

**City of New Bern
Board of Aldermen Meeting
November 24, 2020 – 6:00 P.M.
City Hall Courtroom
300 Pollock Street**

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

Present: Mayor Dana Outlaw, Alderman Sabrina Bengel, Alderwoman Jameesha Harris (by telephone), 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 to Close Specific Streets for the Tryon Palace Holiday Cheer Celebration.**

Tryon Palace will hold a Holiday Cheer Celebration on December 12th and 19th. They requested to close the 600 block of Pollock Street, 300 block of George Street, and South Front Street in the area of Palace Point Commons from 2 p.m. until 11 p.m. on both dates.

- 4. Consider Adopting a Resolution to Close 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, 400-600 blocks of Broad Street, and the 200-300 blocks of Middle Street be closed to vehicular traffic on January 23, 2021 from 10 a.m. until 2 p.m. for the Shriners' Annual Winter Ceremonial Parade. It was also requested that the south side lane of Broad Street be closed to parking from 12 a.m. until the conclusion of the parade. While approval of the street closures may be granted, the request will depend on the NC Governor's Executive Order and the NC Department of Health and Human Services' guidelines at the time of the event.

5. Consider Adopting a Resolution to Close Portions of Middle and Pollock Streets for Black Friday Weekend and Christmas Weekend for the Operation of Street Cafes.

The Board previously adopted resolutions allowing the closure of downtown streets for the purpose of accommodating street cafes. Swiss Bear recently made a new request for the 200-300 blocks of Middle and 300 block of Pollock Streets to be closed at 5 p.m. on Thursday, November 26, 2020 (Thanksgiving Day) through Friday, November 27, 2020 at 5 p.m. (“Black Friday”) and Friday, December 25, 2020 (Christmas Day) through Sunday, December 27, 2020 at 11 p.m. (Christmas weekend) for the purpose of operating the street cafes.

6. Approve Minutes.

Minutes from the November 10, 2020 meeting were provided for review and approval.

Alderman Aster made a motion to approve Items 3-6 of the Consent Agenda, seconded by Alderman Bengel. The motion carried unanimously 7-0.

7. Consider Adopting a Resolution Approving the Electronic Records and Imaging Policy and Procedures.

The City follows NC statutes with respect to the retention of public records, and it regularly adopts the latest General Records Retention and Disposition Schedule provided by the NC Office of State Archives. The proposed policy establishes procedures for maintaining electronic records, converting original paper documents to an electronic document, and destroying the original documents after conversion. The policy, which has been reviewed and approved by the States Archives Office, will allow staff to utilize document management systems to store records. This process not only requires less space to physically maintain documents, but makes locating and retrieving documents easier and more efficient.

Alderman Bengel asked about making a list available to the public as to what documents are kept by the City, and Mr. Stephens stated he would work with the City Clerk and Public Information Officer to place that on the City’s website.

Alderman Odham made a motion to adopt a resolution approving the electronic records and imaging policy and procedures, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

Items 8 and 9 were voted on collaboratively as noted under Item 9.

8. Consider Adopting a Resolution Approving a General Warranty Deed Between Habitat for Humanity of Craven County NC, Alicia Shirley Campbell, and the City of New Bern for 703 Bern Street.

The City conveyed the property at 703 Bern Street to Habitat for Humanity in March of 2016 for the purpose of developing affordable housing for low and moderate-income

families. Habitat subsequently constructed a home on the property and intends to transfer the home to a buyer. By executing a deed to transfer ownership to the buyer, the City would release any rights retained under the Transfer and Reversion Agreement between it and Habitat.

9. Consider Adopting a Resolution Approving a General Warranty Deed Between Habitat for Humanity of Craven County NC, Michael Anthony Chance Drew and spouse, Daniele Shawnae Brooks, and the City of New Bern for 1022 N. Bern Street.

Like the previous item, the City conveyed the property at 1022 N. Bern Street to Habitat for Humanity in March of 2016 for the purpose of developing affordable housing for low and moderate-income families. Habitat subsequently constructed a home on the property and intends to transfer the home to a buyer. By executing a deed to transfer ownership to the buyer, the City would release any rights retained under the Transfer and Reversion Agreement between it and Habitat.

Alderman Bengel made a motion to adopt resolutions approving general warranty deeds between Habitat for Humanity of Craven County, NC, Michael Anthony Chance Drew and spouse, Daniele Shawnae Brooks, and the City of New Bern for 1022 N. Bern Street and between Habitat for Humanity of Craven County, NC, Alicia Shirley Campbell, and the City of New Bern for 703 Bern Street, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

10. Consider Adopting a Resolution Approving a Deed of Easement and a Temporary Construction Easement with the Housing Authority of the City of New Bern, N.C.

A section of the new 12" force main for Phase III of the Township No. 7 Sewer Improvements Project will need to be routed through the southern portion of the Trent Court property. This will necessitate a permanent utility easement as well as a temporary construction easement. The New Bern Housing Authority recently approved and executed the easements.

Alderman Odham made a motion to adopt a resolution approving a deed of easement and a temporary construction easement with the Housing Authority of the City of New Bern, N.C., seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

11. Consider Adopting a Resolution Approving a Memorandum of Understanding with the Craven County Board of Commissioners for the 2020 Byrne Justice Assistance Grant.

The New Bern Police Department applied for and received \$10,754 in grant funds from the FY2020 Edward Byrne Memorial Justice Assistance Grant ("JAG"), which requires no match. The grant was a joint application with Craven County, and the Craven County Commissioners have approved a Memorandum of Understanding ("MOU") regarding the use of the funds. Grant funds will be utilized to purchase a Police K9 to replace an aging K9 and a rifle and optics to assist with investigating illegal drug activities.

Alderman Best made a motion to adopt a resolution approving a memorandum of understanding with the Craven County Board of Commissioners for the 2020 Byrne

Justice Assistance Grant, seconded by Alderman Bengel. Upon a roll-call vote, the motion carried unanimously 7-0.

12. **Consider Adopting a Resolution Approving a Master Services Agreement with Pike Engineering, LLC for Engineering Services for NCDOT Related Projects and Authorizing the Execution of the Following Requests for Services:**
- a) **Engineering Services for Relocation of Electric Utilities Related to NCDOT Project U-5713/R-577A & B (US 70 James City);**
 - b) **Engineering Services for Relocation of Electric Utilities Related to NCDOT Project R-5777C (US 70 Thurman Rd to Havelock By-pass);**
 - c) **Engineering Services for Relocation of Electric Utilities Related to NCDOT Project R-1015 (Havelock By-pass);**
 - d) **Engineering Services for Relocation of Electric Utilities Related to NCDOT Project R-4463A (NC 43 Connector);**
 - e) **Engineering Services for Relocation of Electric Utilities Related to NCDOT Project U-5593 (MLK Roundabout);**
 - f) **Engineering Services for Relocation of Fiber Utilities Related to NCDOT Project U-5713/R-577A & B (US 70 James City);**
 - g) **Engineering Services for Relocation of Fiber Utilities as Related to NCDOT Project R-1015 (Havelock By-pass).**

Several NCDOT projects require the City's relocation of utilities to facilitate construction of the projects. Staff sought bids for engineering, design and project coordination, and Pike Engineering was the only firm to respond. It was requested that a Master Service Agreement be approved and that Requests for Services be executed to initiate the work for each of the above-listed projects. A memo from Charles Bauschard, Director of Public Utilities, provided cost estimates for each of the projects. All the electric utility relocations will be reimbursed by NCDOT. The fiber relocation is not reimbursable through NCDOT, but the City will seek reimbursement from Craven County and/or the City of Havelock.

Noting some of the projects had been put on hold by NCDOT, Alderman Odham asked if the City would be expending money for the projects despite the hold. Charles Bauschard, Director of Public Utilities, said the projects would be tabled until the State had appropriate funding. However, having the documents signed and in place will allow the City to initiate the work when the State is ready to move forward. Mayor Outlaw asked about the potential reimbursement from Craven County and the City of Havelock. Mr. Bauschard stated the County would reimburse 50% of the costs, and the City of Havelock would be approached about any costs associated with relocating their fiber. Mr. Stephens reported on a meeting that was held with Craven County last week to discuss the projects and reimbursement. Mayor Outlaw expressed concern about the lack of a Memorandum of Understanding for the County's portion of the costs, as well as concern about the vendor selection process and whether the contracts may go over budget. Mr. Davis explained the County had budgeted for its share of the fiber relocation, and he noted any contract had the possibility of going over budget.

Alderman Aster made a motion to adopt a resolution approving a Master Services Agreement with Pike Engineering, LLC for engineering services for NCDOT related projects and authorizing the execution of Requests for Services identified as a through g, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

13. Appointment(s).

Alderman Bengel made a motion to appoint Bo Wernersbach to the New Bern-Craven County Library Board, seconded by Alderman Odham. The motion carried unanimously 7-0. Mr. Wernersbach will fill the term vacated by Diann Bucher, which will expire December 2021.

Alderman Bengel made a motion to reappoint Shelley Maloy to the New Bern-Craven County Library Board, seconded by Alderman Kinsey. The motion carried unanimously 7-0. Ms. Maloy's term will expire December 2026.

14. Attorney's Report.

The City Attorney had nothing to report.

15. City Manager's Report.

- At the request of Mayor Outlaw and Alderman Aster, Mr. Stephens stated he had researched the possibility of providing COVID-19 testing in the City of New Bern. The City will partner with Greene County Healthcare Incorporated to host three, free, drive-thru testing sites on the following dates: December 7th from 11 a.m. – 3 p.m. at Lawson Creek Park, December 14th from 11 a.m. – 3 p.m. at West New Bern Recreation Center, and December 16th from 11 a.m. – 3 p.m. at Henderson Park. The testing is made possible through State funding that became available. Insurance nor payment will be required. The Craven County Health Department will notify people of positive results, and Greene County Healthcare will notify those with negative results. Detailed information has been posted to the City's website and social media. For those who are unable to attend the drive-thru testing sites, Alderman Best gave a reminder that the Craven County Health Department also offered testing.
- Mr. Stephens announced the asbestos abatement had been completed at Stanley White Recreation Center. Public Utilities is removing all utilities from the structure, and the demolition should begin after the first of the year and will take approximately 30-60 days for completion. The plan is to utilize and maximize the existing concrete slab as much as possible for recreational purposes, if the environmental process approves the relocation of the facility.
- BEFCOR received and approved 26 applications for the COVID-19 nonprofit grant program. Alderman Bengel and Alderwoman Harris expressed a desire to use the remaining designated funds to increase the grant awards from \$1,000 to \$2,000.

Alderman Bengel made a motion to appropriate funds to give the 26 approved applicants an additional \$1,000 award, seconded by Alderman Aster. The motion carried unanimously 7-0.

Alderman Harris asked for the total number of applicants. Mr. Stephens said approximately 51 applications were distributed, and all the applications that were submitted were approved.

- Mayor Outlaw again voiced concern about the four boats abandoned in the river. Attorney Davis said the Town of Beaufort had obtained a local bill to address the issue, and coastal counties have a statute that allows them to address the matter similar to how they address abandoned vehicles. A brief discussion on this topic continued.

16. New Business.

Alderman Bengel

An update was requested on Beary Merry Christmas, Santa's arrival, and plans for New Year's Eve. Foster Hughes, Director of Parks and Recreation, said Public Works had been decorating the downtown streets and Parks and Recreation had been decorating Union Point Park. Beary Merry Christmas will kick off this weekend with the tree lighting. Santa will be available to greet visitors throughout the season, and Beary Merry will also offer story times with Mrs. Claus in Bear Plaza. Both of these events will require online registration. On the weekends, a mistletoe market will take place at the Talbot's lot where goods and food items will be sold and entertainment provided. Carriage rides will be available on November 28th and December 19th. The flotilla will be held on Saturday, December 5th. Prior to the flotilla, an aerobatic airshow will take place beginning at 4:30 p.m. Admission to the airshow is free, and the event is sponsored by Wendy and Buddy Stallings. On December 12th, a holiday movie will be available in the park. New Year's Eve will consist of only a bear drop, but downtown restaurants will offer street café dining. Considering the Governor's new executive order and concerns expressed by others about in-person meetings, it was questioned whether the Board desired to return to Zoom meetings for the next month or two. Alderman Best asked why the Board would not continue to hold in-person meetings since plexiglass had been installed between the board members. She stated the only complaint she had received was an email about the lack of mask wearing. Alderman Harris questioned the ability of citizens to participate under request and petition of citizens, and Mr. Stephens stated that ability was available. The interpretation of the most recent executive order was discussed. In light of the increase in the number of cases, Alderman Harris stated she was not sure why the City's elected officials were not advocating for individuals to wear masks and why the City was still promoting public holiday events.

Alderman Harris

Everyone was encouraged to wear a mask and stay safe.

Alderman Aster

Happy Thanksgiving was wished to everyone.

Mayor Outlaw

Sentiments for a Happy Thanksgiving was voiced.

Alderman Kinsey

A Happy Thanksgiving was wished.

Alderman Best

Expressing concern about Highway 55, Alderman Best asked Alderman Odham if the State would release funding for highways. Noting he was on the MPO Board and not the DOT Board, Alderman Odham said it was reiterated last week that the State did not have any funding available for projects; even maintenance funds are quite low.

With the large rainfall two weeks ago, the yards of many residents were inundated with standing water. Alderman Best asked what steps could be taken to address the standing water in the area of Renny's Creek, particularly from Hazel Avenue to Simmons Street and in North Hills and Trapper's Creek. She also questioned whether an additional pump station needed to be installed. It was her suggestion that the Board discuss this at a future meeting. While Mayor Outlaw suggested patience until the \$32 million FEMA work could be completed, he did express surprise that the pump station did not handle the rainfall. Mr. Stephens stated an 8" rainstorm in less than 24 hours would produce flooding in areas of low elevation, even with working pump stations.

Alderman Odham

Having heard that the recent request from the Craven County Board of Education ("BOE") for another School Resource Officer ("SRO") had not made it back to the City, Alderman Odham questioned if the BOE intended to use the County to fill the position. He stated it was his understanding the County Commissioners did not know the BOE had requested the additional SRO. Alderman Odham reiterated the conversation with the BOE last year about the need for the BOE to increase funding after June 30, 2021. He felt like the City's Governing Board needed to take a formal stance so that the message reaches both the BOE and the Commissioners and there is no misunderstanding as to the City's position. Mr. Stephens said it was his understanding from a conversation with Dr. Meghan Doyle, School Superintendent, that the BOE anticipated the County would need to provide SROs after June 30th, if the funding was not adjusted. Dr. Doyle indicated she was also unaware of the recent request for the City to provide an additional SRO.

Alderman Best asked about the decision regarding Zoom meetings. Alderman Bengel said she wanted to have the discussion since a new mandate would be in effect. While she stated she wanted citizens to be safe, Alderman Bengel said she felt masks were a personal decision. Alderman Best said if the City was posting on its doors that a mask was required, then the City must set an example. A decision was not made as to reimplementing virtual meetings.

17. Closed Session.

A closed session was not needed.

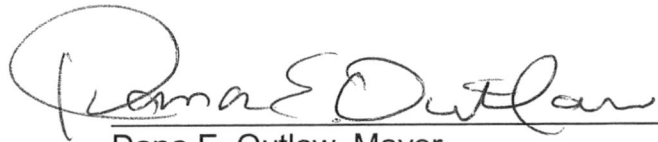
18. Adjourn.


Alderman Bengel made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 7:39 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: December 08, 2020


Dana E. Outlaw, Mayor


Brenda E. Blanco, City Clerk