

**City of New Bern
Board of Aldermen
Work Session
September 20, 2011
City Hall Courtroom 6:00 P.M.
300 Pollock Street**

Board Members Present: Mayor Lee W. Bettis, Jr.; Aldermen Sabrina Bengel; Denny Bucher; Johnnie Ray Kinsey; Bernard White; and Dana Outlaw. Alderman Victor Taylor had an excused absent.

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

Alderman Bengel made a motion to go into closed session pursuant to NCGS 143-318.11 (a) (3) to maintain attorney/client privilege to discuss the pending status of Carolina Transformer litigation and also for direction with respect to leasing some city property.

Alderman Bengel made a motion to go back into open session, seconded by Alderman Bucher. The motion carried unanimously. The meeting reconvened at 6:20 p.m.

1. Adopt Resolution Approving Disaster Debris Removal and Clearance Service Agreement between City and TNT Disaster Service, LLC and Approving Disaster Debris Removal and Clearance Services Agreement between City and W.J. Foreman Construction, Inc.

Attorney Davis explained the urgency for approving the contracts for removal of debris related to Hurricane Irene. The staff did not want a gap in service/time for debris removal; therefore, the City Manager approved the contracts. It is not illegal when the City Manager approved the contracts, but to make sure everything is within the guidelines of the Federal Emergency Management Agency (FEMA), it needs board approval.

The City issued a Request for Proposal (RFP) related to services, and the contractor submitted a bid in relation to the work. Eight RFP were submitted. The low bids were \$5.43 and \$5.90 per cubic yard for the cleanup. The City and the Contractor reached an agreement with respect to the provision of services. TNT Disaster Service, LLC and W. J. Foreman Construction were awarded the contract.

Mark Stephens, Director of Public Works, stated cleanup crews removed over 120 truckloads of debris. The city will continue to work until all the debris is removed.

Alderman Outlaw made a motion to adopt the resolution approving disaster debris removal and the Clearance Service Agreement between the City and TNT

Disaster Services, LLC and W. J. Foreman Construction, seconded by Alderman Kinsey. Upon a roll call vote, the motion carried unanimously.

2. Adopt Resolution Approving Chief Aster and Deputy Chief Boyd as Agents for Hurricane Irene (FEMA-4019-DR-NC) for FEMA Reimbursements.

Bobby Aster, Fire Chief, stated the City of New Bern is eligible for FEMA reimbursements due to Hurricane Irene on August 26, 2011. The Chief and the Deputy Chief are currently working with FEMA representatives with gathering documentations for reimbursement. In an effort to continue to streamline this reimbursement process, a primary and secondary agent needs to be appointed. The enclosed resolution designates Robert "Bobby" Aster as the primary agent and Robert "Bobby" Boyd, Jr. as the secondary agent.

Alderman Bengel made a motion to adopt the resolution appointing Chief Aster and Deputy Chief Boyd as agents for Hurricane Irene, seconded by Alderman Kinsey. Upon a roll call vote, the motion carried unanimously.

3. Discussion on Redistricting.

Mayor Bettis opened the redistricting part of the work session commenting that some of the Board members had shown interest in hiring a consultant rather than proceeding with working on the redistricting process with staff and the Board. He indicated that staff had done a good job, but that some of the Board felt that a consultant might be needed to assure the process was completed. He polled the Board on who wanted a consultant and Aldermen Kinsey and Bucher raised their hands in support of hiring a consultant. Alderman Outlaw indicated too that he thought some comments had been made by the Board that were not appropriate relating to the redistricting process and that maybe a consultant could help the Board move along more efficiently. The Mayor asked the remaining members of the Board if they supported a consultant or if they wanted to give it one more try on their own. Alderman Bengel stated she hoped the board and city staff could finalize a plan without a consultant, using the common sense approach. If the board cannot come to an agreement then consult a consultant. Alderman White was against hiring a consultant, and suggested the board work out the legalities. It was the consensus of the Board that they would like to give it one more attempt rather than hiring a consultant.

Scott Davis, City Attorney, indicated that they could look at possibly hiring a facilitator to help with the process versus a consultant who would facilitate and staff would create the maps. An outside facilitator he said could help guide the Board through the whole process. The Board indicated that they would take one more look at the proposed changes. Alice Wilson, GIS Coordinator, indicated that she had prepared a revised plan B that incorporated all the comments she had received thus far from the Board and the citizens. Attorney Davis indicated that the plan had some areas that staff was uncertain of and need input from the

Board on especially around the downtown area and the housing areas. He indicated that the proposed plan placed both Craven Terrace and Trent Court in Ward 2. He also commented that staff would need input from Alderman Taylor of Ward 2 before any real changes could be made, but hopefully tonight could get input from the others.

Alice Wilson, GIS Coordinator, indicated that she had prepared several large maps and would ask that the Board come down to the table and mark the maps with any areas that they had concerns or areas that they felt positive about. Wilson indicated that as Davis had said the plan brought both Craven Terrace and Trent Court into Ward 2. In doing so, she had to place Ward 3 into the Pembroke and Olde Towne areas, areas that were currently in Wards 2 and 1. She further indicated that there was not sufficient population in Township 7 and Ward 2 to complete Ward 3, thus areas in Township 8 needed to be brought into Ward 3 as well. She added that it created more connectivity to move the remaining part of Ward 3 from the center of the town towards the intersection of Hwy 55/First St. and US Hwy. 70 areas. She also described the revisions to Ward 1, by moving Ward 1 out along the Duffyfield areas and around the hospital taking over some of the areas vacated by Ward 3. Alderwoman Bengel said she did not think that would be a good way to go. She added that she felt that the Riverside Area should be in Ward 1 since Ward 1 included the downtown historic district and both were locally designated historic areas having similar issues and concerns.

Attorney Davis indicated that with the 2010 census numbers, a third of the city was minority; thus a third of the Aldermen should be as well. He also added that with the redistricting process we could not make it harder for a person to run for office than what was currently in place. He also said you cannot make a person's vote count for less. Thus, two of the wards should be predominantly minority population and as it worked out those were Wards 1 and 2 with the proposed plan. Alderman Bengel indicated that she did not think that both housing units should be in one ward and that ward 1 had no real connection to the areas around the center of town. She asked for the opinions of the other board members. Aldermen Outlaw and White indicated that the plan looked okay and had no real concerns. Alderman Outlaw indicated that his ward had shrunk significantly. Alice Wilson, GIS Coordinator, indicated that both Wards 4 and 6 had shrunk in size due to the growth in these areas and in Ward 4 the density. She showed on her computer the new housing unit permits that had been issued from the Census in April 2010 until June of this year. She demonstrated significant new housing growth in township 7, the Craeberne Forest areas. Alderman Kinsey asked if his new ward would touch the 43 connector. Wilson indicated that with the proposed plan; Ward 4 would not touch the 43 connector until such time as the Craven 30 project was built. She indicated that when the project was built and annexed it would automatically be brought into Ward 4. Attorney Davis indicated that one of the things this proposed plan would do was set things up so as growth and annexation occurred, there would be clear

boundaries as to which ward it will go to. The plan also looked to group neighborhoods and common areas together which was not the case with the current boundaries.

Alderman Bengel asked the Board to make comments on any things they wanted changed. Alderman Bucher indicated he thought it made sense to bring the remainder of Ward 3 forward as shown on the plan to have more connectivity and close proximity. Alderman Bengel and Attorney Davis indicated that Alderman Taylor really needed to give input since the areas in question affected his ward significantly. Attorney Davis directed the Board to look at the maps and meet with their constituents and we could discuss it in a week at the next meeting.

Mayor Bettis indicated that he had concerns that the proposed plan only had one (1) minority ward. Attorney Davis indicated that actually there were two wards one (1) and two (2) that were very heavily predominant minority wards. Mayor Bettis said he did not believe so; he felt there was only one (1) minority ward. Mayor Bettis further stated he was over the whole city so it did not matter to him, but the board might want to take a look at it. Attorney Davis indicated that staff had specifically looked at assuring that there were at least two wards that were predominantly minority reiterating that the last census indicated that the city was 33% or 1/3 minority and 1/3 of 6 were two wards.

Attorney Davis again asked the board to take copies of the plans with them for review and within the next few weeks be prepared to make suggestions and comments.

4. Adjourn.

Alderman Bucher made a motion to adjourn the meeting, seconded by Alderman Bengel. The motion carried unanimously, time being 7:20 p.m.

Mayor

City Clerk