

**City of New Bern  
Board of Aldermen Meeting  
October 23, 2018 – 6:00 P.M.  
City Hall Courtroom  
300 Pollock Street**

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer by Ron Purifoy of the Public Works Department, who is the minister of Covenant of God Church in the Pitch Kettle community. Pledge of Allegiance.**
- 2. Roll Call.**

Present: Mayor Dana Outlaw, Alderman Sabrina Bengel, Alderwoman Jameesha Harris (arrived at 6:01 p.m.), Alderman Robert Aster, Alderman Barbara Best, Alderman Johnny 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.

Mayor Outlaw recognized Boy Scout Troop 132 from Garber United Methodist Church. The scouts were invited to the podium to introduce themselves. The troop was extended a round of applause in appreciation of their attendance. The Mayor also recognized those in attendance from the Boys & Girls Club of New Bern. Students introduced themselves and stated the school they attend. Tyre Robinson, Teen Site Coordinator, and Jane Schirmer, Director of the New Bern locations, also introduced themselves and thanked the Board for considering a proclamation for Lights on Afterschool Day.

**Consent Agenda**

- 3. Consider Approving a Proclamation for Coastal Plain's Lights On After School.**

Taylor Shannon, Special Events and Marketing Coordinator for Boys & Girls Clubs of the Coastal Plain, requested a proclamation acknowledging "Lights on Afterschool Day".

- 4. Approve Minutes.**

Minutes from the October 9, 2018 regular meeting were provided for review and approval.

Alderwoman Harris made a motion to approve Items 3-4 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 a Resolution Approving a Development Agreement with Weyerhaeuser NR Company for WEST New Bern.**

Weyerhaeuser NR Company is developing an approximately 575-acre mixed-use development that will be known as WEST New Bern. A development agreement between the City and developer, Weyerhaeuser NR Company, will establish responsibilities pertaining to utility delivery, phasing, and design standards during the construction of the property. A public hearing has been called for and properly noticed to receive public comments on the proposed agreement. Mr. Stephens said these development agreements are often presented when a development will take place over a long period of time and the developer is seeking to lock in the City's design standards for the duration of the development.

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

Alderwoman Harris asked how much notice the public had been given and questioned whether the public hearing should be delayed in light of the recent storm. Mrs. Blanco replied the advertisement was published in the newspaper for two weeks. Alderwoman Harris asked whether the item should be delayed until another agenda to give people time to respond and so the developer would not have issues with the standards set. Alderman Bengel explained the item did not establish building standards, but was a development agreement. Mr. Davis explained there would be two sets of constituents: the developer and property owners. The developer has agreed to the terms of the agreement and no tracts have been sold, so there are no property owners. He stated he did not feel there were any stakeholders at this point who would have any concern. Alderman Odham pointed out this agreement will actually alleviate any future concerns because the agreement addresses potential future concerns. Alderman Odham asked when the annexation would take place and questioned whether the property would be in Ward 4 or 5. Attorney Davis stated once the developer submits a general plan and it is approved, the property will then be annexed in phases.

Alderman Odham made a motion to adopt a resolution approving a development agreement with Weyerhaeuser NR Company for WEST New Bern, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

**6. Discussion on Redirecting Capital Funds Budgeted for in the Fiscal Year 2018-19 Electric Fund.**

The adopted budget for FY2019 includes \$180,000 in the Electric Fund to replace a bucket truck. Charlie Bauschard, Director of Public Utilities, expressed a greater need for a skid steer with accessories to clear heavily vegetated areas and a mini excavator to excavate hard-to-reach sites, particularly easements. The combined cost of these two items is less than the bucket truck with the skid steer estimated at \$107,000 and the mini excavator \$45,000. Board approval is sought to redirect

the budgeted funds for the purchase of these two items. The intent is to request funding in FY2020 to replace the bucket truck. Alderman Best asked if there was a need for this equipment during the recent hurricane, and Mr. Stephens confirmed there was.

Alderman Bengel made a motion to redirect the capital funds budgeted for in the Fiscal Year 2018-19 Electric Fund, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

**7. Consider Approving the 2019 Holiday Calendar.**

In accordance with the Personnel Ordinance, the Board of Aldermen must approve the City of New Bern Holiday Schedule annually. The proposed schedule reflects the observance of 14 holidays during 2019. It was noted the schedule mirrored the holidays to be observed by Craven County.

Alderman Aster made a motion to approve the 2019 holiday calendar, seconded by Alderman Kinsey. The motion carried unanimously 7-0.

**8. Consider Approving the 2019 Board of Alderman Meeting Roster.**

Each year, the Board approves an annual meeting roster. The City Charter provides for regular meetings to be held on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month beginning at 6 p.m. The proposed meeting dates were identified on a roster and included two scheduled budget work sessions. Additional work sessions or special meetings could be called as needed. An annual retreat was not reflected on the roster, as the Board usually selects that date early in the calendar year.

Alderman Bengel asked whether the schedule included budget workshops, and Mrs. Blanco replied the dates of April 30, 2019 and May 1, 2019 had been established as budget work sessions. Alderman Bengel and Alderwoman Harris questioned whether budget work sessions should be held earlier so as not to delay the approval of the budget. Mr. Stephens noted the Board could call for a work session as needed. He also noted a concern that the budget may not be ready earlier in the year as staff is sometimes waiting for numbers to come in so that the budget presented to the Board is accurate. Mayor Outlaw asked if the Board wanted to pull the item or make changes, and Alderman Bengel replied it was okay as is since the Board can always make changes and add additional dates later. Alderwoman Harris inquired about a retreat date, and Mr. Stephens reiterated that is usually set at the end of the year or early in the year. Alderwoman Harris asked if it is possible to talk about the departments' needs and potential requests for big items at the retreat. Mr. Stephens said that generally the budget deadline has been after the retreat so that any projects desired by the Board can be included in the proposed budget. Mr. Stephens said the sooner the Board notifies staff about potential projects, the better as that allows time for staff to gather information.

Alderman Bengel made a motion to approve the 2019 Board of Alderman meeting roster, seconded by Alderman Aster. The motion carried unanimously 7-0.

## **9. Appointment(s).**

Alderman Odham made a motion to appoint Amanda Ohlensehlen, the City's Community and Economic Development Manager, to the Allies for Cherry Point's Tomorrow ("ACT") Board, seconded by Alderwoman Harris. Alderman Odham noted Mrs. Ohlensehlen is from Havelock and has some experience in that area. The motion carried unanimously 7-0. After the vote, Alderwoman Harris asked for clarification as to whether the appointee must be an employee. Alderman Bengel noted a Board or staff member have always served in that capacity. Alderwoman Harris asked if she could withdraw her second until it is verified that the appointee must be a Board or staff position, as a veteran who lives in Craven County has expressed to her an interest in serving on ACT. Mr. Stephens stated the City would need to ask ACT for a copy of their bylaws. Alderwoman Harris asked if the appointment could be held open, and Mr. Davis stated the moving party would need to withdraw their motion in order to undo the action that was taken. She then asked if she could withdraw her second, and Mr. Davis said she could not; the person who made the motion would need to withdraw the motion. Alderman Odham expressed concern about appointing someone to a Board to represent the City if they did not live in the City since they are supposed to be the voice of New Bern and look out for the City's interest. An appointee who does not live in the City limits may look out for the county or the interest of the municipality in which they live. Alderwoman Harris agreed to move forward, and a voice vote was once again taken at 7-0.

Alderman Best announced she needed to make an appointment to the Board of Adjustment. She expressed a desire to wait until possibly the next meeting to make that appointment, as she wanted to speak with Jim Morrison, who is interested in the seat. Mayor Outlaw said time is somewhat of the essence, as that board occasionally has issues with having a quorum present. Mrs. Blanco noted the current appointee may continue to serve until a new appointment is made, which Mr. Davis confirmed.

Alderman Bengel made a motion to appoint Diane Bucher to the New Bern-Craven County Library Board to fill the seat of Erika Foluke, seconded by Alderwoman Harris. The motion carried unanimously 7-0. Alderman Bengel noted there is still one more seat to fill on the Library Board, and she encouraged anyone interested in the appointment to reach out to a member of the Governing Board.

Alderman Bengel announced David Herndon has expressed a desire to resign from the Redevelopment Commission, citing challenges with a flooded home in Pembroke and some family needs. Alderman Bengel then made a motion to appoint Maria Cho to replace Mr. Herndon on the Redevelopment Commission, seconded by Alderwoman Harris. The motion carried unanimously 7-0. Mrs. Cho's term will expire August 14, 2019.

## **10. Attorney's Report.**

The City Attorney updated the Board on the Carolina Avenue agreement. At the last meeting, Alderman Odham asked if the item could be placed on the agenda for tonight, and Mr. Davis confirmed it would be. A draft agreement was sent to the

Housing Authority's attorneys last week. He spoke with their attorneys on Thursday to confirm their receipt of the agreement and to let them know there was no pressure to move forward on this agenda and for them to take time to review the agreement. The second issue mentioned to them was a reminder that when the property was donated to the City, the donor did not believe the property was developable given the wetlands and the expense to get it to where it needed to be. It was donated to the City with the thought the City may use it for a park or other recreational activities. The Housing Authority is aware of those concerns by the previous owner, and Martin Blaney, Director of the Housing Authority, has confirmed he visited the property after the hurricane. The ball is in the Housing Authority's court, and Mr. Davis hopes the item will be on the next agenda.

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

Mr. Stephens announced an update on the hurricane was given at the work session, and stated he would reiterate that information during this meeting if the Board so desired. Alderman Bengel suggested citizens go online and view the tape from the work session. Mr. Stephens recapped storm-related debris must be set at the curb by November 5<sup>th</sup>. After that date, the City will return to its normal collection schedule. Alderman Aster questioned whether it would be possible for Team Rubicon to have construction debris ready for pickup by November 5<sup>th</sup> since they have indicated they have 126 homes to assist. Mr. Stephens said if Team Rubicon could get the City a list of addresses, the City could probably work with that list. Alderman Aster asked if a press release would be issued, and Mr. Stephens stated he would make sure information is available on social media and is otherwise distributed.

Mr. Stephens noted attendees from Leadership Craven were also in attendance. Those in attendance came forward to introduce themselves. Mr. Stephens announced they would receive a tour of the City and information about its functions on November 8<sup>th</sup>. Alderman Bengel encouraged the class members to get involved in area leadership.

## **12. New Business.**

### Alderman Bengel

There have been some issues at 512 and 514 Jefferson Avenue. The City had to access the property at 512 Jefferson to reach the utilities at the back of the property and in the process put big ruts in the yard. The homeowner is concerned because the water keeps ponding in the ruts. Alderman Bengel asked someone to make sure that Charlie Bauschard, the Director of Public Utilities, was aware and that staff follows up. Another issue is there is an easement between the properties, and a tree has fallen in the easement and is leaning toward a neighbor's fence and hanging on a Suddenlink line. Mr. Stephens said generally speaking, the City's easements are for utilities only and trees on private property are the responsibility of the property owner. Alderman Bengel said it is her understanding the tree was in the easement or fell on the easement. Mr. Stephens pointed out about two years ago the City had a project to take the electric line from the back yards to the front, but there was a significant amount of kickback. Had that project been completed,

City personnel would not have to access the back of the properties and create ruts. If the property owners are interested in the City pursuing that project, staff can work with the owners to get the utilities moved. Alderman Bengel asked Jordan Hughes, City Engineer, to get with her so they could look at these properties.

Staff was thanked for their work involving MumFest, which was a successful event. It is estimated somewhere between \$80,000-90,000 will be donated from the concert proceeds toward the hurricane relief fund.

Last week, Alderman Bengel and Mayor Outlaw met Parmalee, a country music group that performed impromptu at Morgan's. The group wrote a song entitled "Downtown" for all of the areas impacted by Hurricane Florence. Funds from every download of the song will be donated to hurricane relief. The group is from Robersonville and is climbing the country-music charts. Mayor Outlaw noted a fundraising concert will be held at ECU in November, and Alderman Bengel stated she would have information to share on that at the next month.

Downtown parking enforcement will resume on October 29<sup>th</sup>.

#### Alderman Harris

The National League of Cities' City Summit conference will be held in a week or so, and Alderman Harris will be attending. She encouraged other Board members to let her know if there is anything they want her to bring up at the conference.

#### Alderman Aster

The City Manager was asked whether he has contacted Craven County about mental health assistance for residents at the shelter. Mr. Stephens responded no, but said he would be glad to do that. Alderman Bengel reported she attended the Craven County Disaster Recovery Group's meeting last week, and they have a group of counselors whose job will be to offer free counseling to anyone impacted by the storm. She suggested Mr. Stephens contact that group.

Alderman Aster stated he has heard through the grapevine that there may be grant funds available to help clean out ditches and canals that were affected by the hurricane. He asked the Manager to be on alert for this and stated he would see what information he could find.

#### Alderman Kinsey

Thanks was expressed to everyone for their cooperation during Hurricane Florence. Alderman Kinsey stated a lot was learned during the storm, and he felt this topic would be discussed at next year's retreat.

#### Alderman Best

The FEMA website indicates additional monies are available aside from CDBG funds, and she suggested the City Manager investigate that.

Pastor David Fuentes at West New Bern Presbyterian Church currently has a group of volunteers lodging at the church. Anyone needing assistance with clean up, gut out, etc. was asked to contact the church at 252-638-1005. Another group of volunteers will be arriving in November.

Curtis Stewart of the Omega Center and his group have put time and effort into getting the Omega Center back up and operating. The building has been painted, and they are in the process of renovating the kitchen. The goal is to make the facility a multi-purpose center to serve the citizens, community and the City, but one

of the challenges is insufficient parking. Mr. Stewart asked if the Board would consider transferring to the Center two City-owned vacant lots at 808 and 810 Bern Street for parking. Alderman Best asked the Board to consider the request and stated the parking lot could also be used for public parking. She reminded everyone the facility served the community during the storm as a distribution center, and she felt this is a way the City could give back to the center. Mr. Stephens said the appropriate action is for Mr. Stewart to make a formal request on letterhead and the request vetted. If the center is not a nonprofit, the City must sell the property. Alderwoman Harris said the center is a nonprofit. Alderman Odham questioned whether the Redevelopment Commission should make the decision, and Mr. Davis responded the property has not yet been transferred to the Redevelopment Commission. If it is transferred to the Commission, they can decide. Alderman Bengel asked that the Center make a formal request for the Board's consideration.

Alderman Aster noted the Board had indicated if any residents who attended the work session desired to speak, they would be given an opportunity under new business. Mayor Outlaw asked if there were residents in attendance who desired to address the Board, and no one came forward. Alderman Bengel acknowledged Ms. Christine, a Trent Court resident, who was in attendance as she thought the sale of the Carolina Avenue property would be on this agenda. Alderman Bengel noted that item had been pulled from the final agenda.

**13. Closed Session.**

A closed session was not needed.

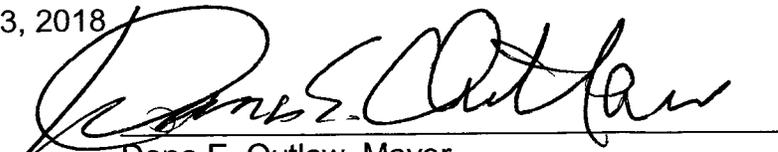
**14. Adjourn.**

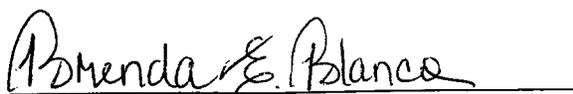
Alderman Aster made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 6:55 p.m.

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: November 13, 2018

  
Dana E. Outlaw, Mayor

  
Brenda E. Blanco, City Clerk