

**CITY OF NEW BERN
BOARD OF ALDERMEN MEETING
JUNE 8, 2010
CITY HALL COURTROOM – 7:00 P.M.
300 POLLOCK STREET**

1. **Meeting Opened by** Mayor Pro-Tem Denny Bucher. **Prayer by** Rev. Ethel B. Sampson, Guildfield Missionary Baptist Church. Pledge of Allegiance.
2. **Roll Call.** Aldermen Sabrina Bengel; Victor Taylor; Johnnie Ray Kinsey; Bernard White; and Dana Outlaw. Mayor Bettis absent due to work. The Mayor Pro-Tem announced he had a mandatory deposition to attend.

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

3. **Recognition of Electric Lineworkers' Rodeo Participation.**

Jon Rynne, Electric Utilities Director recognized five Electric Distribution lineworkers who competed in the North Carolina Association for Municipal Electric System's Rodeo, May 17-20, 2010 in Hickory, NC. See below the list of employee's names:

- Mike Harper 1st Place Overall
- Mike Harper 1st Place in two out of the tree individual events
- Mike Harper 1st Place in the Mutual Aide Event
- Chris Bosnick 4th Place Overall
- Brian Small and Bruce Smith 5th or 6th Place.
- David Brayboy competed as an Apprentice: He only missed one on the written and ran with no deductions in the events.

4. **Public Hearing on the Proposed 2010/2011 Budget.**

Mr. Wyatt, Interim City Manager presented a power point presentation of a revenue neutral budget. The manager originally proposed \$35,558,114 budget. A revenue neutral budget will require \$1.3 million to be cut out of the budget. The budget is broken down into four areas, electric 53%, general 29%, sewer 11%, and water 7%. The recommended cuts will be in personnel services (lost positions & benefits) and Police, Public Works, Fire, Parks and Recreation, and Planning and Inspection Departments. Other cuts would be to reduce the number of paid employee holidays, employee contributions to health insurance premiums, and reduce Special Appropriations by 3.2%.

There were a number of employees that expressed their concerns on the proposed budget. It was the conscience of all the employees that they **were not** in favor of health insurance premium/co-pay/deductibles increases, reducing the number of paid holidays, 401K reduction from 6-5%, no cost of living (COLA) and merit raises in three

years. Several of the employee's salaries are under \$30,000 and some of the spouses have lost their jobs. The increases would put a hardship on the majority of the employees. The city water, sewer and electric rates have increased astronomically, but the salaries have remained the same. We would like for the board to cut Special Appropriations completely out of the budget or at least decrease it by 50%. Each department had a representative to speak on behalf of the department. See below a list of employees that spoke at the board meeting:

- Mike Harper, 1210 Winn Circle, Vanceboro, NC (Electric Utilities)
- Joe Monette, 123 "B" Street, Cove City, NC (Public Works, Street Division)
- Larry Tripp, 2408 Chestnut Avenue, New Bern (Finance) He read a poem he wrote "Is It Only Me".
- Mike Caswell, 206 Clark Street, New Bern, NC (Electric Utilities)
- Tony Heckman, 163 South West Craven Middle School Rd., New Bern, NC (Fire)
- Jennifer Franklin, 810 Cayton Rd., Ernul, NC (husband works @ Electric Utilities)
- Jennifer Zerby, 208 Bandon Drive, New Bern, NC (husband Police Officer)
- Johnnie Clark, 5560 Hwy 55 West, Cove City, NC (Planning & Inspection)
- Ron Purifoy, 1103 Simmons Street, New Bern, NC (Public Works, Street Division)
- Marsha Winter, 1011 Meadows Street, New Bern, NC (Police- Communication)
- Derek Weidle, 1107 Windwood Trail, Havelock, NC (Police- Analyst)

Roger Whitney, 401 Simmons Street, New Bern, NC suggested the city to merge the trash contract with the county, review Kale Road/for market, and research an electric rate for customers who use electric during the low peak hours.

Stevie Bennett, 1312 National Avenue, New Bern stated she was disappointed that five (5) minutes was the limit for speaking. She informed the board they ran their campaign on transparency, but the board it only allowing individuals to speak five minutes. She was appalled to find out that employee's benefits are being increased as well as reducing the number of paid employee holidays, but only cutting Special Appropriations 3.2%. If you are going to increase employees benefits and increase the number of furlough day (40%) then Special Appropriation needs to be cut more than 3.2%. Employees that make \$30,000 a year and pay \$600 a year for insurance equals to 3.5% of their income. Employees that make \$100,000 a year and pay \$600 a year for insurance equals to .6% of their income. If you are going to have the employees pay for a portion of their insurance then it needs to be pro-rated based on their salary. The city should not be reducing the following services:

- Eliminating Americans with Disabilities Act of 1990 (ADA) cross walks on Middle Street. This is a service that does not need to be eliminated. This is the 21st century and the city is going to eliminate this service.
- A reduction of service for nuisance abatement or imminent threat will create an eyesore for the city. The city has worked for years enforcing city codes that properties owners keep their property clean. The city promotes tourism and emphasizes the importance, but yet the service will be reduced.

- The Public Works, Fire, Police, Planning & Inspection departments are all taking cuts, but it has been recommended to only cut Special Appropriation 3.2%, “where is the fairness”. Also, Ms. Bennett wanted to know if the board had schedule a work shop on the budget.

Anthony Bonnici, 512 Jefferson Avenue, New Bern stated he spent over fifteen (15) hours reviewing the budget. Mr. Bonnici wanted to know if the board was going to give up the following:

- Cell phone, thanks goes out to Alderman Bengel, Bucher, and Outlaw for not having a city cell phone. Alderman Taylor, Kinsey, White and Mayor Bettis have cost the taxpayers over \$3400 from January to present.
- Travel requisitions requests must be submitted and approved for employees, but board members are not required to submit the same travel requisitions. This is not a fair practice.
- Health insurance as stated in the personnel ordinance, you must be a full time city employee to be eligible for health insurance. Is the board going to continue to accept this benefit considering you are asking employees to take furlough day and possible layoffs?
- Food provisions, the board should cut the money (\$3000) allocated for food and consider a two dollar (\$2) bag lunch.
- Special Appropriation is only being cut 3.2%. The city is giving Highway 17 Transportation Association \$12,500, but their web page has the former Mayor and Board of Aldermen which was done in 2007. An Arts Council’s member was angry when Mr. Bonnici questioned how the \$5000 is spent. Swiss Bear to received fifty-five thousand (\$55,000) when the city is suffering and in a deficit.
- Firemen’s Museum
- Sun Journal newspapers for each department and one department even receive the news and observer. The paper is available on line for reading and could save the city money.
- Why is the city a member of so many international associations?

Bill Klingenstein, 109 Delanie Way, New Bern expressed to the board not to increase property taxes. There are a lot of people that are unemployed and suffering during these bad economical times. The government cannot continue to take money from the citizens; we have to live as well. He suggested the board members to pray and asked God to help them to make the right decisions.

Barbara Lee, 1813 Beaufort Street, New Bern requested funding for the summer work program for students. This program is provided under the umbrella of the Area Day Reporting Center and Mrs. Lee is the coordinator. Last year’s funding for this program was \$19,500 and the students were placed throughout the various departments in the City. Each student works 20 hours a week; this prevents them from getting into trouble

and off the streets. However, Mrs. Lee expressed to the board that the staff, people in the community are your best commodity.

Alderman Kinsey made a motion to recess for 10 minutes, seconded by Alderman Bucher. The motion carried unanimously, time being 9:00 P.M. The meeting reconvenes at 9:15 P.M.

Alderman Outlaw made a motion to close the public hearing on the proposed 2010/11 budget, seconded by Alderman Bengel. The motion carried unanimously.

5. Request and Petitions of Citizens.

Matthew Evans, 515 Miller Street, New Bern came forward to express his concerns of discrimination. He feels as though the City has discriminated against him in the demolition of his house. It is his wish to terminate the Chief Building Inspector and the City Attorney.

Anthony Bonnici, 512 Jefferson Avenue, New Bern reference item #16 on the agenda approving renting parking spaces and identifying municipal parking lots. He suggested the \$20 a month fee be increased to generate additional revenue. He wanted clarification on the parking lot being leased from Dale Stroud. Alderman Bengel explained this is a municipal parking lot behind the Kress Building and Dale Stroud is the trustee of the Eunice Wray Living Trust.

Stevie Bennett, 1312 National Avenue, New Bern requested information on the leased parking lots. Alderman Bengel stated she would explain the parking lots under item #16 of the agenda. Ms. Bennett stated there are twenty-nine (29) lights on the bridge. She suggested burning half of the lights if it is not a requirement from DOT to burn all of them. Also, she wanted to know if the city would be sending the aircraft back to Florida. Mr. Wyatt stated the funds allocated for the aircraft was deleted as one of the efforts to present a revenue neutral budget. No decision has been made to send it back to Florida.

Van Cuthbertson, 172 Pompano Drive, New Bern requested logistic support for the All American Inclusive Family Festival. He spoke with Mr. Hardison in reference to getting the fees waived for the bus, and spoke with Mr. Toler for the electrical fees. He is asking for assistance in reference to insurance due to the fact the event will take place on the property of Day Spring Church. Day Spring Church has requested liability insurance for the event, and Mr. Cuthbertson is requesting to be covered under the city's insurance. Also, he has requested the board to be present at the opening ceremony, July 31, 2010, 9:00 A.M., at City Hall with the sing of the National Anthem. He is encouraging everyone to join the unity march.

William Martin, 2008 Chestnut Avenue, New Bern expressed his concern opposing a store operating in the Pembroke community. The store is located at 1706 Aycok Avenue and the owner of the proposed store is Aziz Almarri. Mr. Martin expressed his concerns of drug activity taken place at these types of stores. Mike Avery, Planning & Inspection Director stated the property is zoned C-4 Neighborhood Commercial District. Mr. Almarri meets all the necessary requirements and a small store is allowed in this zoning district.

Alderman Outlaw stated the city cannot single out individuals nor can the zoning laws be altered. He also inquired as to the overlay district. Alderman White stated residents should have the right to say what type of business that opens in their community. Alderman Bengel wanted to know is not this a residential area. Mike Avery stated Pembroke is a residential area, but the property is zoned Neighborhood Commercial where the store will be located.

6. Public Hearing on Closeout of the 2008 Infrastructure Hook-up Grant.

This program was funded with \$75,000 of CDBG funds. Fourteen (14) homes were initially planned for connection to the existing sewer system. It was two (2) homeowners that withdrew from the program and one (1) was added by amendment, leaving thirteen (13) owner-occupied homes to be connected. There was no local match and the grant closed on June 20, 2010.

Alderman Taylor made a motion to conduct a public hearing on closeout of the 2008 CDBG infrastructure hook-up grant, second by Alderman Kinsey. The motion carried unanimously.

7. Public Hearing on the Justice Assistance Grant Application. (Resolution)

This is the first public hearing on the Police Department's application for grant funds from the Justice Assistance Grant (JAG) in the amount of \$16,087. This grant will enable the department to obtain equipment that the department would not otherwise have funds to purchase. The application requires two public hearings which are requested for June 8, 2010 and June 21, 2010. There is no city match.

Alderman Bengel made a motion to open the public hearing on the Justice Assistance Grant Application, seconded by Alderman Kinsey. The motion carried unanimously.

There was no public comment on the Justice Assistance Grant Application.

Alderman Outlaw made a motion to close the public hearing on the Justice Assistance Grant application, seconded by Alderman White. The motion carried unanimously.

Alderman Outlaw made a motion to adopt the resolution on the Justice Assistance Grant Application, seconded by Alderman Taylor. On a roll call vote, the motion carried unanimously.

8. Approve Minutes.

Alderman Bengel made a motion to approve the minutes for May 18, 2010, seconded by Alderman Taylor. The motion carried unanimously.

9. Adopt Ordinance to Amend Section 70-101 of the City Code entitled “Yield Intersection” for Chattakwa Lane and Colonial Way.

Residents of this neighborhood have requested installation of traffic control signs for Chattakwa Lane and Colonial Way. Establishing the “Yield” streets is consistent with the streets of like traffic throughout town and should help address safety concerns of the residents.

Alderman Taylor made a motion to adopt the ordinance to amend Section 70-101 “Yield Intersection” for Chattakwa Lane and Colonial Way, seconded by Alderman White. Upon a roll call vote, the motion carried unanimously.

10. Adopt Ordinance to Amend Section 70-99 “Stop Intersections” for Certain Streets in the Pembroke Community.

A resident of this community requested installation of traffic control signs in this area. Establishing the “Stop” streets is consistent with the streets of like traffic throughout town and should help address some safety concerns of the residents.

Alderman Taylor made a motion to adopt the ordinance to amend Section 70-99 “Stop Intersection” for Graves, Penn, and Nelson streets, and Aycock Avenue, seconded by Alderman White. Upon a roll call vote, the motion carried unanimously.

11. Adopt Resolution Authorizing Application for F.M. Global Grant.

The Fire Department is asking for approval to apply for a grant with no matching funds required. If the grant is awarded the department would purchase software for Arson Investigators. In an effort to document the fire scenes as accurately as possible, it is important to have the proper and necessary equipment.

Alderman Bengel made a motion to adopt the resolution authorizing application for F.M. Global Grant, seconded by Alderman Taylor. Upon a roll call vote, the motion carried unanimously.

12. Consider the Request of the Electric Service Board to Amend the Customer Service Policies of the City of New Bern.

Agenda item #12 was tabled after discussion.

13. Adopt Resolution Approving Final Change Order to A.C. Schultes for Water Treatment Plant.

Jordan Hughes, Acting City Engineer explained the Water Treatment Plant Contract I , Well Construction Project is complete, a final adjusting change order needs to be issued amending the total contract amount by replacing the original estimated quantities with the actual quantities of work performed. This amendment to the contract will reflect the actual amounts of work performed by the contractor. In order to finalize the contract between A. C. Schultes and the City of New Bern, Change Order No.4 will adjust the original contract \$150,142.18 less than the original agreement.

Alderman Bengel made a motion to adopt the resolution approving the final change order for Water Treatment Plant, seconded by Alderman Kinsey. Upon a roll call vote, the motion carried unanimously.

14. Adopt Resolution Approving Submission of Grant Application for 2010 Rural Center Water-Sewer Planning Grant.

Jordan Hughes, Acting City Engineer stated the North Carolina Rural Economic Developing Center would be accepting applications for planning grants associated with water and sewer improvement projects. According to the grant criteria, a portion of the engineering work for Phase III of Township No. 7 Sewer Improvements Project is appropriate for this funding. The application the city is submitting is for \$40,000 with an equal match of \$40,000 from the city. If the project is selected or the grant is secured the estimated cost to the city for the design of the Phase III project will be reduced from \$450,000 to \$410,000.

Alderman White made a motion to adopt the resolution approving submission of grant application for NC Rural Economic Development Center, seconded by Alderman Taylor. Upon a roll call vote, the motion carried unanimously.

15. Adopt Resolution Approving the Donation and Installation of a Memorial Marker in Honor of The Schooner Cassandra At Council Bluff Park.

Mr. Thurman Hardison, Parks & Recreation Director stated this marker had been previously discussed at the Work Session held on May 18, 2010. Mr. William Green requested to place a memorial marker at the Council Bluff Park. The event, "The Schooner Cassandra Memorial" will take place on July 14, 2010. The Schooner Cassandra was a two masted schooner, built in New Bern and launched in 1848. The

Schooner Cassandra left New Bern for the West Indies loaded with lumber on July 14, 1852 and it was never heard from again. Captain Green is Mr. William Green great/great grandfather.

Alderman Taylor made a motion to adopt the resolution for installation of a memorial marker at Council Bluff Park, seconded by Alderman White. Upon a roll call vote, the motion carried unanimously.

16. Adopt Resolution Approving Renting Parking Spaces on a Monthly Basis at Gussman and Crayton Parking Lots on Craven Street.

Alderman Bengel explained the three (3) municipal parking lots, Crayton, Craven and Kress. The **Crayton** parking lot is located on Craven Street on the south side of South Front Street (by Hilton Hotel) which consists of sixty-nine (69) parking spaces and three (3) handicap spaces. The Hilton Hotel will be leasing fifty (50) parking spaces for twenty (\$20) dollars a month. This will leave nineteen (19) spaces available for rent at twenty dollars a month. The three handicap spaces will be available for the public. The **Craven** parking lot is located on Craven Street between Pollock Street and South Front Street (by Morgan and Gussman Cleaners) which consists of thirty-eight (38) parking spaces and two (2) handicap spaces. Morgan's Tavern & Grill leases nine (9) parking spaces, and Harris, Creech; Ward & Blackerby Attorneys leases nine (9) parking spaces. This will leave twenty (20) spaces available for rent at twenty dollars a month. The two handicap spaces will be available for the public. The **Kress** parking lot is between Hancock and Middle Street which consists of forty-four (44) parking spaces. There are ten (10) parking spaces with meters and approximately twenty to twenty-eight dollars is collected monthly.

Alderman Taylor expressed his concerns as to twenty dollars a month rental fee being inexpensive. He has travel to other cities and their parking fees are much higher, he has paid as much as fifty dollars a day. Alderman Bengel agreed the parking fee is low, but merchants have expressed twenty dollars is a lot for some of them. The board may address increasing the monthly fee at a later date as well as the five dollar (\$5) parking ticket fee for violators. Alderman Outlaw requested the lot located on the corner of Craven and South Front Street (Talbot) be utilized as a parking lot until the city makes a decision on what direction the board will precede. Mr. Avery stated the area may be used temporary as a parking lot for overflow parking, but not permanently. In order for this site to be used as a parking lot, it would have to be brought into compliance. Alderman Outlaw asked Mr. Avery to work with the City Attorney on the proper procedures for making this a usable parking lot until the board decides what direction they will precede.

Alderman Bengel made a motion to adopt the resolution approving renting parking spaces on a monthly basis at the three municipal parking lots, seconded by Alderman Outlaw. Upon a roll call vote, the motion carried unanimously.

17. Appointments

There were no appointments at this time.

18. Attorney's Report.

Attorney Davis had nothing at this time, but reminded the board of the Special Call Meeting.

Alderman Taylor made a motion to call a special budget workshop meeting on Tuesday, June 15, 2010, 6:00 P.M., at City Hall, seconded by Alderman Bengel. The motion carried unanimously.

19. City Manager's Report.

Mr. Wyatt reminded the board there will be a special call meeting on Tuesday, June 15, 2010, 6:00 P.M. at City Hall to discuss the budget. Mr. Wyatt encouraged the board to call the Department Heads if they had any questions relative to their departments. Also, he reminded the board of the special meeting on Wednesday, June 16, 2010, 6:00 P.M. Executive Session to move forward with the city manager's position.

20. Announcements.

There were no announcements.

21. Executive Session to Discuss Personnel Issues.

There was no discussion of personnel issues.

22. Adjourn.

Alderman Outlaw made a motion to adjourn, seconded by Alderman White and unanimously carried, time being 10:30 P.M.

Mayor

City Clerk

