

**City of New Bern
Board of Aldermen Meeting
September 27, 2011
City Hall Courtroom – 7:00 P.M.
300 Pollock Street**

1. **Meeting opened by** Mayor Lee W. Bettis, Jr. **Prayer by** Deacon James Williams. Pledge of Allegiance.
2. **Roll Call.** Aldermen Sabrina Bengel; Victor Taylor; Denny Bucher; Johnnie Ray Kinsey; Bernard White; and Dana Outlaw all present.

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

Mayor Bettis stated he received an anonymous letter concerning the Housing Authority and Joe George, the Executive Director who recently resigned. The mayor wants the concerned citizens of Trent Court and Craven Terrace to know that they have a voice, and the City would like to hear their voice. The Mayor read a portion of the letter. In response to the concern expressed regarding Mr. George's salary of \$158,929, Bettis stated the salary was set by the Housing Authority Board and not the City of New Bern. The Mayor recommended any citizens with concerns to call 639-2703 to schedule an appointment with him personally and stated he would be glad to meet them at a location of their choice.

3. **Presentation on City Response to Hurricane Irene.**

Epperson stated the City is still working on the remaining issue related to Hurricane Irene, which is debris removal. Contracted crews are assisting City personnel with removing the debris. Approximately 45,000 cubic yards of debris has been removed, with 20,000 cubic yards being removed since contractors have begun assisting. The City anticipates the debris removal to be completed in the next 7-10 days. To keep residents informed, City3TV is being updated to reflect the areas the crews are working in. Thankfully, New Bern sustained no loss of life as a result of the storm.

The City's management team had a meeting on September 14, 2011 to evaluate how the storm was handled; what the City did well and what improvements are needed in the future. Some of the things done well included the following pre-storm preparation:

- a) Moving the majority of the City's data center to a more secure location;
- b) Sending out code red evacuation notices;
- c) Disseminating hurricane specific public information on City3TV;

- d) Resolving several logistical issues ahead of time including hotel accommodations for contractors, food needs for our workers, having emergency cash funds available;
- e) Authorizing electrical contractor crews;
- f) Establishing staffing requirements for the Emergency Operations Center;
- g) Informing employees of ongoing staffing needs and expectations;
- h) Setting up City Hall as a functioning Emergency Operations Center;
- i) Establishing communication protocol between EOC and utilities and EOC and the Board of Aldermen; and
- j) Pumping down some of our key stormwater detention ponds.

With respect to things that could be handled better in the future, the following were identified:

- a) Mandate evacuations;
- b) Set up a staging area for additional resources; there was a tremendous amount of resources coming to New Bern and there needed to be a central point of control for those resources;
- c) Find a way to improve communications with Craven County EOC;
- d) Handle public information better; once cable TV and phone capabilities were lost, public information suffered; social media and other resources need to be used to communicate better during disasters; and
- e) Redundant generators are needed at key facilities including City Hall and the 911 Center.

Bengel asked about cell phone service, and Epperson stated cell service was restored before cable. Bettis stated the Mayor of Kinston, B. J. Murphy, tweeted throughout the storm and stated it was really effective. Taylor asked why the generators failed. Epperson stated part of the problem is the generators work off diesel fuel, and if there isn't enough diesel available or on hand then you lose your source to operate the generator.

The most important lessons learned were:

- a) A new location is needed for the Emergency Operations Center; City Hall has space limitations and inadequate facilities; several significant water leaks impacted operations and it is not a secure location;
- b) There is an inadequate citywide emergency operations plan; the City Code is very minimal in the area of emergency management; a detailed all hazards emergency operations plan is needed;
- c) Ongoing disaster planning and preparation needs to be improved; once a citywide emergency operations plan is in place, ongoing training related to the plan including table-top and mock exercises is needed;
- d) As it relates to debris management, consider an annual bid process for storm-related debris removal; this would comply with FEMA requirements and help avoid delays in debris removal;

- e) Mandate evacuations under the circumstances of this disaster; employees are put at risk doing water rescues in areas where residents had been asked to evacuate; and
- f) Very specific information was learned that is helpful regarding stormwater management.

Epperson stated the most frequently asked question is how much this storm cost the City. He reminded the Board about a year ago, the City's fund balance was being discussed, at which time several comments were made that the City was "one good storm away from exhausting its fund balance". The City's general fund balance a year ago was just over \$2 million dollars. Hurricane Irene cost the city a minimum of \$3,347,886.

Keith Fiaschetti, Director of Finance, expanded on the financial effects of the storm. He reminded everyone that storms and natural disasters are not budgeted for. For that reason, it is important that the City has reserve funds. Work has to be performed immediately after a storm and cannot be put off. FEMA does not advance funds for storm expenses; it requires the City pay for the expenses and then be reimbursed for the expenditures. That means the City has to have funds on hand (an adequate fund balance) to pay for the cost of the storm. Not only is it important to have cash reserves in a fund balance for the purpose of meeting unexpected needs, but the City's credit rating will improve which will allow the City to receive more favorable financing rates.

The City's fund balance at the end of FY2011 had risen from 7.8% in FY2010 to 18.3%, which is an additional \$2.5 million dollars. As a result, the City has sufficient cash reserves to cover the cost of Hurricane Irene per Fiaschetti. Since the City is dipping into its reserves, departments are moving quickly to file insurance claims and submit reimbursement requests to FEMA. A claim was submitted to FEMA today in the amount of \$715,000. It is anticipated the FEMA reimbursement will be received in six weeks.

Kinsey asked when the City would be in a position to start practicing for a storm or other disaster. Epperson stated the City would need about six months to put in place an emergency operations plan; therefore, it would be approximately a year when a table-top or mock exercise could be implemented. Kinsey stated he would like to see retirees or those with experience from prior storms given the opportunity to provide input or assist with the mock exercises.

White asked Fiaschetti what it would take for the City's credit to be raised to AA. Fiaschetti stated the number one criteria would be to have a formal fund balance policy. He suggested the City maintain a fund balance of 25%. Additionally, a monitoring system should be in place to spot any potential shortfalls in revenue.

On a side note, Fiaschetti mentioned he anticipates sales tax revenue to increase in the next three to four months. Construction has increased in Craven County, and the City's portion of sales tax is not based solely on sales in the City,

but sales countywide. That equates to an increase in sales tax revenue for the City.

Bengel pointed out the City has temporarily waived some permit fees for storm-damaged property and asked how much longer the waivers would be given. According to Mike Avery, Director of Planning and Inspections, the fees will indefinitely be waived as long as the permit sought is for work or repair needed as a result of damages sustained in Hurricane Irene.

Bengel also inquired as to what electrical work is ongoing as a result of the storm. Jon Rynne, Director of Public Utilities, stated street light repair is still in process. Such repair is put off until the end since it is not critical. Rynne hopes the repairs should be completed by the end of next week. Residents may call customer service at 639-2750 or control at 636-4070 to report any street lights that are still inoperable.

Bucher stated the prior Chief of Police, Frank Palombo, had previously indicated concern over the 911 Center not being a "hardened building" to withstand the elements. He asked if the 911 Center was damaged. Mark Stephens, Director of Public Works, stated the issues at the Center were related to the generator. Otherwise, there were only minor problems. The total damage to City property was \$400-450,000 citywide, which was mostly to City Hall and the Dunn Building.

With respect to issues regarding stormwater, Epperson stated the City does not really have a stormwater policy. Jordan Hughes, City Engineer, stated there are three main concerns regarding the City's stormwater:

- a) Current city-owned infrastructure (storm drainage piping and structures, etc.); the city has 54.4 miles of piping and 3,907 storm drain structures;
- b) Community drainage outlets (drainage outlets that provide drainage for a large portion of a community, such as Duffyfield);
- c) Localized issues (areas with localized drainage that impact a small number of people); these issues are almost entirely on private property.

Hughes stated some of the piping predates the turn of the century, and some of the infrastructure was put in place in the 1950's or 1960's. There are a lot of old brick-built catch basins. With the help of GIS, the City is trying to identify all infrastructure owned by the City. This process is 70% complete. Once all infrastructure is identified, a routine maintenance plan needs to be developed. The City also needs to analyze and identify "smart improvements" to existing drainage systems.

With respect to community drainage outlets, Hughes stated the City needs to delineate the maintenance responsibilities. If the City increases participation in maintenance of community drainage outlets, it will need to obtain proper access and maintenance easements. In regards to localized issues, the City needs a policy regarding its involvement in issues on private property. The stormwater

issue is only going to get worse if the City does begin to work on maintaining the infrastructure.

Bengel asked if Hughes is recommending the budget for FY13 include personnel who are directly assigned to identifying stormwater issues and maintaining them. Epperson suggested the Board be approached at a later time by Hughes with findings and recommendations for each category identified above. Bettis asked Hughes if a policy has ever existed that identified certain maintenance that would be performed in each fiscal year with dedicated funding. Hughes stated he thought there had previously been goals that the City tried to accomplish in years past.

Kinsey stated citizens need to be reminded of how to place leaves, etc. out for pick up so they are not blocking the drainage ditches. Hughes agreed that the community needs to be proactive in doing what they can to not contribute to the drainage issues.

Outlaw stated certain areas of the City have developed rapidly. Often times, the incorrect size culvert is put in place because the developers and engineers do not realize how populated the area may become. He questioned whether the City is looking at these "newer" areas. Hughes stated developers are sometimes contacted after the fact and notified that a culvert is not adequate in size, and the City will offer to bear a portion of the expense of replacing the culvert with the proper size.

Outlaw made reference to the Oaks Road/Woodrow section receiving a community block grant in the past, which Mike Avery, Director of Planning and Inspections, was involved. He has looked at the pump station in that area and feels it is more like a "glorified" retention pond when it is in operation, instead of a drainage abatement program. He has photographs during the storm which showed the water level almost equal to the discharge pipe. Outlaw asked if there is a possibility of a community block grant to assist the homes that suffer from water damage or flooding. Avery stated FEMA was the utilized in the past, but it is not an ongoing program like the CDBG. FEMA allocated funds as a result of a major disaster that happened in the area several years ago. FEMA will look at houses on an individual case-by-case basis. If the cost of elevating a house is less than the cost of continually paying for structure repairs, FEMA is likely to allocate funds.

White stated when the City starts repairing drainage pipes; consider the areas that flood every time it rains, not just when there is a big storm. Hughes stated it is hard to know how and where water will drain. It is best to get out before, during and after a storm to obtain data which will be crucial in preparing for future stormwater issues.

Bettis stated FEMA has rated Hurricane Irene as one of the top 10 natural disasters in history. Hughes stated a lot of community support was received

through businesses and organizations throughout the City. They helped facilitate efforts after the storm. Trader Construction and Pat McCullough were quite helpful. The Sun Journal and Channel 12 were great in their efforts to assist the City in getting information out to the public.

4. **Update on 2009 Brownfields Assessment Grant and Brownfields Area-Wide Planning Pilot Grant Program.**

Epperson stated it is a requirement of both of these grants to provide the Board with quarterly updates. No action is needed by the Board. These are two citywide assessment grants. The City is conducting phase two assessments in the Five Points area. These are helpful in pinpointing the clean-up efforts that are needed on the sites. There is a meeting this Thursday night at 5:30 with a consultant who will give the city an update on the Planning Pilot Grant. He will be presenting his initial findings from the first community meeting held.

5. **Adopt Resolution Approving 2011 Urgent Repair Program (URP11) Assistance Policy and Procurement and Disbursement Policy.**

Epperson said the City was recently awarded \$75,000 for Urgent Repair assistance. The Board accepted the grant. A policy has been developed in terms of who can receive the funds and how they will be disbursed.

Alderman Outlaw made a motion to adopt a Resolution Approving the 2011 Urgent Repair Program Assistance Policy and Procurement and Disbursement Policy, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously.

6. **Authorize Mayor to Sign Letter of Support to Accompany Submission of Letter of Interest for Community Resilience Planning in Coastal North Carolina Technical Assistance.**

Epperson stated this is a potential grant opportunity where the City will likely be asking for technical assistance in maybe looking at codes, moving forward in terms of housing, building construction, etc. At this point, the City is just wanting to put in a letter of interest, which will require a letter of support from the Mayor.

Bengel made a motion to authorize the mayor to sign a letter of support to accompany submission of a letter of interest for community resilience planning in Coastal North Carolina technical assistance, seconded by Alderman Bucher. The motion carried unanimously.

7. **Adopt Resolution Approving Closing 400 Block of Metcalf Street on Saturday, October 15, 2011, from 2:00 p.m. to 10:00 p.m. for Block Party.**

Epperson stated the neighborhood has signed an approval of this request, which has been reviewed by the Police Department and Public Works. Alderman

Bucher made a motion to adopt a resolution approving the closure of the 400-block of Metcalf Street on Saturday, October 15, 2011, from 2 p.m. to 10 p.m. for a block party, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously.

8. **Adopt Resolution Approving Closing Rhem Avenue between Third and Fourth Streets on Sunday, October 16, 2011, from 3:00 p.m. to 6:30 p.m. for Block Party.**

Epperson stated the neighborhood has signed an approval of this request, which has been reviewed by the Police Department and Public Works. Alderman Bucher made a motion to adopt a resolution approving the closure of Rhem Avenue between Third and Fourth Streets on Sunday, October 16, 2011, from 3 p.m. to 6:30 p.m. for a block party, seconded by Alderman Kinsey. Upon a roll-call vote, the motion carried unanimously.

9. **Appointments.**

There were no appointments.

10. **Attorney's Report.**

Scott Davis, City Attorney, had nothing to report.

11. **City Manager's report.**

Epperson stated FEMA has an assistance site set up in New Bern at the old Rite Aid Pharmacy on the corner of Martin Luther King Boulevard and Hospital Drive. Any citizens needing assistance should speak with FEMA.

12. **Announcements.**

Alderman Kinsey stated Ms. Staten could not attend tonight's meeting because she was having surgery. He said the Board would have her in their prayers.

Alderman Taylor stated the free prostate screening clinic last Saturday was a huge success, with over 200 men screened.

Alderwoman Bengel stated this Friday night Oktoberfest will be sponsored by the New Bern Breakfast Rotary Fest. The date is September 30th and tickets are \$10 in advance and \$15 at the door. There is a discount for active military. Tickets are available at Mitchell Hardware or online at www.newbernrotary.com. Additionally, the Chamber is having its annual reverse raffle drawing at the Riverfront Convention Center Friday night. This helps support chamber events throughout the year. In two weeks, Mumfest will be held.

Alderwoman Bengel also thanked the residents of New Bern and Craven County for helping the citizens of Pamlico County. Food, clothing and necessities have been provided to help our neighbors in Pamlico County recover from the hurricane. Alderman Bucher stated if anyone wanted to make a donation that it could be dropped off at any Wachovia Bank.

Mayor Bettis reminded all Trent Court and Craven Terrace residents to let their voice be heard if they had comments or concerns. He also stated the Sun Journal had a great article on Kristi Moses, a Peace Corps volunteer. The Peace Corps just celebrated their 50-year anniversary.

13. **Closed session.**

Alderman Outlaw made a motion to go into closed session pursuant to NCGS 143-318.11(a) (6) to discuss personnel matters, seconded by Alderman Bucher, time being 8:55 p.m.

Alderman Bengel made a motion to go back into open session, seconded by Alderman Bucher. The motion carried unanimously.

14. **Adjourn.**

Alderman Outlaw made a motion to adjourn the meeting, seconded by Alderman Kinsey. The motion carried unanimously, time being 9:15 p.m.

Mayor

City Clerk