

**CITY OF NEW BERN  
BOARD OF ALDERMEN MEETING  
APRIL 11, 2023 – 6:00 P.M.  
CITY HALL COURTROOM  
300 POLLOCK STREET**

1. **Meeting opened by Mayor Jeffrey Odham. Alderman Prill led a moment of quiet deliberation to reflect on the “bigger picture” of recent current events during that included 146 mass shootings in the United States, a 7.8-magnitude earthquake in Turkey, and a rash of tornados in the southern and midwest points of the United States.** Alderman Prill introduced “Flat Stanley”, a school project for his 6-year-old grandson who lives in New Jersey. “Flat Stanley” is to visit friends and neighbors around the country and world to have his adventures documented. **The Pledge of Allegiance was cited.**

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 move up Items 11 and 12 on the agenda to follow Item 8, seconded by Alderman Royal. The motion carried unanimously 7-0.

Alderman Prill made a motion to remove Item 6 from the Consent Agenda and act on it separately after Item 8, seconded by Alderman Royal. The motion carried unanimously 7-0.

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

4. **Request and Petition of Citizens.**

Bill Stafford of 2001 Clubhouse Drive read a prepared statement (copy attached) encouraging the Board to consider a planning committee to review the topic of a social district.

Christopher and Carolyn Adams of 2904 Gresham Lane thanked Mayor Odham, Alderman Aster, and George Chiles, Director of Public Works, for visiting their neighborhood. Since that visit and the media’s awareness, Nolan Commercial Contractors, Inc. (“NCCI”) the developer, dug a swell deep enough for the stormwater to run off. At this point, the Adams’ have no serious concerns about

flooding in their back yard. The last home in the development has been sold, and NCCI would like the property owners to take over the homeowners' association ("HOA"). The homeowners are reluctant to do so until they know what issues are outstanding that must be resolved before the City takes over its responsibilities as it pertains to their subdivision. Mrs. Adams requested a list of items that must be resolved. Alderman Aster asked the City Attorney if the developer could turn over the HOA to the property owners and the owners be required to fix the items that must be addressed. Mr. Davis said the developer would only be turning over the amenities (common areas, parks, lakes, etc.) and the stormwater system. The other infrastructure (sidewalks, curbing, etc.) would be transferred directly to the City once repairs are made.

Jerry Avery of 475 Loop Road in Cove City said he represented Bradham's Legacy and Pepsi collectors to advocate for the Pepsi Museum. He felt the building of the museum was necessary not only to honor the founder, Bradham Caleb, but to honor those who have played a vital role in Pepsi's history. It will provide an opportunity to highlight stories of those who defied social prejudices against people of color and women. Lavonia "Pat" Frazier was an African American model who gained recognition in the 1940's as a Pepsi advertising model. She paved the way for future black models and contributed to the struggle for racial equality. Pepsi led by example, not just words, when it hired employees from ethnic and racial minorities. Caleb Bradham was influenced by strong women, including his wife, Charity Credle Bradham, who ran for Mayor of New Bern in 1924. As his allocated time to speak ran out, Mr. Avery submitted the rest of his written statement and a signed petition supporting the grant application.

James Kinzie of 12500 Harrowgate Road in Chester, Virginia, announced his position as President of the PepsiCola Collectors Club, an organization formed in 1983 and dedicated to the documentation and presentation of Pepsi memorabilia. He and his wife started collecting memorabilia in 1988 and had no idea of New Bern's history with the PepsiCola brand until that time. They made their first trip to New Bern in 1990 to see where Pepsi started. They were disappointed with the lack of memorabilia. The only display they could find was Ted Hanes' private collection in an antique mall across from the current Pepsi store. Most Pepsi collectors think New Bern is their mecca. Over the years, the Pepsi Club has had several functions in New Bern. Mr. Kinzie stated it was his understanding that two \$1 million collections had been donated to the museum. Funding for the museum is the easy part, as you would never in a lifetime be able to assemble a collection like the two that have been donated. It's been a dream of most club members that there be a museum, and the rightful place would be New Bern. He asked the Board to support funding of the project.

Kevin Roberts of 1008 Colleton Way in Trent Woods, Director of the New Bern Area Chamber of Commerce, read a statement of support from Lindsay Sims and Winnie Smith, owners of Mitchell Hardware (copy attached). Mr. Roberts noted the decision before the Board at this time is not to decide on the property, a floor plan, or the size of a museum. Those decisions will be made later. He urged the

Board to endorse the project by allowing the submission of the grant application. He also submitted emails of support from other individuals.

Lynne Harakal of 602 Middle Street, Executive Director of Swiss Bear, stated she was in favor of the grant submission. She received 14 letters of support today, copies of which were distributed to the Board. She read a letter from Johnny Robinson.

Dan Roberts of 2220 Foxhorn Road in Trent Woods voiced support of the grant application for the Pepsi Museum, stating it would be a shame if the birthplace of Pepsi did not have the Pepsi Museum. The museum will exist somewhere, why not New Bern. As chair of the Tourism Development Authority, he felt it would be good to have something else in New Bern's inventory to draw people here.

Mallory Lloyd of 606 Victoria Drive in Hillsborough, North Carolina said her family has been selling and collecting Pepsi memorabilia for over 50 years. She is a third-generation collector. While she is not from New Bern, she loves coming here and spends a lot of time visiting New Bern. Pepsi is close to their hearts, and a museum would add to New Bern and North Carolina's rich history. This is a once-in-a-lifetime opportunity.

Billy Faulkenberry of 103 Matthews Lane in Trent Woods stated he lived in New Bern for over 50 years and has owned a business in New Bern for more than 30 years. He reiterated the item on the agenda pertains to a grant application. New Bern's economy has been rebuilt on and is based around tourism.

(Alderman Kinsey momentarily stepped out of the room at 6:33 p.m.)

He asked the Board to do what is right for the community and support the application.

Kelli Billingsley of 308 Camillia Road in Trent Woods, a native of New Bern, was in complete support of the grant application for the museum. She is always proud to tell people she is from the same city that Pepsi is from, and it would be a shame for New Bern to not have the Pepsi Museum.

(Alderman Kinsey returned to the room at 6:35 p.m.)

She encouraged the Board to approve the item.

Melissa Riggle of 500 Rogers Court in Trent Woods, Executive Director of Visit New Bern NC, read letters of support from Tammy Rodriguez, Visitor Center Manager, of 108 Realini Drive in Havelock and Wit Tuttell, Vice President of Tourism for Visit North Carolina.

Brynn Harms of 2800 Currituck Court is an employee of First Carolina Management, managing New Bern properties that include the DoubleTree Hotel, Persimmons Restaurant, SpringHill Suites, and Hampton Inn. Mr. Harms was

very much in favor of seeking the Pepsi grant. He formerly lived in Minnesota and was there when the Spam Museum was opened in Austin, Minnesota. He had no idea how many people would go to Austin to see Spam, but they came from all over and spent money. As a hospitality person, he understands the impact of tourism dollars. On a local level, for every room night booked \$10-\$13 is generated in local occupancy tax. Every room night also provides about an hour of employment for each guest. Employees desperately need more hours. He encouraged the Board to look at Austin, Minnesota to see what is possible for New Bern.

Dean Quadir of 1665 NC Hwy. 55 West owns a business downtown. He spoke in favor of proceeding with the Pepsi Museum grant. As someone who is vested in hospitality and tourism, he felt New Bern's special culture and environment needed to grow and the museum would enhance the New Bern experience. It would be a shame if the museum was built elsewhere because it belongs nowhere but in New Bern.

Mike Duffy of 121 Mourning Dove Trail said the best way to get people interested in New Bern is to show them something interesting. He advised the Board to "take the money" (i.e., grant funds).

Katherine Haroldson of 5329 Trent Woods Drive, chairman of Tryon Palace Commission, said tourism is one of the major drivers in this community. The Tryon Palace Commission is the owner of one of the Pepsi collections. She respectfully requested the Board approve the submission of the grant application. She felt a museum would be transforming for New Bern, Tryon Palace, and the community.

Kyle Dickerson of 3309 Virginia Avenue in Trent Woods works for the Law Firm of Sumrell Sugg at 416 Pollock Street. As a downtown business owner, he expressed support for pursuing the grant. He is also chair of the Board of Directors of the Chamber of Commerce and is pro business and pro economic development and tourism. Many of the people and businesses owners that he has spoken with are also in support of the museum.

Michelle Stout of 1622 Rhem Avenue said she was blown away at the last board meeting when the agenda was changed and there was no opportunity to hear the presentation on the grant. If the presentation had been made and everyone given the information, a completely different conversation could have taken place this evening. She asked that the Board start listening and not just shut things down. Communication is what will move the City forward. In closing, she expressed a desire for the grant to be pursued.

Danny Batten of 608 New Street, owner of retail stores in Downtown New Bern and the Five Points area, said the merits of the museum project are undeniable. The Dr. Pepper Museum in Waco, Texas sees about 170,000 visitors annually. It's not difficult to extrapolate the benefit of that many visitors to restaurants and retail stores. The Pepsi Museum would create density among the Tryon Palace

and Firemen's museums. Density creates economic benefits. The marketing of the Pepsi Museum would have tremendous benefits for New Bern and would distinguish New Bern from all the other historical towns up and down Highway 17.

(Alderman Kinsey momentarily stepped out of the room at 6:49 p.m.)

New Bern, as the birthplace of PepsiCola, is its marketing hook and taking advantage of that should not be denied. He asked the Board to please support the transformation grant.

Lisa Fay Zemelman of 1603 Washington Court settled in New Bern after retiring from the Army. She spoke in favor of the proposed grant for the Pepsi Museum, which would bring more jobs and businesses to New Bern, as well as business to the existing businesses.

(Alderman Kinsey returned to the room at 6:50 p.m.)

The museum will be a place that caters to families. This will be the only Pepsi Museum in the world, and others would be very willing to snatch it away if given the opportunity. Downtown New Bern should be about teaching people about its history while embracing the future.

#### Consent Agenda

**5. Consider Approving a Proclamation for 2023 Resilient & Thriving Communities Week.**

Tamra Church, Chair & Executive Director of Coastal Coalition for Substance Abuse Prevention, requested a proclamation recognizing resilient and thriving communities' week, which will be observed April 29<sup>th</sup> – May 06<sup>th</sup>, 2023.

**7. Consider Adopting a Resolution to Close the 1900 Block of St. John Street for a Birthday Party.**

Melba Curmon of 1905 St. John Street requested to close the 1900 block of St. John Street to vehicular traffic on July 15, 2023 from 9 am until 10 p.m. for a birthday party. There are four houses on the street, three of which are vacant.

**8. Approve Minutes.**

Minutes from the February 14, 2023 and February 28, 2023 closed sessions and March 28, 2023 regular meeting were provided for review and approval.

Alderman Aster made a motion to approve the items under the Consent Agenda less Item 6, seconded by Alderman Brinson. Upon a roll-call vote, the motion carried unanimously 7-0.

\*\*\*\*\*

**6. Consider Adopting a Resolution to Close the 900 and 1000 Blocks of Pollock Street for Tap That Beermuda Block Party.**

In conjunction with Religious Community Services, Tap That New Bern will be holding its annual block party. A request was received to close the 900 and 1000 blocks of Pollock Street to vehicular traffic on May 06, 2023 from 3 p.m. until 11:59 p.m. The organizers also requested use of the public parking lot at 925 Broad Street, which is the back of the old Days Inn site. A rain date of May 13, 2023 has been designated.

Alderman Prill asked for this item to be discussed separately because he recalled last year walking by the event around 4 p.m. or 4:30 p.m. and the event could be heard from three blocks away. As he got closer to the event, the noise level was so loud that it was hard to think. He could not believe late in the afternoon the decibel level was that high. Several complaints were received because of the noise. He questioned what action will be taken to address the issue before it happens again this year.

Kari Warren, Director of Parks and Recreation, said staff met with the organizers to discuss that specific issue. The Police Department participated in the discussion. The organizers were advised there would be no warnings if the event exceeded the allowed decibel level, and the Police Department would write tickets for any noise violations. Organizers have decided to have only one band on the Tap That property, and they will have decibel readers onsite to monitor levels. Organizers will also install buffers and speak with the performers to make sure they are aware of the limitations.

Alderman Prill noted anyone who feels the decibel level is too high will need to call the police. Instead of the organizers monitoring the noise level, he preferred the organizer sponsor a police officer to be at the event. Mrs. Warren stated that was discussed, and the organizers are required to have two officers on site. Police Chief Patrick Gallagher explained last year the department took multiple decibel readings, all of which were below the allowed decibel level except one. Staff will also be in place this year to monitor sound based on the Police Department's decibel readings.

Alderman Prill made a motion to approve the application for the street closure, seconded by Alderman Brinson. The motion carried unanimously 7-0.

(See notation after Item 9 for a roll-call vote on this item.)

**11. Recognition of 2023 Citizens Police Academy.**

Graduates of the recent Citizens Policy Academy were in attendance to receive a certificate of completion. This academy marked the 26<sup>th</sup> session to be held. Class President, Ken Lewis, offered comments about the group's experience and presented Sgt. Kevin Price with a plaque recognizing his work with the Academy.

**12. Recognition of New Bern 101 Graduates.**

The Spring 2023 session of New Bern 101 concluded with this Board meeting. Participants have visited each City department to learn about the departments' responsibilities, services provided, various programs, and to tour facilities and meet staff. Members of the spring session were presented with a certificate of completion.

**9. Presentation by Craven County Crime Stoppers.**

Jeff Haddock, President of the newly-formed Craven County Crime Stoppers, noted the organization is a 501(c)(3) and works with Capt. David Daniels of the New Bern Police Department and Cpl. Kelly Cox with the Craven County Sheriff's Department. Cpl. Cox shared information on the history of Crime Stoppers and how the local program works. Long-term goals of the locally revamped program were described.

Alderman Best recognized former Alderwoman Jameesha Harris was in attendance.

**Item 6 Roll-Call Vote**

Mayor Odham noted Item 6 required a roll-call vote since it involves a resolution. Alderman Prill restated his motion to adopt a resolution to close the 900 and 1000 blocks of Pollock Street for Tap That Beermuda Block Party, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

**10. Presentation on Coastal Carolina Regional Airport.**

Andrew Shorter, Director of Coastal Carolina Regional Airport, shared information about the full-service airport. The airport sits on about 780 acres that is owned by Craven County and leased to the airport. A brochure detailing the airport's economic impact was provided to members of the Board.

**13. Presentation by Bradham's Legacy and Consideration of Adopting a Resolution Authorizing the Submission of an Application for a Rural Transformation Grant on Behalf of Bradham's Legacy.**

This item involves the submission of an application through the NC Department of Commerce for a Rural Transformation Grant in the amount of \$950,000. The grant cycle closes in May, and approved grants will be announced June 13, 2023. If awarded, the funds will be used to develop a city-owned building to house a museum for the purpose of educating the public on Pepsi's historical relationship with New Bern.

John Haroldson, Chairman of Bradham's Legacy, noted this is the 125<sup>th</sup> anniversary of PepsiCo. He shared history about Pepsi, Bradham's Legacy, and the concept of a museum. He stated Pepsi's significance is just as strong as Tryon Palace's. In the last year and a half, the nonprofit has received in excess of

\$100,000 in private contributions. This is in addition to the \$750,000 designated by PepsiCo. Pepsi fully supports the idea of a museum in the birthplace of Pepsi. Mr. Haroldson explained the organization is not asking for money from the City, but simply for the City to apply for a grant on behalf of Bradham's Legacy. The grant funds have been set aside through the American Rescue Plan ("ARP"), a COVID program established by President Biden. The ARP program allocated \$50 million to North Carolina for Rural Transformation Grants. Rural Transformation Grants can only be used for economic development. The fact that downtown New Bern is an opportunity zone would be a positive when the grant application is reviewed. Only government entities can apply for the funds, which is why Bradham's Legacy is asking the City to apply. Final applications are due by May 1, 2023. The State is aware of the impending application and looks upon it very favorably. Mr. Haroldson stated the museum logically belongs downtown where the original Pepsi facilities were located and where the Pepsi Store is now on the original site of Caleb Bradham's drug store. It would be close to Tryon Palace, the Firemen's Museum, hotels, shops, and restaurants. These are places that tourists are interested in walking around to visit.

The \$950,000 grant would plant the seed for an enormous economic engine. Several different sites have been discussed, and the City would be involved in that decision. The City would have no future obligation after the grant. Bradham's Legacy would be responsible for future fundraising.

Stating support for the grant, Alderman Kinsey wanted to know and understand the City's involvement. Mr. Haroldson said the City's obligation would be fulfilled once the grant funds are spent. Funds would be used for a physical structure to house the museum. Mr. Hughes explained the City would be a fiduciary agent and passthrough if the grant is awarded. Mr. Haroldson explained the City would own the property, and Bradham's Legacy would lease the property, operate the museum, and pay the bills. While suggestions have been made, the site has not been determined.

Alderman Best asked if the City was required to match the grant, and Mr. Hughes responded no. If the Board authorizes submission of the application, the City will work with its grant writer to prepare the application. Those services could cost \$2,000, according to Mr. Hughes. Alderman Best voiced a desire to move the City forward and see it thrive. She felt the museum would be a great attraction, but questioned whether the City would later be required to subsidize the museum and who would be responsible for the upkeep and maintenance of the property. In response, Mr. Haroldson said the City would not be required to subsidize the museum based on the nonprofit's predictions of the museum's success. With respect to upkeep and maintenance, that would be negotiated as part of the lease terms. Mr. Haroldson envisioned the City would ask Bradham's Legacy to undertake the upkeep and maintenance. Referencing the project summary, Alderman Best also asked how the museum would economically incentivize the Five Points area. She further asked how the museum could bring a tax base to the City if it is tax exempt. Mr. Haroldson was not aware of a statement specific to the Five Points area, but stated anything that is good for New Bern is arguably



good for all districts. With respect to taxes, he explained sales tax would be generated from tourist expenditures for meals, purchases in retail shops, etc. Alderman Best stated her questions did not indicate that she was not in favor of the museum.

Mayor Odham noted the local airport does not sit within the city limits, so from a property tax standpoint the City does not receive any revenue. However, the airport certainly has a positive economic impact on the City of New Bern. The same could be said for car dealerships that are not located within the City of New Bern. New Bern shares in sales tax revenue. Even if Bradham's Legacy were not tax exempt, there would be no tax revenue from the building since it will be owned by the City.

Alderman Brinson said while he cannot speak for the Board, he wanted to apologize personally for the Board turning Mr. Haroldson away two weeks ago when there was an opportunity to hear a presentation from Bradham's Legacy and have this discussion. He was not upset that the decision was postponed, but wanted to go on record to say this Board needs to present as much information to the public as it can, as quickly as it can. All this conversation could have taken place two weeks ago and people could have submitted comments and questions to the Board, but instead two weeks were wasted.

Alderman Best said with no disrespect to Alderman Brinson, there have been numerous times when the past Board delayed presentations. Alderman Brinson reiterated he had no problem with postponing the decision, but the discussion could have been held two weeks ago.

For the record, Alderman Aster said he too was disappointed that people from the Pepsi collectors' group had traveled a long distance just to be turned away and delayed for two weeks. This evening, he listened to 20 or 30 people speak in favor of the museum; not the first person came forward to speak against it. The museum will be wonderful and should be in the downtown district. It will be helpful to Tryon Palace, the Firemen's Museum, and the Civil War Museum. It will be a great addition to New Bern. It was pointed out the Pepsi Collectors Club is comprised of 500 members from all over the world.

Alderman Aster made a motion to adopt a resolution authorizing the submission of an application for a Rural Transformation Grant on behalf of Bradham's Legacy, seconded by Alderman Brinson. During discussion, Alderman Royal stated she wanted to go on record as the person who made the motion to table the item. When she approached the dais at the last meeting, there was an updated plan at her seat that she did not have time to read. She stated she could not make an informed decision to represent the citizens of the City without having information. She believed equally so that every time the term "city" is mentioned that it is referring to over 31,000 citizens. Those citizens must be represented in the Board's decisions. She asked for the record to also show that she believes the Pepsi Museum will be a wonderful addition to the City. She is not saying the museum would not be an important legacy to New Bern. While she was totally in

favor of the Pepsi Museum, she was not in favor of the lack of an opportunity to read the documents that were set before her. That would not only be a disservice to her as an alderman, but also a disservice to the citizens of New Bern. Even though the presentation might have been made in the previous meeting, she still needed the opportunity to read the documents and look at the information. Every alderman deserves that right so they can make an informed decision. It was her desire to make sure every voice has value and is heard.

Alderman Royal advised Mr. Haroldson that Five Points is mentioned in the summary on pages 3 and 5. One of her main questions was how the projected \$50 million revenue would trickle down to the Five Points community. She felt that was a very pointed question to which she would like an answer. Noting the upcoming Juneteenth event in the Five Points area, she asked whether there had been any collaboration between the event organizers and Swiss Bear. She stated that event would also have an economic impact, regardless of whether it is on a large or small scale. Lynne Harakal, Executive Director of Swiss Bear, said she would be happy to work collaboratively with the Juneteenth committee. Two years ago following the first Juneteenth celebration, there was some communication with the organizers with respect to helping them sell banners. The organizers were to reach back out to Swiss Bear for assistance, but Swiss Bear never heard back from them. Alderman Aster commented Juneteenth had nothing to do with this item. Alderman Royal said it was important for all voices to be heard and for everyone to have input when it comes to the Pepsi Museum.

Alderman Prill restated the request is to approve the submission of a grant application for \$950,000 and later work on some of the basics, such as the need to identify a location for the museum, etc. At this point in time, there is no request for the New Bern taxpayers to pay anything toward the museum. That does not mean at some future date Bradham's Legacy may not request funding. The site of the museum would be tax exempt since it would be owned by the City, and the City would lease the site to the nonprofit under negotiated terms to include the rate, maintenance, upkeep, utilities, insurance, etc. Alderman Prill stated if he were Mr. Haroldson, he would seek a lease rate of \$1.00 per year, although it does not mean the City would grant it. Previous information indicated Swiss Bear would be a fiduciary agent for Bradham's Legacy, but that information has subsequently been revised in an updated document. Alderman Prill asked for clarification that Bradham's Legacy would be the fiduciary agent for the museum, and Mr. Haroldson confirmed that was correct and that Swiss Bear would not be involved. Swiss Bear was a "placeholder" until Bradham's Legacy was created. Earlier information also indicated Swiss Bear would play a role in raising private funds, but the updated document indicates Bradham's Legacy will take that role. Mr. Haroldson said Bradham's Legacy would take the lead on fundraising, but Swiss Bear has historically stood behind all projects that are economically beneficial to Downtown New Bern. If the museum is in the footprint of Swiss Bear, Mr. Haroldson anticipated Swiss Bear would be cooperative with fundraising efforts although it would not be their responsibility. Alderman Prill did not see a problem with Swiss Bear working with Bradham's Legacy on the fundraising and felt it would be a smart move. Mr. Haroldson stated the first summary document

was outdated and did not reflect the outcome of the first meeting of Bradham's Legacy. Additionally, some of the economic development figures that came from a program used by tourism and development were erroneous. When that mistake was discovered, the information was corrected in the updated summary that was subsequently prepared.

Alderman Prill noted PepsiCo has committed \$750,000 for architectural services. Mr. Haroldson noted that funding is available for legal, engineering, architectural, and a broad range of other expenses. While the philanthropic arm of Pepsi has committed \$750,000, part of Alderman Prill's overall concern was that the parent company had yet to commit anything other than a desire to see a museum. He strongly urged that an effort be made to get the parent company to financially contribute toward the project, noting a state-of-the-art museum would be expensive, especially in this time of inflation.

Given the fact that the Mayor and City Manager sit on the Board for Bradham's Legacy, Alderman Prill asked the City Attorney if there was a conflict of interest for the Mayor to vote on items regarding Bradham's Legacy. Mr. Davis said there could potentially be a conflict, but not with tonight's item since there is no allocation of City funds. Going forward, the City will need to be mindful of a potential conflict. The City is always monitoring if one of the elected officials sits on the board of a nonprofit and is allocating money to that nonprofit. For clarify, Mayor Odham noted the conflict of interest would pertain to sitting on the board of a nonprofit, not a personal conflict. Mr. Davis confirmed there was no issue with the City Manager sitting on the Board for Bradham's Legacy.

Upon a roll-call vote, the motion on the floor to submit the application carried unanimously 7-0. After the vote, the audience erupted in applause.

**14. Consider Adopting a Resolution Approving a Memorandum of Understanding and Cost Reimbursement Agreement with the FBI Taskforce.**

The mission of the FBI's Western Hemisphere Task Force is to identify and target for prosecution criminal enterprise groups responsible for drug trafficking, money laundering, alien smuggling, crimes of violence such as murder and aggravated assault, robbery, and apprehension of dangerous fugitives. The New Bern Police Department ("NBPD") desires to assign its Gang Detective as a Taskforce Officer. The detective will remain in New Bern, work out of his current workspace, and will be provided with a vehicle and equipment that will benefit the NBPD. Any overtime will be paid by the FBI. Police Chief Patrick Gallagher requested the Board authorize the Mayor and Police Chief to enter into a Memorandum of Understanding and execute a cost reimbursement agreement for this relationship.

(Alderman Kinsey momentarily stepped out of the room at 8:51 p.m.)

Chief Gallagher felt this relationship would be a win-win for the City and would make New Bern far safer.

Alderman Royal made a motion to adopt a resolution approving a Memorandum of Understanding and Cost Reimbursement Agreement with the FBI Taskforce, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0. Of note, Alderman Kinsey had stepped out of the room, thus technically yielding a vote in the affirmative.

## **15. Discuss Juneteenth Holiday.**

At the March 29<sup>th</sup> meeting, the Board directed this topic to be placed on the agenda after Juneteenth of New Bern requested the City add Juneteenth to its list of paid holidays. Juneteenth became a federal holiday in 2021, and the State of North Carolina began providing 8 hours of personal leave in 2022 for employees of cabinet agencies. This is in addition to any other annual leave. North Carolina also encouraged other state agencies to adopt a similar policy to promote the recruitment and retention of a diverse and inclusive workforce. Out of 167 municipalities that participated in a survey by the NC League of Municipalities, 50 have added Juneteenth as an additional paid holiday. Last week, Wilmington adopted Juneteenth as a paid holiday. If New Bern were to add the holiday, the approximate cost for the additional vacation day is \$136,000. This does not include overtime for any employee who works on the holiday.

Alderman Aster asked for clarification on the State's observance. Mr. Hughes explained the State does not recognize it as a paid holiday, but instead has issued 8 hours of personal leave time ("PTO"). The employee can choose any day they wish to observe. This leave was only extended to cabinet-level agencies, although other agencies were encouraged to adopt similar leave. Of the cities that have currently recognized Juneteenth as a holiday, Mr. Hughes said those cities have recognized Juneteenth and did not provide a floating holiday or personal observance day.

Presuming the Board approves Juneteenth as a holiday or personal observance leave, Alderman Brinson noted salaries are paid on a fiscal year, but holidays are set by a calendar year. He questioned if a holiday or leave time were approved when it would be effective. Mr. Hughes replied that would be at the Board's discretion. To include it in this year's holidays, the adopted 2023 calendar would need to be modified.

Alderman Best made a motion to allow Talina Massey and Jameesha Harris to speak before the Board if there was something they wanted to add or say before the Board votes on the agenda item, seconded by Alderman Royal. The motion carried unanimously 7-0. Of note, Alderman Kinsey had stepped out of the room thus technically yielding a vote in the affirmative.

Mrs. Harris thanked the Board for reviewing and discussing the information and expressed hope it would be an approved holiday or designated time of leave.

(Alderman Kinsey returned to the room at 8:59 p.m.)

Ms. Massey also expressed appreciation. One of the nominations for this year's parade queen was Lavonia Frazier, Pepsi's first African American model. Juneteenth has not received direct support from Swiss Bear, but throughout the ten days of celebration a lot of support is received from around the City. Organizers have not had communication with Swiss Bear since 2021, as it worked directly with a source to secure the banners referenced earlier by Mrs. Harakal. Ms. Massey reminded the Board that the Juneteenth holiday was part of a twofold request with the second request pertaining to the event being city sponsored. Mr. Hughes noted staff did not receive all the needed information in a timely manner for the city-sponsored event to be placed on this agenda. It will be on the next agenda.

Alderman Brinson said the Board raised employee wages, committed to raising them again to match municipalities around New Bern, and can see that a lot of municipalities are moving to a 13<sup>th</sup> holiday. Thus, he was in support of adding the 13<sup>th</sup> holiday but preferred it be offered in the form of personal leave observance so employees could take the time however they desired. Doing so will set New Bern apart from other municipalities in that New Bern will give its employees flexibility.

Alderman Best asked for clarification as to whether Alderman Brinson was suggesting the 13<sup>th</sup> holiday be designated for Juneteenth. Alderman Brinson described the employee's liberty to choose Juneteenth as their holiday or any other day. He suggested restrictions be in place to prevent an employee from taking holiday time and then be scheduled for time and a half. The holiday would not accrue at the end of the year.

Acknowledging the holiday calendar fluctuates annually and that this year three days of leave were approved for Christmas, Mayor Odham suggested the December 27<sup>th</sup> holiday be moved to Juneteenth and the holidays kept at 12 this year. Alderman Aster noted the City's current holiday schedule follows Craven County's schedule.

To maintain departmental operations throughout the year, Alderman Prill asked the City Manager if restrictions would be imposed as to when a staff person could use the flexible PTO. Mr. Hughes felt the biggest control would be the need for staff to request time off at least two weeks in advance. Department Heads would have to approve the time off similar to approving vacation leave. It is not anticipated that a significant number of employees would want to take the same day, so operations would not be affected. Mr. Hughes had no problem with the holiday being approved as a flex day.

Alderman Brinson made a motion to institute a 13<sup>th</sup> holiday of 8 hours of personal leave per calendar year, seconded by Alderman Prill. Upon a roll-call vote, the motion carried 6-1 with Mayor Odham voting against it. Of note, Alderman Royal initially voted against it as she did not understand the intent of the motion. When Alderman Best was polled for her vote, she asked for "personal day" to be defined and whether that meant an employee had to use their personal leave to observe Juneteenth. Alderman Brinson said his motion for personal observance leave

meant a personal holiday. It is not personal leave and does not accrue. Alderman Best asked why the additional holiday would not be classified as Juneteenth. Alderman Aster said the State's calendar reflected it as Juneteenth with a "flex day" notation in parenthesis, or something like that. If an employee wants to celebrate Juneteenth, that is the day they would take. Other employees would get a day off whenever they choose to take it. Alderman Royal stated she was confused when she cast her vote, and Mr. Davis noted the Board was still in deliberation and a vote could be changed if there was a mistake. He then explained the motion added one more holiday to bring the total holidays to 13 days. Any city employee could take the additional holiday as a paid personal observance day, but the day could not be accrued or "banked" to the next year. The employee can take the day on Juneteenth or any other day of their choosing, such as their birthday, so long as it is not an existing holiday to which they would be entitled time and a half for the day off. After hearing the explanation, Alderman Royal changed her vote to an affirmative.

**16. Appointment(s).**

Alderman Prill made a motion to appoint Rusty Ingram to the Planning and Zoning Board, seconded by Alderman Kinsey. The motion carried unanimously 7-0. Mr. Ingram will serve the remainder of Travis Oakley's term in seat 1, which expires on June 30, 2025. This appointment comes following Alderman Prill's interview of six individuals who expressed an interest in the seat.

**17. Attorney's Report.**

The City Attorney had nothing to report.

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

- Mr. Hughes announced the porches on the Tisdale house are being removed. The back stairway will be removed as well. Staff will meet with Dan Tower tomorrow to discuss the move and walk the proposed route. The goal is to move the house on May 6<sup>th</sup>.
- The contractor has indicated there is a delay in receipt of the city hall elevator. At best, it is estimated the project will not be completed until the middle of the summer.
- Staff is working on two programs: an adopt-a-storm-drain program and a community cleanup. Residents will be given an opportunity to adopt a storm drain on their street and help keep it clear of leaves, sticks, and debris. The community cleanup day will take place monthly and focus on a different area each month. Neighborhoods will be encouraged to have their own cleanups at the same time. Public Works will provide trash bags.
- Magic Midways returns to Lawson Creek Park with a carnival from April 14-23, 2023.
- The City Clerk has reached out regarding the Board's availability for the grand opening of the Pleasant Hill Community Center.

## 19. New Business.

### Alderman Aster

When he was the Fire Chief, the department successfully used Crime Stoppers at least three times. Alderman Aster made a motion to donate \$1,000 of his ARP money to Crime Stoppers to help fight crime in the county and especially in the City of New Bern, contingent upon that being an allowable expense, seconded by Alderman Brinson. The motion carried unanimously 7-0. Kim Ostrom, Director of Finance, will investigate whether it is allowable.

### Alderman Best

Thanks to the Mayor, Manager, Assistant City Manager, and Director of Public Works for participating in the tour of Ward 5.

Two citizens have expressed concern about six kids playing near the Biddle Street pond. Alderman Best asked if a temporary plastic construction fence could be placed around the pond. Per Mayor Odham's recollection, specific plants are recommended to be planted around the pond so if someone falls in, they can grab the plant to pull themselves up. Mr. Hughes pointed out construction is still ongoing, but stated signage could be installed advising people to keep out.

### Alderman Brinson

Alderman Brinson had the privilege to represent New Bern at the Civilian-Military Community Council Meeting at Cherry Point last week and received several important updates:

- As many know, F-35s are replacing the Harriers. Marine Air Wing Commanding General, General Benedict, reported that half of the pilots and maintenance personnel have already arrived for the 1<sup>st</sup> F-35 squadron, and the first F-35s are expected to arrive by the end of May. This will grow to six total squadrons over the next several years. Notably for the City's planning efforts, the only concern General Benedict specifically stated was that of inadequate on-base and off-base housing for all the officers and senior NCOs they expect.
- FRC-East XO, Captain Berti, stated that FRC-East was awarded Marine C-130, Air Force HH-60 (Blackhawk) and Air Force H-167 (Greywolf) depot level work. All three are expected to grow approximately 400 jobs which is about a \$30 million economic impact. They are growing their internships and their internal Airframe and Power Plant ("A&P") certifications to start developing those entry-level employees that will be needed by 2025 in both Cherry Point and in Global Transpark (Havelock). The average salary of an FRC-East employee is \$70,000. The Department of Defense has not yet determined the F-35 depot level maintenance location, but Cherry Point is in the running.
- Base Commander, Col. Burks stated tours are open to groups and officials. Alderman Brinson expressed a desire to see this Board, several department heads, the City Manager, and Assistant City Manager attend, especially for the purpose of long-term planning efforts.

Women's Veteran's Day is June 12<sup>th</sup>. In honor of that, Veteran's Organic Garden and NC Works will host a Resource Fair and a Women's Veteran's Appreciation

Luncheon on June 16<sup>th</sup> at noon at the Riverfront Convention Center. Tickets are \$25 and available on Eventbrite.

**20. Closed Session.**

A closed session was not needed.

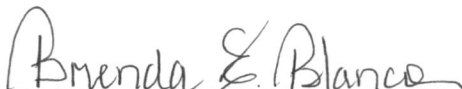
**21. Adjourn.**

Alderman Aster made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 9:24 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: April 25, 2023

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