

**City of New Bern  
Board of Aldermen Meeting  
August 27, 2019 – 6:00 P.M.  
City Hall Courtroom  
300 Pollock Street**

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

Present: Mayor Dana Outlaw, Alderman Sabrina Bengel (electronically via Skype), Alderwoman Jameesha Harris, Alderman Robert Aster, Alderman Barbara Best, Alderman Johnnie Ray Kinsey, and Alderman Jeffrey Odham. Absent: None. A quorum was present.

Also Present: Mark Stephens, City Manager; Michael Scott Davis, City Attorney; and Brenda Blanco, City Clerk.

**Consent Agenda**

- 3. Consider Adopting a Resolution Calling for a Public Hearing to Rezone 1701 Simmons Street (Tax Parcel ID 8-240-105) from C-4 Neighborhood Business District/C-5 Office and Institutional District to C-3 Commercial District.**

Steve Tyson, registered agent for Lake New Bern Development Company, LLC, has requested 88.1 +/- acres located at 1701 Simmons Street and further identified as Tax Parcel ID 8-240-105 be rezoned from C-4 Neighborhood Business District/C-5 Office and Institutional District to C-3 Commercial District. The request was approved by the Planning and Zoning Board at its August 8, 2019 meeting.

- 4. Approve Minutes.**

Minutes from the August 13, 2019 meeting were provided for review and approval.

Alderman Best made a motion to approve Items 3 and 4 of the Consent Agenda, seconded by Alderman Aster. The motion carried unanimously 7-0.

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- 5. Conduct a Public Hearing and Consider Adopting an Ordinance to Permanently Close a Portion of Saint John Street.**

Attorney Brian Taylor, on behalf of James “Smoke” Boyd, requested a portion of Saint John Street be permanently closed pursuant to NCGS §160A-299. Mr. Boyd

owns all of the adjoining properties on both sides of the proposed area of closure. The Board adopted a resolution on July 23, 2019 to call for a public hearing and that notice was published as required by law.

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

Alderman Odham made a motion to adopt an ordinance to permanently close a portion of Saint John Street, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

**6. Consider Accepting a Petition to Annex Property in Craven 30 West Identified as Tax Parcel ID 8-209-13001 and Adopt a Resolution to Call for a Public Hearing on the Annexation.**

Clifford Parson, authorized representative for Weyerhaeuser NR Company, submitted a petition to annex contiguous property consisting of approximately 58.36 acres located in Craven 30/Craven 30 West identified as Tax Parcel ID 8-209-13001. The Board was asked to consider accepting the petition and call for a public hearing on September 10, 2019.

Alderman Kinsey made a motion to accept the petition, seconded by Alderman Best. The motion carried unanimously 7-0.

Alderman Kinsey made a motion to adopt a resolution calling for a public hearing on September 10, 2019 to annex Tax Parcel 8-209-13001, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

**7. Consider Adopting a Resolution Approving the Execution of a General Warranty Deed for 876 Howard Street Between Habitat for Humanity of Craven County and Gale Headen.**

At its March 8, 2016 meeting, the Board of Aldermen approved the transfer of 876 Howard Street to Habitat for Humanity. A home has been constructed on the property, and Habitat is now ready to convey the property to Gale Headen. To facilitate this conveyance, the City's signature is needed on a general warranty deed to evidence that Habitat has complied with the terms and conditions of a Transfer and Reversion Agreement associated with the property and that the City is releasing any rights retained in that Agreement.

Alderman Best made a motion to adopt a resolution approving the execution of a general warranty deed for 876 Howard Street between Habitat for Humanity of Craven County and Gale Headen, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

**8. Consider Adopting a Budget Ordinance Amendment for the FY2019-20 Grants Fund Budget.**

This budget ordinance amendment recognizes and appropriates funds for two Golden Leaf Foundation grants, two Walmart Community grants, and a NC Department of Public Safety grant. The grants total \$288,639.93, and only one grant requires a match. The match for the Golden Leaf street-repair grant is \$50,000.

Alderman Best made a motion to adopt a budget ordinance amendment for the FY2019-20 Grants Fund, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

**9. Appointment(s).**

Alderman Aster made a motion to appoint Dona Baker to the Dangerous Dog Appeal Board, seconded by Alderman Odham. The motion carried unanimously 7-0.

Alderman Kinsey made a motion to appoint Jonathan Foster to the Board of Adjustment, seconded by Alderman Best. The motion carried unanimously 7-0. Mr. Foster will serve as an alternate member, filling the seat previously held by Anne Schout. His term will expire August 26, 2022.

**10. Attorney's Report.**

The City Attorney had nothing to report.

**11. City Manager's Report.**

The City Manager had nothing to report.

**12. New Business.**

Alderman Odham

In the past, there have been challenges with members of the Board of Adjustment attending the meetings. A meeting was scheduled for last night and experts were on hand to testify, but the Board failed to have a quorum and could not conduct the meeting. Alderman Odham suggested a change in the Board's makeup or quorum requirements. Mayor Outlaw and Aldermen Harris and Kinsey supported a change. Mr. Stephens stated options would be discussed at the Governing Board's next meeting.

A suggestion was made for the Public Works staff and Public Information Officer to prepare a video to educate citizens about drainage and the efforts being put forth with respect to stormwater. If a ditch has not been cleaned out lately, it does not necessarily mean that ditch does not drain properly.

Alderman Best

Police Chief Summers was asked if additional enforcement could be placed on Highway 55 to address speeding. Chief Summers stated his department could increase their presence and that he would also request the Highway Patrol to monitor the area. The Chief also offered for his department to perform a speed study in the area.

**13. Closed Session.**

Alderman Odham made a motion to go into closed session pursuant to NCGS §143-318.11(a)(3) to discuss Right Touch vs. City of New Bern and McDavid vs. City of New Bern and pursuant to NCGS §143-318.11(a)(5) to discuss the potential acquisition of two separate parcels of land, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 6:15 p.m.

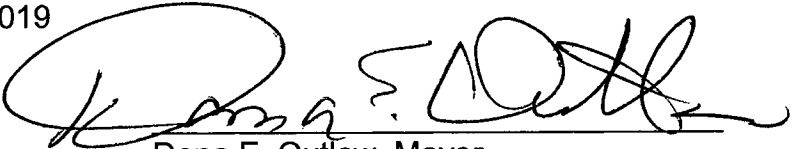
**14. Adjourn.**

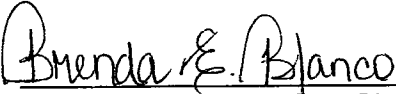
Alderwoman Harris made a motion to adjourn, seconded by Alderman Aster. The motion carried unanimously 7-0, time being 6:53 p.m.

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: September 10, 2019

  
Dana E. Outlaw, Mayor

  
Brenda E. Blanco, City Clerk