

**CITY OF NEW BERN  
BOARD OF ALDERMEN MEETING  
APRIL 27, 2010  
CITY HALL COURTROOM 7:00 P.M.  
300 POLLOCK STREET**

1. **Meeting Opened by** Mayor Pro-Tem Denny Bucher. **Prayer by** Rev. Cal Langford of Foundation Life Fellowship Church. Pledge of Allegiance.
2. **Roll Call.** Alderman Sabrina Bengel; Victor Taylor; Bernard White; and Dana Outlaw. Absent: Mayor Lee Bettis, Jr. (Another Obligation) Alderman Johnnie Ray Kinsey (sick).

Also in attendance: Interim City Manager, Ed Wyatt and City Attorney, Scott Davis

3. **Presentation by The Families of New Bern & Craven County.**

Item #3 was pulled off the agenda.

4. **Presentation by Greater Duffyfield Residents Council and Invitation to Duffest.**

Jamar Wallace, President of Greater Duffyfield Residents Council invited the Mayor, Board of Aldermen and the public to Duffest 2010. The event will be held Saturday, May 1, 2010, Stanley White Recreation Center, 901 Chapman Street, New Bern, time being 10:00 A.M – 4:00 P.M. Members of the Greater Duffyfield Residents Council Executive Board and members of the Duffest Committee were also in attendance.

5. **Approve Recommended Changes to New Bern Police Department General Order 105 (Improper Conduct).**

Chief Palombo requested approval of changes to New Bern Police Department General Order 105 Improper Conduct after members of the Accreditation Team and Management Staff review. These changes will address “Improper Uses of City Computers”, and add new sections to address “Interaction on Social Network Sites”.

Alderman Outlaw made a motion to approve changes to NBPD General Order 105 Improper Conduct, seconded by Alderman Taylor. The motion carried unanimously.

6. **Approve Re-Application for COPS Grant for Additional Police Officers.**

Chief Palombo explained the re-application for COPS Grant that needed to be resubmitted to the Department of Justice for reconsideration. The City of New Bern is eligible to re-apply for continuing grant program that was not awarded in FY2009 by COPS Hiring Recovery Program. The grant application for this COPS program will allow New Bern to hire seven (7) officers. The grant covers 100% of the starting salary and

benefits for 36 months. If the application is confirmed, NBPD must retain the employees for no less than twelve (12) months at the conclusion of the federal funding. New Bern would be responsible for all equipment needed for the officers hired, and any increases to their salary over the 36 months time frame.

The New Bern Police Department currently has 86 police officers on staff, but the maximum sworn office is ninety-three (93). The Police Department has seven (7) frozen positions.

Alderman White made a motion, seconded by Alderman Taylor to approve re-application for COPS grant for additional police officers. The motion carried unanimously.

**7. Approve Budget Amendment and Project Ordinance Amendment on the Broad Street Project.**

Jon Rynne, Director of Electric utilities explained the budget amendment for Board Street. This budget ordinance appropriates a \$300,800 transfer to the Broad Street Project Fund for the remaining materials, contract labor and restoration costs needed to complete the project. Unspent budgeted dollars from capital, operating and maintenance line items of Electric divisions' budget will fund the transfer to the project fund.

The Broad Street Project Fund includes the estimated expenses for construction activities that are the responsibility of two city departments, the Electric Department and the Public Works Department. The Electric Department's role is to determine the labor and materials required for the conversion of the overhead to an underground electric system. These expenses included the installation of conduit, high voltage cable, switchgear, transformers, street lighting, and the removal of the existing overhead poles and equipment. The original estimate cost for this work was \$3.3 million utilizing contract crews to complete the construction activities of the project. Another estimated was done with crews from the Electric Department and Public Works to complete all the construction activities and contract labor would be limited to specialized activities.

The seconded estimate for the conversion of the overhead electric system to underground using in-house labor was \$1.5 million. The NCDOT reconstruction of the street and the installation of new sidewalks were to serve as the restoration activity for the affected areas on Broad Street. The Public Works Department was responsible for the installation of storm sewer infrastructure, restoration of sidewalks on affected side streets, curb cuts/driveways restoration, street repairs on the side streets affected by the utility installations, landscaping along the sides of the street, and concrete bases for street lighting. The costs for these activities were not included in the \$1.5 million estimate.

Due to the costs of the additional items, the \$1.5 million project fund will not be sufficient to complete the project. The remaining materials, contract labor, and restoration of affected areas have been estimated at a cost of \$300,800. This proposed budget amendment transfers budget dollars from the Capital, Operations, and Maintenance line items of the Electric Department to the Broad Street Project Fund to complete the work.

Alderman Bengel made a motion, seconded by Alderman Taylor to approve the budget amendment and project ordinance for Broad Street. Upon a roll call vote, Aldermen Bengel, Taylor, Bucher, and White voted "Yes", Alderman Outlaw voted "No". The motion carried 4-1.

**8. Adopt Resolution Authorizing Submission of Application for Urban Progress Zone Designation.**

This resolution authorizes the City to submit an application for redesignation of a qualified area of the city as a State Urban Progress Zone. State Urban Zone provides incentives to stimulate new investment and job creation in economically distressed urban areas. This designation encourages development by providing qualifying businesses within the State Urban Progress Zone with business tax incentives. A portion of the City meets at least the minimum criteria for designation and was previously designated as a State Urban Progress Zone.

Alderman Bengel made a motion to adopt the resolution authorizing an application for Urban Progress Zone Designation. The motion was seconded by Alderman Outlaw and on a roll- call, the vote carried unanimously. (Alderman Taylor stepped out.)

**9. Adopt Resolution Approving Agreement with Brydge & Lee, Inc. for the Stanley White Recreation Center Renovation and Expansion.**

Brydge & Lee was awarded the contract for renovation and addition project for Stanley White Recreation Center on March 9, 2010. Brydge & Lee was the apparent low bidder in the amount \$1,021,496. The city received a \$500,000 Parks and Recreation Trust Fund grant toward the cost of the project. The city portion for installment purchase amount is \$660,460.

Mr. Hardison, Park & Recreation Director explained the resolution has not changed since the approval at the March 9, 2010 Board of Aldermen's meeting; the agreement requires the Mayor signature. Adopting the resolution approves the agreement between the City of New Bern and Brydge & Lee regarding the Stanley White Recreation Center renovation and addition project.

Alderman Outlaw made a motion to adopt the resolution approving the agreement with Brydge & Lee. The motion was seconded by Alderman Taylor, and on a roll call vote, the vote carried unanimously.

**10. Approve Closing Street and Union Point Park from May 7, 2010 at Midnight until May 9, 2010 at 2:00 P.M. for the New Bern 300<sup>th</sup> “Remembering the War” Event.**

Mr. Hardison, Parks & Recreation Director requested street and park closing to vehicular traffic at Union Point Park in the interest of public safety for the event “Remembering the War”. The chairman of the event is also requesting the closing of the Alfred Cunningham Bridge, South Front Street between Craven and East Front, and East Front Street between Pollock and South Front Streets on Saturday May 8, 2010 from 11:00 A.M. to 1:30 P.M. and again from 6:00 P.M. to 8:30 P.M. The NCDOT granted approval to close the bridge to motor vehicle traffic for the event.

Alderman Bengel asked that the businesses be notified of the bridge closing, and inform the public, the park will be open to the public, but no vehicle accessibility.

Alderman Bengel made a motion, seconded by Alderman White to approve closing Union Point Park and the Alfred Cunningham Bridge to vehicle traffic for the event, “Remember the War”. The motion carried unanimously.

**11. Adopt Resolution Authorizing Advertisement for Sale of Real Property at 402 Queen Street.**

Mike Avery, Planning & Inspection Director stated the resolution authorizes the advertisement for sale of the property. This property is jointly owned by Craven Count and the City of New Bern. The City owns 52.83% interest and the County owns 47.17% interest. The Foundation Repairs, Inc. has made an offer to the County to purchase the property for \$13,000 and has provided a 10% earnest money deposit to the county. The advertising starts the upset bid process. The county attorney has contacted the city attorney to ask if the City would agree to the offer. The building has been vacant for several years and will require substantial improvements to make it habitable.

The New Bern Preservation Foundation has expressed interest for preservation covenants to be placed on the building. Alderman Bengel suggested the advertisement state the property is located in the Historic District. This would clarify any misunderstanding to individuals that may be interested in purchasing the property.

Alderman Bengel made a motion to adopt the resolution authorizing advertisement for property at 402 Queen Street. The motion was seconded by Alderman Outlaw, and upon a roll call vote, the vote carried unanimously.

## **12. Appointments.**

Alderman Bucher made a motion (per Mayor Bettis), seconded by Alderman Outlaw to appoint Alderman Bengel to the Craven County Tourism Development Authority Board. The motion carried unanimously.

Alderman Bengel made a motion, seconded by Alderman Outlaw to appoint David Finn to the Board of Directors of the Friends of the New Bern Fireman's Museum. The motion carried unanimously.

## **13. Attorney's Report.**

Scott Davis reminded the board to call for the two Special Call Meetings and to reschedule the time for the regular meeting.

Alderman Outlaw made a motion to call two special meetings, the first to be held at 4:00 P.M., at City Hall on May 11, 2010, and the second to be held at 4:00 P.M. at City Hall on May 17, 2010, the purpose of each being to interview applications for the positions of City Manager; and to reschedule the regular meeting to be held on May 11, 2010 from 7:00 P.M. to 8:00 P.M. Alderman Taylor seconded the motion. The motion carried unanimously. There will be a third meeting to be announced at a later date to conduct interviews.

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

Mr. Wyatt, Interim City Manager briefed the board on the status of the City Manager's Position. There will be three (3) meeting scheduled to interview three (3) candidates at each of the meetings.

Mr. Wyatt, Interim City Manager apologized to David French for delaying his presentation of Families of New Bern & Craven County. Mr. Wyatt suggested the item be rescheduled for a work session, to determine the project location with input from Mr. Hardison and Mr. Avery, as well as the financing process.

## **15. Announcement.**

Alderman Taylor invited the Board of Aldermen and the public to join in the celebration of Melinda Overton Harris, 114<sup>th</sup> birthday. The celebration will be held at Good

Shepherd Home for the Aged on May 8, 2010, 2:00 P.M. Alderman Taylor expressed his disappointment of the Sun Journal misquoting him in reference to the F-11A Aircraft.

Alderman White thanked Jordan Hughes, City Engineer for clarifying the details of the Ellis Sewer Agreement and the financial impact it would have on the City. Alderman White received an unsigned letter from an individual in reference to him not supporting the renovation/removal of the F-11A Aircraft. Alderman White is of the opinion if you write a letter, you should sign it; therefore, it means nothing without a signature.

Alderman Bucher reminded the board and the public the next Neighbor Meeting will be held on May 18, 2010, Carolina Colours Pavilion, at 6:00 P.M. This will be the second Neighborhood Meeting and everyone is welcome.

**16. Adjourn.**

Alderman Taylor made a motion to adjourn the meeting, seconded by Alderman Bengel and the motion carried unanimously, time being 8:15 P.M.

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Mayor

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City Clerk