

**City of New Bern
Board of Aldermen Meeting
March 09, 2021 – 6:00 P.M.
City Hall Courtroom
300 Pollock Street**

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer by Alderman Kinsey. Pledge of Allegiance.**

- 2. Roll Call.**

Present: Mayor Dana Outlaw, Alderman Sabrina Bengel, Alderwoman Jameesha Harris (arrived at 6:02 p.m.), Alderman Robert Aster, Alderman Johnnie Ray Kinsey, Alderman Barbara Best, 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.

- 3. Request and Petition of Citizens.**

Vickie Vitale of 1211 Petite Terre Court shared pictures of dumpsters in “Artisan Square”. She stated she was working with Foster Hughes, Director of Parks and Recreation, to obtain a new gate and fence to enclose the area. As an artist, she suggested murals be painted in “Artisan Square” to create a public art venue for tourists, and she sought funding from the City to accomplish this. Jesse Doyle of 305 Blackledge Road in River Bend, another artist, estimated the cost of supplies and labor for the murals to be \$1,800 each. Mr. Stephens announced staff had already ordered the new gate and fence for the parking area behind Cow Café and the Bay Leaf restaurant that had been termed as “Artisan Square”.

George Halyak of 320 Plantation Drive and Dave Nelson of 1307 Pine Valley Drive announced *The Wall That Heals* was scheduled to be on display in 2020, but was delayed due to COVID-19. The display is now scheduled to arrive April 6, 2021 and will be in New Bern until April 11, 2021. Mr. Halyak asked for the use of one shuttle bus to assist with transferring visitors from the Temple Baptist Church parking lot to Lawson Creek Park. Alderman Kinsey questioned the use of the bus in light of COVID, and Mr. Halyak stated the bus would only be used for overflow. Foster Hughes stated the bus would need to be cleaned at the beginning of each shift. Masks would be required for passengers, and staff would need to determine the number of people the bus could accommodate to comply with social distancing. Mr. Hughes said the organizers had also been advised that they would need to supply hand-sanitizing stations at the points of drop off and pick up. Mr. Stephens explained it would be more cost effective for the City to provide the bus than to have

police personnel to monitor pedestrians. The Board expressed a consensus to provide a busing service for the event.

Consent Agenda

4. Consider Adopting a Resolution to Close Specific Streets for the First Capital Antique Automobile Club of America's Car Show on May 08, 2021.

Mike Wilson with First Capital Antique Auto Club requested the 200-300 blocks of Middle Street, 300 block of Pollock Street, and 300 block of Craven Street be closed to vehicular traffic on May 8, 2021 from 4:30 a.m. until 6:00 p.m. for the First Capital Antique Automobile Club of America Car Show.

5. Consider Adopting a Resolution to Close Specific Streets for the Beary Merry St. Patrick's Day Festivities on March 13, 2021.

Amanda Banks with Beary Merry requested the 200-300 blocks of Middle Street, 300 block of Pollock Street, and 200 block of Craven Street be closed to vehicular traffic on March 13, 2021 from 5:00 a.m. until 9:00 p.m. for Beary Merry St. Patrick's Day festivities.

6. Consider Approving a Proclamation for the Vietnam Veteran Wall Display in New Bern.

Dave Nelson, on behalf of American Legion Post 539, requested a proclamation observing *The Wall That Heals*, a replica of the Vietnam Veterans Memorial, that will be on display in New Bern from April 08, 2021 until April 11, 2021.

7. Consider Approving a Proclamation for Arbor Day.

On behalf of Parks and Recreation, Mr. Hughes requested a proclamation to recognize Arbor Day on Friday, March 19, 2021. The department will celebrate the day by planting several trees at Martin Marietta Park beginning at 11 a.m.

8. Approve Minutes.

Minutes from the February 5, 2021 retreat and February 23, 2021 regular meeting were provided for review and approval.

Alderman Aster made a motion to approve Items 4-8 of the Consent Agenda, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

9. Conduct a Public Hearing and Consider Adopting a Resolution Approving a Contract with BB&T for the Financing of the Radio System Upgrade and the Pleasant Hill Community Center Building.

The Board previously authorized the construction of a community center in the Pleasant Hill area and an upgrade to the citywide radio system. To finance both projects, a loan not to exceed \$1,803,895 will be secured. This amount represents \$300,000 for the community center and \$1,503,895 for the radio upgrade. Financing proposals were sought, and BB&T was the only bank to respond. The repayment period will be 10 years at a fixed interest rate of 1.750%. The loan can be repaid at any time with a 1% prepayment penalty or prepaid in the second half of the term without penalty. Mayor Outlaw expressed surprise that only one bank responded. Mary Hogan, Director of Finance, stated many banks do not have money to loan at this time and the financial climate is also much different.

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

Alderman Best made a motion to adopt a resolution approving a contract with BB&T for the financing of the radio system upgrade and the Pleasant Hill Community Center building, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

10. Consider Adopting a Resolution to Initiate the Upset Bid Process for 115 Hillmont Road.

Sandra Rodgers submitted an offer of \$7,500 to purchase the vacant ½-acre lot at 115 Hillmont Road. The tax value of the property is \$15,000, and the offer represents 50% of the value. The property was acquired by the City and County in May 2019 through tax foreclosure. The unpaid taxes at that time were \$6,349.65. If the property is sold for the initial bid, the City is projected to receive \$3,244.62 and the County is projected to receive \$4,255.28 from the proceeds.

Alderman Best asked if the bidder had spoken with Development Services about the property. Ms. Rodgers was in attendance and stated that she had spoken with Development Services and intended to use the property for a tiny house.

Alderman Best made a motion to adopt a resolution to initiate the upset bid process for 115 Hillmont Road, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

11. Consider Adopting a Resolution Approving an Additional Streetlight on Evergreen Lane.

A citizen requested an additional streetlight on Evergreen Lane. Staff evaluated the request and determined the area does not meet the City's light standard and

recommended the addition of one streetlight. The installation of the light and pole will cost \$2,497.98, and the monthly utility charge for service will be \$20.28.

Alderman Odham made a motion to adopt a resolution approving an additional streetlight on Evergreen Lane, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

12. Consider Adopting a Resolution Approving a Water and Sewer Use Agreement with Goshen Medical Center, Inc. for Tax Parcel IDs 8-206-132 and 8-206-133.

Goshen Medical Center, Inc. is proposing to develop a new medical facility on a vacant 2.66-acre lot on Highway 17 South directly across from Trent Creek Road, which is outside of the city limits. There is a desire to connect to the City's water and sewer collection system. The facility will have a calculated average daily water and sewer demand of 2,500 gallons per day, which would require a standard water connection and short sewer main extension. Section 74-74 of the City's ordinances provides that a written water and sewer use agreement be entered into to outline the roles and responsibilities of both parties to establish service for the proposed project. The property adjoins the city limits, and the applicant will subsequently seek annexation according to Mr. Stephens.

Alderman Odham made a motion to adopt a resolution approving a water and sewer use agreement with Goshen Medical Center, Inc. for tax parcel IDs 8-206-132 and 8-206-133, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

13. Consider Adopting a Resolution Approving a Financial Assistance Agreement with the NC Department of Environmental Quality for the VW-DC Fast Program Grant.

In 2020, the Department of Public Utilities submitted a grant application for the Volkswagen DC Fast Charger grant through the NC Department of Environmental Quality ("NCDEQ"). The City has been awarded a grant in the amount of \$128,715.96, and the funds will be used to install two electric car "fast-charging" devices in Downtown New Bern. The grant requires matching funds up to \$32,825.68. This match will be met in the form of staff labor and City materials to help with the installation.

Alderman Odham asked about the potential for fires and whether users would pay to utilize the charging stations. Joshua Poston, Public Utilities Staff Engineer, said the two DC charging stations would not be in line with each other. Therefore, if one were to catch on fire, the second vehicle should not. Mr. Poston also explained the City would build everything up to the transformer, and anything that took place from the transformer to the car would be the liability of ChargePoint, Inc. or their contractors. Mr. Poston also confirmed the users would not only pay to charge their vehicles at the stations, but also be responsible for troubleshooting any issues, etc.

Alderman Bengel made a motion to adopt a resolution approving a financial assistance agreement with the NC Department of Environmental Quality for the VW-DC Fast Program Grant, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

Note: Items 14 and 15 were voted on collaboratively.

14. Consider Adopting a Budget Ordinance Amendment for the Fiscal Year 2020-2021 Electric Fund Operating Budget.

This budget ordinance amendment will transfer \$32,826 from the Electric Fund to the 2019 Electric Improvements Fund for the costs associated with the engineering, design, project management, equipment and materials needed to meet the in-kind match of \$32,826 for the Volkswagen NCDEQ grant.

15. Consider Adopting an Ordinance Amending the 2019 Electric Improvements Project Fund.

To recognize the Volkswagen NCDEQ grant funds, the 2019 Electric Improvements Project Fund will be amended to recognize the award of \$128,715.96 and the transfer of \$32,826 from the Electric Fund for the in-kind services for labor and materials.

Alderman Odham made a motion to adopt a budget ordinance amendment for the FY2020-21 Electric Fund Operating Budget and an ordinance amending the 2019 Electric Improvements Project Fund, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

16. Consider Adopting an Ordinance Amending the Community Development Block Grant Coronavirus (“CDBG-CV”) Fund.

As recently discussed, the City has been awarded \$194,483 in CDBG Coronavirus funding (“CDBG-CV”). The City’s CDBG Annual Action Plan provides that the funds will be used to respond to the growing effects of the historic public health crisis. Specifically, funds will be used to assist low and moderate-income citizens of New Bern with utility and rent assistance. The administration of the funds will be provided by a local nonprofit that has been designated as a subrecipient. If approved, Alderwoman Harris asked that information about the funding be placed on the City’s website.

Alderwoman Harris made a motion to adopt an ordinance amending the Community Development Block Grant Coronavirus Fund, seconded by Alderman Bengel. Upon a roll-call vote, the motion carried unanimously 7-0.

17. Consider Adopting an Ordinance to Amend Article I of Chapter 70 “Traffic and Vehicles” to Close a Portion of Pollock, Queen and Norwood Streets to Vehicular Traffic.

The City owns a triangle of land at the intersection of Queen and Pollock Streets and intends to develop the property into a mini park. This is the site of the former Olde McCarthy Square Fountain. To accommodate the development, a “cut through” road needs to be closed and vehicular traffic prohibited. An amendment to Chapter 70 of the City’s ordinances is proposed to designate the portion of intersection at Pollock, Queen and Norwood Streets as an area where vehicular traffic is not allowed.

Alderman Bengel suggested the item be tabled to a later date, noting a need to develop a plan and obtain cost estimates. Alderman Bengel then made a motion to table item 17, seconded by Alderwoman Harris. The motion carried unanimously 7-0.

18. Appointment(s).

No appointments were made.

19. Attorney’s Report.

The City Attorney had nothing to report.

20. City Manager’s Report.

- As of March 08, 2021, 174 emails have been forwarded to the NC Attorney General and state legislators regarding Suddenlink complaints. Multiple discussions have been held with a new vendor that provides fiber, internet, and television services. Likewise, conversations have been held with the cities of Fayetteville, Jacksonville, and Greenville, who are also in discussion with the same vendor. Mayor Outlaw expressed a desire for the City to continue to act as a “clearing house” for Suddenlink complaints and continue to forward them to the State. Alderman Bengel stated City officials have taken the issue very seriously and were moving as fast as possible to make something happen, and they hoped to have an agreement for consideration at the next meeting.
- As mentioned at the last meeting, the City Hall Courtroom will be undergoing renovations that will interfere with the March 23, 2021 and April 13, 2021 board meetings. Craven Community College will allow the City to utilize Orringer Auditorium at no cost and has forwarded an agreement for execution.

Alderman Bengel made a motion to change the venue for the meetings on March 23, 2021 and April 13, 2021 at 6 p.m. to Orringer Hall (auditorium), seconded by Alderman Kinsey. The motion carried unanimously 7-0. Mr. Stephens stated he would execute the agreement and forward it to the College.

Mayor Outlaw asked what was being done to preclude elements from penetrating the building in the future. Mr. Stephens said a sealant would not be approved by the Historic Preservation Commission, but the City was working with FEMA on a proposal to repoint the old brickwork. Alderman Odham previously requested a needs assessment on all City-owned facilities, and some of that information has been compiled. It is important for the City to set up a continual maintenance plan, especially for its older buildings.

- Mayor Outlaw requested Police Chief Toussaint Summers approach the podium. Noting Chief Summers' upcoming retirement, Mr. Stephens and each Board member reflected upon the Chief's contributions to the City and thanked him for his service and dedication, quick response to inquiries, and interaction with the community and churches.

Recognizing the importance of training, Chief Summers worked for years to get a simulator in New Bern. Mayor Outlaw announced it was very fitting that today a police simulator was unveiled at the Volt Center, and Mr. Stephens detailed the work of Chief Summers in pursuing the simulator and establishing partnerships to make it possible. Chief Summers reflected upon his time in New Bern and some of the changes that took place under his leadership. He expressed gratitude for the opportunity to serve. Mr. Stephens noted Chief Summers had worked for the City of New Bern for 9 years and his career in law enforcement expanded almost 45 years.

21. New Business.

Alderman Bengel

Noting the celebration of International Women's Day, Alderman Bengel reflected upon women who had made a difference in New Bern, the region, and State of North Carolina.

NC Representative Steve Tyson organized a cleanup in Township 7 which included more than 100 volunteers. Alderman Bengel recognized his efforts to address the issue of litter.

St. Patrick's Day will be celebrated in Downtown New Bern on Saturday, March 13th. Family activities are planned.

Alderman Aster

Thanks was expressed to Matt Montanye, Director of Public Works, for his assistance with the issues associated with the railroad closures in James City. Norfolk Southern changed the schedule without providing notice to the City, which was a challenge for citizens. Alderman Aster suggested Norfolk Southern be sternly notified that their action was unacceptable. Alderman Bengel suggested a resolution be prepared and sent to state legislators and the railroad to seek proper notification of such closures. Mr. Davis said he expected federal law gave the railroad control over their rails and that they did not have to seek permission from the City. Mr. Montanye stated staff was in communication with the railroad each

afternoon and would not post information for the following day's closures until those closures had been verified. Direction was given for the City Manager to draft a strong letter to NC Railroad, Norfolk Southern, and State legislators.

Alderman Kinsey

Mr. Montanye, after being asked to explain the status of Category A projects, stated all projects had been awarded, except one that would appear on the next agenda for approval. Some of the Category A work has begun, and Category D work will follow.

Alderman Best

Ethel Sampson was recognized for being in attendance.

Also reflecting on International Women's Day, Barbara Lee was recognized as the first African American woman to serve on New Bern's Governing Board.

Public Works was thanked for their work on the three parcels along Highway 55.

Citizens have voiced appreciation for the Category A ditch work that is being undertaken, and citizens on the west side of New Bern are very happy about the impending community center in Pleasant Hill.

Alderman Odham

The North Carolina Business Journal ranked CarolinaEast Medical Center as 6th in North Carolina. Additionally, Newsweek has just ranked CarolinaEast as number 115 out of the 6,090 hospitals in the United States. The citizens of New Bern are extremely fortunate to have CarolinaEast in its community.

Alderwoman Harris

Noting she would have to participate remotely for the April 13, 2021 meeting, Alderwoman Harris questioned whether public hearings could be delayed until another meeting. After receiving information from the City Clerk, Mr. Stephens stated there were no hearings anticipated for April 13th, but one would be called for April 27th. It was explained that hearings could still be held if Alderwoman Harris participated remotely, but action would be delayed until the following meeting.

22. Closed Session.

A closed session was not needed.

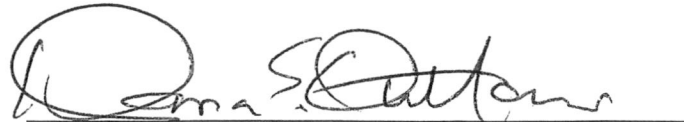
23. Adjourn.

Alderman Odham made a motion to adjourn, seconded by Alderman Best. The motion carried unanimously 7-0, time being 7:21 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 23, 2021



Dana E. Outlaw, Mayor



Brenda E. Blanco, City Clerk