

City of New Bern
Board of Aldermen Meeting
September 13, 2011
City Hall Courtroom – 7:00 P.M.
300 Pollock Street

1. **Meeting opened by** Mayor Lee W. Bettis, Jr. **Prayer by** Pastor Will Thomas, Berean Community Church. Pledge of Allegiance.
2. **Roll Call.** Aldermen Sabrina Bengel; Victor Taylor; Denny Bucher; Johnnie Ray Kinsey; Bernard White; and Dana Outlaw.

Also in Attendance: Mike Epperson, City Manager, and Scott Davis, City Attorney.

Mayor Bettis stated Hurricane Irene created havoc for the City of New Bern. He thanked the city staff for working around the clock. Mayor Bettis further stated no one died and no city employees were injured.

Alderman Bengel gave a round of applause to the management teams and the city employees. These employees left their families to work during Hurricane Irene. Praises and thanks also to Mark Stephens, Director of Public Works. Jon Rynne, Director of Public Utilities, is one of the finest electrical engineers in the state of North Carolina.

Alderman Taylor thanked the city staff and employees for their hard work during Hurricane Irene. He appreciated Jon Rynne providing the board with conference calls every hour on the status of the storm. He too stated Jon is one of the finest electrical directors in the state of North Carolina. The City of New Bern was blessed, “the Lord was with us that day, that hour, that minute”.

Alderman Bucher stated Mr. Epperson has never seen a hurricane of this magnitude, but “hats off” to the management staff. Every department pitched in and did a fantastic job. People were excited, but now their patience has run out. Alderman Bucher asked the residents to please be patient as the debris will get picked up.

Alderman Kinsey stated “thank God no one lost their life.” Thanks to the management staff and the employees for doing a fantastic job.

Alderman White stated he is pleased the storm was not as worse as it could have been. Jon Rynne is one of the best electricians around. Thanks to all city employees that served the citizens of New Bern during the storm. He is extremely thankful no lives were lost. Alderman White also thanked the residents for their patience as the city continues to work diligently removing debris.

Alderman Outlaw stated the city needs to “roll up their sleeves; there is a lot of work to be done before the next hurricane.” There is a lot of old infrastructure that needs to be replaced, especially in Trent Village as well as other areas. Flooding in areas of New Bern has been an ongoing problem for the last five (5) years.

Mike Epperson, City Manager, thanked the Mayor and the Board of Aldermen for accessibility during the storm. He normally does not call out names for fear of omitting someone, but one employee stood out the most. John Staten wore many, many hats during the storm. He boarded up windows at City Hall; fixed the generator at the 911 building during a crucial time of losing power; and cooked breakfast and dinner for the management staff/employees during the Emergency Operation Center (EOC). Mr. Epperson further thanked the city employees and will report back to the board at its next meeting with a report as it relates to Hurricane Irene.

Mark Stephens, Director of Public Works, presented a power point presentation on the debris collection. There is approximately 26,000 cubic yards which equates to 11.4 million pounds of debris that has been removed to date. The staff has covered approximately 60% of the city residents and is still working hard to remove debris from Hurricane Irene. The city is planning on bringing in contract crews to assist City staff with debris removal.

Residents can place debris at the curb in the following dimension and City crews or contractors will pick it up. Trees and limbs must be no more than 5 feet in length and 5 inches in diameter; small limbs and leaves should be bagged; and larger diameter trees can be cut into 24” lengths and still be collected by the city. Debris that does not meet these requirements slows down the efficiency of the crews. Residents may also haul their debris to Craven County convenience sites located in New Bern. You should contact the county at (252) 636-6659 for details regarding size limitations.

Privately hired contractors are not allowed to bring debris to the city facilities or the county’s debris management sites. Privately hired contractors are to remove and haul all debris to the Tuscarora Landfill located at 7400 Old Highway 70 West, New Bern.

Alderman Outlaw requested all information pertaining to debris removal be put on CTV-3 for residents to view. Aldermen Outlaw and Kinsey wanted to know the number of contractors that are being used and what is the cost to the city without FEMA reimbursement. Alderman Outlaw stated the city has only \$75,000 in its contingency funds for stormwater issues. Mr. Stephens estimated it is going to cost hundreds of thousands of dollars to clean up debris.

Jordan Hughes, City Engineer, presented a power point presentation on flooding relative to Hurricane Irene. New Bern is susceptible to flooding due to location

and topography. New Bern is located between two (2) rivers, the Neuse and Trent Rivers. It rained 12 to 17 inches during the 24 hour period the hurricane came through New Bern. The storm surge after the hurricane was approximately 7 feet in some areas. In Duffyfield, where flooding was extensive, there were hydraulic problems with a new pump. Despite the hydraulic problem, even if the pump was working properly the flooding still would have occurred. The city could get the water out of the flooded areas after the event, but it could not stop flooding.

The Neuse River forms the city's northern and eastern boundaries; and the Trent River forms the city's southern boundary. The topography of New Bern is flat, low meaning the elevation is fifteen (15) feet above sea level. The low slopes mean the water is slow movement. Flooding will occur whether it's a hurricane or nor'easter. There are interesting comparisons between hurricanes and nor'easters such as the size durations and the intensity of the winds.

Hurricane Irene storm surge was between 6.25 and 6.75 feet, and the river levels were at elevations between 6.50 and 7.00 feet. The National Flood Insurance Program (NFIP) classifies the 100 year flood elevation for the area around New Bern at 7.60 feet. Rainfall amounts at the Waste Water Treatment Plant equals 13.55 inches and Township #7

Mayor Bettis recognized Marcia Wright, Executive Director of the Sickle Cell Disease Association, and read a proclamation designating September as "Sickle Cell Awareness Month". Sickle cell disease is an inherited blood disorder that causes pain, infection, disability, economic strain and even death among many ethnic groups.

Approximately one out of every 294 African-American North Carolinians is born with sickle cell disease, and one out of every 10 carries the sickle cell trait. No cure for this disease exists, though treatment is available to help those with sickle cell disease lead more productive and rewarding lives. Since 1973, the North Carolina Sickle Cell Syndrome Program has provided quality services throughout the State, which includes screening of all newborns, genetic counseling, education, and social support for affected persons. This year marks 101 years since the discovery and documentation of sickle cell disease by Dr. James B. Herrick, Professor of Medicine at Rush Medical College in Chicago in 1910.

Ms. Wright thanked the Mayor and Board of Aldermen for recognizing September as "Sickle Cell Awareness Month", allowing her to speak on such an important ethnic disease. She presented the board with a package of informative information on this disease.

3. Request and Petitions of Citizens.

Mathew Evans, 515 Miller Street, has appeared before the board on numerous times expressing Chapter 38 of the New Bern Code of Ordinances. He stated his house was demolished without merit, and the City of New Bern discriminated against the poor. Mr. Evans further stated Alderman Taylor will not speak on behalf of the 2nd Ward citizens. The city purchased homes on Third Avenue, but failed to purchase Mr. Evans's property. A lot of those homes on the Avenue were in worse shape than his home, but the city purchased them. The city needs to read the City of New Bern Mission Statement.

Mayor Bettis informed Mr. Evans previously to get an attorney to represent him in a case if he feels there was wrongdoing on the city's part.

Alderman Taylor thanked Mr. Evans for attending the Board of Aldermen meetings and expressing his concerns. Alderman Taylor further stated he represents the constituents of the 2nd Ward.

Edwin Vargas, 230 Attmore Drive, discussed the drainage problems experienced by residents of Glenview Subdivision that has gone on for years. The drainage problem not only affects Glenview Subdivision, but it affects residents on North 2nd Avenue as well. Mr. Vargas displayed six (6) maps on the problem areas of this subdivision. He recommended having these drainage ditches maintained by the City and homeowner association. This development was established in 1997 and permits should have not been given due to the pitfalls of flooding. Any recommendation would be helpful in solving this drainage problem.

Joel Shepard, 232 Attmore Drive, expressed his concerns of flooding in the Glenview Subdivision. There has been an ongoing problem with drainage in this subdivision since 2004. We have experienced significant flooding on Attmore Drive and the corner of Tuscan Street. The residents of this subdivision need help with this ongoing issue. It floods in this area if there is a rainstorm, not to mention a hurricane.

Annie and Byron Walston, 1609 Hazel Avenue, expressed their concerns on the flooding due to Hurricane Irene. A number of homes located on the 1600 block of Hazel Avenue were flooded with approximately 15 inches of water in the homes. There needs to be extensive drainage improvements in this area as well as the elevation of homes. Ms. Walston further stated she has been displaced and is now living in Pamlico with her mother.

Mr. J. R. Bland, 1615 Hazel Avenue, stated drainage has been a problem for years in this area. Danny Meadows set up a taskforce years ago with residents of the neighborhood to address flooding. Here it is six years later and nothing has been done; it has been promises and promises but nothing has changed. There

were families that had to be evacuated by the National Guard due to the water in their homes from Hurricane Irene. A lot of these residents of Hazel Avenue lost everything in their homes. There was over eighteen (18) inches of water in Fletcher Watts's home. It is time something gets done to alleviate the problems of flooding.

Larry Mares, 204 North Second Avenue, displayed pictures of water standing in yards and streets in this neighborhood due to Hurricane Irene. There is definitely a drainage problem in this area. The ditches need to be cleaned and kept cleaned. Drainage pipes need to be installed in a way the water can flow from the areas to the river. Retention ponds are not the answer to solving the drainage problem. Mr. Mares further stated his dog died during the storm due to water after he had moved his dog to another location in his yard for safety.

Stevie Bennett, 1312 National Avenue, thanked the city for their response after Hurricane Irene. The employees and management staff did a great job. This storm lasted a long time. Ms. Bennett further stated the Land Use Ordinance needs to be reviewed in reference to parking spaces. The Planning & Zoning Board was reviewing the application for the Tractor Supply business being located in New Bern. According to the Land Use Ordinance ninety-five (95) parking spaces are required for a business that will have approximately three hundred (300) customers a day. Imperious surface materials should be used to build parking lots; therefore, the water would soak through the surface.

Mark Regalmuto, 4005 Yadkin Court, expressed his concerns of drainage and flooding in Trent Village. The residents of Trent Village have been dealing with flooding even after a rainstorm. There has been much discussion with the City and DOT as to fixing the flooding problems along Trent Road. Danny Meadows, former Director of Public Works, promised the residents years ago to look into fixing the ongoing flooding in the Trent Village area.

Ethelene Ipock, 3102 Macon Court, expressed her concerns of flooding in the Trent Village area. The residents have been promised that something would be done to help with flooding. She spoke with Danny Meadows, former Director of Public Works, years ago that she would purchase the necessary pipes to be installed in front of her yard if the city staff would do the work. During one of the previous hurricanes, either Floyd or Dennis, fish were swimming in her yard.

Mary Randolph, 1504 Cobb Street, stated she has been fighting City Hall a long time about drainage. Something needs to be done about the flooding in the Duffyfield area. The residents of Hazel Avenue lost everything due to flooding. A lot of these residents are elderly and they need help. The canal was overflowing, and the water just stood in her yard. My property has been destroyed and the shed in the back yard was destroyed due to water. Ms. Randolph further stated she has been requesting city staff to visit her property so she may point out problems. Alderman White represents the 5th Ward, but he will

not contact her either. She is unable to attend all the meetings, but she watches them on CTV-3 and would like Alderman White to explain his statement “she done beat me down.” Ms. Randolph informed Alderman White he owed her an apology for making that statement. Alderman White stated he was a man of his word and he made that statement.

Mayor Bettis informed Ms. Randolph that he and any Alderman that wished to come would be to her house Saturday morning at 8:00 a.m., and would expect a cup of coffee.

4. Adopt Resolution Approving Closing Portion of 700 Block of West Street from Cedar Street to West Street Christian Church on Saturday, September 24, 2011 from 9:00 a.m. to 3:00 p.m. for Street Carnival.

Mr. Epperson, City Manager, stated West Street Christian Church Youth Department has requested the closing of West Street to vehicle traffic from Cedar Street to West Street Christian Church on Saturday, September 24, 2011 from 9:00 a.m. to 3:00 p.m. This annual street carnival is a fundraiser for the youth’s 2012 summer activities. The majority of the affected residents have given permission for this request.

Alderman Bengel made a motion to adopt the resolution approving closing a portion of 700 block of West Street from Cedar to the church on Saturday, September 24, 2011 from 9:00 a.m. to 3:00 p.m., seconded by Alderman Bucher. Upon a roll call vote the motion carried unanimously.

5. Adopt Ordinance Amending Article II “Streets and Parks Trees” of Chapter 78 “Vegetation” of the Code of Ordinances of the City of New Bern.

Bobby Boyd, New Bern Appearance Commission Chairman, gave an overview of street tree information and recommendations. The Commission is an eight (8) member advisory board established under Part IV, Appearance Commission. The Commission is charged with recommending programs to enhance and improve the visual quality and aesthetic characteristics of the City. The Appearance Commission developed a “Tree Guide” to serve as a resource for homes and business owners as to planting appropriate treescapes in their neighborhoods.

This guide is intended to provide appropriate tree choices that minimize future maintenance needs and increase the likelihood that trees will reach their mature potential. Recommendations of tree species are based on the needs and character of the community, the existing environmental conditions and the capacity for maintenance. Criterion for selection includes the tree’s ability to withstand stressful conditions that include compacted soils, drought, and pollution. Growth habits, branching structure, insect resistance, and high wind tolerance are all key factors in determining the right tree for the community.

Alderman Bucher stated there are a lot of trees that are dead/rotten within the city. Who will enforce what type of tree residents/businesses will plant within their community? The Commission will oversee the type of trees being planted as best as they can, stated Mr. Boyd.

Alderman Bengel made a motion to adopt the ordinance amending Article II "Streets and Parks" of Chapter 78 "Vegetation" of the Code of Ordinance, seconded by Alderman Outlaw. Upon a roll call vote, the motion carried unanimously.

6. Adopt Resolution Temporarily Prohibiting Parking of Middle Street and New Street.

Mr. Epperson, City Manager, stated the U. S. Marshall Service of the Eastern District of North Carolina has requested temporarily prohibiting parking at the Federal Courthouse located at 413 Middle Street from September 19, 2011 until approximately October 31, 2011 from 6:00 a.m. to 7:00 p.m. daily. Parking will be prohibited along portions of Middle Street and New Street in the City of New Bern. This restriction would greatly assist in securing the courthouse for the upcoming trial.

Alderman Bengel made a motion to adopt the resolution for temporarily prohibiting parking of Middle and New Streets, seconded by Alderman Kinsey. Upon a roll call vote, the motion carried unanimously.

7. Approve Minutes.

Alderman Bengel made a motion to approve the minutes from the August 16, 2011 Work Session and August 23, 2011 Board Meeting, seconded by Alderman Outlaw. The motion carried unanimously.

8. Appointments.

Alderman Bucher made a motion to appoint Norman Smith to the Police Civil Service Board, seconded by Alderman Outlaw. The motion carried unanimously.

9. Attorney's Report.

Attorney Davis had nothing to report.

10. City Manager's Report.

The City Manager had nothing to report.

11. Announcement.

Alderman Taylor recognized all the 9/11 victims that lost their lives on September 11, 2001, and thanked all the department heads and volunteers that helped to make Vision Forward event a success. Alderman Taylor reminded the public of the free prostate screenings on September 24th at the oncology lab beside the Urgent Care Center of Carolina East Healthcare Systems.

12. Closed Session.

Alderman Bengel made a motion to omit the closed session, seconded by Alderman Taylor. The motion carried unanimously.

13. Adjourn.

Alderman Taylor made a motion to adjourn the meeting, seconded by Alderman Outlaw. The motion carried unanimously, time being 10:00 p.m.

Mayor

City Clerk