Upon a roll-call vote, the motion carried unanimously 7-0. Mr. Aluzzo will serve another three-year term to expire on June 30, 2024.

## **11. Attorney's Report.**

Now that the Census data has been received, it is time to look at redistricting. Mr. Davis proposed a meeting date be established to begin the process. After brief discussion, Aldermen Harris, Best and Bengel decided to meet with Alice Wilson, GIS Coordinator, on August 30, 2021 to review their wards. The September 14, 2021 agenda will include an item to discuss the redistricting, and it is possible to have the vote on the September 28<sup>th</sup> agenda.

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

- Since January 2021, the City has had 269 COVID-related cases, of which 45 employees tested positive and the rest were quarantined. Currently, 33 employees have tested positive or are quarantined, which is having an impact on operations. Employees are encouraged to social distance and wear masks as needed. Some cities across the state are offering vaccine incentives at an average of \$250. It is unknown if the incentives are working. At Alderman Aster's request, Sonya Hayes, Director of Human Resources, described the protocol for vaccinated employees exposed to COVID. Since the emergency paid sick leave provision under the Families First Coronavirus Response Act ("FFCRA") expired on December 31, 2020, all employees who are diagnosed with COVID or in quarantine due to exposure or a pending test must use whatever leave time they have available on the books. Alderman Aster suggested the City do whatever it could to encourage employees to be vaccinated. He asked whether American Rescue Plan ("ARP") funds could be used for incentives, and Mr. Hughes said the School of Government had issued an opinion which appears to indicate the funds can be used. If incentives are provided, Mr. Hughes explained they would be retroactive for those who have already been vaccinated. The cost for approximately 460 employees would be around \$123,750. Alderman Aster said he felt a vaccination campaign should be initiated, that he favored an incentive program, and those who did not want to be vaccinated should be required to always wear a mask at work or get tested regularly. Alderman Best felt the vaccine was an employee's personal decision, but those unvaccinated should be required to wear a mask. She did not think a \$250 incentive should be given. Upon questioning by Alderman Aster, Mr. Hughes stated the incentives that are currently being offered are by larger cities such as Raleigh/Wake County and Charlotte/Mecklenburg County, which are areas "blowing up" with cases. He was not aware of any local government on the eastern part of the state that was offering incentives. Although he felt those who did not want to be vaccinated would not be persuaded by an incentive, Mr. Hughes felt the incentive may help those who are on the fence about the vaccine. Alderman Aster questioned whether the hospital was requiring its employees to be vaccinated, to which Alderman Odham responded not at this time. Mrs. Hayes said the City did not currently track employee vaccinations; thus, she was unaware of what percentage had received the vaccine. For the Board to make an educated decision, Alderman Odham felt it needed to know how many employees were vaccinated and also have information based on department and employees with public interaction.



Alderwoman Harris concurred with him and said she would need to see the numbers before she could vote on an incentive program. Alderman Odham pointed out the Board members were not healthcare experts, and even some of the healthcare experts were not experts on this topic. There are a lot of unknowns on the issue. Those who are vaccinated can still contract COVID and can also spread it. Alderman Odham said he had heard of a private sector company that did not charge leave time to vaccinated employees who contracted the virus, but did charge leave time to unvaccinated employees who contracted COVID. Alderman Aster felt that may be a good median, and Alderman Bengel felt it was a good idea. Mrs. Hayes stated she was aware of one municipality that was practicing that method. At the conclusion of the discussion, Mr. Hughes said he would pull information together to bring back before the Board.

- Mr. Hughes announced he and Mayor Outlaw attended an award ceremony this weekend in Greensboro where Brenda Blanco was awarded the NC Clerk of the Year award by the NC Association of Municipal Clerks. Mr. Hughes stated they were very proud of Ms. Blanco, and a round of applause was extended by all in attendance.

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

#### Mayor Outlaw

It was very exciting to be in Greensboro and see the whole state and NC Municipal Clerks Association honor Ms. Blanco. She is held in very high regard on the state level and serves on the Board of Directors for the NC Association of Municipal Clerks, is a NC Certified Municipal Clerk, International Certified Municipal Clerk, and International Master Municipal Clerk.

With respect to the vaccinations, it is a very personal decision. Mayor Outlaw stated he chose to be vaccinated in an attempt to set a leadership example. Alderwoman Harris suggested a potential onsite vaccination clinic for employees who do wish to receive the vaccine. Until the Board can further review the issue, Alderman Best suggested that leave time not be charged to those who are vaccinated and contract the virus between now and the next meeting. Mr. Hughes stated information would be gathered and presented at the next meeting; however, the City would continue to charge leave time as it had been since the first of this year.

#### Alderman Bengel

Gratitude was expressed to all military personnel who live in New Bern and the surrounding areas. It is difficult to see the current happenings on television, and Alderman Bengel wanted to express support for our military heroes. She has been praying for Americans in Afghanistan and the Afghans who are desiring to evacuate.

#### Alderwoman Harris

Friends and family were able to view Van Cuthbertson's funeral on YouTube. Margaret Shields, Grant Writer with Fund Development, emailed about the possibility of applying for a \$50,000 Golden Leaf grant for the VOLT Center. Alderwoman Harris asked where things stood with respect to moving forward with

the grant. Mr. Hughes recounted a motion failed at the July 13, 2021 Board meeting to move forward with grants for the commissary kitchen. Hence, staff currently has no direction to move forward, but would be willing to proceed as directed. If the VOLT Center commissary kitchen does not move forward, Alderwoman Harris said the grant funds could potentially be used at a different site upon approval of a change in the scope of work. She stated this was the second time the City had an opportunity for this grant and it had a high probability of receiving an award, so she was not sure why the Board would not move forward with giving direction to pursue it. Considering the decision at the July 13<sup>th</sup> meeting, Alderman Aster expressed surprise that the grant application was being pursued, and he questioned who authorized such action. Jeff Ruggieri, Director of Development Services, stated he was working on the Board direction prior to July 13<sup>th</sup>. The Golden Leaf grant application was "sitting in the harbor and ready to go", so following a recent meeting between Aldermen Best, Bengel and Harris with representatives of the restaurant industry and Craven Community College, the question arose as to whether to move forward with the grant.

While confirming the recent meeting with the college and restaurant industry was positive, Alderman Bengel pointed out information was still lacking on the cost to operate the kitchen. She asked for a copy of the Golden Leaf grant application, noting that the Cannon grant application contained what she believed to be misinformation and inconsistencies. That application indicated the City had partnered with the hospital, which it has not done. Mrs. Shields clarified the reference to partnering with the hospital was meant to indicate the hospital could use the facility for training its employees. Alderman Bengel then read a portion of the application, which she said was not necessarily true. Mrs. Shields explained the document was a letter of intent ("LOI") that was needed prior to submission of the actual grant application. Additional discussion ensued about the potential use of the kitchen, the involvement of others, the grant application process, and associated costs of equipping and operating the kitchen. Alderman Aster questioned who would manage the commissary kitchen, and Alderman Bengel said that was one of her questions too. During some of the conversations, it was indicated that Amanda Ohlensehlen, Community and Economic Development Manager, had experience from running the kitchen at the Havelock Tourist Center. Alderman Bengel pointed out that was not a commissary kitchen, but was a kitchen used by vendors who were catering events at the center. New Bern's convention center offers the same type of kitchen space. Alderman Aster remarked that managing a kitchen was not Mrs. Ohlensehlen's job, and Alderman Bengel noted the grant documents listed her as the person responsible for that task.

Alderwoman Harris noted the group that met recently had planned a follow-up meeting in three weeks at which time many of Alderman Bengel's questions would be answered. She stressed that at this time the only thing needed was authority to move forward with the LOI. If the grant is received, the scope of work could be adjusted in the future. Alderman Aster said he would not vote to spend money to build a kitchen that would be managed, insured, and maintained by the City, but utilized by a vendor selling items for profit. Alderwoman Harris said from the beginning of the Choice Neighborhoods Initiative ("CNI") Plan, the intent was to

pursue a city market, and the kitchen was part of that plan. She expressed confusion about the reluctance to sign the LOI. Alderman Best reiterated the comments by Alderwoman Harris and stated a subcommittee was formed so a more in-depth conversation could take place. At the recent meeting, there was productive conversation and Dr. Ray Staats, President of Craven Community College, indicated the college would always be a partner with the City regardless of what the Board of Aldermen decide. Alderman Best reiterated the original CNI plan provided for a catalyst kitchen, which would have already been upfitted if the \$200,000 tobacco trust grant had not been denied. She and Alderwoman Harris were not asking for City funds to upfit the kitchen, but were seeking grant funds to accomplish that. Alderman Aster felt any grants applied for on behalf of the City or by any department should run through the City Manager's office so the Manager would be aware.

At Alderman Best's request, Alderman Odham shared the hospital's position that it will support the college if the college has a class to teach food prep service. The hospital will not provide funding for a for-profit entity. The two paths the City can pursue is to secure grants to install the kitchen and provide management and oversight of the facility. The second option is to let the college use their funding to install the kitchen now and start training people. Mayor Outlaw did not feel the program would be as successful if the college were not in charge of it. He also questioned the sustainability of the program after the initial grant funds are secured to upfit the kitchen.

Alderwoman Harris said it sounded like the Board only cared about a certain population in the city – those who want to work in the restaurant industry, not entrepreneurs. She expressed confusion as to why the LOI was an issue, citing the recent meeting to work together with all parties. If the commissary kitchen does not work out at the VOLT Center, approval of a location change could be sought from the grant agency. She voiced concern about possibly losing potential grant funds.

In response to questions from Alderman Bengel, Mrs. Shields confirmed the purpose of a LOI is to indicate an intent to apply for the grant. The LOI being discussed is due on Thursday of this week. Following receipt of the LOI, the Golden Leaf Board will meet to review the LOI and advise the City as to whether it may apply. However, the City would not be obligated to apply. Considering that, Alderman Bengel said she was amenable to submitting the LOI. Although ultimately, she did not think when all the information was gathered that it would show it to be beneficial for the City to move forward with the kitchen.

Alderman Odham said essentially the City was going to continue to delay a situation where restaurants across the city were closing on certain days because they could not get help. The Board hears of people who say they do not get paid enough, but those who go through the college program and receive their certification are paid more. Alderman Odham questioned where things stood with the lease, and Mr. Davis stated the City was waiting to hear back from the Economic Development Administration ("EDA") about some questions they raised. In response, Alderman



Odham said that meant any day now the City could move forward with the lease, and the college could install the kitchen. Instead of doing that, it had been suggested the City apply and hope for grant funds so that some entrepreneurs could have a place to prepare their food. He then asked Mrs. Ohlensehlen if she ran a commissary kitchen in Havelock, and she replied that she ran a commercial kitchen in Havelock, not a commissary kitchen. She thought the closest commissary kitchen was in Burgaw, North Carolina, with several others across the state. Most are in larger cities, operate differently, and are funded differently. The commissary kitchen that is being established in Washington, North Carolina, is intended to support the workforce and entrepreneurship.

Responding to questions from the Mayor, Mrs. Shields announced it was projected that 15 food trucks would be established over the next three years. Speaking to the Mayor, Alderwoman Harris said all of his questions could be asked, but the point was the approval being sought at this time was that of submitting a LOI. She probed as to why the same questions being asked now were not being asked of the college. People are not working simply because they do not want to work. Many are not working because they are concerned about COVID. Dr. Staats stated in the recent meeting that he would partner with the City in any way needed to make the kitchen work. The working group intends to meet again in three weeks to provide and share additional information. Alderwoman Harris stated the City has never been in this situation before, having a million and one questions about a project when only a LOI was being sought. As expressed before, it is frustrating when a project involves entrepreneurs, the CNI, or Greater Five Points area and the Board goes back and forth "tit for tat". She stated she felt the Board was wanting to give the lease and kitchen to the college so people could be put in restaurants to work, which was unfair since some individuals did not want to train for restaurant work when they could utilize their skills to sell their own food items. There is no way to know if the grant would be approved. Alderwoman Harris said the only thing being sought was a signature on the LOI so they could have an opportunity to see where the project could go. Prior to COVID, the project was full force, and the City had the tobacco trust grant. Because of political and controversial matters, the City lost the grant because an individual pulled out after being harassed. The project was ready to move forward, but politics got involved. Knowing that some of the Board members were working together with the college and others from the restaurant industry, Alderwoman Harris stated she did not understand why this topic was such a big deal. As Alderman Bengel noted earlier, the grant process could be stopped at any time. There is no harm or commitment by submitting a LOI.

Alderman Aster asked how much was available in grant funds, and Mrs. Shields stated \$469,000 had been secured for the project in Washington. Washington's market will have a commissary kitchen that will be run by Washington's downtown revitalization group, not the City of Washington. Alderman Odham asked why that information was not being provided to the Board considering the Board was being asked to sign a LOI. Alderman Best said the subcommittee was in the process of gathering and securing information. Alderman Odham said Alderwoman Harris had made the argument that the City was utilizing and taking advantage of a CNI Plan to try to get funds, which is exactly what was being advocated by the LOI since



there is the possibility the kitchen may not be in the CNI area and may be placed elsewhere. He questioned why the City would enter a LOI under false pretense and stated he would like the Board to make a decision tonight so there is no more question about the VOLT Center.

Alderman Odham made a motion to move forward with the original intent from the April meeting to lease the space to the college so they could move forward with a food-prep service program, seconded by Alderman Aster. The motion carried 5-2 with Aldermen Best and Harris voting against it.

#### Alderman Aster

It was asked that Tyler Bowden Harris be remembered in prayer after the unexpected loss of their son this week.

A couple of weeks ago, the Board asked for a map of the ditches. Alderman Aster asked for a progress report on the production of the maps. George Chiles, Interim Public Works Director, said he should be able to provide the maps at the beginning of the following week. Mayor Outlaw stated he had received numerous complaints about drainage since he had been on the board the last 15 years or so. He was now getting more complaints because of the work that is being performed and asked about remediation for placing cables back in the ground and restoring landscaping. Mr. Chiles said he was aware of the neighborhood that was complaining, and the contractor anticipates a two-week window for the completion of excavation and rectification of the issues resulting from the process. Alderman Odham thanked Mr. Chiles for his attentiveness to the neighborhood's questions. Mr. Chiles said that was the first neighborhood where there were a lot of concerns. Work was taking place in people's front yards, and those yards will be resodded instead of seeded. Public Works is getting less calls, which indicates the City is seeing vast improvements in drainage issues.

#### **14. Closed Session.**

Alderman Odham made a motion to go into closed session pursuant to NCGS §143-318.11(a)(6) for a personnel matter, NCGS §143-318.11(a)(5) and NCGS §143-318.11(a)(3) for the potential acquisition of real property, and NCGS §143-318.11(a)(4) for an economic incentive associated with the location of a new business within the city limits, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0, time being 8:11 p.m.

NOTE: Once back in open session, Alderwoman Harris was unable to hear the conversation via the Zoom platform. Thus, she was switched to a telephonic platform.

#### Open Session

Alderman Aster made a motion to hire Foster Hughes as the permanent City Manager at a salary of \$165,000 a year plus a \$500 per month vehicle allowance and to ask Mr. Hughes to work as quickly as possible to locate an Assistant City Manager, all of which will be effective at the September 14, 2021 meeting subject to Mr. Hughes working with the City Attorney on an agreeable contract, seconded by Alderman Kinsey. Following the motion, Alderwoman Harris said she did not

agree with the process since other candidates did not receive an opportunity to apply. Thus, she would not be voting in favor of the motion. Upon a roll-call vote, the motion carried 6-1 with Alderwoman Harris voting against it.

Mr. Hughes thanked the Board for the opportunity and stated he looked forward to moving the City forward.

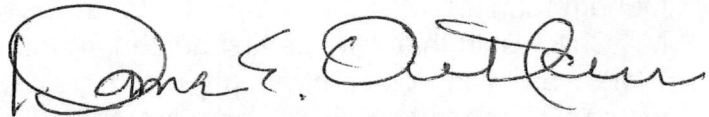
**15. Adjourn.**

Alderman Aster made a motion to adjourn, seconded by Alderman Bengel. The motion carried unanimously 7-0, time being 10:21 p.m.

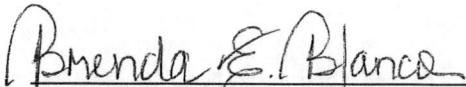
The attached documents are incorporated herewith and are hereby made a part of these minutes.

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: September 14, 2021



Dana E. Outlaw, Mayor



Brenda E. Blanco, City Clerk