

**CITY OF NEW BERN
BOARD OF ALDERMEN MEETING
MARCH 12, 2024 – 6:00 P.M.
CITY HALL COURTROOM
300 POLLOCK STREET**

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

Present: Mayor Jeffrey Odham, Alderman Hazel Royal, Alderman Robert Aster, Alderman Johnnie Ray Kinsey, Alderman Barbara Best, and Alderman Robert Brinson. Absent: Alderman Rick Prill. 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.

Mayor Odham acknowledged Matthew Moore and Sullivan Popp from Boy Scout Troop 13. Both were in attendance as part of the requirement to earn a Citizenship of the Community merit badge.

- 3. Approve Agenda**

Alderman Kinsey made a motion to approve the agenda, seconded by Alderman Best. The motion carried unanimously 6-0.

- 4. Request and Petition of Citizens.**

Jameesha Harris of 222 Monterey Circle spoke in support of the Redevelopment Commission's proposal for a health and wellness center on Third Avenue. So many times, the community has cried for resources, and this is an amazing opportunity. Pushing back on this will cause stagnancy in the community. She asked the Board to make a holistic decision to let the center be built on Third Avenue, stating the resources are needed in the community.

Eileen Russell of 731 Third Avenue #204 was opposed to a health and wellness center on Third Avenue and stated the residents of Indigo Ridge Senior Center were being ignored. She expressed concern about security, noise, and traffic.

Ruth Cooper of 1022 Colleton Way, Trent Woods, thanked the City for its new litter reduction campaign. She provided pictures of daffodils that were planted in Duffyfield as a beautification project. As a retired Registered Nurse, she was thrilled about a health and wellness center on Third Avenue. She felt it would have a great impact on the community and did not feel the traffic would impact Duffyfield. The center is needed, and this seems to be the best place to build it. She also spoke

about housing concerns and the need for an annual check of apartments to ensure they meet the minimum standards, have smoke detectors, etc.

Jimmy Dillahunt, Sr. of 1702 Hazel Avenue expressed concern about drug infestation on First Avenue. He also suggested parking on First Avenue be limited to only one side of the street. Funneling traffic down Third Avenue causes an issue, and he thought that street was better suited for residential structures. He expressed concern about homes in Duffyfield that are not elevated and the impact another flood may have on them.

Consent Agenda

5. Consider Adopting a Resolution Calling for a Public Hearing to Apply Initial Zoning to 684 W. Thurman Road.

The Board adopted an ordinance on January 09, 2024 to annex 684 W. Thurman Road. Initial zoning needs to be established for the 6.10-acre tract. The owner submitted an application seeking C-3 Commercial zoning, which was endorsed by the Planning and Zoning Board by a vote of 6-1 at its February 15, 2024 meeting. It was requested that a public hearing be held on March 26, 2024 to receive comments and consider an ordinance establishing the zoning.

6. Consider Adopting a Resolution Calling for a Public Hearing on the Substantial Amendments to the FY2019 and FY2022 Annual Action Plans of the Community Development Block Grant Program.

A public hearing is necessary when considering proposed amendments to the CDBG FY2019 and FY2022 Annual Action Plans. While funding will remain the same, it was suggested the FY19 bus shelter project be reduced by \$42,448.62 and the FY22 bus shelter project be reduced by \$4,189.25. The total of the reductions would be dedicated for the construction of a neighborhood outdoor half basketball court in the Sunnyside area. A public hearing was sought for March 26, 2024 to consider the amendments.

7. Consider Adopting a Resolution to Initiate the Upset Bid Process for 927 Sampson Street.

Precious Johnson submitted a bid of \$3,000 for the purchase of 927 Sampson Street. The property is a vacant 0.116-acre residential tract that was acquired by the City and Craven County in 2018 through tax foreclosure. The resolution authorizes the initiation of the upset bid process by advertising the offer.

8. Approve Minutes.

Draft minutes from the February 27, 2024 meeting were provided for review and approval.

Alderman Best made a motion to approve Items 5-8 of the Consent Agenda, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 6-0.

9. Presentation by Redevelopment Commission on a Proposed Health and Wellness Center.

Several years ago, a need was identified for health and wellness resources within the area now known as the redevelopment boundary. The Redevelopment Commission ("RDC") worked with community partners, including CarolinaEast Health Systems ("CEHS"), to plan a sustainable healthcare resource that would benefit residents in the redevelopment area. The Commission identified a city-owned parcel at 727 Third Avenue that would be ideal for a healthcare facility. The parcel is in the target area and is between the former and new sites of Stanley White Recreation Center.

Zeb Hough, Executive Director of the Redevelopment Commission, was joined by commissioners Leander Morgan, Jr., Tabari Wallace, and Julius Parham. He shared a presentation on the proposed project, stating the health and wellness center has been 20 years in the making. He requested that the parcel on Third Avenue be transferred to the Commission. The Commission would subsequently convey the property to CEHS with restrictive covenants that require CEHS to construct and operate a clinic for no less than five years. The Commission also requested approval to transfer to CEHS the balance of funds previously allocated to the Commission for the construction of a health and wellness center. CEHS will use that balance of \$313,018.88 toward the construction and operation of the clinic.

Judy Pierce, Director of Mission Effectiveness with CEHS, said the convenient care clinic is a dream that is becoming a reality for the Greater Duffyfield community. The facility will provide walk-in and same-day care for those with chronic needs. It will also be a source for education and will not be an urgent care facility. Narcotics will not be available on the property. CEHS cares about the community and has heard that healthcare is a top concern. The proposed facility will provide care beyond normal hours.

Mr. Wallace provided a history of the RDC's focus on a health and wellness center and how it has progressed since the initial conception. If the Board approves the conveyance of the property and transfer of funds, no longer will a school nurse be the primary health provider for children and no longer will the elderly have to sit in pain until they cannot tolerate it anymore. No longer will people without insurance have to worry about whether they can seek medical care. Five things are needed to revitalize a community: schools/ education, housing, medical, recreation, and finance/food. Efforts are underway to reunite resources for a major collective impact.

Alderman Kinsey thanked the RDC for their hard work and expressed support of the center. Alderman Best also expressed appreciation and support for the project and thanked CEHS for being on board. She noted that although the center will be in a black community, it is for the entire city.

Mayor Odham asked about plans for the Bloomfield site should the Third Avenue project move forward. In response, Mr. Hough said the RDC has several ideas, but has not settled on one. That site will be tackled soon, however. Mayor Odham encouraged the RDC to keep the momentum going, noting the progress made with the Stanley White Recreation Center and three houses on Walt Bellamy Drive. Mr. Hough provided a quick update on the houses and stated anyone interested in purchasing one of the homes could complete an offer form with the City Clerk.

In closure, Mr. Hough recognized Michael Smith, CEO of CEHS, and RDC Commissioner Jimmy Dillahunt who were also in attendance.

10. Consider Adopting a Resolution Authorizing the Submission of a Grant Application to the US Police Canine Association.

(Alderman Kinsey momentarily stepped out of the room at 6:40 p.m.)

The new Bern Police Department sought approval to submit a grant application to the US Police Canine Association to replace a canine. If awarded, the grant will reduce the replacement cost of the canine by \$7,500. The \$10,000 grant is comprised of a \$7,500 award and \$2,500 match. The department has five canines, and the grant funds would be used to replace the oldest canine, Ax, who is 9 years old. The average lifespan of a canine officer is between 7 and 10 years.

Alderman Aster made a motion to adopt a resolution authorizing the submission of a grant application to the US Police Canine Association, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 6-0. Of note, Alderman Kinsey had stepped out of the room, thus technically yielding a vote in the affirmative.

(Alderman Kinsey returned to the room at 6:42 p.m.)

NOTE: Items 11-16 were voted on collaboratively as noted under Item 16.

11. Consider Adopting a Resolution Approving the Sale of 1013 Bloomfield Street.

After receiving a bid of \$3,000 from Lay Team and Remodelers, LLC for the purchase of 1013 Bloomfield Street, the bid was advertised but no upset bids were received. The property is a vacant 0.116-acre residential lot that was acquired by the City and Craven County in 2009 through tax foreclosure. If the property is sold for this bid, the City will receive \$1,144.71 and the County \$1,855.29 from the proceeds.

12. Consider Adopting a Resolution Approving the Sale of 1017 Bloomfield Street.

Lay Team and Remodelers, LLC also tendered an offer of \$3,000 for the purchase of 1017 Bloomfield Street. The offer was advertised, but no upset bids were received. The property is a vacant 0.143-acre residential lot that was acquired by the City and Craven County in 2018 through tax foreclosure. If the property is sold for this bid, the City will receive \$1,035.28 and the County \$1,964.72 from the proceeds.

13. Consider Adopting a Resolution Approving the Sale of 1302 Williams Street.

PR Property Group, LLC tendered an offer of \$3,000 for the purchase of 1302 Williams Street. The bid was advertised, but no upset bids were received. The property is a vacant 0.119-acre residential lot that was acquired by the City and Craven County in 2006 through tax foreclosure. If the property is sold for this bid, the City will receive \$1,192.04 and the County \$1,807.96 from the proceeds.

14. Consider Adopting a Resolution Approving the Sale of 1407 Garden Street.

PR Property Group, LLC tendered an offer of \$2,700 for the purchase of 1407 Garden Street, which was advertised without upset. The property is a vacant 0.085-acre residential lot that was acquired by the City and Craven County in 2015 through tax foreclosure. If the property is sold for this bid, the City will receive \$706.92 and the County \$1,993.08 from the proceeds.

15. Consider Adopting a Resolution Approving the Sale of 1411 Garden Street.

PR Property Group, LLC also tendered an offer of \$3,000 for the purchase of 1411 Garden Street. This bid was advertised, but no upset bids were received. The property is a vacant 0.093-acre residential lot that was acquired by the City and Craven County in 2015 through tax foreclosure. If the property is sold for \$3,000, the City will receive \$1,275.26 and the County \$1,724.74 from the proceeds.

16. Consider Adopting a Resolution Approving the Sale of 1904 Washington Street.

PR Property Group, LLC submitted a bid of \$10,000 for the purchase of 1904 Washington Street, which was advertised without upset. The property is a vacant 0.374-acre residential parcel with a tax value of \$20,000. It was acquired jointly by the City and Craven County in March of 2015 through tax foreclosure. If the property is sold for this bid, the City will receive \$4,187.00 and the County \$5,813.00 from the proceeds.

Alderman Royal made a motion to adopt resolutions approving the sale of 1013 Bloomfield Street, 1017 Bloomfield Street, 1302 Williams Street, 1407 Garden Street, 1411 Garden Street, and 1904 Washington Street, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 6-0.

17. Consider Adopting a Resolution Approving a License Agreement with The New Bern Area Improvements Association, Inc. Extending the Use of 800 Cedar Street.

On July 23, 2019, the Board approved a 3-year license agreement with The New Bern Area Improvements Association for use of the Omega Center at 800 Cedar Street. The site has been used to offer recreational programs in the absence of the Stanley White Recreation Center ("SWRC"). In 2022 at the end of the original agreement, a new agreement was executed for a term of 18 months. The term of the second agreement ended on February 28, 2024, and staff desires to continue utilizing the facility until the new SWRC is completed at the end of this year. For that reason, a new license agreement is proposed for a term of 11 months at a rate of \$25,971. The City will also reimburse 57.14% of the monthly utilities, mow the lawn, and maintain the landscape. This 11-month term will expire on January 31, 2025.

Alderman Kinsey asked about the programs that have been offered at the Omega Center. According to Kari Warren, Director of Parks and Recreation, the programs have included senior fitness and weekday walking. An after-school program was offered, but had little participation. Summer camp was held at the Omega Center for a short period, but was ultimately moved to West New Bern because of staffing. A science lab and "Build a Bot" programs were offered. The next few months will focus on senior and non-school-age programs beginning the first of April.

When the property was first leased, the lease was reimbursable by FEMA, and Mayor Odham asked if that was still the case. Mr. Hughes responded that the last renewal nor this renewal were reimbursable.

Alderman Royal made a motion to adopt a resolution approving a license agreement with The New Bern Area Improvements Association, Inc. extending the use of 800 Cedar Street, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 6-0.

18. Consider Adopting a Resolution to Accept ARPA Funds from the State Fiscal Recovery Fund for Water/Wastewater Infrastructure.

In September 2022, the City applied for funding of \$4,149,360 from the American Rescue Plan Act ("ARPA") Local Assistance for Stormwater Infrastructure Investments Stormwater Construction Grant. A letter of intent to fund the request was issued by the State of NC Department of Environmental Quality on March 23, 2023, followed by a funding offer dated February 20, 2024.

Alderman Best made a motion to adopt a resolution to accept ARPA funds from the State Fiscal Recovery Fund for Water/Wastewater Infrastructure, seconded by Alderman Brinson. Upon a roll-call vote, the motion carried unanimously 6-0.

19. Consider Adopting an Ordinance Amending the Drainage Improvements Project Fund.

This ordinance amends the Drainage Improvements Project Fund to acknowledge the grant funds referenced in the previous item.

Alderman Best made a motion to adopt an ordinance amending the Drainage Improvements Project Fund, seconded by Alderman Brinson. Upon a roll-call vote, the motion carried unanimously 6-0.

20. Appointment(s).

No appointments were made. Mayor Odham announced several terms will end on June 30, 2024. The City Clerk will circulate a list of the expiring terms, some of which are ward specific. The Board's rules of procedure require interested parties to submit an application to be considered for appointment. The applications are now purged annually, so those interested in serving will need to complete a new form.

21. Attorney's Report.

Edits to the Board's rules and procedure were made based on direction previously given by the Board. The Board was asked to review the edits and contact the City Attorney with comments. During the editing process, Mr. Davis also incorporated updates based on current statutes. Input was sought regarding electronic participation when a member of the Board cannot attend in person. This scenario is different from an electronic Board meeting during a state of emergency.

The Board was asked to think about whether it wished to allow an official to participate electronically in the discussion of an item, although the official would not be counted in the quorum or considered present for the meeting. Obviously, an official always has the option to watch the broadcast of the meeting. Mayor Odham commented he had no strong opinion on the topic, but because of the audio delay with remote participation he would probably say no to that option.

There is no statutory authority for a Board to cancel a regular meeting. However, regular meetings can be cancelled during a state of emergency. By state statute, the Mayor can declare a state of emergency and a "cancellation" can be issued to notice that a quorum will not be present.

22. City Manager's Report.

Mr. Hughes reported on the following:

- ShotSpotter should go live around March 21st.
- A community cleanup is scheduled for Pine Tree Drive tomorrow. Monthly cleanups will take place from March through November.
- A "topping out" ceremony was held at the SWRC this morning. Those in attendance signed the final beam before it was put into place.

- On October 10, 2023, an ordinance was adopted to amend Section 15-343 to expand downtown parking exemptions from Hancock Street to East Front Street and South Front Street to Broad Street. It has come to the City's attention that one property adjacent to the boundary did not receive the exemption. A map was displayed showing the boundary, and the property excluded was identified by a star. The property in question is under contract, and the issue of the exemption is holding up the sale. The Board was asked to make a motion for the Planning and Zoning ("P&Z") Board to revisit the boundary at their March 21, 2024 meeting and for staff to present P&Z's recommendation before the Governing Board on March 26, 2024 and conduct a public hearing.

Alderman Aster made a motion for the City Manager to direct Development Services to send the matter back to Planning and Zoning for their next meeting, report back to the Board at its next meeting, and advertise a public hearing for the next regular meeting, seconded by Alderman Kinsey. The motion carried unanimously 6-0.

Alderman Aster said it was his understanding that if the building becomes vacant it could never be sold unless the Board makes a change in the parking exemption. Mr. Davis explained the use could not change, which is the premise that drove the change in October. The exclusion of this property may have been an oversight by Planning and Zoning.

23. New Business.

Alderman Best

Alfred Barfield, a pioneer and advocate for equal rights, passed away recently. In 1960, Mr. Barfield and 28 other African American high school students participated in marches and sit-ins. After eight months of protesting, they made a mark on history. The City issued a proclamation in 2022 honoring the Forgotten 29 during the month of March.

March is Women's History Month. Thanks for the commitment and service of all women.

Alderman Mayor

Unfortunately, he was out of town during Al Barfield's funeral. Mayor Odham told a story of how Mr. Barfield acquired a grant through the Bates Foundation and offered to return a small amount of funding that was left over after completing the project. That speaks volumes about his character. He was passionate about securing donations to provide Thanksgiving meals for those in need.

24. Closed Session.

A closed session was not needed.

25. Adjourn.

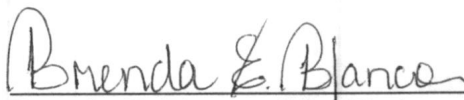
Alderman Kinsey made a motion to adjourn, seconded by Alderman Aster. The motion carried unanimously 6-0, time being 7:11 p.m.

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

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

Minutes approved: March 26, 2024



Jeffrey T. Odham, Mayor

Brenda E. Blanco, City Clerk