

**City of New Bern  
Board of Aldermen Meeting  
February 25, 2020 – 6:00 P.M.  
City Hall Courtroom  
300 Pollock Street**

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer by Alderman Best. 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.

**Consent Agenda**

- 3. Consider Adopting a Resolution to Close the 200 Blocks of East and South Front Streets on March 28, 2020 for the Neuse River Bridge Run.**

Gary Kenefick, event organizer, requested to close the 200 blocks of East Front and South Front Streets from 4 a.m. until 1 p.m. on March 28, 2020 for the Neuse River Bridge Run. Additionally, he sought the use of Union Point Park on March 27, 2020 from 3 pm. to 9 p.m. for the Super Kids Run. Foster Hughes, Director of Parks and Recreation, had previously authorized the closure of the park for the kids' event.

- 4. Consider Adopting a Resolution to Close the 500 Block of Roundtree Street on April 18, 2020 for the Colorfest Community Art Event.**

Derrick Bryant, event organizer for Colorfest, requested the closure of the 500 block of Roundtree Street from 9 a.m. to 6 p.m. on April 18, 2020. Colorfest will continue a community beautification project to extend a mural in the location of the street closure.

- 5. Consider Adopting a Resolution to Close Specific Streets for the First Capital Antique Automobile Car Show on May 9, 2020.**

On behalf of the NC Region First Capital Chapter of the Antique Automobile Club of America, Charles Wells requested the 300 block and part of the 400 block of Pollock Street be closed to vehicular traffic from 6 a.m. until 4 p.m. on May 9, 2020 for an annual car show.

**6. Approve Minutes.**

Draft minutes from the February 7, 2020 retreat were provided for review and approval.

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

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**7. Appoint Director of Finance and Administer Oath of Office.**

The Governing Board conducted interviews for the position of Director of Finance. After the interviews, the Board selected a candidate and extended an offer, which was accepted.

Alderman Aster made a motion to appoint Mary Hogan to the position of Director of Finance, seconded by Alderwoman Harris. The motion carried unanimously 7-0. Mrs. Blanco administered the oath of office to Mrs. Hogan, and the Board extended a handshake of welcome to her.

**8. Noise Consultant Presentation – Findings and Recommendations.**

The City contracted with Stewart Acoustical Consultants to review the technical portion of the City’s draft noise ordinance and conduct a site visit. Ezra Blackwell shared a PowerPoint presentation on the firm’s findings and recommendations. Specifically, he reviewed the noise levels observed at Black Beard’s business and three residential locations. He made the comment that acoustic and amplified sounds are different.

Mr. Davis asked Mr. Blackwell about low-frequency noises and whether sites could do something to lower the frequencies. Mr. Blackwell said the output signal could be equalized to lessen the low-frequency noise. Most bands travel with a sound technician who is able to regulate the output signal to keep it enjoyable, but not as intrusive. Managers of an establishment can instruct the band to play at a particular frequency level to ensure that the sound is not disturbing to those outside of the establishment, per Mr. Blackwell.

Mayor Outlaw noted there are other noise issues outside of music, such as sounds from loud trucks. Mr. Blackwell said transportation sounds require a different study, and Stewart Acoustical Consultants did not review that type of noise. Mr. Davis said a state statute addressed transportation noise and that the statute was incorporated into the City’s ordinance. The Police Department can enforce transportation noise by issuing citations.

Mr. Blackwell explained the need to use a logging meter versus a cellphone meter when monitoring sound volume. He stated sound-level meters needed to be calibrated annually. He recommended that the City initially have one to two meters.

In conclusion, Mr. Davis stated he would draft an ordinance revision that incorporated the recommendations made by Stewart Acoustical Consultants. The ordinance will transition from a 100-foot system to a decibel system.

**9. Consider Adopting a Resolution Approving a Contract with Craven County Board of Education for 2019 School Resource Officers at Specific Elementary Schools.**

The proposed contract covers the School Resource Officers (“SROs”) at JT Barber Elementary School and Oaks Road Academy School for the period of July 2019 through December 2019. Although the contract had not been executed earlier, the Board of Education has remitted payment for the services provided.

Alderman Bengel made a motion to adopt a resolution approving a contract with Craven County Board of Education for 2019 School Resource Officers at specific elementary schools, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

Items 10 and 11 were voted on collaboratively as noted under Item 11.

**10. Consider Adopting a Resolution Approving a Contract with Craven County Board of Education for 2020 School Resource Officers at Specific Elementary Schools.**

Similar to the previous item, this contract provides for SROs from January 1, 2020 through December 31, 2020 at JT Barber and Oaks Road Academy Elementary Schools. Under this contract, the sum of compensation is \$49,500 for each SRO.

Alderman Aster questioned whether the City had heard from the Board of Education since discussing the topic at the retreat. Alderman Odham suggested some members of the Board meet with members of the Board of Education and Craven County to discuss the SRO contracts and include the City and County Managers. His personal thought was that the SROs should be provided through the Sheriff’s Department, although he knew Chief Summers disagreed.

**11. Consider Adopting a Resolution Approving a Contract with Craven County Board of Education for 2019/2020 School Resource Officers at New Bern High School and Specific Middle Schools.**

Like the two prior items, the proposed contract covers SROs at New Bern High School, Grover C. Fields Middle School, and H. J. McDonald Middle School for the 2019/2020 school year. It also provides for one SRO four days a week, four hours a day at the Craven Evening Education Center. Again, although the contract had not been previously executed, the Board of Education has remitted payment for the services provided thus far. The contract provides for funding of \$38,975.00 per SRO.

Alderman Odham made a motion to combine Items 10 and 11 and adopt resolutions approving the contracts for School Resource Officers, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

Aldermen Odham, Aster and Harris agreed to attend a meeting with the Board of Education and County to discuss the topic of SROs.

**12. Consider Adopting a Resolution Approving a Contract with Fund Development, LLC for Grant-Writing Services.**

In November 2018, the City entered into a contract with Fund Development, LLC for grant-writing services. The contract expired in December 2019, and staff is seeking direction as to entering into a new contract through the remainder of this calendar year. Under the initial agreement, Fund Development assisted the City with securing \$855,138.93 in grant funding. A list of those grants and the associated amounts had been provided to the Board. Fund Development was paid a total of \$30,770.00 for its services.

Alderwoman Harris asked whether the services were going to be sought through a Request for Proposal (“RFP”) method, and Mr. Stephens said that could be done if the Board desired. Alderman Kinsey suggested the contract be approved to allow Fund Development to work while the RFP process was being pursued. Alderman Aster suggested the City continue to utilize Fund Development since it had done a good job. On behalf of Fund Development, Margaret Shields explained that she learns about available grants partly through membership in a foundation and a newsletter.

Alderman Kinsey made a motion to adopt a resolution approving a contract with Fund Development, LLC for grant-writing services, seconded by Alderman Odham. Upon a roll-call vote, the motion carried unanimously 7-0.

**13. Consider Adopting a Resolution Approving the Sale of 2203 Chestnut Avenue.**

Prior to discussing this item, Mayor Outlaw recommended future agenda backup also include side, front and rear pictures of the subject parcels involved in the upset bid process.

After receiving an initial bid of \$375.00, the Board voted to initiate the upset bid process for the purchase of 2203 Chestnut Avenue. The bid was advertised, and an upset bid of \$450.00 was submitted. The tax value of the vacant 0.06-acre lot is \$750.00, and this final offer exceeds 50% of that value. The City and County acquired the property jointly through tax foreclosure in May of 2019. The Commissioner’s Deed states taxes, interest and penalties due to the City at the time of the foreclosure was \$556.45, and the City contributed \$480.99 toward the cost of the foreclosure proceeding.

Alderwoman Harris made a motion to adopt a resolution approving the sale of 2203 Chestnut Avenue, seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

**14. Appointment(s).**

No appointments were made.

**15. Attorney's Report.**

The City Attorney had nothing to report.

**16. City Manager's Report.**

Mr. Stephens reported on surplus property located at 1509 Washington Street. An individual had previously approached the Board about bidding on the property. The individual who wanted to purchase the property was a North Hills resident whose home had been flooded, and she desired to place a home on the property since it was adjacent to her mother's property. With the assistance of FEMA, the individual has since rebuilt her home in North Hills. The Board's original intent was to allow someone who had been flooded to bid on the property. Those conditions have now changed, and the individual's brother desires to bid on the property. Board direction was sought as to whether staff should accept a bid from him.

Since the City cannot put conditions on the bid process, Mr. Davis explained the City could transfer the property to the Redevelopment Commission, which could sell the property through the upset bid process, but with conditions on the parcel. Alderman Bengel noted the Commission had to sell property at the appraised value, whereas the City could accept a bid at 50% of tax value.

Alderman Odham made a motion to accept a bid from the newly interested party (Robert Carter), seconded by Alderman Best. Upon a roll-call vote, the motion carried unanimously 7-0.

Mayor Outlaw stated he did not think the Board nor the Redevelopment Commission should act as an advocacy group for individuals seeking to buy property. He stated the normal procedure needed to be followed so no one receives special treatment, the process is equitable, and the market would dictate the value of the property. Alderman Best voiced disagreement with the Mayor's comments since the Carter family were longtime citizens of New Bern.

Alderman Bengel asked for schooling and direction for the Redevelopment Commission. Mr. Davis stated he would probably make a presentation to the Commission in April and would share that information with the Governing Board.

## 17. New Business.

### Mayor Outlaw

A meeting of the Redevelopment Commission is scheduled for March 11, 2020. Mayor Outlaw thanked Robbie Morgan, a member of the Commission, for being in attendance.

Complaints have been received about potholes on Washington Street, and Matt Montanye, Director of Public Works, was asked to look into this.

### Alderman Best

Mr. Stephens was asked to provide a status update on FEMA funding. Several different projects are ongoing and in multiple stages of the FEMA process, according to Mr. Stephens. He said the Stanley White Recreation Center claim was currently being reviewed at the State Historic Preservation Office. Once that entity gives the okay, the hope is funding will come quickly. "Cat D" work to identify permanent ditch repairs is almost complete. At the next meeting, there will probably be a contract for "Cat A" work to address removal of ditch debris, mucking, etc. All other FEMA items continue to be worked through, such as docks, piers, etc.

### Alderwoman Harris

Clarification was sought as to whether the revised noise ordinance would be effective downtown or citywide. Mr. Davis stated it would be citywide.

Alderwoman Harris said she would call in for the March 10<sup>th</sup> meeting, as she would be in Washington DC for a conference.

Mayor Outlaw asked Foster Hughes to share information on the event scheduled for Saturday at 1 p.m. at St. Peters AME Zion Church. Mr. Hughes confirmed the date, time and location. Ben Watford, one of the citizens who spearheaded the events leading up to the ceremony, shared information on the plaque ceremony. Mr. Watford asked how much money the City would contribute toward the planned events, and Alderman Best responded \$500. Mr. Watford found it difficult to believe that the Board would not pay \$3,000 to cover the speaker, soloist, church, catered meal, etc. and said he would contribute the rest of the money that was needed.

Alderwoman Harris said she had received emails from people asking if the ceremony and plaque unveiling could be put on hold until they could research how much a plot cost at the time when the African Americans were buried and how much one costs now. They felt the amount the City should pay toward the event should be the difference between those amounts. Mr. Watford responded by saying he understood black people and the problems in the community and that it was not possible to satisfy all of the citizens in Craven County and New Bern, but the organizers did their best. He then stated the affair would go on whether it was liked or not.

Mr. Watford said it was his understanding the Board had discretionary funds and could contribute those, but he did not care if they did not contribute. He said nothing would stop the event, including the people at Tryon Palace. Alderman Best asked whether appropriation funds could be used to pay for the food. Mr. Davis responded his collection was that the Board would approve those types of expenditures. Alderman Bengel noted

the expenditure would have to be for a public event and that the amount of people attending could not be limited, which Mr. Davis confirmed. Alderman Bengel explained she too was receiving phone calls, and that citizens were concerned as to why the ceremony was being held now when the plaques were not ready. She questioned whether Mr. Watford's receipt of an acknowledgement or award was tied to the event. Mr. Watford said the presentation of the Order of the Longleaf Pine award had been dropped from the program, as the James City Historical Association sponsored him and did not want that presentation to take place at the event. He reiterated the ceremony would go on as scheduled, like it or not. Rev. Robert Johnson said one main reason to proceed is he and Mr. Watford felt it was important to have the celebration at the end of black history month. He questioned why those who wanted to delay the event did not come to the table earlier.

Alderman Best asked Mr. Davis for confirmation that she could pay for some of the event costs up to the balance of her appropriation funds. Mr. Davis responded yes.

**18. Closed Session.**

Alderman Odham made a motion to go into closed session to discuss a personnel issue pursuant to NCGS §143-318.11(a)(6), seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 7:28 p.m.

**19. Adjourn.**

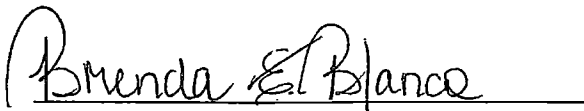
Alderman Bengel made a motion to adjourn, seconded by Alderwoman Harris. The motion carried unanimously 7-0, time being 8:05 p.m.

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: March 10, 2020

  
Dana E. Outlaw, Mayor

  
Brenda E. Blanco, City Clerk