

NEW BERN BOARD OF ALDERMEN

NEW BERN, NORTH CAROLINA

SPECIAL MEETING

JANUARY 26, 2010

Present:

Lee Wilson Bettis, Jr., Mayor
Sabrina Bengel, Alderman
Dennis K. Bucher, Alderman
Johnnie Ray Kinsey, Alderman
Dana Outlaw, Alderman
Victor J. Taylor, Alderman
Bernard W. White, Alderman
Edward A. Wyatt, Interim City Manager
Danny Meadows, Acting City Manager
Scott Davis, City Attorney
Veronica Mattocks, City Clerk

Other Attendees: Members of the public

Court Reporter: Bobbie Newman

INDEX OF HANDOUTS/EXHIBITS

Exhibit [A] Memorandum. January 26, 2010. From Ed Wyatt,
Interim City Manager to to Mayor and Board of
Aldermen re Stanley White
Recreation Center
Renovations.

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COURT REPORTER'S NOTE: The Special Meeting commenced at 5:35 p.m. in the City Hall Building. This work session was an advertised open session.

MR. LEE WILSON BETTIS, JR.: Okay. This special of -- the special meeting of Board of Alderman for January 26, 2010 is now open. We're here to discuss two things tonight. The special meeting was called to discuss the bridge and it was also discussed to hire -- the process of hiring a new city manager. I believe when we -- I believe when we called this special meeting, we asked -- we asked the City to invite members of the DOT to be here. Are there any members from the DOT here tonight?

MR. ED WYATT: They've chosen not to be here, Mr. Mayor.

MR. BETTIS: And just so we know, how do we know that they've chosen not to be here --

MR. WYATT: I -- I -- I think --

MR. BETTIS: -- and who -- who did we speak to?

MR. WYATT: -- Danny can give you --

MR. DANNY MEADOWS: I --

MR. WYATT: -- a play by play. It was the Board members as well as the staff.

MR. MEADOWS: Yeah. I -- I spoke to the local construction engineer, Johnny Metcalf, and advised that, you know, when this meeting was going to be held. He felt that they didn't need to be a part of it, and I have subsequently heard, and not directly talked to him, but Neil Lassiter feels the same way, who's the Division Engineer.

MR. BETTIS: And just so we know, did they provide any reason why they thought that an invitation from the City should be rejected?

MR. MEADOWS: No, other than they didn't want to get into a -- a squabble of -- of what is right or what is wrong. You know, they are -- that's -- that's the best I can...

MR. BETTIS: All right.

MS. BENGEL: Has -- has Hugh Overholt been contacted? He's the local board member.

MR. MEADOWS: I did not talk to Hugh, no, I did not.

MS. BENGEL: -- because I know he's always been --

MR. MEADOWS: Right.

MS. BENGEL: -- very open and helpful --

MR. MEADOWS: Right. And --

MS. BENGEL: -- correct?

MR. MEADOWS: Yeah, and we had that meeting a couple of weeks ago.

MR. BETTIS: All right. Just -- just to be clear for the record tonight, this isn't a meeting that was called in any way, shape, or form to squabble --

MR. MEADOWS: No.

MR. BETTIS: -- over the bridge. It's a meeting to discuss, number one, you know, what's going on with the bridge in terms of when it's -- when it's going to be open and what our options are in taking control of the bridge.

But right now, I think there's a lot of unanswered questions out there, the first of all being, how much is this thing going to cost to operate and maintain. I don't think we have any clear numbers on that. That was one of the reasons we wanted the State here tonight to help us identify future costs of it. Number two, we want to know the legal basis for the State's or the -- the City's obligation, if any, to operate and maintain the bridge, and that -- that is another reason we wanted the -- the -- the representatives from the State here today, and I'm extremely disappointed that they're not here --

MS. BENGEL: I am, too.

MR. BETTIS: -- extremely disappointed that they're not here. That being said, I think that -- I think that we ought to take this -- I think we ought to take this time to hear the concerns and the opinions of the Aldermen in going forth and -- and discussing the bridge. So, let's just start with -- let's start inversely, and Ward -- Ward 6.

MR. DANA OUTLAW: My position has been, I think, well known by the public. I have written a letter to Representative Alice Underhill. I have met with Representative Alice Underhill and Representative Will -- William Wainwright. From the beginning of any discussion while I was on the prior Board, I was against it and am publicly against the maintenance of the bridge by the City of New Bern. That has been my position and will remain my position.

MR. BETTIS: And just -- just so that we'll all know, why? Well, I mean, just -- let's just flesh out the discussion. Why are you -- why -- why are we against -- why are you against it?

MR. OUTLAW: Well, I -- I think it's important tonight with the workshop that each Alderman and the Mayor express their opinions, which might not be mine. But, I served on a committee back in the '90s. I don't remember -- I think it was called the 2006 Committee. It -- it was back in the '90s. It was trying to get some ideas on -- on a lot of issues, employment, jobs, transportation, et cetera. I served on the transportation committee, and -- and I don't want to belabor that point other than to say that it -- the 2006, Davis -- Mr. Davis would probably be -- be familiar with that, our Economic Developer -- that we -- we, and I don't have that in front of me, we -- we made recommendation that -- that the federal government was not ready to replace that bridge. I thought, at that time, the State might be more ready, but they certainly were not going to do it until there was some 80 percent money. It might have been 90, but I believe it was 80 percent money, federal money. And the -- the plan of action of many at that time was to just continue to let the bridge look a lot worse than it was, that the integrity of the bridge, the structural integrity, had to reach a certain point before the federal government would -- would -- would replace it, and that, as will be the case with this bridge, there were these two yearly

inspections, and the inspections had not, at that time, shown the bridge to suffer from structural integrity to the point where the federal government was interested in spending money on it. So, subsequently, for years, the bridge due to the lead paint issue, the inability to, without a lot of costs, abating the lead paint, et cetera, the bridge remained looking very cosmetically unappealing to -- to New Bernians and people traversing the bridge, et cetera. And at that time, I had not been into, was not privy to a lot of the negotiations about what happened with the bridge. I do know that through a long time, the website showed seven alternatives for -- for the bridge. One was a \$9 million renovation, which would have kept the old Cunningham Bridge, and ultimately, the -- what's there is what's there. And so, with the history that I have on the bridge, I never -- I just felt that New Bern is ill equipped to maintain the bridge. We have our hands full. Anybody that drives around this city and looks at the deferred maintenance on a lot of sidewalks, et cetera, with new handicapped -- requirements for sidewalks have recently become five feet, and -- and a lot of the other issues. I mean, I just felt like, and feel like, the City of New Bern has enough issues trying to meet state and federal mandates on anything from handicapped access, handicapped parking spaces, sidewalks, bike paths. I don't mean to digress the point, but I think the City has its hands full to try to maintain a -- a -- a reasonable level of -- of transportation needs around this city, that we get power funds through the state to maintain some of it, but the city taxpayers pay for the rest, and I just do not think that a City of New Bern taxpayer should be asked to maintain the payroll of that bridge, the retirement plans, the vacations, the sick leaves, the maintenance, the lights, the components of that bridge. I -- I -- I don't -- you know, I probably left out, from what I just told you, I probably left out half of what else I haven't considered because I don't know. But, I just don't think we have any business being in the bridge business.

MR. BETTIS: One more question. In your research, did you -- did you -- did you research what other cities in North Carolina maintained drawbridges; do you have any idea?

MR. OUTLAW: No, I was not aware of any. There was one like down around, I -- I think Figure Eight Island makes -- I think the State --

MR. MEADOWS: Oak -- Oak Island is -- is privately operated.

MR. OUTLAW: You know, what happened there is the -- the State was not willing to -- Danny, you might know that better than I do, and I think they actually said, "We'll take it over."

MR. MEADOWS: They -- they -- they maintain it basically as -- as this one would be maintained by the City, but there are -- there are no other moving bridges in the State of North Carolina that are operated --

MR. OUTLAW: And that -- and in that --

MR. MEADOWS: -- by the city.

MR. OUTLAW: -- situation, again, help me out with it, it was a very -- it was like a Figure Eight type situation that there was a -- a -- a few number of people using --

MR. MEADOWS: Right.

MR. OUTLAW: -- it --

MR. MEADOWS: Yeah.

MR. OUTLAW: -- or were going to use it. And so ultimately, in the private -- the -- the owners taking it over, they -- they basically, pretty much, made a private egress/ingress, and -- and I actually have remembered, in my appraisal business, going down there to -- to go over that bridge to shoot some photographs, was not allowed to do it because it's a private bridge. I -- I certainly believe that if it was a similar situation that those people would not be maintaining a bridge like the City of New Bern residents are going to.

MR. MEADOWS: But -- but I -- I would say, and -- and I'm pretty sure I'm correct on this, they -- they are eligible for the federal funds for the -- for the large maintenance just as we would be.

MR. BETTIS: Okay. Now, we're on to -- Bernard White.

MR. BERNARD W. WHITE: Yes, sir. All right. Dealing with the bridge, first thing is that we -- the cost factor, we didn't know -- I didn't have the slightest idea how much it would cost for the City to take care of that bridge or keep it up. I thought it was in some contract, and I -- I haven't seen a contract that eventually, after they would finish the bridge, that they would be responsible for it for, I thought, was two years. And after the two years, that it may come over to us. But then, if it's turned back over to us, how do we go about maintaining the cost? And then, the -- the second biggest thing is that what do we do if we accept bridge before that contract run out or do that contract say two years? And if we take it or the following day after we take it, or during the summer, it break down on us, who do we call or who comes and fix it? How are we are going to get it back open or closed or how we -- what are we suppose to do? And I -- I feel a little helpless right now dealing with it, you know, so.

MR. BETTIS: Helpless in what way?

MR. WHITE: Helpless in a way because we are -- we are -- we are dangling, and it's either we take the responsibility for it, and if we take the responsibility, then how do we go about all the maintenance of it financially, which will be a burden on the city. How do we go about making things flow much easier than it's going now? I mean, do we just take it and then -- then the responsibility falls on us and we just keep opening and closing? You know, there's more to it than that; I know it

is, and I just don't know all the ins and outs of it, but I know it's more to it than that.

MR. BETTIS: Do you know how much it's going to cost a year to operate and maintain?

MR. WHITE: I -- I know it's going to be a whole lot more than what it did for the other one.

MR. BETTIS: Okay. We are now on to Johnnie Ray.

MR. JOHNNIE RAY KINSEY: Well --

MR. BETTIS: Hold on; be -- before we start. Mr. White, what are you -- what are you saying with -- with regards to -- what are you saying you need from -- from this work session tonight? Are you in favor of the City accepting it, are you not? What -- what would you like to see happen? What would make you -- what would make you less concerned than you are right now? What information do you need?

MR. WHITE: I -- I would like to know if -- if we have said that we would accept it. Everything that we would totally be responsible -- be responsible for and what it would cost. The -- the other thing I would like to know, if we did not accept the bridge and the -- the county or State maintain it and -- to a point when they got tired or, say, they finished maintaining it and didn't want to do it anymore, they would give the option to us, they wouldn't go back and say, well, we're not going to -- we're going to close the bridge down. I think a option would come to us about what they would do, and would we get an option on the bridge, and that -- that's almost like putting it right back into our hands.

MR. BETTIS: So, what you want to know is, you want to know all the factors that will go into calculating how much we're going to spend per year on the bridge --

MR. WHITE: Yes, sir.

MR. BETTIS: -- over the -- over the life course of the bridge; correct? And Mister -- Mr. Wyatt, you're -- you're -- or I guess we'll get it from the minutes, too. I guess we can find this information out?

MR. WYATT: Well, I think we have --

MR. MEADOWS: We're --

MR. WYATT: We --

MR. MEADOWS: -- we're pretty close.

MR. BETTIS: Mister --

MR. WYATT: Go ahead, please.

MR. BETTIS: No, Mr. Wyatt, I just -- I want -- I'd like --

MR. WYATT: Well, there --

MR. BETTIS: -- to hear from --

MR. WYATT: -- there has --

MR. BETTIS: -- Mr. Wyatt.

MR. WYATT: -- has been, I think you'll see that you have a complete project. It's -- there is an amount of money in the budget in the amount of \$70,000 for operations for this year, but that's only a part of this year. I think, and I know I'll be corrected here if necessary, but

the cost to

-- to maintain just the up and down, excuse the colloquialism, it will run about \$140,000 to \$160,000, and I -- that is extremely reasonable. I can't imagine any benefits will be put in it and that also includes the State mandating \$9 an hour. Certainly, there will be other professional services, I'm sure Danny can elaborate on, that will be our responsibility to check it from a safety standpoint and other things, and I -- there will be certainly maintenance activities such as some painting, I guess, over time, and --

MR. BETTIS: Mr. Meadows?

MR. MEADOWS: Yeah. I -- Mr. Wyatt is -- is correct on -- on the roughly \$150,000 to \$160,000. That -- that would be an annual cost as we project. And, you know, when you open the bridge and you get your electric bills, that's going to, you know, we're estimating electric based upon what the other -- the other bridge cost, so that may change. I don't think it will be significant. Bridge tenders, the opening and closing, based upon contracts DOT has in place right now, they have one gallants channel, \$114,000 just a tad over, 24 hours a day, seven days a week contracted, that's it. They open and close the bridge, they did the greasing, the maintenance; that's part of their contract. I have taken the liberty to talk to another contractor who actually ran the bridge here in New Bern who contracts bridges for NCDOT and he has, just in our casual conversation, I have a contract, or a quote from him stating he will do the same thing DOT is doing for \$115,000. So, we know that cost, for one year, will be \$115,000, 24/7. The -- the other things that are, you know, outside the electricity, you've got bridge certification, which is every other year. And, again, I -- I -- I finally found this letter I did in -- in '06, and -- and it may help the Board, and I -- I apologize it took me until just before this -- this meeting to find it. I don't know why it disappeared, but anyway. I actually did a estimate of cost of -- based upon what they were in 2006. The bridge tenders then was \$72,000, but they didn't require -- they just required minimum wage. Now

they -- they require a -- a thing. Bridge certification, best guess scenario, you don't know until they actually have to do one, but our share of that will be about \$20,000 a year if it's \$200,000 every other year because \$20,000 this year, \$20,000 next year, that's -- that's our 20 percent; I've got that figured in the budget. And then miscellaneous cost, small motors, lights, all these other kind of things that come along, toilet paper, everything else is calculated, and -- and these numbers came from DOT who operate bridges, and

-- and -- and know, so I -- I feel pretty good, somewhere between \$150,000 to \$160,000 is a real number. Now, speaking about Mr. White's concern about what would happen, you know, if -- if we take the bridge immediately, that

bridge is -- is going to be under one year warranty, and -- and that warranty would -- would come to the City. And, you know, for that one year, there's -- there's really no cost. If a gear goes out or motor goes out, that's -- that's part of a warranty, so the first years there's no liability for things like that, just everyday maintenance, so. I -- I think the long and short is somewhere \$150,000 to \$160,000, you should be able to run the bridge.

MR. OUTLAW: Anything else?

MR. MEADOWS: No, sir, that's --

MR. OUTLAW: See, that's what bothers me about this whole discussion. You have a 49 -- a \$40 million, what -- what you term, a wasting asset the day it opens. And if you went out and opened a new shopping center and you need to figure up the cost of a roof in 30 years, heating and air in 20 years, carpet replacement, and all these things which we call reserves, then you would -- you would, in addition to that, be putting away in a money market, or sinking fund, a reserve, what is called reserves, for future replacement of items with components of the bridge that have a useful life less than whatever the life is, which I don't know, 50 to 100 years for that bridge. And so, you haven't tacked that on there, and see that -- that really bothers me that we're even considering trying to be educated about discussing this thing when the reserves of that bridge are unknown.

MR. MEADOWS: Well, and -- and -- and, again, to speak to that a little bit, and -- and I'll -- I'll be the first to tell you I'm not a bridge expert, but I -- I --

MR. OUTLAW: Well, see that's what bothers me.

MR. MEADOWS: -- but -- but in -- but in --

MR. BETTIS: Hold on. Can I just ask --

MR. MEADOWS: -- working this, I try to do --

MR. BETTIS: Hold on. Can I just ask who the bridge experts are?

MR. MEADOWS: I -- I went to a bridge expert and --

MR. BETTIS: At the DOT?

MR. MEADOWS: -- and -- well, DOT was --

MR. BETTIS: Okay.

MR. MEADOWS: -- one, but then I went to Don Burt, who is the chief bridge engineer for the City of Chicago, and they operate, I think I got it in here somewhere, 30 to 40 vascular bridges. According to Mr. Burt, these -- these numbers I have in here are -- are very real as far as estimates, and -- and he is saying that, based upon their history, a bridge of that type, you're -- you're looking 20 years before you have any significant cost whatsoever outside of just regular maintenance, and that would be painting that's required in 20 years. And of that, he's saying, \$100,000 to paint, and 20 percent of that is our cost. So, again, I -- I know these are big numbers and -- and all, but these are real opportunities that was -- we looked at when we got into the process of -- of working a deal with DOT.

MR. BETTIS: Okay. Thank you.

MR. OUTLAW: One question about that. Is the -- are you saying that the federal government's going to pay 80 percent of any cost on that bridge?

MR. MEADOWS: 80 percent of painting, structural, any structural type. As I can understand it, if a -- a monstrous gear goes out, I --

MR. OUTLAW: And you --

MR. MEADOWS: -- 80 percent.

MR. OUTLAW: Yeah. But, again, see, we have -- we haven't even talked about that --

MR. MEADOWS: Right.

MR. OUTLAW: -- in that we're assuming the maintenance on something and you might very well be helping me out --

MR. MEADOWS: Right.

MR. OUTLAW: -- with not having as much concern if the --

MR. MEADOWS: Yeah.

MR. OUTLAW: -- City of New Bern is only responsible for 20 percent of the cost. But when you can't get --

MR. MEADOWS: Right.

MR. OUTLAW: -- lights on that twin bridge over there, and we had two deaths --

MR. MEADOWS: Right.

MR. OUTLAW: -- and we can't even figure out how to get lights on that bridge --

MR. MEADOWS: Right.

MR. OUTLAW: -- we're sitting here going to spend --

MR. MEADOWS: Right.

MR. OUTLAW: -- \$200,000 a year on this bridge, and I'm worried about safety on -- on a lot of things like that other bridge, but --

MR. MEADOWS: Right. Well, that's --

MR. OUTLAW: -- having said that, though, again, I --

MR. MEADOWS: -- well, that's not our bridge though.

MR. OUTLAW: -- I don't know the ambiguity of -- of what the federal government is going to pay for, the big motor that --

MR. MEADOWS: Uh-huh.

MR. OUTLAW: -- goes out or the span that collapses, and -- and I'm -- I -- I just don't know that. I know that the State's not going to.

MR. BETTIS: All right. So what the --

MR. DENNIS K. BUCHER: Could I just speak on --

MR. BETTIS: Hold on. I just want to be -- yeah --

MR. BUCHER: -- on that subject?

MR. BETTIS: -- I want make sure we -- I just want to make sure that we write that down, whoever -- we're -- we're getting this down so we know the questions that we're going to be asking. Go ahead, Mr. Bucher.

MR. BUCHER: My only comment to that would be at the meeting I attended with the State --

MR. MEADOWS: Yeah.

MR. BUCHER: -- Scott was there, Danny was there, the State said, I don't have anything in writing, they said that 80 percent of any repairs, inspections would be -- would be -- would be reimbursed or would be paid by the federal government.

MR. OUTLAW: Well, I don't think --

MR. BETTIS: Does anybody have those documents?

MR. BUCHER: Well, I -- I don't -- I don't have anything. I just said no, but they said --

MR. MEADOWS: No, but there's -- there's a, and -- and it was supposed to be attached to this, but it wasn't attached in our file.

MR. BETTIS: And this is -- and this is exactly why I wanted the --

MR. MEADOWS: But there is a --

MR. BETTIS: -- State here today, and -- and --

MR. MEADOWS: -- there's a federal highway -- there's a federal highway bridge --

MR. BUCHER: Federal highway fund.

MR. MEADOWS: -- federal highway bridge fund, I mean, there's -- there's a whole regulation on what can and what can't -- that's there.

MR. OUTLAW: And I tend to agree with you that they will for one reason, they would not be requiring those -- those -- those every other year audits --

MR. MEADOWS: Right.

MR. OUTLAW: -- and inspections if they --

MR. MEADOWS: Sure.

MR. OUTLAW: -- weren't planning on it.

MR. MEADOWS: Exactly.

MR. OUTLAW: And so -- I mean, I would agree with you on that. But, again, we don't have -- I'm not -- I'm not aware of anything in writing on that.

MR. BETTIS: Mr. Davis, can you -- can you figure that out?

MR. SCOTT DAVIS: Uh-huh.

MR. BETTIS: I mean --

MS. SABRINA BENGEL: It's important.

MR. BETTIS: -- it's a -- it's a --

MR. BUCHER: Such a huge issue.

MS. BENGEL: It is a huge issue.

MR. MEADOWS: It is.

MR. BETTIS: It is a huge issue, I mean, that's --

MR. MEADOWS: I -- I don't disagree one bit.

MR. BUCHER: It's a huge part of what we're concerned about.

MR. BETTIS: That's a huge part of what we're concerned about, and, once again, why we wanted the State here tonight so we don't have to speculate on these things.

MR. MEADOWS: Right.

MR. BETTIS: That being said, Johnnie Ray? Mr. Kinsey?

MR. KINSEY: My concern is that the contract is three contracts that I understand that we have that the City of New Bern agreed to, and I wasn't there when the contracts was put together, and I think that we need to look into what the legal -- what -- what -- what the legal part of the contract that we need to uphold and make the right decision, and make the right thing -- do the right thing that we should do due to those contracts.

MR. BETTIS: And let me -- let me just be clear; I have them right here. They're not contracts. They're called agreements. Just -- the contract has a legal significance. And when we're talking about them, just like we talked about the other day, we're not talking about contracts. We're talking about a maintenance agreement, and I have copies of them right here, and a municipal agreement. The maintenance agreement appears to be the one that would -- that the City agreed to take the bridge, but it's -- we have to be clear in talking amongst ourselves and talking to the City that this is far from a contract as of now. So, if what I'm hearing is you want to get to the bottom of what our -- of what our obligations, if any, under the maintenance agreement --

MR. KINSEY: But that's something that the City agreed to do, and I believe in having integrity in things that you do, and things that you sign, and things that you say. I have legal agreements as well in my business, too, and I -- I -- I understand what everyone's input is about where we're going with this situation and that we need to make sure that we can get a clear understanding that the -- the DOT's going to take care of their obligation like they said, and we have to trust that, and I -- I think they will. And just like we agreed to take on -- we asked them to build the bridge, we asked them to do the Broad Street deal. And then -- then in the terms of these guys building the bridge and fixing Broad Street up, we agreed that we would take care of these obligations; is that correct, Mr. Meadows?

MR. MEADOWS: Yes.

MR. BETTIS: And from a -- and from a, you know, maybe verbally, but I don't think that's what the -- I don't think that's what the agreement's -- the written agreement's saying. And, you know, it might be worthwhile getting a legal opinion on what the agreements say because what you're talking about is a legal obligation, which is a contract versus, Hey, we'll -- we'll accept -- we'll accept a \$41 million bridge for whatever reasons. I wasn't there. I wasn't there when they -- when they -- when they took on this burden of a \$41 million bridge that was only supposed to be \$25 million to start out with. So, are we legally obligated to -- to maintain a \$41 million bridge that was supposed to be \$25 million or did they write an agreement based on something that -- that's contained outside of the four corners of this document, and that's what I want to get to the bottom of. Is that what you're saying as well?

MR. KINSEY: Yes, to a degree. Mr. Davis, where do

we stand with this -- with the three agreements, or contracts, that the DOT -- that we agreed if they build a bridge for us, if they do Broad Street for us, where do we stand with that agreement?

MR. SCOTT DAVIS: We probably want to talk about that in a closed session.

MR. KINSEY: Okay.

MR. DAVIS: I think that would be prudent.

MR. KINSEY: Okay.

MR. DAVIS: At any point you want to.

MR. KINSEY: Okay. Because, I mean, I think that's where we all are heading at, we're looking at cost, but we need to know why. And -- okay, I can -- I'll wait for that then.

MR. BETTIS: Excellent.

MR. KINSEY: Thank you, sir.

MR. BETTIS: Mr. Bucher, you're up.

MR. BUCHER: I would have not -- I would have joined Mr. Outlaw in voting against this -- this agreement when the agreement was voted on a year ago, three years, four years ago, whenever. I attended the meeting with the State. The State employee and representative, Mr. Overholt, said that we have an agreement -- this is what they said -- we have an agreement and we expect to complete the bridge, get it ready, get it open, and turn it over, so many words, that's -- that's what was said that day. I share everything -- every concern that was said. My concern is not for the first year because they did say it's got a one year warranty. My concern is the fifth year if a gear goes out or tenth year. Also, the State, in the bridges they maintain, get gas -- every time we put a gallon of gas in our tank, we're paying tax that goes for roads, and bridges, and other infrastructure. We don't get any of that income, so that's another negative. So, you know, I don't know that I can add a whole lot to what was -- to be -- to what's been said other than I am concerned about our integrity with the State. I'm also concerned about what -- what this agreement really means. Is it -- is it binding, is it -- if it is and we made it, I guess we have to live with it, but I'd -- I'd like to -- I'd like to find out what -- what our agreement really -- what this really means, and I -- I don't know that.

MR. BETTIS: All right. So, just to sum up, Mr. Davis, if we could -- it's going to take finding out, number one, what the agreement really means from -- from a legal standpoint --

MR. BUCHER: The 80 percent, 20 percent --

MR. BETTIS: He's got that down --

MR. BUCHER: -- verifying that.

MR. BETTIS: -- 80 percent, 20 percent, what this agreement really means in a legal sense; is there anything else that it would take to make -- to make you agreeable?

MR. BUCHER: Nothing else that I can think of.
MR. BETTIS: All right. Mr. Kinsey?
MR. KINSEY: Mr. Meadows, Mr. Bucher was saying
about the gas tax. Is it that we get 30 cents on the --
MR. MEADOWS: We -- well, we get power bill funds.
MR. KINSEY: Okay. Is that not from --
MR. MEADOWS: And -- and, you know --
MR. KINSEY: -- what is that -- that -- is that the
same --
MR. MEADOWS: -- it -- it's based upon road mileage,
and -- and that bridge would come into part of that road
mileage. Unfortunately, road mileage is not the highest
part of the power bill. It's broken down into road mileage
and population. We get more money out of population than we
do road mileage, but --
MR. KINSEY: Okay.
MR. MEADOWS: -- but still, we get a significant
amount of money yearly.
MR. WYATT: But they treat a bridge just like they
treat a road.
MR. MEADOWS: A road, yeah. Yeah.
MR. WYATT: Do we get much off that?
MR. MEADOWS: No. No, I mean, yeah, I think you get
about 400 miles -- \$400 a mile.
MR. WYATT: A mile for that bridge?
MR. MEADOWS: The biggest portion of it is the --
but we -- we get a --
MR. BETTIS: \$400 a mile?
MR. MEADOWS: Yeah, we get about \$800,000 a year
power bill funds, which comes off the gas tax --
MR. BETTIS: Okay.
MR. MEADOWS: -- we usually average.
MR. BETTIS: Mr. Taylor?
MR. TAYLOR: Well, Mr. Outlaw said it all. My issue
is with the funding for the maintenance, for the upkeep, the
salary, employees. We're going to incur all those costs if
we take this bridge; okay? We had a budget of \$70,000.
Right now, we're at \$140,000 to \$160,000 on maintenance as
you're projecting; correct?
MR. MEADOWS: Well -- well, we had a -- we had a
projection of a hundred -- in 8/06, my projection was
\$136,000.
MR. TAYLOR: Okay. Where're we at now?
MR. MEADOWS: That's -- that's bridge -- that's
bridge tenders and all, and -- and I'm saying, right now,
that's probably \$150,000 to \$160,000 --
MR. BETTIS: Just -- just so we know, when was the
bridge --
MR. MEADOWS: -- today's dollars.
MR. BETTIS: -- projected to be opened?
MR. MEADOWS: February 26.
MR. BETTIS: Originally.
MR. MEADOWS: November --
MS. BENGEL: It's still in --

MR. MEADOWS: -- 11 --
MS. BENGEL: -- the same fiscal year though --
MR. MEADOWS: November 11 I think it is.
MS. BENGEL: -- because the fiscal year --
MR. TAYLOR: Yeah.
MR. BENGEL: -- ends in June.
MR. BETTIS: I was just making a comment about
projections.
MS. BENGEL: Yeah, seventy --
MR. BUCHER: You're halfway through the fiscal year
that is.
MS. BENGEL: They projected for \$140,000, because
they projected \$70,000.
MR. MEADOWS: Yeah.
MR. BETTIS: Okay.
MR. TAYLOR: Fair enough.
MR. BETTIS: Yes, sir?
MR. MEADOWS: It was half a year, yeah.
MR. WYATT: Mr. Mayor, the thing we need to bear
in -- bear in mind with our upcoming budget is we budgeted
probably less than half of what it's going --
MR. MEADOWS: Right.
MR. WYATT: -- to fund next year, so we're looking
\$80,000 to \$90,000 that is new money that's got to be
generated in next year's budget.
MR. TAYLOR: That's a good point, sir. Thank you.
The other thing is, they -- you said there's only one city
in the state of North Carolina that owns and operate their
own bridge?
MR. MEADOWS: Well, a bridge, there -- there's a lot
of cities --
MR. TAYLOR: Big!
MR. MEADOWS: -- own bridges, but --
MR. TAYLOR: Big.
MR. MEADOWS: -- moving bridges --
MR. TAYLOR: Moving bridges.
MR. MEADOWS: -- there -- there are no cities that
own -- that operate a moving bridge. There is one, Oak
Island, and I think it's a --
MR. TAYLOR: Yeah.
MR. MEADOWS: -- private --
MR. TAYLOR: I was just under --
MR. MEADOWS: -- community.
MR. TAYLOR: -- I -- I was just curious why would
the previous Board want to be the first in the state to own,
operate, and maintenance and upkeeping a \$40 million bridge
that... Now, the next question is, down the line, will the
citizens of New Bern be imposed -- impose a tax raise to
somehow -- for maintenance of this bridge down the line, you
don't see now because you're going to put something on the
City, they -- the City's going to -- the citizens are going
to have a question, okay, the City owns the bridge. Five
years down the line, you come up with "never going to raise
your taxes" to "offset the -- the maintenance of this

bridge." Now, that's -- that's -- I feel that's what their concern's going to be.

MR. MEADOWS: Well, you want me to speak to that, Mr. Wyatt, or?

MR. WYATT: Yes, sir, please, do.

MR. MEADOWS: I -- you know, all the funds to operate this city is, you know, that's -- that's under the purview of this Board, and -- and, yes, it is, as -- as Mr. Wyatt said, I mean, you're -- you're looking next year somewhere -- we've got \$70,000 this year -- somewhere between \$80,000 and \$90,000 next year that's going to have to be there.

MR. TAYLOR: Uh-huh.

MR. MEADOWS: I -- I don't think -- you know, personally, I don't think you're looking at a tax increase to do the bridge. There may be a combination of things that make you do a tax increase, but you have to look every year at what the needs of the city are, what your desires for the city to be, and then you set the tax rate based upon that. But, I -- I -- I don't think there would be any -- I can't foresee any good reason to say this bridge, 10 years from now, would be a cause of tax increase anymore than any other operation of the city, I guess.

MR. BETTIS: Mr. Taylor, and you just mentioned that, you know, you don't understand why the city made this agreement --

MR. TAYLOR: Uh-huh.

MR. BETTIS: -- that's normally contained in the contract, and I can just read the language here to explain. This is the maintenance agreement, and all it says is, "Whereas the municipality has requested the Department transfer the ownership of the Alfred Cunningham Bridge approaches easement to their municipal street system." We just requested it. It doesn't explain why we requested it.

MR. TAYLOR: Uh-huh, right.

MR. BETTIS: It doesn't have any obligations there. And the -- the second part of that is it says, "Whereas we requested it," it says, "the Department has agreed to transfer the ownership of the Alfred Cunningham Bridge" --

MR. TAYLOR: Uh-huh.

MR. BETTIS: -- without explaining exactly -- and this isn't mysterious stuff. This is written in English, and it's -- and it's pretty straight forward. I have copies. We'll make copies for anybody who wants to see them. It just says, "Whereas the City requested that we transfer," the State agreed to transfer it. Doesn't say because we did this, this, this, and this --

MR. TAYLOR: Uh-huh.

MR. BETTIS: -- that's a good question you're asking.

MR. MEADOWS: I -- I would -- I would like to offer this, and -- and I -- I told Mr. Wyatt, I -- I saw this today as I looking for this letter, and I've looked for it for a week. And I looked at the February 28, 2006 Board

meeting. I -- I know Alderman Outlaw was there, and I think I saw you. I'm pretty sure I think you were at that meeting --

MR. BETTIS: Probably on a different issue.

MR. MEADOWS: Yeah, but -- but you were at that meeting. And -- and -- and really, and -- and I will, if -- if you would like, I -- I will burn each one of the Board members a copy because it would -- it went into great detail, the Mayor went into great detail, of how we got where we are, why we chose to ask to accept the bridge --

MR. TAYLOR: Okay.

MR. MEADOWS: -- and each Board member, you know, spoke their piece on it, and -- and, again, Alderman Outlaw has been against it, you know, I -- I can appreciate his stand. He -- he had the same stand in '06 as he has today. But the -- the City Board, as a whole, as -- as a majority, felt that this was a good deal, and -- and the reason is in that. And -- and if you'd like that copy, I'd -- I'd love for you -- and that way you can, at least, see --

MR. OUTLAW: In -- in all due respect --

MR. MEADOWS: -- verbatim --

MR. OUTLAW: -- what Mr. Bettis is saying, one thing you didn't say that you should bring out is that the inspections can either be done by the federal government --

MR. TAYLOR: Uh-huh.

MR. OUTLAW: -- which are very expensive, or we could hire an independent, approved engineer, and you can go ahead and tell them about that because you could actually negotiate the price of the inspection with a --

MR. MEADOWS: Yeah.

MR. OUTLAW: -- local -- with an engineer approved -

-

MR. MEADOWS: Yeah.

MR. OUTLAW: -- and then it would be 20 percent of that, so there's the unknown, but tell him a little bit about that.

MR. MEADOWS: Yeah. I mean, basically, the State has -- I mean, the State own, as you see, the majority of the bridges in this state, and they -- they have a program that's set up to -- to inspect those bridges on a -- on a every two year basis. And, they will give us the opportunity if we choose to -- when they bid out the contracts if we choose to be a part of that, they will -- they will do that for us, give us the report, bill us the 20 percent, they get the 80 percent, it's done. We have to -- we have to ask for that service. They -- when they're getting ready to inspect bridges, they send us a letter and we -- we approve or we disapprove. If we don't accept that, then we can get our own contractor, and, you know, I've talked to a contractor, or an engineer here who showed some interest early on that he might would get certified to be a bridge inspector, which, if you've got a local guy, he may be cheaper; I don't know. But I -- I don't know what the cost of the bridge inspection is going to be. And the --

the information I got from the folks at DOT who -- who do that, they -- they threw a high number out to me. They said it shouldn't be over \$200,000, so I put \$20,000 a year in my budget, so I know we're --

MR. TAYLOR: That's where that --

MR. MEADOWS: -- we're good there.

MR. TAYLOR: -- that's where the \$20,000 --

MR. MEADOWS: It may be \$100,000; I don't know.

MR. TAYLOR: Okay.

MR. MEADOWS: If it is, 20 percent of that would be the City's.

MR. TAYLOR: Okay.

MR. BETTIS: And just one more thing, with all due respect for -- to the past Board --

MR. MEADOWS: Yeah.

MR. BETTIS: -- we don't really need to burn the minutes. There's just too --

MR. MEADOWS: Okay.

MR. BETTIS: -- there's -- I mean, I'll just tell you why. Because, number one, this is the agreement, and the --

MR. MEADOWS: Yeah.

MR. BETTIS: -- minutes aren't incorporated by reference in any way into this agreement --

MR. MEADOWS: Right.

MR. BETTIS: -- so this agreement, if it has any legal validity --

MR. MEADOWS: Sure.

MR. BETTIS: -- would be controlling without those minutes. And --

MR. MEADOWS: Right.

MR. BETTIS: -- number two, the second Board, or the -- the Board, they were voted out --

MR. MEADOWS: I understand.

MR. BETTIS: -- and their decisions -- their decisions were questioned by -- their decisions were questioned by the public, and we're -- we're now here to represent -- you know, obviously, the decisions that that other Board made weren't liked, so their -- we can talk about numbers, we can talk about, you know, maintenance, we could talk about a lot of things, and I'll get to my piece in a minute, but there's considerations, financial and, you know, judgement-wise, which is what we're trying to evaluate here. Was it a sound judgement in the first place? Is it -- is it a sound financial decision? And was it sound judgement-wise, and that's what we're all here to debate tonight. Continue.

MR. TAYLOR: No, I just got the -- what Johnnie Ray and Mr. Bucher said about the obligation of this, I don't know what you call it, or contract or --

CLERK: Agreement.

MR. OUTLAW: Here, read it.

MR. TAYLOR: Yeah, I read it; I read it.

MR. OUTLAW: Okay.

MR. TAYLOR: But Mr. Scott is supposed to find out if it's -- we're legally obligated to this?

MR. DAVIS: Yes, sir.

MR. TAYLOR: That's all I've -- that's all I've got, sir.

MR. BETTIS: The legal validity, and then I --

MR. TAYLOR: Yeah.

MR. BETTIS: -- think Mr. Davis is going --

MR. TAYLOR: I read it.

MR. BETTIS: -- is going to either do that himself or -- or we'll discuss how that's to be done.

MR. TAYLOR: All right.

MR. BETTIS: Ms. Bengel?

MS. BENDEL: I've got some questions before I make comments --

MR. BETTIS: Yes, ma'am.

MS. BENDEL: -- and I'm really sorry that DOT's not here, especially Mr. Overholt. I want to make sure that I understand this and that the public understands this, and -- and it's the whole scenario of why we did what we did, okay --

MR. MEADOWS: Yeah.

MS. BENDEL: -- and I think that that has to be discussed. We -- we could have painted that bridge, and fixed it, and done with that for about \$9 million and the State -- or whatever the cost was, and the State was willing to totally do that, and it would taken, what, maybe a year to do that?

MR. MEADOWS: I -- probably less than a year.

MS. BENDEL: Less than a year, so --

MR. MEADOWS: I -- it -- it was --

MS. BENDEL: -- we would not have the inconvenience of a three-year time period of shutting the bridge down, but we -- that was an option that we had --

MR. MEADOWS: That --

MS. BENDEL: -- correct?

MR. MEADOWS: That was -- the -- the -- the issue as it lay in '06 --

MS. BENDEL: Uh-huh.

MR. MEADOWS: -- was that the bridge was in the TIP, which is the Transportation Improvement Plan.

MS. BENDEL: Right.

MR. MEADOWS: It -- it was in the TIP. It was not funded, but it was in the TIP to be rehabbed and -- and -- and painted in, I think it's, 2012.

MS. BENDEL: Okay.

MR. MEADOWS: That's where it was, and that would be the earliest that anything would have been done to the bridge --

MS. BENDEL: Okay. So the --

MR. MEADOWS: -- in 2006.

MS. BENDEL: -- political pressure, what you want to call it, was put on DOT to get them to rehab the bridge earlier or to build a new bridge and that's where the

exchange of Broad Street came in and --

MR. MEADOWS: We --

MS. BENGEL: -- said that if you do this --

MR. MEADOWS: Yeah.

MS. BENGEL: -- we'll do that? I just --

MR. MEADOWS: Yeah.

MS. BENGEL: -- want to make sure --

MR. MEADOWS: Yeah, the -- the -- the --

MS. BENGEL: -- the public understands where --

MR. MEADOWS: -- history --

MS. BENGEL: -- we're coming from.

MR. MEADOWS: -- the history of -- of the bridge --
the bridge came in second.

MS. BENGEL: Okay.

MR. MEADOWS: The -- Broad Street was the -- was the
prime mover.

MS. BENGEL: Okay.

MR. MEADOWS: We had the urban design plan update.

MS. BENGEL: Right.

MR. MEADOWS: I'm sure you were a part of --

MS. BENGEL: Right.

MR. MEADOWS: -- many of those meetings. We had
them --

MS. BENGEL: Uh-huh.

MR. MEADOWS: -- in --

MS. BENGEL: I know.

MR. MEADOWS: -- every -- we had four or five
different meetings. And -- and at the end of -- at the end
of that, we -- we had a, what do you call it, a survey or
a -- or a scoring system of the things that they had found
that was the most important that everybody thought needed to
be done to move --

MS. BENGEL: The urban design.

MR. MEADOWS: -- the next step, the urban design
plan along, and everyone, the top in both Five Points, the
top in the historic district, the top in River Station was
Broad -- Broad Street, make it happen, so we began to try to
figure ways to make Broad Street happen. \$3.5 million, we
didn't have it. We went to DOT and we said give us some
help, and they said --

MS. BENGEL: And that is because the State owned --

MR. MEADOWS: It was --

MS. BENGEL: -- that road.

MR. MEADOWS: -- state road. It's a --

MS. BENGEL: Okay.

MR. MEADOWS: -- state road.

MS. BENGEL: I just wanted to make sure --

MR. MEADOWS: And -- and DOT --

MS. BENGEL: -- everybody understands.

MR. MEADOWS: -- said we have no money, and -- and
money's tight, and it was; it was tight, and they couldn't
figure a way to make it happen, and we weren't getting
anywhere. All of a sudden, a bright idea came up, Well, you
know, let's sweeten the pot, you know. How about if we take

it over after you do it? They still didn't have any money. Well, about that time, the -- the bridge became an issue talking about the 300th and how it looked, and this and that, and, ultimately, it came into play. Okay, what if we take Broad Street and you replace the bridge? Well, there's no money for the bridge. We've got \$9 million or \$10 million

in -- in there -- in the TIP, but it's not funded now, maybe we can do that. And, ultimately, after many conversations between the City, DOT, Cam McRae, who was -- who was the Board member, and Neil Lassiter, City Manager, the Mayor, other folks, it was determined that we would, you know, to sweeten the pot even more, what if we take over the bridge? We get a \$25 million bridge and \$3.5 million to do Broad Street. If -- if we financed Broad Street, our -- our cost of just financing Broad Street would have been \$260,000-some a year, according to Bill Hartman, for 20 years. If we take the bridge over and pay \$150,000 a year, that's a pretty good deal plus we're getting a \$25 million bridge. And, then, ultimately, the bridge became a \$41 million, and now we've still got \$3.5 million, and -- and the City, again, approve of the agreement or not, but it was a -- a -- a great coup on the part of the City to harness, you know, \$44 million roughly here in the City of New Bern of -- of state and federal money to do two projects that we said we really wanted to get done in the times of competing things --

MS. BENGEL: So --

MR. MEADOWS: -- all over this state. So, I mean, that's how we got there. Right, wrong, indifferent, but that's -- that's the way it -- it --

MS. BENGEL: And did they ever consider, as part of the deal, just painting and fixing the bridge to get Broad Street? Would the -- would the State have accepted just painting it at a lesser cost and still do Broad Street, and us taking it over --

MR. MEADOWS: Don't --

MS. BENGEL: -- or doing something like that?

MR. MEADOWS: I don't think that was ever --

MS. BENGEL: I don't know if that was ever --

MR. MEADOWS: -- I don't ever remember that in the conversation.

MS. BENGEL: Okay.

MR. MEADOWS: Uh-uh.

MS. BENGEL: Okay.

MR. MEADOWS: And --

MS. BENGEL: All right. Well, those are my questions, you know. Going -- going back to the comments, I have two hats that I'm wearing here today, and -- and my -- my tourism hat and my downtown hat tells me how vital this project has been to downtown New Bern. The revitalization of our downtown, it's going to stimulate --

MR. MEADOWS: That one there, yeah.

MS. BENGEL: -- the Five Points area. You know, the street -- the street's going to look beautiful. It's going

to encourage pedestrian traffic. It may help people develop and spend money in Five Points that would not have done it with the street looking like it is, so, you know, so that's a -- that's a great thing. You know, the bridge, yes, it's going to look beautiful. My constituency and the people downtown believe that that is the true gateway to the city, and that that's where all our visitors come in, so I -- I believe that we have a valuable asset. But then I have this other hat here, and it's called fiscal responsibility, and I have to be fiscally responsible to the citizens because there are people who can't pay their light bills, and there are people that don't have jobs, and I have to be concerned with what are we burdening future -- future citizens in doing that. And, again, like Mr. Bucher, if I sat on that Board when that vote was taken, I would have voted no because I don't -- where is this money going to come from? We -- we can't buy turnout gear for firemen because we don't have money in the budget, and we have frozen positions to hire additional policemen and firemen, and services that our citizens need. Where are we going to find \$90,000, you know, for next year to put into a budget that we're struggling with right now? So, that, you know, that -- I have great concerns over where does this money come from and how do we fund going forward, but it -- but it is -- it is an attraction for us. Broad Street will be an attraction. It's going to help downtown, it's going to help Five Points, so I'm really kind of stuck in the middle. You know, you have to -- you have to spend money to make money, and I understand that, but I --

I -- we don't know enough, and it's just too open-ended. I might feel a little more comfortable with more things in place such as the -- the letter that states, "We will only have to pay 20 percent." I might feel better if we could figure out some funding source for this, or how we're going to really fund this, and what our responsibilities are to these to employees. We say we're going -- we would use a contractor --

MR. MEADOWS: Yeah.

MS. BENGEL: -- probably --

MR. MEADOWS: Yeah. Would be no obligation, yeah.

Exactly.

MS. BENGEL: -- for -- for the employee, so that makes me feel a little bit better that we don't have additional people on our payroll. I think that that, you know, you kind of get a set figure and you work -- work towards that, and I feel a little bit better about that, but I have great concerns, and I hope that Mr. Davis can get us this information. But understand that, you know, I -- the vision is beyond of what the improvements will do for the community, and I think Mr. Bucher feels the same way. His -- his citizens in Taberna, they're hollering about, "Get the bridge open. Get the bridge open." You know, "We can't get to downtown." My downtown businesses are -- are hollering because they feel that their businesses are being hurt every

day that that bridge is not open.

MR. BETTIS: Okay. And I've got to tell you there's no doubt -- that there's no doubt that the businesses are being hurt every day that that -- that -- that bridge isn't open, and there's no doubt the bridge will be open. What -- what I'm concerned with is the initial choice that seems to be we wanted a pretty bridge and a new bridge for the 300th; that's what I'm hearing. And it is -- that's what I'm hearing out of this. And, you know, as someone who came down here from New York less than six and a half years ago, I can tell you, we have one of the most beautiful bridges, the Brooklyn Bridge, that was built in 1870. They paint it every year --

MR. TAYLOR: Uh-huh.

MR. BETTIS: -- they rehab it, people come from all over the world to see it, it's an icon. I think that -- I think that the -- that what we have to decide here is, look, you know, they had -- they had caviar -- caviar tastes and -

MR. TAYLOR: Yeah.

MR. BETTIS: -- and it may have been a great coup getting a \$41 million bridge, and if I could go out right now and talk somebody into giving me a \$500,000 Ferrari, if I didn't care how I was going to pay for it and I burdened, you know, my mom and my sister, and -- and my -- and my sister's kids on it, that would be a great coup to talk somebody into it, and I'll drive around in that Ferrari every day, and it would be the -- the flashiest thing. But the point is, is that, you know, they didn't consider how this thing was going to be paid. We're now here to decide how it's going to be paid for or whether we have to pay for it at all. Ms. Bengel's absolutely right, the bridge is vital. That it will be open, there's no question. The -- you know, what's going to happen -- what's going to happen in the meantime, is of the utmost interest to the people in -- the people in Duffyfield who all we talked to who don't have electricity, the -- the retirees who are leaving the city because their electric bills are going up. And if we tax them, they're -- they're going to leave in even bigger droves. What I'm really most concerned about is, look, this (indicating) is all new money. Mr. -- Mr. Wyatt mentioned the word "new money." This is all new money, not a cent of it is not new money. The \$200,000 and how much ever that we're going to cough up, if it's even that much, and Mr. -- Mr. Outlaw makes some good points that we don't know how much. It could be \$200,000. You know, projections are projections. Who knows what the projections are really going to come out. We don't have any idea, but that's all new money. Now, is it worth -- is it worth entering into negotiations with the State? I thought it was worth entering into the negotiations with the State by bringing them here and let's -- let's have a discussion like two -- two civic bodies, and say, "Hey, look, we got a problem here. We've got a problem that we entered into what may or

may not be an agreement with you that's binding. We don't believe that it's in the best interest of the -- of the city. We have -- we don't know where the money's going to come from, and we're going to have to -- we're going to have to cut money from vital services to people in our -- in our wards if -- if something isn't done. Please, help us." And that's why I wanted the State here, and it wasn't necessarily an invitation, and it wasn't necessarily -- it was a request, and I -- I think it -- I think it's extremely, and I'll -- I think it's extremely -- given the amount and the importance of this issue, it's extremely bad that they weren't here today to provide us with the information, and I can't underestimate that. I'm going to make another -- and I'm going to -- I'm going to ask the Aldermen, and I'm going to ask Mr. Davis right now, to -- the information that you were requested, please, find that information. Number two, I'm going to ask the Aldermen to think about this. This is, you know, upwards of \$200,000-plus of new money that's coming away from your wards. What are we willing to do to fight for the rights of our citizens -- fight for the money for our citizens? The State -- Mr. -- Mr. Meadows said it -- said it best when he goes, "You know where he got his budget numbers? He got his budget numbers from the DOT. Why? Because the DOT are bridge experts." We're not bridge experts. We're a little city. We're not Chicago who can operate vascular bridges. We don't have the tax base of Chicago. So, I'm going to reconvene this, you know --

MS. BENGEL: Mayor Bettis, I just want to make one -

-

MR. BETTIS: -- one -- one second.

MS. BENGEL: I just --

MR. BETTIS: I'm on a roll.

MS. BENGEL: Okay. Okay. And before you reconvene us.

MR. BETTIS: We have -- and I'm going -- I'm going to reconvene us and I'm going -- I'm going to ask Mr. Wyatt to

-- and before we reconvene it, you know, to -- this meeting isn't over. Before we do that, I want, to the strongest ability of this city, to have those -- the -- the individuals from the DOT here. I don't know how far we can go in getting them here. But whatever authority we have in getting them here, I want them here because we're going to discuss this in a responsible and transparent way, and that's where we are. Ms. Bengel?

MS. BENGEL: All I wanted to say is I -- I do want to speak a -- you know, a word about Mr. Overholt because since he was not asked, I know in my conver -- and he is the actual DOT Board representative --

MR. WYATT: Uh-huh.

MS. BENGEL: -- and I feel that we shouldn't come down on him because since he was not asked or notified about this, in my conversations with him, he has always been more

than happy to speak with us, would you not say that was true, Danny --

MR. BETTIS: And Ms. Bengel, and just so we know --

MS. BENGEL: -- or, I mean, for we just -- he was not invited --

MR. BETTIS: -- just so we know -- just so we know --

MS. BENGEL: Okay.

MR. BETTIS: -- I'm not coming down on anybody, and the --

MS. BENGEL: Okay.

MR. BETTIS: -- purpose of this meeting was never to come down on anybody --

MS. BENGEL: No, no, I understand, but --

MR. BETTIS: -- or to come up with pre -- preconceived notions of what is or isn't going to happen to the bridge. What we need to do is have information, and we need to have open and transparent dialogue with those people who have the information.

MS. BENGEL: I agree.

MR. BETTIS: Yes, sir.

MR. WYATT: Here's my suggestion. Normally, we -- we try to get whomever we can get here. I think this gentleman ought to be asked. I can't believe that he wouldn't come. He's the present DOT Commissioner; that's a very, very, very important position, so we've got somebody that may have -- has a fresh look on it. And, additionally, the -- the Division -- Division Engineer was asked to be here, declined, but I'm sure the Commissioner could get him here. I think especially with the media -- news media reporting this tonight that certainly they would be glad to come -- come and -- come and talk with you. My suggestion further is -- normally I would like to do this administrative. I think whoever has the most influence with this gentleman, this Commissioner, ought to extend the invitation from an elected official.

MR. BETTIS: Yes, sir. And would you come up with a suggestion for us, please?

MR. WYATT: Well, I don't presume to pick one of y'all over others, but I think you may -- y'all may know who's got more influence with them than certainly me.

MR. BETTIS: All right. Then we'll -- we'll discuss that --

MR. WYATT: Okay.

MR. BETTIS: -- we'll discuss that, and --

MR. WYATT: Okay.

MR. BETTIS: -- we'll do it that way.

MR. WYATT: Okay.

MR. BETTIS: And, you know, we'll move on to our second -- second -- second set of business here with the -- with the city manager, but I just want to say I'm proud of the Board for discussing this openly and honestly. This is

a tough issue. It's tough politically. As -- as Sabrina and -- and everybody said, it's a tough issue, and I'm just proud of you for doing it openly and honestly. All right. Moving on to the -- moving on to the -- the search for the city manager. Mr. Wyatt, we are going to be following your lead on this, and I believe that -- I believe that it is your suggestion that we start the process from scratch?

MR. WYATT: I would like to have the opportunity, briefly. I've got a --

MR. BETTIS: Yes, sir.

MR. WYATT: -- memo for you afterwards (Exhibit [A]). This is going to be a 5 or 10 minute item, and hopefully you'll get some nourishment before the meeting. Please, allow me to make some suggestions relative to the appointment of city manager, and I hope this memo will be helpful to you. The City received 47 applicants as a result of the advertisement this past fall. Of this number today, six applicants have taken other positions. Also, I found out that the staff called everyone, I think, at you all's direction, and found out that seven of the others didn't bother to return the call. I'm at a loss to explain why there was comparatively few applicants for this position. I strongly feel that New Bern should attract from 100 to 200 applicants, and I'm certainly saying the applicants, in and of themselves, if there are a larger number, may not be any more qualified than what we may have now. But from a probability standpoint, I think we'll certainly get a larger candidate pool, and I think that will prove to the advantage of the City. Well, Beaufort had 100 applicants -- I -- I point out to -- to validate my -- my point. I would comment to you that the recent advertisement this fall was a good one; however, I've taken the liberty to rewrite the -- the advertisement, maybe fashion it a little different in different places, if you desire, for economy. I think some key things need to be pointed out. The fact the last city manager was employed by the City for 22 years, this demonstrates stability of a city organization, and that's important if you want to get the most capable person. Secondly, based upon the salary of the current key officials, I believe either the salary or the salary range should be listed in the advertisement. The manager should be, in my humble opinion, at least 10 percent higher than the salary of the highest paid department head. Frankly, I think it should be at least 15 percent. The salary, and I think it ought to be a flat figure, should be published. I think that will create a lot of interest, more than you certainly received in the small amount of 46. Now, the position was not listed in the ICMA Newsletter. ICMA is the International City/County Managers Association. And, I can assure you that people that don't even think about moving and trying to find another job, just out of curiosity, read it, and I'm sure there's a tremendous number of hits every two weeks when that comes out. I also think the advertisement should indicate the experience of electric

system manager. I'm not talking about an engineer. That would be most desirable. Our system is a great asset to the city. Sometime, and I've only been here for three weeks, the -- the value of it is immeasurable, and I -- and I certainly recognize clearly the rate to issue. Lastly, I would advertise, in addition to being desirable, to have a Master of Public Administration. It should -- would indicate that the person should be an ICM -- desirable to be an ICMA accredited manager, and that's true with many, many different fields like the economic development folks and others. Now, let me move to another part of it. On another note, some interest has been expressed in citizen participation in the selection process. I suggest, if that's what you desire, citizen participation should come later in the process. This could take the form of an assessment center with four or five different panels representing citizens, elected officials, staff, in which you bring in approximately 10 of the top candidates and you would have them participate in an assessment process. Assessment processes are frequently used with fire and police promotions, and I think it's a good common sense way to see whether a person can work under the -- and address the circumstances you're interested in. Then another suggestion, and this is an "and/or," you may want to have the last, say, two or three candidates appear at, at least one public meeting where you can ask them questions. Now, there's a down side for the candidates; that exposes them, and they wouldn't necessarily want to let people back home know they applied -- applied for the job, but I -- I know that your desire is to open up the process, and I think that we can be of help to you. Before the process goes -- goes too far, it would be a good idea, and -- and this is already set so this is a good segway for this, for you to have a retreat and establish your vision and identify your priorities. This would help you evaluate the applicants and also help you frame the questions for the candidates in terms of written exercise, if you desire, and a written exercise can work very well, and -- and -- and also to formulate questions for an oral interview. It is also my recommendation that you get the number of candidates down to perhaps five to seven, that's a typical situation, and then those candidates would be the ones that you would -- be interviewed. And the reason I say seven, five is probably about that time all you need, but I guarantee you, one or two will drop out before we get to the interviews. It's just a phenomena. I'd be glad to answer any questions that you have. I've taken the liberty to prepare, if I can forward this memo, and I would recommend this approach, and I -- I -- I have helped five primarily small communities in the -- in the process of -- of locating a city manager, and I think I could be very helpful if you'd like. I may like -- may like to have just a little help from Judith Hill, of the Council of Governments, and it might take small amount of money. She's excellent and I worked with her in New Bern

[sic] when we helped find a candidate. And what is -- the last point I would like to make, what is pleasing, is this community is so attractive, it has so many different functions of government, it has an excellent staff, and an energized City Council, I guarantee you that you will have many, many candidates for this position. You ought to be in the position to be able to have selections, and the selection probably will come down to, not the paper credentials, but the compatibility, how did that person -- would -- would respond -- respond to you, and so I hope you feel like this is a -- a sound recommendation. A point I was groping for, in the towns I've worked in, and -- and -- and -- and most of them have been much smaller since I retired, it's hard to even get one qualified candidate. The thing that -- that I would find very interesting, and I'm sure the staff would, there are going to be some excellent people because this is an excellent place to live. You all know that; you live here. And it's a -- has a great quality of life, and I would certainly predict you'll have well over 100 applicants. And -- and, I would also take the liberty of probably doing some individual contacting in order to try to get the largest pool possible. Thank you for listening.

MR. BETTIS: All right. Is there a request on -- to -- do I hear any -- anything from the Aldermen on this presentation, say, a request to authorize the City Manager to carry out what he just talked to us about?

MS. BENGEL: Well, I thought that the request was to have a retreat; is that -- is that what I'm hearing?

MR. WYATT: No.

MS. BENGEL: Is that correct?

MR. WYATT: That's only a small part of it.

MS. BENGEL: Okay.

MR. BETTIS: That was the smaller part.

MR. WYATT: And, I guess you've got -- oh, and let me say this. Excuse me, please. The date that you all have chose happens to be the 13th of February, so that will allow you to get this underway.

MR. BETTIS: Oh.

MR. WYATT: I don't believe that to get this process underway, the -- the -- and I don't think you want to lose the time, that it's contingent to retreat. The retreat will help you in formulating questions and setting your vision so you can use that in the screening and the interview process.

MR. BUCHER: Mr. Mayor --

MR. BETTIS: Yes, sir?

MR. BUCHER: -- I'll make a motion. I'd like to make a motion --

MR. BETTIS: Yes, sir.

MR. BUCHER: -- that we authorize and instruct Mr. Wyatt to start the process of recruiting additional candidates.

MR. BETTIS: Mr. Wyatt?

MR. WYATT: Yes, sir? I blame it on the press, see.

MR. BETTIS: All right. Do I hear a second?

MR. TAYLOR: Second.
MR. BETTIS: All right. All in favor?
(All Aldermen respond aye.)
MR. BETTIS: All opposed.
(No response.)
MR. BETTIS: It appears that the ayes have it. Mr. Wyatt, you have your marching orders on that one.
MR. WYATT: Thank you. I'll do the very best I can, I assure you.
MR. BETTIS: Okay. All right. With that being said, we have a meeting here in about half an hour, I believe.
THE CLERK: No, 20 minutes. 20 minutes.
MS. BENGEL: 20 minutes.
MR. BETTIS: This -- this special -- oh, before we stop, I was thinking next -- next Thursday -- we're not going to adjourn this meeting. We'll recess it to next Thursday, or how long do we think it's going to take to invite -- how long is respectfully enough time to the -- the State to be here?
MR. WYATT: Let me -- let -- let us work on that because they may -- may want a date other than, say, next Thursday. Maybe you might suggest a two -- a few dates.
MR. BETTIS: Mr. -- Mr. Wyatt, procedurally, can we just leave this open ended to reconvene --
MR. WYATT: No.
MR. BETTIS: -- or no?
MR. DAVIS: No, you can't.
MR. BETTIS: No?
CLERK: You cannot.
MR. BETTIS: All right. Then why don't we just close this and call another special meeting?
CLERK: Correct.
MR. DAVIS: Okay.
MR. BETTIS: This special meeting is now --
MR. DAVIS: Motion to adjourn.
MR. BETTIS: Oh, the motion to adjourn?
MS. BENGEL: So moved.
MR. BETTIS: All right.
CLERK: Who made the motion?
MS. BENGEL: I did.
MR. KINSEY: Second.
MR. BETTIS: All in favor.
(All Aldermen respond aye.)
MR. WYATT: Mr. Bucher seconded.
MR. BETTIS: Everybody's seconding it because they want food. We're closed.

*****THE SPECIAL MEETING CONCLUDED AT 6:40 P.M.*****