

**City of New Bern
Board of Aldermen Meeting
February 23, 2021 – 6:00 P.M.
City Hall Courtroom
300 Pollock Street**

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer by Kenny Monroe, Fire Captain and Chaplain with the New Bern Fire Department. Pledge of Allegiance.**

- 2. Roll Call.**

Present: Mayor Dana Outlaw, Alderman Sabrina Bengel, Alderman Robert Aster, Alderwoman Jameesha Harris, 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.

Consent Agenda

- 3. Consider Adopting a Resolution Calling for a Public Hearing on Financing a Radio System Upgrade and the Pleasant Hill Community Center.**

On September 9, 2020, the Board approved the use of debt proceeds to finance a radio system upgrade at a cost of \$1,503,895 and the Pleasant Hill Community Center at a cost of \$300,000. The total amount to be financed is \$1,803,895. Pursuant to NCGS 160A-20, a public hearing must be held on the financing. It was requested that hearing be called for March 09, 2021.

- 4. Approve Minutes.**

Draft minutes from the February 09, 2021 meeting were provided for review and approval.

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

- 5. Presentation on Juneteenth.**

On behalf of the #ProjectRestore movement, Talina Massey shared a PowerPoint presentation on the upcoming Juneteenth celebration, noting both virtual and in-person events were planned for 2021. For the last four years, Juneteenth activities have been organized by #ProjectRestore and carried out by local community

members. As part of her presentation, Ms. Massey asked the City to establish Juneteenth as an annual City-sponsored event, financially support a fireworks display at the event, and to recognize Juneteenth in the future as a paid holiday for City workers.

Alderwoman Harris asked about the process for funding the fireworks. Foster Hughes, Director of Parks and Recreation, announced the City's annual 4th of July display lasts for 20-25 minutes and costs approximately \$18,000. Alderman Bengel explained city-sponsored events receive in-kind services, and she pointed out the annual July 4th display was a City event organized by Parks and Recreation, not a city-sponsored event. City-sponsored events were established to designate events that would receive in-kind services and not have to pay for items such as barricades, trash pickup, and other amenities. Alderwoman Harris felt it would be important for Juneteenth to receive the same kind of services that are extended to Mumfest, the street cafes, etc. She announced more than 10 cities observe Juneteenth as a holiday, and she felt it would eventually be a federal holiday. Alderwoman Harris expressed a desire for the Board to place this on an agenda to discuss the City's support of the celebration. Alderman Best stated she too would like to have additional discussion about making it a city-sponsored event and consider approval of a holiday. She also asked whether the organizers had sought support from Craven County, and Ms. Massey responded that was the next step.

Alderwoman Harris felt a celebration would promote unity. Alderman Bengel suggested the future discussion include whether to make Juneteenth a City event that was orchestrated by Parks and Recreation or a city-sponsored event. Noting the City has 12 paid holidays in 2021, Alderman Bengel also asked that when a discussion is held about declaring Juneteenth as a holiday that information be available on the cost of observing the holiday. She raised the question as to whether establishing Juneteenth as a holiday would mean that another holiday would be eliminated, such as the day after Thanksgiving.

6. Conduct a Public Hearing and Consider Adopting a Resolution Approving a Residential Property Periodic Inspection Program per Section 2.1.2 of the Redevelopment Plan.

One of the requirements established in the Redevelopment Plan is the creation of a Residential Property Periodic Inspection Program ("RIPE"). Lengthy discussions by the Redevelopment Commission yielded a unanimous decision to create a RIPE. Jeff Ruggieri, Director of Development Services, explained the program is designed to proactively identify and remediate housing in the redevelopment area that does not meet the City's minimum housing code or related ordinances. Inspections will be performed at no cost, and enforcement will be conducted by the City's Minimum Housing Officer. If a property fails an inspection, the officer will meet with the property owner to discuss the deficiencies and establish a reasonable timeframe in which to bring the property up to minimum standards.

Alderwoman Harris asked if the inspection would be equivalent to inspections already performed by the City, and Mr. Ruggieri confirmed it would. She also asked about the next steps should a home not pass the inspection, and Mr. Ruggieri

explained there would be multiple steps and emphasized that the inspection was focused on the minimum housing requirements. Approximately 78% of the homes in the redevelopment area are non-owner occupied. Mayor Outlaw voiced a desire for the City to address homes that need to be demolished because there is no hope of renovation due to condition. Alderman Best asked about the utilization of CDBG or City funds to address distressed homes outside of the redevelopment area. Mr. Ruggieri explained before the City was deemed a CDBG Entitlement City, a program was in place that used CDBG funds, for which the City had to compete to receive.

At Alderman Odham's request, Mr. Ruggieri described some of the basic, minimum housing requirements, such as running water, operable plumbing, a solid roof, no holes in the structure that allow one to see into the interior, etc. Additional discussion continued about the impact of the inspections, the potential of a home being declared uninhabitable and the need for occupants to relocate, etc.

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

Mr. Ruggieri's memo stated inspections would be conducted by priority sub areas, and Alderman Odham asked if vacant homes would first be targeted. Mr. Ruggieri responded not necessarily, as the anticipation is that inspections would be conducted by area. Noting her support for the Redevelopment Commission and RIPE, Alderwoman Harris expressed a concern about the residents and the impact on them should the rental homes not be brought up to code. Referencing the lack of available and affordable housing in New Bern, she stated she would be voting against the resolution because of the potential that residents would have nowhere to go. Discussion followed about available housing and rental properties that would soon be offered. The City Attorney, Mr. Davis, explained the process associated with demolitions.

Alderman Bengel made a motion to adopt a resolution approving a residential property periodic inspection program per Section 2.1.2 of the Redevelopment Plan, seconded by Alderman Odham. Upon a roll-call vote, the motion carried 5-2 with Aldermen Harris and Kinsey voting against it.

7. Consider Adopting a Resolution Approving an Amendment to the 2020 Annual Action Plan for the Community Development Block Grant Program.

The US Department of Housing and Urban Development ("HUD") requires Community Development Block Grant ("CDBG") Entitlement Cities submit an Annual Action Plan summarizing the actions, activities and resources that will be used to address needs and goals identified in the Strategic Plan section of the 2020 Consolidated Plan. A public hearing was held on February 09, 2021 to receive comments on a proposed amendment to the Annual Action Plan. The amendment includes HUD's third round of CDBG coronavirus ("CDBG-CV") funds and describes how the funding will be utilized. The latest funds amount to \$194,483, bringing New Bern's total amount of CDBG-CV funding to \$346,735.

Alderwoman Harris made a motion to adopt a resolution approving an amendment to the 2020 Annual Action Plan for the Community Development Block Grant Program, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

Items 8, 9 and 10 were voted on collaboratively as noted under Item 10.

8. Consider Adopting a Resolution to Authorize the City Manager to Execute Contract Documents for the Hurricane Florence Category A Drainage Ditch Project Within the Jimmie's Creek Drainage Basin.

The City has been working with FEMA over the past two years on a project to remove sediment and debris from 66 miles of drainage ditches throughout the City. The work to address the Jimmie's Creek drainage basin Category A project was put out to bid, and Grillot Construction Company, LLC submitted the lowest bid at \$449,650. It was requested the City Manager be authorized to execute a contract with Grillot Construction for this portion of the project, along with any change orders within the budgeted amount.

9. Consider Adopting a Resolution to Authorize the City Manager to Execute Contract Documents for the Hurricane Florence Category A Drainage Ditch Project Within the Trent River Basin.

Like the previous item, the work to address the Trent River Basin Category A project was put out to bid, and Grillot Construction Company, LLC submitted the lowest bid at \$469,830. It was requested the City Manager be authorized to execute a contract with Grillot Construction for this portion of the project, along with any change orders within the budgeted amount.

10. Consider Adopting a Resolution to Authorize the City Manager to Execute Contract Documents for the Hurricane Florence Category D Trent Village Retaining Wall Project.

In correlation with the previous item, bids were sought to make repairs to permanent structures damaged during Hurricane Florence. With a bid of \$609,900, Trader Construction Company, Inc. submitted the lowest bid to replace the damaged retaining wall located along the Trent Village neighborhood near Richmond Court. It was requested the City Manager be authorized to execute a contract with Grillot Construction for this portion of the project, along with any change orders within the budgeted amount.

Alderwoman Harris made a motion to adopt resolutions to authorize the City Manager to execute contract documents for the Hurricane Florence Category A drainage ditch projects within the Jimmie's Creek and Trent River drainage basins and the Hurricane Florence Category D Trent Village retaining wall project, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

11. Consider Adopting a Resolution Approving Additional Street Lights on Waters Street.

Sharon Bryant of 2011 Waters Street requested an additional streetlight on Waters Street. Staff evaluated the request and determined the area did not meet the City's light standard and recommended the addition of two streetlights on existing poles. The installation of the lights would cost \$1,166.67, and the monthly utility charge for service would be \$16.88.

Alderwoman Harris made a motion to adopt a resolution approving additional streetlights on Waters Street, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

12. Discussion of Elections.

On several previous occasions, the Board discussed the election process. Alderman Bengel and Mayor Outlaw asked that this item be placed on the agenda after the City's receipt of a recent letter from Meloni Wray, Director of the Craven County Board of Elections, with cost estimates and information on municipal redistricting. Ms. Wray's letter indicated that since the census data would be relayed late to the City and City elections are conducted by ward, the City needed to review the next election process. The letter from Mrs. Wray stated municipal districting must be completed by the third business day before the opening of the filing period. If it is not possible to prepare the redistricting by then, the City may adopt a resolution to delay its elections. The election could be postponed until March 2022. If delayed until then, the filing period for office would be December 6, 2021 through December 17, 2021.

Mr. Stephens said the City had been advised that it would likely be August and possibly even September when census data was received. At the earliest, this would be a month after the original filing period of July 21, 2021, which would make it impossible to have the redistricting complete in time for an October election.

Alderman Bengel stated Ms. Wray notified her the State Board of Elections held a webinar earlier in the day. Since the census data is needed to address municipal elections and ward redistricting, the recommendation will be to move all 2021 elections to 2022 so redistricting could be addressed. This will impact 62 municipalities. Moving the elections would include a May 3rd primary with a July 12th runoff and a November election. Based on the information received, Alderman Bengel asked the City Attorney if it were safe to say elections would be held in 2022. Mr. Davis stated he could not anticipate New Bern could hold an election in 2021. Mr. Davis explained the need for New Bern to equally balance its wards, which could not be accomplished until the census data was obtained. Wards 3 and 5 have grown substantially, and their boundaries would very likely need to be redrawn.

Alderwoman Harris asked who would redraw the lines. Mr. Stephens explained Alice Wilson, GIS Coordinator, would prepare a draft of the new boundaries, which the Board would ultimately have to approve. Alderman Bengel explained how the

process worked during the last census. With a postponement of elections until March 2022, current terms would expire in November or December of 2022. Those elected in 2022 would serve a three-year term to expire in 2025 unless legislative action was sought to allow a four-year term to expire in 2026. Mr. Davis said the only wild card to prevent a change in the election calendar would be if the census data did not reflect a change in the numbers, and he did not believe that would be the case.

Alderman Bengel said it bothered her to see a price tag of \$74,000 for elections, when the cost could be \$5,000 to \$7,000 if elections were held in even years.

If the election is delayed, Alderwoman Harris questioned when the next Board would take office. Mr. Davis said if the election took place in March 2022, he would assume the next Board would take their place one to two months later, depending on any runoffs. He noted the possibility that elections may not be held until November 2022. Mr. Stephens announced the State Board of Elections is recommending May 3rd as a primary, July 12th as a second primary, and November 8th as a general election. At that point, the City should have the Census data and could have the ward lines redrawn.

13. Appointment(s).

No appointments were made.

14. Attorney's Report.

The City Attorney had nothing to report.

15. City Manager's Report.

Mr. Stephens publicized City Hall was in the infancy of being repaired following Hurricane Florence, which would include extensive work in the courtroom. He suggested the Board start thinking about meeting times and locations after March 9th. The second meeting in March and first meeting in April would likely need to be held offsite or via Zoom.

(Alderman Aster left the meeting at 7:26 p.m.)

Alderman Bengel recommended reaching out to Craven Community College about utilizing Orringer Hall. After the Board expressed consensus, Mr. Stephens stated he would reach out to Dr. Staats to inquire about use of the facility.

16. New Business.

Alderwoman Harris

Congratulations was expressed to Tabari Wallace for his promotion to a state-level position.

Alderman Bengel

On Saturday February 13th, a meeting was held that was attended by Congressman Greg Murphy, State Representatives Steve Tyson, Keith Kidwell, and Chris Humphrey, Craven County Commissioners Jason Jones and Denny Bucher, Mayors Dana Outlaw, Don Hardy from Kinston, and John Kirkland from River Bend, as well as Aldermen Bengel and Odham. Also in attendance was a representative from Google Fiber and Pair Electronics. Information was shared about experiences with Suddenlink, both personally and as shared by others. Representatives from Google Fiber discussed their expansion into some North Carolina markets. Discussion also surrounded state legislation that limits competition, potential federal funding sources, and the strong need for reliable internet service in rural areas and for those learning and working from home due to COVID-19. State representatives were asked to investigate legislative changes, and Congressman Murphy was asked to research federal funding for infrastructure that may be available through the CARES Act. Municipalities were to look at other potential companies. A follow-up meeting will be scheduled in a couple of months. Hazard mitigation resiliency workshops will be held this week. Amanda Ohlensehlen, Community and Economic Development Manager, provided brief information on the workshops. Condolences were expressed to Veronica Mattocks on the loss of her mother.

17. Closed Session.

A closed session was not needed.


18. Adjourn.

Alderwoman Harris made a motion to adjourn, seconded by Alderman Odham. The motion carried unanimously 6-0, time being 7:34 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 09, 2021



Dana E. Outlaw, Mayor



Brenda E. Blanco, City Clerk