

**CITY OF NEW BERN
BOARD OF ALDERMEN MEETING
SEPTEMBER 13, 2022 – 6:00 P.M.
CITY HALL COURTROOM
300 POLLOCK STREET**

- 1. Meeting opened by Mayor Jeffrey Odham. Alderman Prill led everyone in a moment of silence to observe the recent anniversary of 9/11. Pledge of Allegiance.**

- 2. Administer Oath of Office to Alderman Barbara Best.**

Brenda Blanco, City Clerk, administered the oath of office to Barbara Best. After being sworn in, Alderman Best thanked Mayor Outlaw, Alderman Bengel and Alderwoman Harris for the four and a half years they worked together. She welcomed Aldermen Prill, Royal and Brinson as well as Mayor Odham in his new capacity. She looked forward to the current Board working together. Alderman Best also expressed gratitude for the trust placed in her by the citizens of Ward 5.

- 3. Roll Call.**

Present: Mayor Jeffrey Odham, Alderman Rick Prill, Alderman Hazel Royal, Alderman Robert Aster, Alderman Johnnie Ray Kinsey, Alderman Barbara Best, and Alderman Robert Brinson. Absent: None. A quorum was present.

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

Mr. Hughes introduced Catrecia Bowman, the newly-hired Executive Director of the Redevelopment Commission. Ms. Bowman expressed her excitement about being in New Bern and invited the Board to voice its support and ideas for the Commission.

- 4. Approve Agenda.**

Alderman Best made a motion to approve the agenda, seconded by Alderman Prill. The motion carried unanimously 7-0.

- 5. Request and Petition of Citizens.**

Edwin Vargas of 119 Randomwood Lane suggested a list of accomplishments be made available under each elected official's name on the City's website. He also suggested a list of all expenditures from Hurricane Florence be detailed to show how the City had utilized FEMA funding.

Consent Agenda

6. Consider Adopting a Resolution Closing the 3600 Block of Cranberry Lane for the Sienna Woods 3rd Annual Neighborhood Picnic.

The Sienna Woods Picnic Committee requested to close the 3600 block of Cranberry Lane from 9 a.m. until 9 p.m. on October 22, 2022 for the Sienna Woods of Carolina Colours' neighborhood picnic. A rain date of October 23, 2022 was requested.

7. Consider Adopting a Resolution Closing Specific Streets for MERCI on Middle.

Merci on Middle will hold its annual fundraising event on November 6, 2022. Organizers requested that the 200-300 blocks of Middle Street, 300-400 blocks of Pollock Street, and Bear Plaza be closed to vehicular traffic from 12 noon until 10:30 p.m. on November 06, 2022.

8. Consider Adopting a Resolution Closing Specific Streets for the Trail to Tryon 5k, 10k and Half Marathon.

The Craven County Tourism Development Authority has scheduled a 5k, 10k, and half marathon race known as the Trail to Tryon. Organizers requested South Front Street be blocked at Palace Point Commons from 6 a.m. until 3 p.m. and that the 600 block of Pollock Street be closed to vehicular traffic from 6 a.m. until 10 a.m. on November 12, 2022.

9. Consider Adopting a Resolution Closing the 100 Block of Johnson Street for the Historic Downtown Residents Association's Picnic.

Dottie Corning requested the 100 block of Johnson Street be closed to vehicular traffic on October 15, 2022, from 3 p.m. until 11 p.m. for HDRA's annual picnic.

10. Consider Approving Proclamations for New Bern High School Hall of Fame Recipients:

- a) Michael Hughes
- b) Kevin Reddick
- c) Josh Taylor
- d) Brett Williams
- e) Cecil Harrison
- f) Bobby Curlings

Sabrina Bengel requested proclamations for the Class of 2022 inductees to the New Bern High School Hall of Fame. The recipients are listed above.

11. Approve Minutes.

Minutes from the August 15, 2022 meetings were provided for review and approval.

Alderman Best made a motion to approve Items 6-11 of the Consent Agenda, seconded by Alderman Royal. Upon a roll-call vote, the motion carried unanimously 7-0.

12. Conduct a Public Hearing on the Rezoning of 3603 Neuse Boulevard; and
a) Consider Adopting a Statement of Zoning Consistency or Inconsistency; and
b) Consider Adopting an Ordinance to Rezone 3603 Neuse Boulevard from C-4 Neighborhood Business District to C-3 Commercial District.

The owner of 3603 Neuse Boulevard requested to rezone the 0.92+/- acre parcel from C-4 Neighborhood Business District to C-3 Commercial District. The Planning and Zoning Board unanimously approved this request at their August 4, 2022 meeting. Matt Schelly, Interim Director of Development Services, shared a PowerPoint to review the request and subject area.

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

Alderman Kinsey made a motion to adopt a statement of zoning consistency, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

Alderman Kinsey made a motion to adopt an ordinance to rezone 3603 Neuse Boulevard from C-4 Neighborhood Business District to C-3 Commercial District, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

13. Conduct a Public Hearing on Rezoning Tax Parcel IDs 8-210-11002, 8-210-11003, 8-210-11004, 8-210-11006, 8-210-11009, 8-210-11010, and 8-210-23000; and
a) Consider Adopting a Statement of Zoning Consistency or Inconsistency; and
b) Consider Adopting an Ordinance to Rezone Tax Parcel IDs 8-210-11002, 8-210-11003, 8-210-11004, 8-210-11006, 8-210-11009, 8-210-11010, and 8-210-23000 from A5-F Agricultural Forestry District, R-10 Residential District, and R-10A Residential District to R-6 Residential District.

McCullough Farms, LLC requested to rezone seven parcels off Trent Creek Road totaling 413.39 +/- acres. The current zoning is A5-F Agricultural Forestry District, R-10 Residential District, and R-10A Residential District, and the requested

zoning is R-6 Residential. The parcels are adjacent to the Craeberne Forest development. The Planning and Zoning Board unanimously approved this request at their August 4, 2022 meeting. Mr. Schelly shared a PowerPoint to review the request and subject area.

Mayor Odham stated at the time the applicant submitted its rezoning application, he was listed as a manager, not a member, of the limited liability corporation and that he is no longer associated with the corporation. He asked the City Attorney to address this. Mr. Davis stated the question to first consider is whether an elected official has an ownership interest in the entity. This is determined by asking the elected official, followed by Mr. Davis contacting the attorney that represents the entity. If a Board member ever feels that they have a conflict of interest, Mr. Davis asked that they reach out to him days in advance so they could talk through the matter. Mayor Odham reached out to the City Attorney a number of years ago when this situation first came to pass. Mr. Davis also explained the procedure for a Board member to be recused from voting and the consequences of both refusing to vote or voting when there is a conflict.

Mr. Davis felt it would be acceptable if the Board wanted to excuse the Mayor from voting on this item. Alderman Aster asked Mr. Davis if during his investigation and conversations with the property owner's counsel he found any evidence that Mayor Odham had an interest in the property. Mr. Davis responded that he did not, and the owner's attorney confirmed to him that at no point in the history of the entity had Mayor Odham held an ownership interest. Considering the Mayor was serving as a manager of the entity at the time the matter went before the Planning and Zoning Board, Mr. Davis felt that association could be grounds for the Board excusing the Mayor from voting, if desired.

Alderman Aster made a motion to excuse Mayor Odham from voting on this particular rezoning, seconded by Alderman Kinsey. The motion carried unanimously 7-0.

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

- Jennifer LaVelle of 111 Westwood Court noted the great need for affordable housing in New Bern. However, she did not consider a home priced at over \$200,000 to be affordable. The article in New Bern Now states the plan is to grow the community by more than 600 homes. This will stack homes on top of homes. The new zoning would also permit mobile homes and mobile home parks. She questioned whether Mr. McCullough's priorities were in the best interest of the community. An additional concern expressed was the current condition of Trent Creek Road and traffic ingress and egress into the subdivision. She asked that the developer be required to provide improvements to Trent Creek Road and that safety be reviewed before traffic is increased in that area. Lastly, she expressed concern with drainage in the area. The Board was

encouraged to delay its vote, walk the neighborhood, and ponder how an additional 600 homes would impact the community.

- Kathy Robinson of 210 Craftsman Drive stated she had lived in Craeberne Forest for the last four years. She said the community was not aware until recently as to what uses would be permissible under R-6, including the potential commercial uses. She asked for additional time so the community could learn more about the changes associated with an R-6 zone. She further requested the existing R-10 designation be left in place and that the area of AF-5 be rezoned as R-10. Safety was also an expressed concern.

Mayor Odham asked for staff to provide information on the appropriate uses under R-6. Seth Laughlin, Zoning Administrator, confirmed trailers are not permitted in the city limits, but doublewides/manufactured homes are permissible in R-6 zoning. Multiuse family structures are allowed in R-6 and A5-F, which would mean no change. R-6 does not permit any commercial use. A question was posed from the audience as to what is considered commercial if nursing care institutions are not deemed commercial. Mr. Laughlin reviewed some of the allowed and unallowed uses in R-6. Mr. Davis explained the common uses of A-5 and R-6, stating he believed the only difference was A-5 did not permit lots of 6,000 square feet; A-5 requires homes to be on five acres. By federal law, churches are allowed in all zones.

- Wendy Card of 4623 Rainmaker Drive asked for clarification as to why Mayor Odham was still participating in the discussion if he was recused. Mr. Davis explained the Mayor was chairing the Board, but would not be voting on the issue.
- Brandi McCullough of 2000 Snapper Street said her father's business had been in existence since she was about 4 years old. During that time, he has built over 700 affordable homes in the City of New Bern. The topic at hand is rezoning, not streets. The main issue is whether citizens want a big box store or massive commercial complex to be developed on the land instead of a development like Craeberne Forest. Craeberne Forest took 14 years to build, and any new residential development would also take time to build.
- Donna Fitzgerald of 514 Odham Lane moved to Craeberne Forest from Virginia last year. If the plans are only for residential development, she questioned why R-10 zoning was not sought. She expressed a desire for the zoning to remain as is or rezoned to R-10.
- Annie Farren of 409 Elsmore Drive noted she had lived in Craeberne Forest for almost five years. She was concerned if the zoning changed to R-6 instead of R-10 that the whole area would be affected. She expressed concern about ingress and egress, which is an issue now when there is an accident. She asked that the property remain R-10 until the roads and sidewalks could be further managed.
- Marilyn Vogelien of 302 Bungalow Drive in Craeberne Forest urged the Board to vote against the rezoning. She was concerned that the owner may decide to sale the property to a new developer who may have other plans. She asked that the matter be tabled to allow for more consideration.

Alderman Aster asked Mr. Laughlin if the developmental review process had taken into consideration additional means of ingress and egress. Mr. Laughlin responded the ordinance only requires one means of access. This property is anticipated to have perhaps two or three on-ramps from Highway 43 when that highway is further developed.

- Diana Wittmeyer of 225 Bandon Drive expressed concern about drainage issues and the need to fix existing issues before taking on more growth that could further impact drainage.
- Annie Farren again approached the podium to state Trent Creek Road could not handle more traffic. It is full of potholes and is not safe. The road needs to be addressed before more traffic is added. Mayor Odham pointed out the street was privately owned by three different entities.
- Diana Wittmeyer returned to the podium to ask why the City fixes a street it does not own. Mayor Odham explained it is done as a courtesy to the residents who must drive those streets daily.

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

Alderman Brinson asked for clarification on mobile homes being allowed in New Bern. Mr. Laughlin explained singlewides are not allowed outside of a mobile home park unless they are replacing an existing singlewide within six months of removal of an existing singlewide. Class B manufactured homes (doublewides) are allowed if they are 20 feet wide and come in two separate pieces. Mobile home parks must go through the design review phase and are not allowed in R-6. The Planning and Zoning Board unanimously recommended approval of this rezoning request. Upon questioning by Alderman Brinson, it was clarified that all the subject property was located within the city limits. Multifamily dwellings in R-6 require a special use permit.

Alderman Best asked about the timeframe for notifying residents about the rezoning request. Mr. Laughlin noted staff follows the General Statutes, which requires no more than 25 days' notice and no less than 10 days. Five people showed up in support of the application at the Planning and Zoning meeting. Alderman Best pointed out seven people had spoken during this hearing with five of those against the request. Alderman Aster asked what uses are allowed under the existing zoning. Uses were reviewed for A5-F, which included five-acre residential lots, government offices, libraries, nursing-care institutions, communication towers, funeral homes, solar farms with a special-use permit, etc. Alderman Best asked if there was a reason the owner desired R-6 zoning versus R-10, and Mr. Laughlin said he was unable to speculate as to that question. Alderman Aster was reluctant to prohibit the owner from developing his own property, especially when there is such a need for homes. He noted multifamily housing is being developed everywhere.

Alderman Brinson stated while he was campaigning, he found the most important issue behind transparency was affordable housing. While the term affordable

housing means different things to different people, he defined it as workforce housing or housing that is affordable to a working couple. Alderman Brinson said he found the rezoning request to be consistent with the recently adopted land-use plan and with putting more homes in the market that are affordable to the workforce.

Alderman Brinson made a motion to adopt a statement of zoning consistency, seconded by Alderman Aster. Upon a roll-call vote, the motion carried 4-2 with Aldermen Royal and Best voting against it. Mayor Odham had been excused from voting.

Alderman Brinson made a motion to adopt an ordinance to rezone Tax Parcel IDs 8-210-11002, 8-210-11003, 8-210-11004, 8-210-11006, 8-210-11009, 8-210-11010, and 8-210-23000 from A5-F Agricultural Forestry District, R-10 Residential District, and R-10A Residential District to R-6 Residential District, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried 4-2 with Aldermen Royal and Best voting against it. Mayor Odham had been excused from voting.

- 14. Conduct a Public Hearing on Rezoning 601 Third Avenue; and**
a) Consider Adopting a Statement of Zoning Consistency or Inconsistency; and
b) Consider Adopting an Ordinance to Rezone 601 Third Avenue from C-4 Neighborhood Business District and R-6 Residential District to C-3 Commercial District.

The City desires to rezone two parcels totaling 4.139 +/- acres which are currently split zoned as C-4 Neighborhood Business District and R-6 Residential to one zoning of C-3 Commercial District. This property is the site of the new Stanley White Recreation Center. The Planning and Zoning Board unanimously approved this request at its August 4, 2022 meeting. Mr. Schelly shared a PowerPoint to review the request and subject area.

Mayor Odham asked the City Attorney to explain how the Governing Board could hold a public hearing and make a decision on property that it owns. Mr. Davis responded there is no other choice.

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

Alderman Best made a motion to adopt a statement of zoning consistency for 601 Third Avenue, seconded by Alderman Royal. Upon a roll-call vote, the motion carried unanimously 7-0.

Alderman Best made a motion to adopt an ordinance to rezone 601 Third Avenue from C-4 Neighborhood Business District and R-6 Residential District to C-3 Commercial District, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

Note: Items 15 and 16 were voted on collaboratively as indicated under Item 16.

15. Consider Adopting a Resolution to Initiate the Upset Bid Process for 806 Main Street.

First Missionary Baptist Church made an offer to purchase 806 Main Street for \$2,000. The tax value of the 0.18-acre vacant parcel is \$4,000, and the offer represents 50% of the value. The City and Craven County acquired the property in 2009 through tax foreclosure. At that time, taxes, interest, penalties, fees, and costs due to the County were \$2,167.90 and \$845.82 to the City. If the property is sold for the initial offer, it is estimated the County will receive \$1,365.52 and the City \$634.48 from the proceeds.

16. Consider Adopting a Resolution to Initiate the Upset Bid Process for 208 Daniels Street.

The Third Property Development & Estate Investment Group, LLC made an offer of \$9,000 to purchase 208 Daniels Street. The tax value of the half-acre vacant parcel is \$18,000, and the offer represents 50% of the value. The City and Craven County acquired the property in 2019 through tax foreclosure. At that time, taxes, interest, penalties, fees, and costs due to the County were \$3,596.22 and \$713.18 to the City.

Earlier this summer, the City demolished an uninhabitable mobile home that was located on the property. The home flooded during Hurricane Florence and was beyond repair. In exchange for the demolition, Craven County conveyed to the City its interest in the property. Thus, the City will receive all proceeds from the sale.

Alderman Best made a motion to adopt resolutions to initiate the upset bid process for 806 Main Street and 208 Daniels Street, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

Note: Items 17 through 21 were voted on collaboratively as indicated under Item 21.

17. Consider Adopting a Resolution Approving the Sale of 2410 Georgia Avenue.

Jimmy McGowan submitted an offer of \$8,000 for 2410 Georgia Avenue. The offer was advertised, but no upset bids were received. The property is a vacant 0.34-acre parcel with a tax value of \$13,500. The offer represents more than 50% of the value. The property was acquired jointly by the City and County in 2018 through tax foreclosure. The unpaid taxes due to Craven County at that time, including interest, penalties, and costs were \$2,203.83. Unpaid taxes, interest, and penalties due to the City were \$6,685.95. If the property is sold for the offer, the City will receive \$6,130.42 and the County \$1,869.58 from the proceeds. The bidder owns the adjacent property and is seeking to expand his greenspace.

18. Consider Adopting a Resolution Approving the Sale of 803 Pavie Avenue.

Susan Barber made an offer to purchase 803 Pavie Avenue for \$2,000. The bid was advertised, but no upset bids were received. The vacant 0.09-acre parcel has a tax value of \$4,000 and was acquired by the City and County in 2017 through tax foreclosure. Taxes, costs, interest, and penalties due at that time were \$2,335.74 to the County and \$1,956.01 to the City. If the property is sold for the initial bid, the County will receive \$1,332.74 and the City will receive \$667.26 from the proceeds. The bidder owns a parcel across the street and desires to use this property for occasional parking or to set up tables for outdoor functions and gatherings.

19. Consider Adopting a Resolution Approving the Sale of 2107 Pearson Street.

Davis McKinley Properties, LLC made an offer to purchase 2107 Pearson Street for \$3,750. The offer was advertised, but no upset bids were received. The vacant 0.23-acre parcel has a tax value of \$7,500 and was acquired by the City and County in 2019 through tax foreclosure. Taxes, costs, interest, and penalties due at that time were \$3,189.32 to the County and \$1,651.74 to the City. If the property is sold for the initial bid, the County will receive \$2,427.92 and the City \$1,322.08 from the proceeds. The bidder spoke with staff in Development Services and is satisfied the property is suitable for his plans.

20. Consider Adopting a Resolution Approving the Sale of 210 Duffy Street.

Norn Chan submitted an offer to purchase 210 Duffy Street for \$4,500. The bid was advertised, but no upset bids received. The property is a 0.17-acre vacant parcel with a tax value of \$9,000. It was acquired by the City and County in 2016 through tax foreclosure. Taxes, interest, penalties, fees, and costs due to the County at that time were \$1,723.90 and \$190.31 to the City. If the property is sold for the initial bid, the County will receive \$3,272.47 and the City will receive \$1,227.53 from the proceeds. The bidder owns the adjacent property at 208 Duffy Street and desires to expand his greenspace.

21. Consider Adopting a Resolution Approving the Sale of 801 Chattawka Lane.

Black Bear Real Estate offered to purchase 801 Chattawka Lane for \$12,000. The bid was advertised, and three upset bids were received. Black Bear submitted the final bid at \$14,000. The vacant 0.34-acre parcel has a tax value of \$15,000. The property was acquired by the City and County through tax foreclosure in 2019. If the property is sold for the final bid, the County will receive \$3,655.21 and the City \$10,344.79 from the proceeds.

Alderman Best made a motion to adopt resolutions to sale 2410 Georgia Avenue, 803 Pavie Avenue, 2107 Pearson Street, 210 Duffy Street, and 801 Chattawka Lane, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

22. Consider Adopting a Resolution Approving an Agreement with Mackilwean Turf Farm, Inc. for Land Use for Spray Irrigation System.

In 2004, the City developed and put into operation a reclaimed water utilization system to allow fully-treated effluent from the City's main wastewater treatment plant ("WWTP") to be utilized for irrigation purposes. The effluent is transported from the WWTP to the east lake of the Martin Marietta quarry and then pumped to the Mackilwean Turf Farm for irrigation. The City and Mackilwean entered into a land-use agreement to outline the roles and responsibilities of both parties for this irrigation system. The system is operated under a permit issued by the NC Department of Environmental Quality ("NCDEQ"). During the most recent permit renewal, NCDEQ determined the agreement between the City and Mackilwean needed to be revised to update the term to coincide with the permit period. The term of the agreement shall continue until the expiration of the permit. The cost of the agreement for each party is \$1.

Alderman Best made a motion to adopt a resolution approving an agreement with Mackilwean Turf Farm, Inc. for land use for a spray irrigation system, seconded by Alderman Brinson. Upon a roll-call vote, the motion carried unanimously 7-0.

23. Consider Adopting a Resolution Approving a Memorandum of Understanding for the Administration and Procedures of the Smithfield Agreement 2021 Environmental Enhancement Grant Program.

After applying for an Environmental Enhancement Grant through the NC Attorney General's office in 2021, the City was awarded funding in the amount of \$134,000. The funds will be utilized for the construction of a stormwater management and environmental enhancement system in the Duffyfield community. A Memorandum of Understanding must be executed with respect to the administration and procedures related to the grant program.

Alderman Best made a motion to adopt a resolution approving a Memorandum of Understanding for the Administration and Procedures of the Smithfield Agreement 2021 Environmental Enhancement Grant Program, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

24. Consider Adopting a Resolution Approving a Memorandum of Understanding with the Craven County Sexual Assault Response Team.

The New Bern Police Department has joined the offices of the Craven County Sheriff and District Attorney, CarolinaEast Medical Center, Coastal Women's Shelter, the Department of Social Services, the US Marine Corps, and Promise Place, among others in the region, to help provide services to sexual assault victims. A memorandum of understanding ("MOU") between the parties will provide guidance for each agency with respect to their responsibilities. Nothing in the MOU conflicts with statutory requirements or violates the Police Department's core values.

Alderman Prill made a motion to adopt a resolution approving a Memorandum of Understanding with the Craven County Sexual Assault Response Team, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

25. Consider Adopting a Resolution Approving the NBAMPO 5303 Grant Contract with the NC Department of Transportation.

On behalf of the New Bern Area Metropolitan Planning Organization ("MPO"), the City has been identified as the direct recipient of Section 5303 Federal Transit Administration Urban Planning Funds. These funds are managed by NCDOT's Public Transportation Division. To receive the funds, the Board of Aldermen must adopt a resolution authorizing the City Manager to sign a grant agreement with NCDOT. The total allocation for FY2022-23 is \$55,146.56, which reflects a Federal and State share of \$49,691.90 and a local share of \$5,514.66. The local share will be provided by the jurisdictions participating in the New Bern Area MPO as follows: New Bern \$3,059.54; River Bend \$327.57; Trent Woods \$448.89; Bridgeton \$46.32; and Craven County \$1,632.34.

Alderman Best made a motion to adopt a resolution approving the NBAMPO 5303 grant contract with the NC Department of Transportation, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

Note: As pointed out in the discussion, Item 26 should be listed as 1041 Main Street.

26. Consider Adopting an Ordinance for the Demolition of 1014 Main Street.

On October 13, 2021, the owners of 1041 Main Street were properly served with a complaint alleging the structure was unfit for human habitation. The owners were ordered to demolish or repair the dwelling by December 28, 2021. To date, no permits have been applied for and the structure remains noncompliant. Estimated penalties to date total \$33,000. Pictures of the property and a complete list of chronological events were provided to the Board. Public Works estimated the cost of demolition at \$3,800. Mr. Schelly pointed out the address in the agenda item title contains a typo and lists the property as 1014 Main Street, but it is actually 1041 Main Street. The correct address is identified in all the supporting documents.

Alderman Best made a motion to adopt an ordinance for the demolition of 1041 Main Street, seconded by Alderman Royal. Upon a roll-call vote, the motion carried unanimously 7-0.

27. Appointment(s).

Prior to any appointments being made, Mr. Davis explained state statute limits service of elected officials to one elected position and one appointed position. He explained elected officials may, however, serve in posts that are part of their position as an elected official. For example, they may serve as an ex officio

member of the Redevelopment Commission. The Board was advised to speak with Mr. Davis or the City Clerk if they had any questions or if they held any positions to which they were appointed by the Governor, county, or military.

Mayor Odham made a motion to appoint Daniel Ensor to the Friends of the Firemen's Museum, seconded by Alderman Aster. The motion carried unanimously 7-0. Mr. Ensor will fill the remainder of the term for the seat held by Bill Frederick, which expires on April 22, 2024.

Mayor Odham made a motion to appoint Bill Stafford to the Craven County Tourism Development Authority, seconded by Alderman Brinson. The motion carried unanimously 7-0. Mr. Stafford will replace Mayor Odham, who resigned from this seat after his election as Mayor.

28. Attorney's Report.

Mr. Davis congratulated the Board on a thoughtful and respectful first meeting. He encouraged the Board to continue to play nice through their term.

29. City Manager's Report.

- Mr. Hughes reflected on the MS Bike Ride that took place this past weekend. Thirteen hundred cyclists participated in the event.
- The Board has been approached about possible workshops. Some of the topics to be discussed may include a strategic plan, the Housing Authority, Redevelopment Commission and Choice Neighborhood Initiative, land-use plan, MPO, Municipal Service District, and a policy for monuments, memorials, and plaques. The schedule for next year's meetings will be set in October, and workshop dates can be included as desired. Mayor Odham noted the Board usually has a one or two-day retreat after a new board is seated. The purpose of the retreat is to review several topics or bring in guests for discussions. In the past, workshops were scheduled every other month. However, the previous Board decided not to schedule those, but just call for a workshop as needed. Alderman Aster strongly recommended new Board members make appointments with department heads when they have questions or concerns about topics relative to that department. Those one-on-one discussions are beneficial. Alderman Best concurred with Alderman Aster about the importance of meeting with department heads. Interest was expressed in having a day retreat the first or second week of November. The City Clerk was asked to initiate a poll to gauge the Board's availability.
- The Director of Finance previously recommended the formation of an audit committee to include at least two elected officials. The audit is due October 31, 2022, and a few meetings will be held in preparation of that deadline. Mayor Odham recommended Alderman Brinson, and the Mayor and Alderman Best also volunteered to serve.
- Ethics training is required each election cycle. Training can be achieved online individually or with the Board as a group. Alderman Royal suggested joint training to allow for group discussion. Ms. Blanco indicated the training

must be completed within 12 months of the election. Group training will be coordinated with a work session.

- The Board was provided with an updated list of ARP funding allocations. One of the items in red is the NC Railroad culvert. George Chiles, Interim Director of Public Works, provided an update on the proposed project and suggested that ARP funds be reallocated to another project due to the complexity of the culvert project and the concern of meeting ARP deadlines. Staff will seek a different funding source to complete the project.

Alderman Best made a motion to pull \$400,000 from the proposed ARP allocation for the NC Railroad (Norfolk Southern) culvert project, seconded by Alderman Kinsey. The motion carried unanimously 7-0.

30. New Business.

Alderman Aster

Upon request, Fire Chief Bobby Boyd announced the City was awarded a FEMA grant of approximately \$276,000 to replace its first-out, self-contained breathing apparatuses ("SCBA"). The grant requires a 10% match of roughly \$27,000. The grant will cover all but 10 of the air packs. Air packs cost approximately \$7,500 each. Alderman Aster made a motion to allocate \$75,000 in ARP funds from his allotment to purchase the 10 SCBA packs needed to complete the Fire Department's needs, seconded by Alderman Kinsey. The motion carried unanimously 7-0.

Two out of his four speed signs will be put in residential areas. Alderman Aster requested these two signs be outfitted with the added feature that flashes a motorist's speed and displays a message to slow down when the motorist is exceeding the speed limit. This feature has an additional cost of \$280 each. Alderman Aster made a motion to increase his ARP allotment by \$560 to cover the purchase of the additional features for the signs to be placed in Evans Mill, seconded by Alderman Brinson. The motion carried unanimously 7-0.

Alderman Kinsey

Upon request, the City Manager provided an update on the Stanley White Recreation Center ("SWRC") and a skatepark at Martin Marietta Park. Architects have been working on the SWRC design with hopes of putting the project out to bid and starting construction after the first of the year. At this time, the skatepark location will likely be changed to the area near West New Bern Recreation Center. This project is in the first phase of design.

Mr. Chiles provided an estimate for the Racetrack Road project. Alderman Kinsey made a motion to utilize \$1,017,392 of his ARP funds for the Racetrack Road project, seconded by Alderman Aster. The motion carried unanimously 7-0.

Alderman Best

Alderman Best made a motion to set up a project fund in the amount of \$500,725 using her ARP funds for the North Hills/Simmons Street/Hazel Avenue stormwater project, seconded by Alderman Brinson. The motion carried unanimously 7-0.

Upon request, Mr. Chiles provided an update on the North Hills drainage study. Recommendations from the consultant are expected on Monday.

Mr. Chiles also explained the stormwater information listed in the weekly report regarding the MS4 permit data submitted to the State. Additionally, he gave a brief update on the Garden Street sidewalk project and offered to review the survey results with Alderman Best. Currently, there is no funding for construction of the sidewalks.

The NC History Center will hold a community input session on October 12th at 7 p.m. on the topic of an inclusive public art initiative.

Alderman Brinson

Public Works and its stormwater staff, particularly Avery Smith, were commended for pumping out Union Point Park all weekend for the MS Bike Ride participants. They also helped with a flooding situation on Hwy. 17 and in other areas.

Alderman Brinson stated he was working on four stormwater projects and would address ARPA funding at the next meeting.

Mayor Odham

Since being sworn in on August 15th, Mayor Odham has met with every member of the Housing Authority and its Executive Director. There is a lot of misconception about the roles of the Authority and the City, and this will be a good work session topic. Mayor Odham expressed a desire to see demolition activity at Trent Court by the end of this year.

The Mayor, City Manager, and a couple of staff members rode around the Redevelopment Commission's area for a couple of hours to look at derelict properties. Staff has a list of more than 100 properties they are observing, but identified additional homes that are not on their list.

Mayor Odham met with the Chamber of Commerce this morning and stressed their importance in the community. The Chamber has a lot of events, and the Mayor announced he had asked the City Clerk to begin putting ribbon cuttings and events on appropriate ward calendars and his calendar. Mayor Odham felt it was important for the City to have a face present at these events.

31. Closed Session.

Alderman Aster made a motion to go into closed session pursuant to NCGS §143-318.11(a)(5) to discuss the potential acquisition of real property, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 8:30 p.m.

32. Adjourn.

Alderman Aster made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 8:49 p.m.

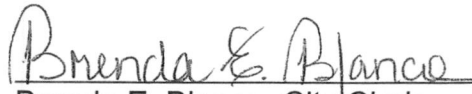
The attached documents are incorporated herewith and are hereby made a part of these minutes.

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: September 27, 2022

A handwritten signature in black ink, appearing to read 'Jeffrey T. Odham', written over a horizontal line.

Jeffrey T. Odham, Mayor

A handwritten signature in black ink, appearing to read 'Brenda E. Blanco', written over a horizontal line.

Brenda E. Blanco, City Clerk