

**City of New Bern
Board of Aldermen Meeting
April 23, 2019 – 6:00 P.M.
City Hall Courtroom
300 Pollock Street**

- 1. Meeting opened by Mayor Outlaw. Prayer by Carol Williams, a New Bern citizen. Pledge of Allegiance.**
- 2. Roll Call.**

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

Motion to Amend the Agenda: Alderman Bengel made a motion to amend the agenda to add an Item 6(a) to discuss recycling, seconded by Alderman Aster. The motion carried unanimously 7-0.

Consent Agenda

- 3. Consider Adopting a Resolution Calling for a Public Hearing on the Proposed Budget for Fiscal Year 2019-20.**

Budget workshops are scheduled for April 30th and May 1st beginning at 1 p.m. on both days. Following those workshops, a public hearing will be held as required by state statute. The proposed date of the hearing is May 14, 2019.

- 4. Consider Approving a Proclamation for MumFest 2019.**

Charlene Harvell, Promotions Coordinator with Swiss Bear, requested a proclamation in honor of MumFest 2019. This represents the festival's 39th year.

- 5. Consider Approving a Proclamation for the 2019 National Day of Prayer.**

In conjunction with the 68th Annual National Day of Prayer, Tharesa Lee requested a proclamation observing May 2, 2019 as a day of prayer in New Bern.

- 6. Approve Minutes.**

Minutes from the May 4, 2019 special meeting and May 9, 2019 regular meeting were provided for review and approval.

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

6(a). Discussion on Recycling

Alderman Bengel said Craven County announced yesterday that it would eliminate recycling curbside service, following a vote taken by its Board a week earlier. At her request, Mr. Stephens explained the County has been offering curbside recycling service and charging a fee of \$36 a year to each property owner's tax bill. Recycling has somewhat dried up with respect to being a revenue generator for the recyclers. There are several different options for the City: 1) do nothing; this will yield an additional estimated cost of \$75,000.00 to \$100,000.00, which equates to approximately a \$.50 per customer increase in solid waste fees; 2) continue the current weekly service at the \$6.00 amount quoted to the County, which would increase the City's solid waste fee from \$14.75 to roughly \$20.75; 3) offer a monthly service with a 95-gallon cart, which would equate to a \$4.57 raise to the customer, bringing the solid waste fee to about \$19.37. Mr. Stephens explained all of these options in some depth. He recommended the Board submit the service out for bid and weigh the options once responses are received. He expressed a desire to confer with the City Attorney on the possibility of joining forces with other Craven County municipalities to seek bids to serve them as a group. The County plans to terminate the service at the end of June, which creates a tight timeline for seeking bids.

At Alderman Odham's request, Norma Yanez of Waste Industries described the items accepted for recycling and explained which ones actually are processed. She explained the market for recyclables and noted a lot of glass goes to the landfill.

Alderman Odham expressed concern about the City entering into a contract and the possibility of the County backtracking its decision. He suggested those with a vested interest contact their County Commissioner to express their opinion in a timely manner. If the City decides to offer recycling, Alderman Best favored Mr. Stephens' suggestion of examining a group effort with other municipalities. For the record, Alderman Bengel stated there were 100 counties in North Carolina, but only 8 of those had recycling programs. Although she agreed with Alderman Odham's recommendation, she suggested the City still investigate its options. Additional discussion took place.

Alderwoman Harris made a motion to allow a citizen to make a public comment, second by Alderman Bengel. The motion carried unanimously 7-0.

Braeden Welsh of 1311 Bray Avenue stated New Bern was lagging behind in terms of green initiatives. He suggested the City view its options and consider an advisory board to address the recycling issue and look at other ways to have a cleaner city.

Margaret Hix of 411 Johnson Street, formerly of Colorado, described how that state handled recycling. She stated a private company picked up both trash and recycling and billed the residents for the services.

By a unanimous show of hands, the Board expressed consensus to have Mr. Stephens seek bids, noting the need to have adequate information for future consideration.

7. City Manager's Presentation of Fiscal Year 2019-20 Budget.

A copy of the proposed budget for Fiscal Year 2019-2020 was provided for each Board member. Mr. Stephens pointed out the Schedule of Fees was included in the proposed budget, although it had historically been provided at a later time. He shared a PowerPoint presentation spotlighting significant areas within the budget.

After concerns were voiced about drainage needs and the budget's lack of provision for an elevator, the Board expressed a unanimous consensus for Mr. Stephens to issue a Request for Qualifications for an architectural engineer to review the project, make a recommendation for locating an elevator in City Hall, and provide an estimated cost. With respect to drainage, Mr. Stephens suggested the Board wait to see how things play out with FEMA and the USDA. A budget amendment may be needed in the future to address drainage, and fund balance would be utilized if the Board wanted to go beyond what FEMA or the USDA would provide. Mr. Stephens suggested Matt Montanye, Director of Public Works, provide an update on stormwater improvements at the next Board meeting.

8. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex Property at 846 Highway 55 West.

Othella Clarence Best and Shelia Best petitioned for their property at 846 NC Highway 55 West to be annexed into the city limits, and the Board accepted the petition at its April 9, 2019 meeting. The property was further identified as Tax Parcel ID 8-222-169. The Board was asked to conduct a public hearing on the request and then consider adopting an ordinance to annex the property.

Mayor Outlaw opened the public hearing, but no one came forward to speak. Alderman Aster 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 an ordinance to annex property at 846 NC Highway 55 West, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

9. Discussion of Duffest 2019.

Duffest, a city-sponsored event, is held annually in May. This year, the Duffyfield Residents Council ("Council") desires to have the event in June so that it coincides with activities planned for a Juneteenth celebration. Carol Williams of 2906 Moore Avenue spoke on behalf of the Council. She shared information about the event and the desire to change the date for this year only. She also requested a stipend of \$3,000. A discussion about the request followed, during which Alderman Best

stated if the City could help fund the New Year's Eve event then she did not see why it could not help sponsor Duffest.

Alderwoman Harris made a motion to donate \$1,500 to the Greater Duffyfield Residents Council for the festival. The motion died for lack of a second. Alderman Aster asked whether the City provided funds for any other city-sponsored events, and Mr. Stephens explained the City only provided in-kind services. Alderman Bengel noted there was a time in the past when financial assistance was provided. Alderman Aster expressed concern about the possibility of other city-sponsored events seeking funding. He then suggested the Board use its discretionary funds to cover the \$1,500. Mayor Outlaw offered his discretionary fund balance of \$1,000, Alderman Aster offered his remaining balance that was shy of \$400, and Alderwoman Harris stated she would make up the difference from her available balance.

10. Consider Adopting a Resolution Approving a Substantial Amendment to the 2018 CDBG Program.

At its March 26, 2019 meeting, the Board adopted a resolution approving a substantial amendment to the FY2018 CDBG program. After that, staff realized the adoption of the amendment was sought too early and should have been delayed until a public hearing was held at Development Services' office. That public hearing was conducted on April 9, 2019, and no questions or comments were received. The Board was asked to again consider adopting the resolution approving the substantial amendment, which authorizes reallocation of funds to be used to construct up to four units of affordable housing that will be available for rent.

Alderman Kinsey made a motion to adopt a resolution approving a substantial amendment to the 2018 CDBG program, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

11. Consider Adopting a Resolution Indicating Intent to Consider an Ordinance Amending the Election Method from Nonpartisan with Runoff to a Nonpartisan Plurality Method and Calling for a Public Hearing on the Proposed Change.

As recently directed by the Board, the City Attorney drafted a resolution to change the municipal election method from a nonpartisan election with a runoff to a nonpartisan plurality method. Since North Carolina has a state statute that authorizes municipalities to amend their charters to change the election method from one of the four basic options (all of which are in odd years), the Board can proceed with a charter amendment by following the statute, or by seeking a local bill from the General Assembly. The Board also has the option to call for a special election to submit the ordinance to a vote. Presuming the Board wanted to amend the charter consistent with the statutory authority, a resolution was prepared to indicate that intent. Additionally, the resolution calls for a public hearing to be held on May 14, 2019.

Alderman Bengel made a motion to adopt a resolution indicating intent to consider an ordinance amending the election method from nonpartisan with runoff to a nonpartisan plurality method beginning with an election to be held in November 2021 and calling for a public hearing on the proposed change, seconded by Alderwoman Harris. Prior to the Board casting its votes, Alderman Odham stated that eight times in the history of New Bern, a candidate had been elected in a November runoff. Alderman Bengel said there were 552 municipalities in North Carolina, and New Bern was the only municipality to hold an October election with a November runoff. Only 12 of the 552 municipalities hold a nonpartisan election with a runoff. Additional discussion followed. Alderman Bengel made a motion to call the question, seconded by Alderwoman Harris. Upon a roll-call vote on the motion to adopt the resolution, the motion carried 5-2 with Aldermen Odham and Kinsey voting against it.

12. Consider Adopting a Budget Ordinance Amendment for the FY2018-19 Operating Budget.

This budget ordinance amendment recognizes \$17,500 from the Governors Highway Safety Grant to purchase a police patrol vehicle. It also amends the FY2019 budget to advance repayment of the installment purchase debt for the ERP Phase I project.

Alderman Aster made a motion to adopt a budget ordinance amendment for the FY2018-19 operating budget, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

13. Discussion of Water Resources Capital Item.

The FY2018-19 budget included \$60,000 in Water Resources to convert the ammonia system at the water treatment plant from a gas to a liquid system. This figure included \$20,000 for materials and \$40,000 for installation and transition. Staff determined they could complete the conversion without utilizing outside assistance, which would save \$40,000. It was requested that the Board authorize staff to implement a budget revision to allow for the \$40,000 to be spent on the installation of a much-needed generator at the Industrial Park tank. The estimated cost for installing the generator was \$53,000. The additional \$13,000 needed for the generator could be taken from the amount budgeted for the installation of a generator at the Cove City standpipe.

Dalton Gaskins, Water Treatment Plant Manager, explained the need for a generator at the Industrial Park site.

(Alderman Best momentarily stepped out of the room at 8:01 p.m., returning at 8:04 p.m.)

(Alderman Kinsey momentarily stepped out of the room at 8:05 p.m.)

Alderman Odham made a motion to provide staff the consent to purchase the generator for the Industrial Park with capital funds and authorize staff to proceed with a budget revision, seconded by Alderwoman Harris.

(Alderman Kinsey returned to the room at 8:08 p.m.)

Upon a roll-call vote, the motion carried unanimously 7-0.

14. Appointment(s).

Alderwoman Harris made a motion to reappoint Mike Markham to the Friends of the Firemen's Museum Board, seconded by Alderman Odham. The motion carried unanimously 7-0. Mr. Markham will serve a three-year term to expire on April 22, 2022.

15. Attorney's Report.

The City Attorney announced an ordinance would be on the next agenda to change the date for the 2019 Duffest event. Although it is a one-time change, the ordinance must be revised to reflect that and then later changed back.

16. City Manager's Report.

Mr. Stephens provided a status report on the Munis project.

17. New Business.

Alderman Best

Thanks was expressed to Shirley Crawford of United Way of Coastal Carolina and to employees of Moen for the installation of a newborn learning trail at the Pleasant Hill Park.

A spring cleanup will be held in Duffyfield on May 2-4, 2019. More information can be obtained by contacting Anne Schout with the Duffyfield Phoenix Project.

Alderman Kinsey

Alderman Kinsey made a motion to rescind the appointment of Anne Schout to the Planning and Zoning Board, seconded by Alderman Odham. The motion carried unanimously.

Alderman Aster

Thanks was expressed to Mr. Montanye for conducting a citizen meeting last night regarding the construction of Old Airport Road.

Alderwoman Harris

She and Mayor Outlaw spoke with Michelle at Preservation Management regarding the concerns expressed by residents of Craven Terrace, but have not received a response from her. Mr. Stephens announced staff from Inspections is scheduled

to meet at Craven Terrace at 2 p.m. tomorrow. Following that, staff will provide a report of their findings, which will be shared with the entire Board by email. After the information is available, Aldermen Best, Kinsey and Harris will meet to discuss the findings.

Thanks was expressed to Development Services and Margaret Shields, a grant writer, for working on the grant for a chess park.

Alderman Bengel

The Historic Downtown Residents Association ("HDRA") asked the board for a street closure at its last meeting, but requested the wrong date of Saturday, April 27th. To rectify that, Alderman Bengel made a motion to close Change Street on Sunday, April 28, 2019, for a HDRA neighborhood gathering, seconded by Alderwoman Harris. The motion carried unanimously 7-0.

Fellow board members were reminded that the revised noise ordinance would envelope the entire City, and she encouraged them to provide input. A decibel reader is available through Human Resources should anyone desire to test noise levels.

The PepsiCo Board of Directors and stockholders will be in town next week.

18. Closed Session.

Alderman Odham made a motion to go into closed session to discuss a personnel issue pursuant to NCGS §143-310.11(a)(6) and real property pursuant to NCGS §143-310.11(a)(5) and §143-310.11(a)(3), seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 8:20 p.m.

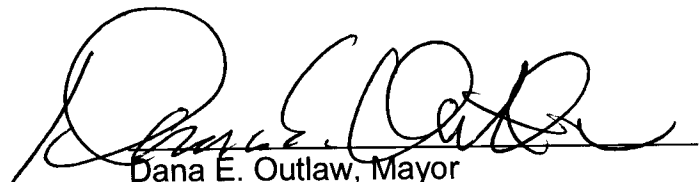
19. Adjourn.


Alderman Kinsey made a motion to adjourn, seconded by Alderman Odham. The motion carried unanimously 7-0, time being 9:35 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: May 14, 2019


Dana E. Outlaw, Mayor


Brenda E. Blanco, City Clerk