

**CITY OF NEW BERN  
BOARD OF ALDERMEN MEETING  
FEBRUARY 14, 2023 – 6:00 P.M.  
CITY HALL COURTROOM  
300 POLLOCK STREET**

- 1. Meeting opened by Mayor Jeffrey Odham. Prayer by Brian Saunders of Union Point Church. Pledge of Allegiance.**

- 2. 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; and Brenda Blanco, City Clerk.

- 3. Approve Agenda**

Alderman Best made a motion to table Item 14 until a later date, seconded by Alderman Kinsey. The motion carried unanimously 7-0.

Alderman Best made a motion to approve the agenda (as amended), seconded by Alderman Aster. The motion carried unanimously 7-0.

- 4. Request and Petition of Citizens.**

Tracy Du Peza of 215 Pollock Street stated he was representing the business group downtown. He requested the Board consider establishing an advisory business committee to discuss a social district. The legislation passed a year and a half ago, and the City has not addressed the issue. The business group desires the topic to be analyzed and reviewed to determine if it is right for New Bern.

Christopher and Carolyn Adams of 2904 Bettye Gresham Lane moved to New Bern from Pennsylvania seven months ago. They entered into a contract with Nolan Construction in August 2021 for the purchase of a home in the Lakeview Community, but did not move in until a year later. In 2021, they discussed with the builder issues of standing water and were told that it was nothing to worry about and that the problem would be handled. Mr. and Mrs. Adams shared photos of the standing water and described issues with Nolan Construction. The builder "pushed back" on them several times stating it was the Adams' problem, not theirs. Nolan also stated the City of New Bern and Thomas Engineering would resolve the issue. Alderman Aster said he visited the Adams' home, confirmed the drainage issue, and reached out to the City Manager. Mr. Hughes directed the Building Inspector to review the matter. The problems encountered

are not a City problem, but a developer's problem. The home has a 10-inch slope as required by the building code. However, the back of the property contains mounds of dirt, junk, etc., that is pushing the flow of the water toward the house. Alderman Aster advised the homeowners to take up the issue with Mr. Sydes, the builder, and consult an attorney. Mayor Odham suggested staff prepare a letter for Mr. and Mrs. Adams to present to whomever they need stating the drainage issue is not a City of New Bern problem.

Jeff Wood-Yesline of 1316 National Avenue, as current president of the Historic Riverside Neighborhood Association, expressed concern about the speed on National Avenue between Dunn Street and Neuse Avenue. After expressing concern about hazards of a 35-mph limit in a residential area with a lot of pedestrians, children, and no "turnaround" driveways, he asked the Board to support a reduction of speed to 25 mph. He shared statistical information from the Police Department on traffic accidents and tickets issued along National.

Victoria Blackiston of 1205 N. Pasteur Street stated vehicles often drive 45, 55, and even 60 mph on National Avenue. She asked that the value of the neighborhood not be diminished by the speed of the road and that the Board consider approving the request to reduce the speed limit. She said it is difficult to see around the cars that park along the street.

Ruth Cooper of 1022 Colleton Way in Trent Woods voiced concerns about the amount of litter in Craven County and New Bern. She suggested the City and County join forces to address the issue and that more trashcans be put in place.

Sharon Broaddus of 2906 Bettye Gresham Lane stated she lives next door to Chris and Carolyn Adams and has also experienced issues with Nolan Construction and A. Sydes Construction failing to address drainage problems. The door to her new home has been breached by water. If the City wants people to move here, she questioned why there is no ordinance to encourage or force builders to clean up construction debris, drywall, pipes, dead trees, etc. That is part of the problem.

Jameesha Harris of 222 Monterey Circle expressed concern about housing. The Mayor has the sole responsibility of making appointments to the New Bern Housing Authority. She questioned why Mayor Odham appointed Sabrina Bengel and Dana Outlaw to the Authority. She stated there is now unreadiness regarding Tiffany (Askew), the Executive Director, which is not conducive to the community. While acknowledging the structures need to be torn down in order to rebuild, she asked if the rumor mill is true that Mrs. Bengel was appointed to push for the Trent Court structures to be demolished. There is also rumor of a backdoor conversation with the Kessler Group to sell to them the Days Inn site and the area of the demolished Trent Court buildings once the Authority is dismantled and brought under the City. She expressed concerns about racial equity and gentrification of Trent Court.

Barbara Sampson of 480 West NC Hwy. 55 stated her comments were not criticism, but observations. Transparency implies openness, communication, and accountability. She felt the Board has not been openly and honestly conveying information to the public. The Board goes behind closed doors to make decisions and does not allow for public input until after the decisions have already been made. She referenced the sale of the Talbots lots as an example. Going forward, she asked that citizens be informed and the Board be transparent.

Charles Skinner of 1203 National Avenue also spoke on behalf of the Riverside Historical Association with respect to the request for reduction of speed on National Avenue. A petition with 70-80 signatures has been secured in support of the request. One of the problems with the layout of the street is that cars park on the right side of the street. While the Police Department has performed surveys that show few speeders, he disputed those results stating the area is dangerous, and cars do speed.

Sharon Bichaukas of 1009 N. Craven Street reminded the Board that the Riverside neighborhood is the first suburb of New Bern. When the grain silos exploded in 2016 and 2017, that was the straw that broke the camel's back and ended the sewer system on her street. The sewer infrastructure is made of terracotta pipes that are deteriorating and collapsing. Neighbors a half block away did not get new infrastructure and are having problems flushing toilets. It takes over a half hour to fill their washing machines. The infrastructure has to be replaced. It will cost a lot of money to fix the sewer lines, but it cannot wait anymore.

Pete Frey of 406 Forbes Alley recounted a presentation he made before the Redevelopment Commission ("RDC") in November of 2022 for 203 and 207 Jones Street. His plans were to build a house on the property. His proposal was cast out because the RDC wanted to build four small houses on the property. He was assured in January that there would be "shovels in the dirt." Mr. Frey stated he did not believe the RDC received the seed money it needed for the project. His bids still exist, and he's still interested in building a house on one of the properties and will build affordable rental housing on the second parcel. The RDC did not have his offer on its recent agenda, and the Board of Alderman does not have the offer on tonight's agenda. Alderman Aster has previously indicated he has a partnership with the RDC, and Mr. Frey questioned whether there was an update on the partnership. In response, Mayor Odham said Alderman Aster would be in touch with Mr. Frey and that staff had been asked to make a decision as quickly as possible so Mr. Frey's deposit could be returned. The last meeting of the RDC was a special meeting, and this topic was not on the agenda. Since it was not properly noticed, the Commission could not discuss it. The RDC is supposed to place the matter on its next agenda.

David Beck, II, of 3210 Elizabeth Avenue, again asked the Board to change its ordinance to permit miniature goats, specifically Nigerian Dwarf and Pygmy, within the city limits. According to Mr. Beck, Havelock modified its ordinance to allow goats.

## **Consent Agenda**

**5. Consider Adopting a Resolution to Initiate the Upset Bid Process for 1027 Lees Avenue.**

Beau Dorsey submitted an offer to purchase 1027 Lees Avenue for \$2,000. The parcel is a vacant 0.12-acre residential lot with a tax value of \$4,000. The property was acquired jointly by the City and County in October 2015 through tax foreclosure. The unpaid taxes, interest, penalties, fees, and costs due at that time were \$2,580.52 to Craven County and \$216.38 to the City. This property is within the boundary of the Redevelopment Commission. The Commission adopted a resolution on July 13, 2022 in support of the Board initiating the upset bid process.

**6. Consider Approving a Proclamation for Arbor Day.**

Kari Warren, Director of Parks and Recreation, requested a proclamation to recognize Arbor Day on Friday, March 17, 2023. Parks and Recreation will make a future announcement about its plans to observe the day.

**7. Approve Minutes.**

Draft minutes from the December 13, 2022 closed session, January 28, 2023 regular meeting, and February 01, 2023 special meeting were provided for review and approval.

Alderman Aster made a motion to approve Items 5-7 of the Consent Agenda, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

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**8. Update from CPL Architects on Stanley White Recreation Center.**

Chris Vulcano, Project Manager with Clark Patterson Lee ("CPL") Architects and Engineers, provided an update on the Stanley White Recreation Center project. The site plan has not changed much except for the entrance off Gaston Boulevard has been moved to Third Avenue. This will coincide with building signage on Third Avenue. Additionally, a passenger drop-off area has been added to the site plan.

(Alderman Kinsey momentarily stepped out of the room at 6:54 p.m.)

Mr. Vulcano then reviewed in detail the interior design, the permitting timeline, and proposed bidding schedule.



(Alderman Kinsey returned to the room at 6:57 p.m.)

Alderman Royal asked about the size of the multipurpose room and whether the plan had been presented to the Stanley White Recreation Center ("SWRC") Advisory Committee. She read a comment from a member of the Committee that stated the member wished the plan had been provided to the Committee before it came before the Governing Board. In response to these questions, Mr. Vulcano announced the multipurpose room is almost 1,400 square feet, and Mr. Hughes explained basically this same plan was presented to the Committee when the project was going through the environmental assessment process. The Committee was presented with two options and asked to make recommendations to the Governing Board on either of the plans. The Committee could not make a motion to accept or recommend either plan. Thus, staff moved forward with the plan, which is the same plan previously approved by the Governing Board.

**9. Presentation on GIS HUB.**

Alice Wilson, GIS Manager, reviewed and demonstrated a GIS data hub site created to provide information related to the City and surrounding areas. The goal of the site is to provide spatial information.

(Alderman Best momentarily stepped out of the room at 7:11 p.m., returning at 7:14 p.m.)

**10. Consider Adopting a Resolution Approving the Redevelopment Commission's Sale of 827 Cedar Street.**

In August of 2022, the Redevelopment Commission received a bid of \$1,140 from William Richardson for the purchase of 827 Cedar Street. Mr. Richardson proposed to the Commission that he would use the property for personal space, possibly parking. The parcel is a very small 0.02-acre vacant residential lot with a tax value of \$1,520. His bid was advertised, but no additional bids received. If the sale is approved, restrictions will be imposed to prohibit the property from being used to store junked or wrecked vehicles and to prohibit the erection of a structure. Proceeds from the sale will be placed in the Redevelopment Fund.

The City transferred ownership of the property to the Commission in November 2020. The parcel had been donated to the City in August of 2019 after the mortgage lender foreclosed for loan default.

Alderman Royal made a motion to adopt a resolution approving the Redevelopment Commission's sale of 827 Cedar Street, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

**11. Consider Adopting a Resolution Approving a Law Enforcement Mutual Assistance Agreement with the Havelock Police Department.**

By resolution dated February 09, 2016, the Chief of Police is authorized to execute mutual aid agreements with other North Carolina law enforcement agencies pursuant to NCGS §160A-288, if the agreement is consistent with a model agreement that was part of that resolution. The City of Havelock has proposed an agreement that differs from the model and, therefore, requires Board approval. Police Chief Patrick Gallagher briefly reviewed the additional provisions and his recommendation for approval of each.

Alderman Aster made a motion to adopt a resolution approving a law enforcement mutual assistance agreement with the Havelock Police Department, seconded by Alderman Brinson. Upon a roll-call vote, the motion carried unanimously 7-0.

**12. Consider Adopting an Ordinance to Amend Chapter 70 “Traffic and Vehicles” to Amend the Schedule of Speed Limits to Reduce Speed on National Avenue.**

The Riverside Neighborhood Association requested the speed limit on National Avenue between Neuse Avenue and Dunn Street be reduced from 35 mph to 25 mph. The request was evaluated by Public Works and the Police Department, and a determination was made that lowering the speed would benefit public safety without having a negative impact on vehicular traffic movement. If approved, signs will be installed this week according to George Chiles, Director of Public Works.

Alderman Best made a motion to adopt an ordinance to amend Chapter 70 “Traffic and Vehicles” to amend the Schedule of Speed Limits to reduce speed on National Avenue, seconded by Alderman Prill. Upon a roll-call vote, the motion carried unanimously 7-0.

**13. Consider Adopting a Resolution to Authorize the Execution of a Deed and Transfer and Reversion Agreement to Transfer Properties to the Redevelopment Commission.**

The RDC approached the City in 2022 about the possible donation of a number of parcels that were jointly owned by the City and Craven County. The Commission’s desire is to develop the parcels consistent with the redevelopment plan. Craven County agreed to transfer to the City its interest in 10 parcels with the understanding that the subsequent conveyance to the RDC will be subject to a Transfer and Reversion Agreement. The agreement provides the Commission must develop or cause the parcels to be developed consistent with the redevelopment plan within 60 months. The interest in any unutilized parcels will revert back to the City. The City will then transfer any such reverted parcels back to the County in the same amount of the County’s percentage of ownership.

Alderman Prill made a motion to adopt a resolution to authorize the execution of a deed and Transfer and Reversion Agreement to transfer properties to the Redevelopment Commission, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

**14. Consider Adopting an Ordinance for the Demolition of 831 Eubanks Street.**

This item was tabled as noted under Item 3.

**15. Consider Adopting an Ordinance to Amend Section 66-85 for City-Sponsored Events.**

For several years, the Governing Board allocated funding in the City's annual budget for specific events coordinated by outside groups. Following discussions to eliminate such funding, the Board adopted an ordinance on February 14, 2012 that listed certain events to be designated as city-sponsored events. Those events would receive support from the City in the form of in-kind services. Staff seeks to update the list to remove events that are no longer held and those that are organized and conducted by the City. The City events to be removed are the New Year's Eve celebration and National Night Out. External events that are no longer held are the Martin Luther King, Jr. ("MLK") parade, Neuse River Days, Vision Forward, Relay for Life, and the George Washington's Southern Tour. In addition to removing these items, the list will be expanded to include the Black History Month Parade that is held each year in February, as requested by Victor Taylor on behalf of Vision Forward. The estimated cost of the in-kind contribution for this parade is approximately \$560.

Mayor Odham asked about the in-kind cost of the MLK parade, and Mr. Hughes felt it was about the same as the estimated cost for the Black History parade. Essentially, a new event is not being added; the MLK parade is being replaced by the Black History parade. Alderman Best announced she would be making a future request to add an event to the list.

Alderman Royal made a motion to adopt an ordinance to amend Section 66-85 for City-Sponsored events, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

**16. Appointment(s).**

No appointments were made.

**17. Attorney's Report.**

The City Attorney had nothing to report.

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

Mr. Hughes provided an update on the projects at City Hall. The estimated completion date for the elevator project is now June 10<sup>th</sup>. The plaster work in the stairwell was completed about a week ago, and painting will begin tomorrow. The brick repointing project began last week. Work began on the parking-lot side of the building, and staging will begin on the eastside of the building tomorrow. Workers have discovered a lot of soft areas in the mortar. The project will take approximately six months to complete.

A grand opening will be held around the first of April for the Pleasant Hill Community Center. A date for the event should be established after the first of March.

A resiliency roadshow will be held on February 16, 2023 from 10 a.m. until 1 p.m. at the Omega Center.

The next session of New Bern 101 begins on February 23, 2023 at 4 p.m.

## **19. New Business.**

### Alderman Prill

A request has been received from a member of the Sunnyside neighbors' group for Alderman Prill and City staff to meet with the group on March 03, 2023 at 3 p.m. to address concerns in that neighborhood.

He has requested the topic of reconstituting the Municipal Service District ("MSD") Advisory Board be discussed at the work session. He felt it was important at this early stage to get input from the MSD property owners as to what they would like to see in the Board. He asked staff to invite the MSD property owners to attend the session on February 27<sup>th</sup> and provide input. After confirming that Alderman Prill desired for the MSD residents to have an opportunity to offer public comment during the work session, Mayor Odham asked for direction from the Board, noting the work session is only three hours in length and the input could take one or two hours depending on how many attends and desires to speak. The Mayor suggested staff could identify and contact the MSD residents to let the residents know they could email, call, or otherwise reach out to the Board with their comments. Alderman Aster suggested staff put together a proposal as to what a committee would look like and present that to the Board. Mr. Hughes said the agenda item will include recommendations and examples of what other MSDs are doing throughout the state. Mayor Odham asked if that information could be shared beforehand with the MSD property owners to afford them an opportunity to review and provide feedback. After some discussion that included a recommendation for Alderman Prill to meet with the MSD residents, Mayor Odham stated he was not in favor of letting residents speak at the work session as that would take time away from the other items that are on the agenda for discussion. The Mayor asked other Board members if they wanted to add public comment to the work session agenda, and no one voiced a desire to do so. Aldermen Best and Brinson concurred with the Mayor and felt citizens would have more time to offer input after the work session. Mr. Hughes offered to meet with the MSD property owners after the work session to share the same information that will be presented to the Board and the Board's recommendations during the

work session. He would then gather the owners' recommendations and formulate a proposal to present for the Board's consideration on how to implement the advisory board.

Alderman Prill recalled he raised concerns at the last regular meeting that the Mayor's appointment of two residents to the New Bern Housing Authority ("NBHA" or "HA") was not made in a public meeting. Upon research, the sitting Board in January 2018 unanimously approved a resolution to adopt Rules of Procedure for the Board of Aldermen. Subsection "a" of Rule 25 states "The board may consider and make appointments to other bodies, including its own committees, if any, only in open session." The rule is very specific that the Board, which the Mayor is part of, only make appointments in open session. That procedure was not followed with the two recent appointments to the NBHA. He also expressed concern about the procedure followed during the RDC appointments. Rule 25, subsection "2" outlines the selection process for individuals to be appointed to various boards and commissions. It states "Individuals interested in applying for appointment shall submit a written application on a form provided by the city to the city clerk and available on the city's official website. The city clerk shall provide the board with written notification that vacancies exist on the various boards, commissions and committees appointed by the board or its members. This notification along with applications of interested citizens shall be provided to the board at a regular meeting." A number of individuals had expressed interest in being appointed to the RDC, none of whom were asked to fill out an application form to his knowledge. This is another procedure that is in place, but not being followed. Alderman Prill asked that the Board be given a copy of an application at least two weeks prior to an appointment being made so there is an opportunity to review the applicant's background and meet with them, if desired. The Board is not following the rules that have been established, and he would like to see that corrected moving forward. He also voiced a desire to see further revisions to the selection process, so Board members have adequate time to review applications and ultimately make informed decisions. Mayor Odham asked the City Attorney to clarify the difference in a unilateral mayoral appointment versus a Board appointment. Mr. Davis stated Rule 25 simply restates state law. The Board can only take action in an open meeting. So when the Board appoints someone to serve on a public body, the law requires a majority of the Board to approve and make the appointment in an open meeting. The statute is specifically different with respect to the Housing Authority and states the Mayor unilaterally makes the appointment to the HA, not the Board. Rule 25 covers Board appointments; because the Mayor is on the Board, that does not make the HA appointment a Board appointment. It is still the Mayor's appointment. If he chooses, the Mayor could make the appointment in an open meeting, but he's also free to handle it otherwise. Alderman Prill acknowledged state statute gives the Mayor the authority to make the appointment, but the statute is silent on the issue of how those appointments are to be made. Therefore, his interpretation is that the local governing body can make it more restrictive, but not less restrictive. The governing body cannot require the Mayor's appointments be approved by the Board, but he felt the Board's rules of procedure would be applicable since the statute is silent on how appointments are made. The rule simply states all appointments should be made in a public meeting. Mr. Davis said while he



appreciated the argument, the intention of Rule 25 is to state the Board must act in an open meeting so as not to violate the open meetings statute when the Board makes appointments. The Board cannot restrain the Mayor in how he makes appointments to the HA, as state statute gives him that authority. Mr. Davis did not feel the Board could demand the Mayor's appointments to be in an open meeting.

(Alderman Aster left the meeting at 7:45 p.m.)

Alderman Prill urged Mayor Odham and any future mayors to make appointments during a public meeting. He did not think that was asking much and was interested in what other Board members thought. Mayor Odham said it's a free country and the Board could state its opinions, but until someone makes a motion to put that rule in place and the Board votes on it, the City Attorney would not research the legality of that rule. Alderman Prill stated if the rest of the Board members desired to give the Mayor the authority to make appointments at any point in time, he suggested the Board vote to change the language in Rule 25 that the Board does not include the Mayor when it comes to the HA. The rule is open to interpretation, and maybe that interpretation needs to be provided. Alderman Best questioned whether the Board could change the Rules of Procedure with respect to procedures that are mandated by general statute. Mr. Davis explained the current rule pertains to the Board, not a member of the Board and not the Mayor. That rule simply incites state law that the Board can only act in an open meeting to make appointments. The question is whether the Board has the authority to demand the mayor to make a unilateral appointment in an open meeting. Mr. Davis was very doubtful the Board had that authority.

#### Alderman Royal

It is concerning that there are so many residents who are frustrated and disheartened. Recognizing you cannot please everyone, the Governing Board has a responsibility to try to bring resolve to issues. Transparency leads to trust. When sworn in, some of the officials expressed a desire to do things differently and to be a Board that could be trusted. She wanted to see the Board come together to address some of the issues. According to the organizational chart, the citizens of New Bern govern the Board. Everyone was elected by the citizens.

#### Alderman Kinsey

From his understanding, the Mayor has exercised his rights and has not done anything wrong. The NBHA is the only entity to which the Mayor can make appointments that do not have to go through the Board. The City Attorney's understanding is that the Mayor has done nothing wrong.

Alderman Kinsey said he was sorry residents are having issues with flooding and their builder. However, it is not a city issue. He suggested the residents seek legal counsel.

### Alderman Best

While she has no problem with the way the NBHA appointments are made, Alderman Best said she did have a problem that as a board member she has not been afforded the opportunity to present names to the Mayor for consideration.

As an elected official, she tries to do what is right and feels she is transparent. When she has questions, she consults the City Attorney and makes decisions based on his advice. Being an elected official is a learning experience, and the officials do not know everything.

Regarding the Adams' situation, she felt there should be something the City could do to hold the developers accountable.

Citizens are feeling left out since decisions are being made once the Board comes out of a closed session. She asked Mayor Odham to explain the process of a closed session. Mayor Odham said cameras are on during an open session. The City Clerk records everything and prepares minutes that are approved by the Board. Ninety-nine percent of the time, there is no action following a closed session. Usually, direction is given during the closed session since the Board cannot really take a vote during the closed session. Alderman Best made the clarification that she was referring to what happens when the Board comes out of closed session and why the citizens are not involved in the meeting after the closed session. Mayor Odham said anyone is welcome to sit in the foyer until the Board finishes its deliberations, whether that is 30 minutes or three hours. At the conclusion of a closed session, the courtroom doors are opened, the public can return to the room, the Clerk resumes the audio, and the Board either takes action or adjourns. In the past, a media representative from the Sun Journal would hang around and come back in when the doors were opened. Mr. Davis also pointed out any action taken following the closed session is recorded in the minutes.

Alderman Best asked when the topic of extraterritorial jurisdictions ("ETJ") would be before the Board. Mr. Hughes announced that will be one of the work session topics on February 27<sup>th</sup>.

Alderman Best made a motion for Talina Massey to provide the Board with a recap of last year's Juneteenth event at the Board's March 28<sup>th</sup> meeting, seconded by Alderman Royal. The motion carried unanimously 7-0. Of note, Alderman Aster had left the meeting; thus, technically yielding an affirmative vote.

### Alderman Brinson

When talking about developers, the City needs to decide whether it is going to continue a structure of maintenance or restructure and manage the growth while also maintaining. He did not think the City has the engineering expertise or capacity to look at plans, traffic studies, grading, etc., in part due to sheer volume. This may be a topic for the budget. Instead of contracting out some of these services, the Board may want to think about bringing some of that inhouse.

It was announced at the last Craven County Commissioners' meeting that the County tax office will mail property revaluations on February 27, 2023 with delivery around March 01, 2023. The new valuations will also post to GIS February 28, 2023. The assessment determines how much property tax one will pay. Countywide, the average property value has increased 36.11% since the last revaluation in 2016. Alderman Brinson said he fully expected both the County and City to lower tax rates, although to what extent is to be determined. The City

and County will set a new tax rate before July 01, 2023 during its budget process. The County will have a detailed update during its February 20<sup>th</sup> meeting. Their meetings are also broadcast live and can be viewed on YouTube.

At the New Bern Metropolitan Planning Organization's ("NBMPO") meeting on January 26<sup>th</sup>, action was taken to approve the installation of flashing lights at the intersection of Martin Luther King Jr. Boulevard and Highway 17 by Trent Creek Road and Ben D. Quinn Elementary School. The flashing lights will alert drivers when the lights are going to change. The MPO is hopeful the lights will prevent accidents like the one involving a bus last year.

At the special meeting on February 1<sup>st</sup>, he talked about a downtown advisory council that is separate from the MSD. He expressed a desire to discuss that at the work session and meet with Alderman Prill and the City Manager to prepare a proposal. The need for a downtown advisory council stems from having residents and business owners who are not necessarily property owners.

#### Mayor Odham

An advisory council is an official board that is required to post its agendas, take minutes, and adhere to other statutory requirements. Mr. Davis noted a staff person should be assigned to the council to ensure all the requirements are being met. However, as pointed out by the Mayor, a working group could meet informally and whenever desired. The MSD is currently an informal working group, and Alderman Prill has proposed a formal MSD council.

The Board was reminded it should not conduct business by email. When responding to emails from staff, do not reply all and share information with the entire group.

Mr. Hughes clarified the agenda for the work session is not yet set. A list was distributed to the Board in a recent weekly report. If additional items are desired, the Board can submit those items, and the Board can cover as many as time allows.

#### **20. Closed Session.**

Alderman Royal 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 Brinson. The motion carried unanimously 7-0, time being 8:19 p.m. Alderman Aster had left the meeting; thus, technically yielding an affirmative vote.


#### **21. Adjourn.**

Alderman Royal made a motion to adjourn, seconded by Alderman Brinson. The motion carried unanimously 7-0, time being 8:45 p.m. Alderman Aster had left the meeting; thus, technically yielding an affirmative vote.

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: February 28, 2023

  
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Jeffrey T. Odham, Mayor  
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Brenda E. Blanco, City Clerk