

**City of New Bern  
Board of Aldermen Meeting  
May 14, 2019 – 6:00 P.M.  
City Hall Courtroom  
300 Pollock Street**

- 1. Meeting opened by Mayor Outlaw. Prayer by Graham Price, a City of New Bern Public Works employee. Pledge of Allegiance.**

- 2. Roll Call.**

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

Boy Scout Troop 584 was in attendance, and Mayor Outlaw welcomed the troop to the meeting.

- 3. Request and Petition of Citizens**

Bethany Richards of 405 Harbor Drive expressed concern about both residential and commercial trash and debris that remains following Hurricane Florence. She also expressed concern about the condition of the railroad yard on North Craven Street. Mayor Outlaw noted community cleanups are taking place, and the City is looking at the potential of locating additional trash bins. Alderman Aster stated that he spoke with Northern Southern about cleaning up the railroad yard and repairing the fence on North Craven Street. They advised they had cleaned the yard and did not intend to clean it further. Alderman Aster said anyone who would like to call Norfolk Southern could reach out to Rob Holloway at 314-973-9834. Ms. Richards was advised that private property in need of cleaning could be reported to the Nuisance Abatement Officer, Nancy Johnston.

James O'Woods of 1903 Country Club Road asked if the City could speak with NC Department of Transportation about placing a left turn light on westbound Hwy. 70 at the overpass. When entering into the City from Country Club Road, this is the lane that turns left toward the mall.

**Consent Agenda**

- 4. Consider Approving a Proclamation for Older Americans Month.**

The Administration for Community Living leads the observance of Older Americans Month. Sheila O'Neill, an advocate and service coordinator for residents of the

Meadows Apartments, requested a proclamation recognizing the month of May as a time to observe older Americans.

**5. Consider Adopting a Resolution to Close Specific Streets for the Dodge City – Duffyfield Community Luncheon.**

Barbara Sampson, requested the 1000-1100 blocks of K Street and 900-1000 blocks of Sampson Street be closed on May 25, 2019 from 9 a.m. until 2 p.m. for a Dodge City-Duffyfield community luncheon.

**6. Consider Adopting a Resolution to Call for a Public Hearing on Financing the City Market–Workforce Development Center Project.**

As part of the City’s match for the EDA grant for the City Market–Workforce Development Training Center Project (also known as the “VOLT Center”), the Board approved funding in the amount of \$619,407. The match will be financed through debt proceeds. Because the debt involves improvements to real property, the borrowing must be approved by the Local Government Commission (“LGC”) and a public hearing must be held. If the resolution is adopted, the hearing will be scheduled for May 28, 2019.

**7. Consider Adopting a Resolution to Call for a Public Hearing on Financing Roadway Improvement Projects.**

To fund roadway improvements to Oaks Road and a portion of Trent Road, the City will utilize proceeds from debt financing. Because the debt involves improvements to real property, the borrowing must be approved by the LGC and a public hearing must be held. Again, if the resolution is adopted, the hearing will be scheduled for May 28, 2019.

**8. Approve Minutes.**

Minutes from the April 23, 2019 regular meeting and April 30, 2019 budget work session were provided for review and approval.

Alderwoman Harris made a motion to approve Items 4-8 of the Consent Agenda, seconded by Alderman Best. The motion carried unanimously 7-0.

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**9. Presentation on Juneteenth Celebration.**

Talina Massey, organizer, discussed plans for the upcoming Juneteenth Celebration. She reviewed the activities planned for June 14-23, 2019, noting most events are free to the public.

**10. Presentation on Utility Pre-Pay System.**

Craig Hudson, CIO of Exceleton Software, provided an overview and demonstration of the new pre-pay system offered to utility customers. Several benefits of the system were described. J.R. Sabatelli, Director of Finance, stated the pre-pay option was rolled out two weeks ago and is available to customers now. Alderman Odham asked how many Exceleton customers pass on the operating fees to the utility customers, and Mr. Hudson responded 95%. Mr. Sabatelli stated the operating fees would be absorbed by the Utility Business Office's budget. However, as more of the City's customers enroll in the program, the absorption of the operating fees will need to be reconsidered.

**11. Presentation on Kidsville 2.0.**

Foster Hughes, Director of Parks and Recreation, shared a PowerPoint presentation on the new design for Kidsville. He reported on the status of fundraising efforts and announced volunteer opportunities are available to help build the playground. Based on current donations, it will be necessary to build the park in phases. The Board made suggestions related to fundraising.

**12. Presentation on Stormwater.**

Matt Montanye, Director of Public Works, gave a PowerPoint presentation to provide an update on stormwater-related projects and programs. A discussion ensued about the information shared, and questions were addressed by Mr. Montanye and Mr. Stephens.

(Alderman Harris momentarily stepped out of the room at 7:32 p.m., returning at 7:37 p.m.)

**13. Presentation on New Bern's Fire Rating from the NC Department of Insurance.**

(Alderman Kinsey momentarily stepped out of the room at 7:43 p.m., returning at 7:46 p.m.)

(Alderman Best momentarily stepped out of the room at 7:46 p.m., returning at 7:50 p.m.)

The New Bern Fire Rescue Department was recently awarded a Class 2 rating through the NC Department of Insurance effective June 1, 2019. Fire Chief Bobby Boyd shared a PowerPoint presentation to review the process and criteria for the rating, as well as the eligibility for reduced insurance premiums for those within the City.

**14. Presentation on Fire Department's Five-Year Capital Plan.**

As a follow-up to a discussion during the budget workshop, Chief Boyd provided a detailed update on the Fire Department's five-year capital plan. The review provided information on the replacement of equipment and vehicles, as well as a new fire

station project. Chief Boyd and Mr. Sabatelli answered the Board's questions. Mr. Stephens addressed questions regarding the impact of ordering or purchasing a new apparatus at this time.

Alderman Odham made a motion to authorize the staff to move forward with purchasing an engine pumper and a tower, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously.

**15. Conduct a Public Hearing on the Proposed Budget for FY2019-20.**

The recommended budget for FY2019-20 was distributed to the Board on April 23, 2019, at which time the highlights were reviewed by the City Manager. Copies of the budget were made available for public inspection in the City Clerk's office, at the New Bern-Craven County Library, and on the City's website. A budget workshop was conducted on April 30<sup>th</sup>, which was open to the public. Approval of the budget will be considered at an upcoming Board meeting. Mr. Stephens pointed out the Board's requests during the budget workshop would be incorporated into the final budget, as well as the funds needed for the fire trucks approved under Item 14 above.

Alderman Bengel reiterated her desire to move forward with an elevator in Fiscal Year 2019-20. Mr. Stephens stated if the Board desired, seed money could be included in the budget. However, a major capital project to improve City Hall would be placed in a project fund. Estimates to incorporate an elevator into City Hall are \$700,000 to \$1 million.

Mayor Outlaw opened the public hearing. John O'Woods of 1903 Country Club Road stated he had attempted to view the budget online, but could not find it on the website. He noted he was not aware the budget was available at the library for viewing. Mr. Sabatelli provided Mr. O'Woods with information on how to locate the budget on the City's website.

Alfred Barfield of 1105 North Pasteur Street expressed concern about sidewalks on his street, and requested funds be included in the budget for repair of those. He noted he had fallen twice in his neighborhood and had four surgeries in the past year.

Alderman Bengel made a motion to close the public hearing, seconded by Alderman Aster. The motion carried unanimously 7-0.

Alderman Bengel made a motion to create a project fund for the elevator, make necessary adjustments, and move forward with the City Manager getting necessary quotes to come back before the Board at a later time, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

Mayor Outlaw noted a citizen who was not present had expressed concern about the undersized culverts in the City. He suggested consideration be given to proper culvert sizing when future developments begin. Alderman Odham noted he had previously asked Mr. Sabatelli to calculate the increased tax rate that would be

needed to cover the cost of an additional fire station, its annual operating budget, and the apparatus needed for the additional station. Excluding the cost of the apparatus, Mr. Sabatelli stated based on a tax rate of \$0.4822, approximately \$196 million in increased value would be needed. To put things in perspective, Alderman Odham noted outside of a tax increase, it would take an additional 1,000 homes with a value of \$200,000 to generate that amount of money. He suggested when growth takes place that the additional tax revenue be allocated where it needs to go and not be divvied up among other things.

Mr. Stephens felt the budget could be ready by the May 28<sup>th</sup> meeting for consideration. In light of Mr. O'Woods comments, Alderman Bengel asked that a link be made on the homepage of the website to direct people to the budget.

**16. Conduct a Public Hearing on the Consideration of an Ordinance Amendment Changing the City's Election Method from Nonpartisan with Runoff to a Nonpartisan Plurality Method.**

At the April 23, 2019 meeting, a public hearing was called to receive comments on an ordinance amendment to change the City's election method from nonpartisan with runoff to a nonpartisan plurality method beginning with an election to be held in November 2021. The passage of the ordinance amendment will be considered at the May 28, 2019 meeting.

Mayor Outlaw opened the public hearing. Alfred Barfield of 1105 North Pasteur Street asked how the Board came up with the proposed change in the election. Alderman Bengel stated 97% of the State of North Carolina uses the plurality method. Mr. Barfield asked other questions, including which member introduced the proposed change, all of which were answered by the City Attorney and Board members.

Mike Duffie of 121 Mourning Dove Trail stated he had no worries about the cost of the election. In light of the current Board's concerns about shortening their terms, he suggested the Board make no changes to the election method at this time, maintain runoffs, and move the election to the 2024 presidential election. This would allow those Board members to go into the next term knowing they would serve a three-year term. He voiced concerns about eliminating runoffs and low voter turnout in nonpresidential election years.

Alderman Aster made a motion to close the public hearing, seconded by Alderman Odham. The motion carried unanimously 7-0.

**17. Consider Adopting an Ordinance to Amend Section 66-85 of Chapter 66 for City-Sponsored Events.**

(Alderman Aster momentarily stepped out of the room at 8:49 p.m., returning at 8:51 p.m.)

A representative from the Greater Duffyfield Residents Council appeared before the Board at its April 23, 2019 meeting to request that this year's Duffest be held in June instead of May. Duffest is a city-sponsored event listed in Section 66-85 of

the City's Code of Ordinances. The Board was asked to consider adopting an ordinance amendment to allow this change in schedule. Once the 2019 event is held, a new ordinance amendment will be presented to change the month of the event back to May.

Several members of the Board asked about whether the City-sponsored events could be covered by policy instead of an ordinance. Mr. Davis confirmed it could, and he and Mr. Stephens explained the original theory behind listing the events in an ordinance. They also described some of the complications that could arise by not listing the events in an ordinance. Alderman Aster suggested the event months be removed from the ordinance, and Alderman Bengel suggested the George Washington's Southern Tour event also be removed.

Alderwoman Harris made a motion to adopt an ordinance to amend Section 66-85 of Chapter 66 for City-Sponsored events, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

**18. Consider Adopting an Ordinance for the Demolition of 1412 Washington Street.**

Staff is seeking to demolish a singlewide mobile home located at 1412 Washington Street. The mobile home has been without electrical service since January 9, 2013 due to multiple minimum code violations. A hearing was held before the Chief Building Inspector on April 11, 2019, and a dilapidated order was issued to vacate, repair or demolish the dwelling within 30 days. On April 24, 2019, the dwelling was further damaged by fire. To date, no permits have been applied for, and the structure remains noncompliant and unsafe.

Alderman Aster made a motion to adopt an ordinance for the demolition of 1412 Washington Street, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

**19. Consider Adopting an Ordinance for the Demolition of 915 Sampson Street.**

On February 4, 2016, a minimum-housing violation letter was sent to the owners of the single-family structure located at 915 Sampson Street. Interior and exterior inspection of the 1945 structure revealed multiple minimum-housing violations, including broken windows and structural instability. A hearing was held before the Chief Building Inspector on April 9, 2019, and the owners were given 30 days to bring the property into compliance. To date, no permits have been applied for, and the structure remains noncompliant and unsafe.

Alderman Bengel noted a local citizen, Robbie Morgan, brought this property to the City's attention and tried to reach out to the owners.

Alderman Bengel made a motion to adopt an ordinance for the demolition of 915 Sampson Street, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

**20. Consider Adopting a Resolution Authorizing the Filing of an Application with the Local Government Commission for Approval of Financing the City Market – Workforce Development Center Project.**

The Board previously approved matching funds for the EDA grant for the City Market–Workforce Development Center Project. Those funds will be secured through debt financing. Because the financing involves real property, approval is required from the LGC. The proposed resolution authorizes the filing of an application with the LGC, and it is anticipated the application will be considered at the LGC’s June 4, 2019 meeting.

Alderman Best made a motion to adopt a resolution authorizing the filing of an application with the Local Government Commission for approval of financing the City Market–Workforce Development Center project, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

**21. Consider Adopting a Resolution Authorizing the Filing of an Application with the Local Government Commission for Approval of Financing Roadway Improvements.**

The City will utilize proceeds from debt financing to fund roadway improvements to Oaks Road and a portion of Trent Road. Because the debt involves improvements to real property, approval is required from the LGC. The proposed resolution authorizes the filing of an application with the LGC. It is also anticipated the LGC will also consider this application at its June 4, 2019 meeting. Mr. Sabatelli confirmed funds were budgeted for this work and explained the Trent Road portion was the area covered by a developer’s agreement.

Alderman Best made a motion to adopt a resolution authorizing the filing of an application with the Local Government Commission for approval of financing a roadway improvements project, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

**22. Appointment(s).**

No appointments were made.

**23. Attorney’s Report.**

Mr. Davis had nothing to report, but announced a closed session was needed.

**24. City Manager’s Report.**

(Alderman Kinsey momentarily stepped out of the room at 9:05 p.m.)

Mr. Stephens provided an update on the submission of FEMA claims, as well as payments from flood and wind insurance. He stated the architect had completed

the analysis on Stanley White Recreation Center and concurred with the insurance company's of designating the building as being substantially damaged.

After speaking with several Board members, staff will investigate options for a location to hold a community workshop on hurricane preparedness. Once arrangements are finalized, information on the workshop will be shared with the public.

(Alderman Kinsey returned to the room at 9:09 p.m.)

## **25. New Business.**

### Alderman Odham

Several complaints have been received about a low-flying airplane. The City has no jurisdiction over the aircraft, and concerned citizens were encouraged to contact the airport for more information.

### Alderman Best

Citing concern that she may not spend her special appropriation funds this year, Alderman Best asked about the possibility of rolling special appropriation funds from one fiscal year to the next. Mr. Davis expressed concern about rolling the funds annually, and this was discussed in some detail.

### Alderman Aster

On Saturday, May 18<sup>th</sup>, at 4 p.m. there will be a dedication of a bear at the New Bern Firemen's Museum.

A street light at Taberna Circle and Old Airport Road is working sporadically. Mr. Stephens was asked to check on this.

A citizen requested to have an additional streetlight at Thurman Road and Waterscape Way.

### Alderman Harris

After speaking with the City Manager, it was requested the next agenda include a discussion item for the results of the Craven Terrace inspections.

### Alderman Bengel

It was questioned whether the City wanted to add to the next agenda consideration of expanding the recycle service to be provided by the County. Mr. Montanye explained the cost would be an additional \$1.50 for a second pick up each month, utilizing the 95-gallon cart that would be provided through the County. Several Board members expressed opposition to adding a second monthly pick up.

Residents in the Rhem Street area have expressed concern about people parking along their streets. Alderman Bengel asked about the ingress and egress for the VOLT Center and when traffic patterns in that area will open. Mr. Stephens explained the traffic patterns were reviewed in the plan, and he recommended the City obtain additional information once the VOLT Center is opened and the road diet is complete. Alderman Bengel asked for Mr. Stephens to put his recommendation in a memo that she could share with the residents.



On May 25, 2019, a Dodge City – Duffyfield Community Luncheon will be held from 11 a.m. to 1 p.m.

She and Mayor Outlaw welcomed the North Carolina Supreme Court to New Bern this afternoon and presented each Justice with a key to the City. Tomorrow, the Supreme Court will hold court in City Hall's courtroom.

Mayor Outlaw

At his request, Alderman Bengel has agreed to be the historian for City Hall. Alderman Bengel reported on the items that were found within the building and potential uses or preservation of those items.

**26. Closed Session.**

Alderman Odham made a motion to go into closed session pursuant to NCGS §143-318.11(a)(3) to maintain attorney-client privileges, seconded by Alderman Kinsey. The motion carried unanimously, time being 9:22 p.m.

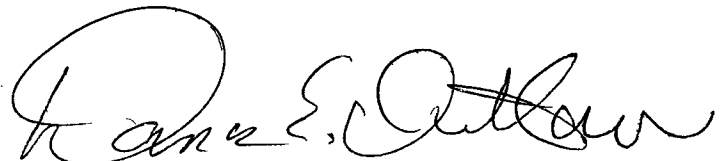
**27. Adjourn.**

Alderwoman Harris made a motion to adjourn, seconded by Alderman Aster. The motion carried unanimously 7-0, time being 9:44 p.m.

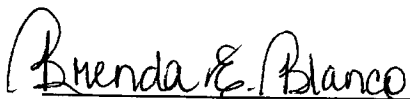
The attached documents are incorporated herewith and are hereby made a part of these minutes.

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: May 28, 2019



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Dana E. Outlaw, Mayor



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Brenda E. Blanco, City Clerk