

**CITY OF NEW BERN  
BOARD OF ALDERMEN MEETING  
OCTOBER 24, 2023 – 6:00 P.M.  
CITY HALL COURTROOM  
300 POLLOCK STREET**

- 1. Meeting opened by Mayor Jeffrey Odham. Prayer by Mayor Odham. Pledge of Allegiance.**
- 2. Roll Call.**

Present: Mayor Jeffrey Odham, Alderman Rick Prill, Alderman Hazel Royal, Alderman Robert Aster, Alderman Johnnie Ray Kinsey (arrived at 6:04 p.m.), Alderman Barbara Best, and Alderman Robert Brinson. Absent: None. A quorum was present.

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

- 3. Approve Agenda**

Mayor Odham announced staff desires to table Item 22 until the Board's next meeting.

Alderman Brinson made a motion to approve the agenda as amended (per Mayor Odham's announcement), seconded by Alderman Aster. The motion carried unanimously 6-0.

**Consent Agenda**

- 4. Consider Approving the 2024 Holiday Calendar.**

Annually, the Board approves a calendar designating holidays to be observed and dates for which City offices will be closed.

- 5. Consider Approving the 2024 Board of Aldermen Meeting Roster.**

The Board adopts a meeting roster for each calendar year. The proposed roster for 2024 identifies the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month as regular meetings. All meetings will begin at 6 p.m. It also accounts for a day-long budget retreat in February and identifies two dates for budget workshops in May.

**6. Consider Adopting a Resolution Calling for a Public Hearing to Annex 412 Sandy Point Road.**

Donna Marie Hinz petitioned to annex 412 Sandy Point Road, Tax Parcel ID 2-037-027. The property is the site of a single-family residence that is contiguous to the City of New Bern's municipal boundary. It was requested that a public hearing be held on November 14, 2023 to consider this petition.

**7. Consider Adopting a Resolution Closing Specific Streets for the Shriners Annual Winter Ceremonial Parade.**

On behalf of the Sudan Shriners, Sharon Evans requested the 400-800 blocks of George Street and 400-600 blocks of Broad Street be closed from 10 a.m. until 2 p.m. on January 27, 2024 for the Shriner's Annual Winter Ceremonial parade. Additionally, it was requested the 200-300 blocks of Middle Street be closed from 7 a.m. until 2 p.m. and the southside (eastbound lane) of Broad Street be closed to parking from 12 a.m. until the conclusion of the parade.

**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 12 p.m. and that the 600 block of Pollock Street be closed to vehicular traffic from 6 a.m. until 9 a.m. on November 11, 2023.

**9. Consider Adopting a Resolution Closing the 100 Block of King Street for a Birthday Celebration.**

Seth Miller requested to close the 100 block of King Street from 9 a.m. until 3 p.m. on November 4, 2023 for a neighborhood birthday celebration.

**10. Consider Approving a Proclamation for Domestic Violence Awareness Month.**

Donna Keys-Bradshaw, Victim Advocate with Coastal Women's Shelter, requested a proclamation recognizing October as Domestic Violence Awareness Month.

**11. Consider Adopting an Amended Resolution Approving a Grant from the NC Governor's Highway Safety Program for Overtime.**

On August 22, 2023, the Board adopted a resolution accepting a \$25,000 grant from the NC Governor's Highway Safety Program ("NCGHSP") to cover overtime incurred by police officers performing safety initiatives such as seatbelt and speed enforcement. After providing the grant agency with a copy of the approved resolution, the City was notified additional funding was available and the grant

would be increased to \$26,200. This item simply amends the resolution to reflect the new amount. No match is required.

**12. Consider Adopting a Resolution to Initiate the Upset Bid Process for 1022 K Street.**

Lay Team and Remodelers, LLC submitted an offer of \$2,700 for the purchase of 1022 K Street. The property is a vacant 0.086-acre residential lot that was acquired by the City and County in 2022 through tax foreclosure. It has a tax value of \$5,400.

**13. Consider Adopting a Resolution to Initiate the Upset Bid Process for 1127 H Street, PID 8-006-006.**

Lay Team and Remodelers, LLC submitted an offer of \$3,900 for the purchase of 1127 H Street, PID 8-006-006. The property is a vacant 0.24-acre residential lot that sits on the road front of H Street. It was acquired by the City and County in 2019 through tax foreclosure and has a tax value of \$7,800.

**14. Consider Adopting a Resolution to Initiate the Upset Bid Process for 1127 H Street, PID 8-006-5000.**

Lay Team and Remodelers, LLC submitted an offer of \$3,900 for the purchase of 1022 K Street, PID 8-006-5000. This parcel is landlocked and sits immediately behind the parcel identified in the previous item. The property is a vacant 0.242-acre residential lot that was acquired by the City and County in 2018 through tax foreclosure. The property has a tax value of \$7,800.

**15. Approve Minutes.**

Draft minutes from the October 05, 2023 strategic planning work session and October 10, 2023 regular meeting were provided for review and approval.

Prior to approving the consent agenda, Alderman Prill asked if there was interest in adding work sessions to the Board's 2024 meeting roster. Alderman Brinson said he was interested but was not prepared to discuss dates. Mayor Odham explained the roster used to include work session dates but there would be times when there were no topics to discuss and that created legalities for cancelling those meetings. Thus, the Board opted to call for work sessions as needed. Alderman Brinson noted the proposed schedule includes a budget work session in February and two in May.

Alderman Aster made a motion to approve Items 4-15 of the Consent Agenda, seconded by Alderman Brinson. Upon a roll-call vote, the motion carried unanimously 6-0.

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## 16. Presentation on ShotSpotter.

This item was tabled from the October 10, 2023 meeting. The Police Department (“PD”) has been researching ShotSpotter, a technology that gives police officers the ability to respond quicker when gunfire is detected.

(Alderman Kinsey arrived at 6:04 p.m.)

Police Chief Patrick Gallagher shared a PowerPoint presentation that showed the location in which gun violence is most prevalent in New Bern. The ShotSpotter technology is intended to alert law enforcement when shots are fired, thus aiding in the apprehension of suspects and deterring gun violence by providing real-time information that includes the location where a gun was discharged, and the type of weapon used. Data is transmitted directly to the communications center and reports the location of gunfire within approximately 21 feet of the firing. From 2022-2023 year to date, PD recovered 21 firearms involved in some type of criminality. Additional firearms were recovered that were not involved in criminal activity. During this timeframe, 8 individuals sustained injury from gunfire and there were 3 gun-related homicides. Of the 38 calls where shell casings were recovered, the shell casings totaled 329. In one incident alone, there were 51 shots fired. That means there were multiple people shooting firearms. This past Sunday night, an officer heard gunfire near Raleigh Avenue. A 14-year-old subject in possession of an AR-15 was apprehended. By the grace of God, no one was hurt.

The initial cost of the software would be \$66,300 for the first year and \$49,500 for subsequent years. Pricing is based on population, and a five-year contract is required. PD has unsuccessfully applied for grant funding in the past and is seeking support from community stakeholders to help with the cost.

Several Board members posed questions to Chief Gallagher about the program. Rumors indicate the technology will pick up conversations, but Chief Gallagher confirmed the sensors only pick up gunfire. While saving lives is always top priority, Alderman Royal asked that before moving forward the community within the 1-mile radius be engaged and educated on the program, so they do not feel “picked on.” Chief Gallagher noted the Greater Duffyfield Residents Council has been engaged twice, as well as management from Craven Terrace, and no one expressed opposition to the program. However, members of the communities were not part of that engagement. Alderman Aster said it would be hard to understand why anyone would oppose a program that could save their life. Alderman Best felt it would be a good program to implement in the areas that are experiencing a lot of gun crimes, but she agreed with Alderman Royal that the targeted community should be given an opportunity to be involved in the decision. Alderman Brinson was supportive of the effort, but wanted to know if the program would be pursued in December or proposed for inclusion in next year’s budget. Alderman Aster said he was prepared to make a motion tonight to pay for the \$66,300 from his available ARP funds. Noting the program would commit the City to an annual expense, Mayor Odham felt it would be best to put this on a future agenda for consideration.

Mr. Hughes sought direction for public input and placing this on a future agenda. Alderman Royal reiterated a desire to see the public involved and given an opportunity to weigh in and support the program. Implementation will take approximately 8 weeks, according to Chief Gallagher. He has a standing meeting with the Duffyfield Residents Council and could make a full briefing to them at their November meeting if he can get on their agenda. In the alternative, he can try to schedule a meeting at the Omega Center. Mayor Odham suggested the Housing Authority meeting may be another opportunity.

Alderman Brinson made a motion to table the discussion on ShotSpotter until the December 12, 2023 meeting, second by Alderman Best. The motion carried unanimously 7-0.

**17. Consider Adopting a Resolution Approving the Sale of 1101 Main Street.**

The Board adopted a resolution on September 26, 2023 to initiate the upset bid process for 1101 Main Street. Kurtis Stewart submitted a bid of \$3,000 for the vacant 0.138-acre residential lot that has a tax value of \$6,000. The bid was advertised, but no upset bids were received. The property was acquired through tax foreclosure in 2007.

Alderman Best made a motion to adopt a resolution approving the sale of 1101 Main Street, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

**18. Consider Adopting a Resolution Approving the Redevelopment Commission's Sale of 1307 Main Street.**

Jacki London submitted an offer of \$4,050 for the purchase of a vacant 0.057-acre residential lot located at 1307 Main Street. Ms. London owns the single-family residence adjacent to the property at 1305 Main Street and proposes to expand her yard. The Redevelopment Commission supports her plan to improve the appearance of the area by eliminating visual blight. Board approval is needed for the Commission to sale this property.

Alderman Royal made a motion to adopt a resolution approving the Redevelopment Commission's sale of 1307 Main Street, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

**19. Discuss the 2023 Christmas Parade and Consider Adopting a Resolution Closing Specific Streets for the Parade.**

This item was tabled from the Board's October 10, 2023 meeting to allow for discussion and the Board's input on the City assuming the task of organizing and overseeing the annual Christmas parade. The parade historically has been organized by the Craven County Jaycees, but the organization has been unresponsive. Kari Warren, Director of Parks and Recreation, noted this is a city-sponsored event, which is why staff felt it was important to assume the role as

organizer. If the City organizes this year's event, Parks and Recreation seeks to close the 300-600 blocks of Broad Street and the 200-300 blocks of Craven Street from 9:30 a.m. until 1 p.m. on December 02, 2023, along with the 400-800 blocks of George Street from 8 a.m. until 1 p.m.

Alderman Kinsey said a city-sponsored event is different from "putting on" an event. Mrs. Warren said Mumfest, although an event of Swiss Bear, is a city-sponsored event in which staff is involved in logistics. In rebuttal, Alderman Kinsey said the cost of Mumfest is not borne by the City, but it would cost the City to "put on" the parade. Ms. Warren felt the only cost to organize the parade would be staff's labor, which she felt was no different than in-kind labor provided for other events. Mrs. Warren announced the City does not intend to implement participant registration fees this first year, unless the Board directs otherwise. However, Mr. Hughes anticipated fees would be assessed going forward.

Mrs. Warren stated a former Jaycee and three other people who have assisted the Jaycees with past parades have volunteered to assist staff this year. Noting Parks and Recreation has a lot going on, Alderman Best felt this was a big undertaking and asked if staff was prepared to take on another event. Mrs. Warren felt the staff could handle it. Alderman Best also inquired as to whether Public Works would need to assist with the parade, and Mrs. Warren said the Director of Public Works was willing to assist with picking up barricades, etc. And lastly, Alderman Best was concerned about the ability to turn down applicants, and Mrs. Warren said other cities' applications provide language to deny entries that are inappropriate. Mr. Hughes said the goal is for a family-friendly event with a Christmas theme and appropriate Christmas attire worn by those in the parade.

Mr. Hughes asked if the number of staff needed from Parks and Recreation and Public Works on the day of the parade had been analyzed, and Mrs. Warren reported she had not done that yet. With past parades that were organized by the Jaycees, Parks and Recreation had a total of 6 employees and 4 Public Works employees who worked the parade.

Alderman Brinson was also concerned about it being a family-friendly event, the cost to staff, and the inability of the City to restrict political speech. While he wanted to see a great parade and was supportive of the City being a bridge this year, he did not think the City was the long-term solution for running the parade. He felt a civic organization or nonprofit should be the organizer and overseer. A private organization would have the authority to deny entries. Mr. Hughes said he had spoken with some nonprofits that are not able to organize this year's event but would consider future parades. Alderman Brinson pointed out the Macy's Thanksgiving Day parade is not run by New York City and the Tournament of Roses parade is not run by Pasadena for a reason.

Alderman Kinsey again expressed concern about taxing the staff. Mrs. Warren said beginning last year, the department rotates its staff to work the usual 38 events throughout the year. Staff from other departments are also recruited to assist with events. Mayor Odham was concerned if the City did not organize this

year's parade that there would not be one, which would be a shame. He felt the parade could be a good fundraiser for a nonprofit.

Alderman Best stressed that she did not want staff to be overworked, and she asked if the City was prohibited from denying any participant's application. Mrs. Mosley explained the first amendment constrains the government from discriminating against different types of speech. However, the City can impose reasonable guidelines that are objective and do not discriminate based on viewpoint or political ideology. Attire and theme restrictions are objective standards that the City can impose, and any applicant that fails to meet that criteria can be denied.

Alderman Royal made a motion to adopt a resolution closing specific streets for the 2023 Christmas parade, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

**20. Consider Adopting a Resolution in Support of the FY2023 Edward Byrne Memorial Justice Assistance Grant Program to Fund Automated External Defibrillators.**

(Alderman Kinsey and Alderman Best momentarily stepped out of the room at 7:03 p.m.)

Chief Gallagher announced the Police Department submitted a grant application for the FY2023 Edward Byrne Memorial Justice Assistant Grant ("JAG") Program to request funds for the purchase of 9 AEDs to be placed in patrol vehicles and/or police facilities. Officers are already trained in the use of the devices. The resolution signifies the Board's support of the grant application for \$14,179 in funding, which requires no match. The total cost of the 9 units is \$14,355, and the department will pay the difference of \$176.

Alderman Brinson made a motion to adopt a resolution in support of the FY2023 Edward Byrne Memorial Justice Assistance Grant program to fund automated external defibrillators, seconded by Alderman Royal. Upon a roll-call vote, the motion carried unanimously 7-0. Of note, Aldermen Kinsey and Best had momentarily stepped out of the room, thus technically yielding a vote in the affirmative.

(Alderman Best returned to the room at 7:07 p.m.)

**21. Consider Adopting a Budget Ordinance Amendment for Fiscal Year 2023-24.**

This amendment appropriates \$32,820 from fund balance to the Redevelopment Commission. The funds will be used as outlined on the request from the Commission. The amendment also recognizes the \$14,179 in JAG funds to secure the AEDs referenced in Item 20 and the additional \$1,200 in funding from the NCGHSP as identified in Item 11.

Alderman Prill made a motion to adopt a budget ordinance amendment for Fiscal Year 2023-24, seconded by Alderman Brinson. Upon a roll-call vote, the motion carried unanimously 7-0.

**22. Consider Adopting an Amendment to the Stanley White Recreation Center Project Fund.**

This item was tabled as noted at the beginning of the meeting.

**23. Appointment(s).**

No appointments were made.

**24. Attorney's Report.**

The City Attorney had nothing to report.

**25. City Manager's Report.**

Mr. Hughes reported on the following:

- An update will be provided at the next meeting on potential projects to be considered for a change in the scope of work for the BP project.

(Alderman Kinsey returned to the room at 7:09 p.m.)

- Public Works will make a presentation at the next meeting on stormwater projects and associated funding over the last five years.
- The contractor for the Stanley White Recreation Center project has requested to start pouring footers at 4 a.m. this Friday. Since this is a City project, the ordinance does not require Board approval as is required for private projects.
- Twenty-three applications have been received for the MSD Advisory Committee. The goal is to compile applications received by November 3<sup>rd</sup> and forward them to the Board by November 14<sup>th</sup> for appointments at the November 28<sup>th</sup> meeting. There have been issues with the online application indicating the form was successfully submitted, yet the applications have not been received by the City Clerk. Contact has been made with MSD property owners to alert them of the issue and provide an additional means of submitting an application.
- The goal is to start the budget process sooner. Mr. Hughes asked the Board to approve a budget work session to be held from 3-5:30 p.m. on December 12, 2023, just prior to the regular session. Discussion ensued about incorporating a Christmas dinner. Mayor Odham suggested the work session start at 2 p.m. to allow time for dinner. Alderman Brinson made a motion to hold a budget work session on December 12, 2023 at 2 p.m. at City Hall, seconded by Alderman Kinsey. The motion carried unanimously 7-0. A Christmas dinner will take place between the work session and regular session.



- The Halloween preschool parade is this Friday at 9:30 a.m.

## 26. New Business.

### Alderman Brinson

While attending the Civil-Military Community Council two weeks ago at Cherry Point, the 2<sup>nd</sup> MAW Deputy Commander announced 6 of the 12 F-35s for the first squadron had arrived, and the second squadron would arrive by the spring for a total of 6 squadrons by 2028. A squadron of UAV's will also be received by next fall. The base commander anticipates an increase of 1,500 active duty and 300 civilians for FRC-East by 2030. The FRC East Deputy Commander announced job fairs have been initiated to fill those jobs.

Global Transpark Kinston is receiving \$300 million in this year's state budget to build a hanger. FRC-East will lease the hanger at \$15 million a year to expand its C-130 maintenance. Currently, there are about 90 FRC-East employees working in Kinston on rotary wing craft, but the C-130 expansion would bring considerably more jobs. The estimate is hundreds more. Thus, New Bern will make a great bedroom community between Global Transpark and Cherry Point, as FRC-East's median salaries are \$72,000 annually.

A flyer was distributed showing the status of the I-42/US-70 highway from Johnston County to Carteret County.

CARTS, the Craven County transit system, will have roughly a \$250,000 budget shortfall since the census showed the New Bern metropolitan area with a population under 50,000. CARTS has lost urban area funding. Craven County is trying to identify its options.

Community Veterans Day events include:

- November 2<sup>nd</sup>–5<sup>th</sup>: The Wall that Heals will be at Walter B. Jones Park in Havelock;
- November 8<sup>th</sup> – Annual Veterans Day job fair at National Guard Armory from 11 a.m. to 3 p.m.;
- November 9<sup>th</sup> – The 8<sup>th</sup> Annual Craven County Veterans Standdown will take place at the National Guard Armory from 9 a.m. to 1 p.m.
- November 11<sup>th</sup> – The March for the 22 event will take place, and information can be found at [www.marchforthe22.us](http://www.marchforthe22.us); and
- November 11<sup>th</sup> – The Veterans Council of Craven County will hold a Veterans Day lunch at 11 a.m. at Temple Baptist Church which will include award presentations for the Veteran of the Year and Veteran Lifetime Achievement.

### Alderman Best

Gratitude was expressed to the City Manager, Assistant City Manager, and Public Works for the cleanup at Evergreen Cemetery. Alderman Best asked if the fencing along the residential homes could also be cleaned, mended, and painted. Mr. Hughes said there have been previous issues with the fence and the property lines. In some cases, residents have buildings right up against the fence, and the fence leans into headstones. Dealing with the fence is very sensitive and may require assistance from a fence company.

Alderman Kinsey

Thanks was voiced to the City Manager and Police Chief for visiting and sharing information at Colony Estates' meeting last night.

Alderman Aster

A progress report was requested on the Jones Street small homes project. Mr. Williams said a single contractor had been chosen to construct all three homes. The contract is being finalized.

He suggested the Board think about activities for young adults and children. He received calls from young families in Bluewater Rise about this but did not really pay attention until his daughter visited a couple of weeks ago with his 7-year-old grandchild and needed to find something to do. The City needs to be proactive and convince someone to build a bowling alley, trampoline park, or something. Mr. Hughes said consultants are wrapping up Parks and Recreation's comprehensive master plan, and a presentation may be made in December or January. A survey conducted as part of the plan preparation revealed a lot of the same comments regarding the need for additional attractions. Putt- Putt courses, a trampoline park, etc. are not amenities that cities traditionally get involved in or offer. Mayor Odham felt Chris Seaberg, Community and Economic Development Manager, could help with soliciting such businesses.

Alderman Prill

City staff was commended for a job well done for their part in Mumfest.

Mayor Odham

An update was requested on vape shop violations. Mr. Hughes said building inspectors, staff from Development Services, New Bern Fire and Rescue, New Bern Police Department, and the Craven County Sheriff's Office visited all the vape shops this past week to inspect for various violations such as building and fire code infractions. Several shops are in an abatement period that allows them to correct the violations. Mr. Hughes will obtain and provide an update from staff.

**27. Closed Session.**

A closed session was not needed.

**28. Adjourn.**

Alderman Royal made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 7:37 p.m.

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

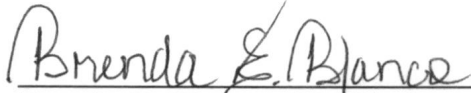
NOTE: For additional details and information on the Board of Aldermen meetings, please visit the City of New Bern's website at [www.newbernnc.gov](http://www.newbernnc.gov). Video and audio recordings of the meeting have been archived.

Minutes approved: November 14, 2023



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Jeffrey T. Odham, Mayor



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Brenda E. Blanco, City Clerk