

**City of New Bern
Board of Aldermen Virtual (Electronic) Meeting
Conducted Via Zoom Platform
April 14, 2020 – 6:00 P.M.
City Hall Courtroom
300 Pollock Street**

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer by Mayor Outlaw. Pledge of Allegiance.**
- 2. Roll Call.**

Present Electronically by Video Conference: Mayor Dana Outlaw, Alderman Sabrina Bengel, Alderwoman Jameesha Harris, Alderman Robert Aster, Alderman Johnnie Ray Kinsey, Alderman Barbara Best, and Alderman Jeffrey Odham. Absent: None. A quorum was present.

Also Present Electronically by Video Conference: Mark Stephens, City Manager; Michael Scott Davis, City Attorney; and Brenda Blanco, City Clerk.

Mayor Outlaw pointed out that the meeting was being conducted electronically to facilitate a continued level of service to the citizens during the time of a pandemic.

- 3. Request and Petition of Citizens.**

No one signed up to speak under request and petition of citizens.

Consent Agenda

- 4. Consider Approving a Proclamation for National Day of Prayer.**

Theresa Lee requested a proclamation for National Day of Prayer, which will be held on May 7, 2020.

- 5. Consider Adopting a Resolution to Close the 500 Block of Craven Street for the Historic District Residents Association's Summer Social on May 16, 2020.**

Kelly Sorenson, event organizer, requested to close the 500 block of Craven Street to vehicular traffic on May 16, 2020 from 12 p.m. until 5 p.m. for the Historic District Resident Association's summer social. A rain date of May 17, 2020 is requested.

- 6. Consider Adopting a Resolution to Close the 400 Block of South Front Street for the Young Professionals Group's Jazz Festival on May 16, 2020.**

Rebecca Homek, event organizer, requested to close the 400 block of South Front Street to vehicular traffic from 1 p.m. until 11:30 p.m. on May 16, 2020 for the New Bern Young Professionals Group Jazz Festival.

7. Consider Adopting a Resolution Approving the Installation of an Additional Street Light at 1918 Davis Street.

Irma Stone of 1918 Davis Street requested an additional streetlight in the 1900 block of Davis Street. City staff evaluated the area and determined additional street lighting was necessary in order to meet the City's standard. The Public Utilities Department estimated costs associated with the installation of the light to be \$666.41. A monthly cost of \$8.44 will be incurred by Public Works for the utility bill.

8. Submission of Annual Written Report from the New Bern Appearance Commission.

Pursuant to City ordinance, the Appearance Commission is required to provide a report of activities to the Board of Aldermen no later than April 15th of each year as mandated by NCGS §160A-454. The report was submitted to satisfy this requirement.

9. Approve Minutes.

Minutes from the March 24, 2020 regular meeting were provided for review and approval.

Alderman Bengel asked if the requests for street closures were approved but need to be rescheduled for later dates whether the Board would need to approve the new dates. Mr. Stephens confirmed the Board would need to approve any new dates established for postponed events.

Alderman Best made a motion to approve Items 4-9 of the Consent Agenda, seconded by Alderwoman Harris. The motion carried unanimously 7-0.

10. Conduct a Public Hearing and Consider Adopting an Ordinance to Annex 203 Riverside Drive.

Mayor Outlaw opened the public hearing. Alderman Bengel made a motion to continue the public hearing until the Board's meeting on May 12, 2020, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

**11. Conduct a Public Hearing on the Rezoning of 2409 Oaks Road; and
a) Consider Adopting a Statement of Zoning Consistency or Inconsistency; and
b) Consider Adopting an Ordinance Rezoning 2409 Oaks Road.**

Mayor Outlaw opened the public hearing. Alderman Best made a motion to continue the public hearing and consideration of the item until the Board's meeting on May 12, 2020, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

12. Consider Adopting a Resolution Approving the Sale of 1509 Washington Street.

After receiving an offer of \$3,000 from Robert Carter for the purchase of 1509 Washington Street, the Board adopted a resolution on March 10, 2020 to initiate the upset bid process. The property is a vacant ¼-acre lot that was acquired through tax foreclosure in October 2006 and has a tax value of \$6,000. The offer from Mr. Carter was advertised, but no additional bids were received.

Alderman Best made a motion to adopt a resolution approving the sale of 1509 Washington Street, seconded by Alderman Bengel. Upon a roll-call vote, the motion carried unanimously 7-0.

13. Consider Adopting a Resolution to Identify Emergency Responders to Be Excluded from the Families First Coronavirus Response Act (“FFCRA”).

The Federal Government issued modifications to the Family and Medical Leave Act (“FMLA”) procedures and guidelines specific to the Coronavirus Pandemic. The modification, known as the Families First Coronavirus Response Act, was passed by President Trump and signed into law. The FFCRA requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for five specified reasons related to COVID-19. The FFCRA amends FMLA coverage through December 31, 2020.

The City was required to identify employees who are deemed to be first responders and who could be excluded from certain provisions of the FFCRA. If the City’s first responders take FMLA to, for example, stay home and provide daycare because their child’s normal place of daycare has closed, then the City could be left with no one to respond to needs of the City and its citizens. Therefore, the City has excluded items 4 and 5 of the FFCRA as reasons for its first responders to participate in expanded FMLA. Alderman Aster commented it was his understanding that this exclusion replicates the action being taken by other municipalities throughout the state.

Alderman Aster made a motion to adopt a resolution to identify emergency responders to be excluded from the Families First Coronavirus Response Act, seconded by Alderwoman Harris. Upon a roll-call vote, the motion carried unanimously 7-0.

14. Consider Adopting a Resolution Authorizing the Donation of Surplus Property to No. 9 Township Fire & Rescue.

No. 9 Township Fire & Rescue, a volunteer department in Jasper, requested the donation of certain items that the City has deemed surplus. The items will be used to provide emergency services to citizens in their district and to the City of New Bern through mutual aid support.

Alderwoman Harris made a motion to adopt a resolution authorizing the donation of surplus property to No. 9 Township Fire & Rescue, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

15. Consider Adopting a Resolution Approving the Sole Source Exemption for the Purchase of Fencing for the Union Point Pedestrian Bridge Project.

The pedestrian bridge at Union Point Park was destroyed during Hurricane Florence in September of 2018. As part of the replacement project, new fencing will be installed on the bridge. In order to match the existing fence at the park and along the riverwalk, it is necessary to work with an authorized distributor that sells the same fence product. Coastal Fence Company has been identified as such a distributor. It was requested that the Board authorize the use of this sole source vendor pursuant to NCGS 143-129(6)(3), which allows an exception for bidding the purchase.

Alderman Bengel made a motion to adopt a resolution approving the sole source exemption for the purchase of fencing for the Union Point Pedestrian Bridge Project, seconded by Alderman Aster. Upon a roll-call vote, the motion carried unanimously 7-0.

16. Consider Adopting a Budget Ordinance Amendment for the Grants Fund and for the FY2019-2020 Operating Budget.

The proposed budget ordinance amends the FY2019-20 operating budget to reestablish encumbrances that remained outstanding as of June 30, 2019 and to transfer funds to projects. It also recognizes \$5,000 in grant funds that were received from Walmart for National Night Out and a smoke detector safety program.

Alderman Best made a motion to adopt a budget ordinance amendment for the grants fund and for the FY2019-2020 operating budget, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously 7-0.

17. Appointment(s).

No appointments were made.

18. Attorney's Report.

The City Attorney had nothing to report.

19. City Manager's Report.

Mr. Stephens received a letter from the New Bern Farmer's Market requesting the Board consider waiving their monthly rent payments for the last six months of 2020 due to the financial impact from COVID-19. Aldermen Bengel and Best stated they would be in favor agreeing to the request. Mr. Davis stated he would prepare the

documents to suspend the rent payments for the remainder of 2020 and submit them for consideration at the Board's next meeting.

A brief update on COVID-19 was also provided by Mr. Stephens. While City offices are still closed to the public, work continues. Precautionary measures have been taken to protect staff from unnecessary exposure while providing a continuity of service. Provisions are in place for staff to move to telework, should the need arise. In addition to social distancing, employees have been asked to voluntarily wear masks when in common areas or in situations where social distancing is not available. Alderman Aster asked whether the City had sufficient personal protective equipment ("PPE") for first responders, and Mr. Stephens said at the last check, there were plenty of N95 masks on hand for the City's first responders.

With respect to the electric grid, Mr. Stephens announced the Trent Road Substation was just put into place and will help with managing the load once it is activated. He will check on the status of the \$8 million grant application that was submitted for utility system improvements.

20. New Business.

Alderman Best

Sympathy was expressed to the family of the 7-year-old child who succumb to his injuries after being struck by a vehicle on Oaks Road.

Concern was expressed for families that are struggling financially during this time. The Federal Government has started depositing the stimulus checks by direct deposit, and paper checks will go out later in the month. Noting the COVID-19 virus had not yet reached its peak, the public was encouraged to adhere to the Governor's Executive Orders.

Alderman Kinsey

Everyone was encouraged to assist each other.

Alderman Aster

Sadness was also expressed about the 7-year-old child who passed away as a result of his injuries.

The City Manager was applauded for keeping the Board abreast of everything happening.

Alderwoman Harris

Everyone was encouraged to continue supporting small businesses in the City.

Alderman Bengel

It has been a sad state of affairs in the downtown area. With respect to the calls questioning businesses that remain open and whether they are essential, Alderman Bengel asked for people to understand that these businesses are people's livelihood. There have been no major issues with people failing to adhere to the rules. She thanked her colleagues and City staff for working together.

An update was requested on the budget schedule. Mary Hogan, Director of Finance, said it is anticipated the budget hearing would be held on May 26, 2020 with the adoption to take place at the first meeting in June. The recommended budget will be distributed to the Board prior to the hearing. Alderman Bengel said she felt it was important not to vote on the budget at the same meeting that the public hearing is held.

21. Closed Session.

A closed session was not needed.

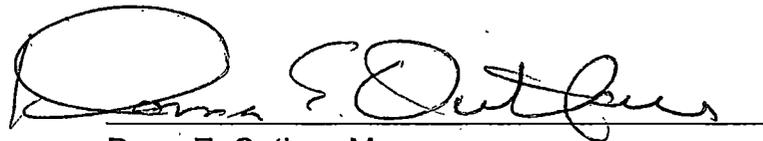
22. Adjourn.

Alderman Aster made a motion to adjourn, seconded by Alderman Kinsey. The motion carried unanimously 7-0, time being 6:52 p.m.

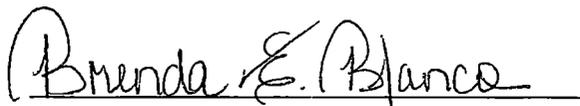
The attached documents are incorporated herewith and are hereby made a part of these minutes.

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: April 28, 2020



Dana E. Outlaw, Mayor



Brenda E. Blanco, City Clerk