



CITY COUNCIL WORK SESSION

City Council Chambers

Tuesday, July 30, 2024 at 3:00 PM

MINUTES

Call to Order

Mayor Becky S. Smith called the meeting to order.

Members Present

Mayor, Becky S. Smith, Council Members: Brenda Boyd, Donnie Griffin, Nellie Floyd, Michael Brooks, Brent Guffey and Allen Hook were present. City Manager, Josh Ross, City Attorney, Marshall Walker, and department heads were present as well. A quorum was present.

Downtown Property Discussion

Sam Kline, Senior Broker at Coldwell Banker Commercial MECA addressed the Board regarding the two City owned downtown businesses at 110 and 112 West Virginia Avenue. The city received a \$500,000 grant for a Business Accelerator Program (BAP). These funds were used to purchase two historic buildings in the downtown district. Mr. Kline has been working with City staff to ensure that said properties are marketed to the right business to further enhance the downtown area. Currently discussion has been had with several interested parties. However, no concrete offers have been made at this time. The City wants to ensure that the right prospect is brought in to yield a profitable and sustainable business in the historic buildings.

Per direction of Council, Mr. Kline will work with City Staff to complete an assessment of both buildings to determine the level of rehabilitation work will be needed. Mr. Kline advised that the City complete any major repairs to aid in marketing of the buildings. Ensuring that the building has a secure foundation helps prospective buyers see the potential, and spur their interest in our revitalization of our historic downtown.

Light discussion was held amongst the Board and staff about the BAP proceeds. City Staff and Mr. Kline informed the Board that it would be best to keep the proceeds in a fund to start an incubator program, meaning that the City would use grant funds to purchase properties, complete assessments, and direct the right type of investment that adds value to downtown.

Intersection Discussion

City Staff has been approached about amending the City code of ordinances to allow for a four-way-stop at two intersections: Inman and Virginia Avenue and Arc Street and Costner Drive. Citizens in these areas have expressed concerns about safety and traffic control. City Manager, Josh Ross expressed that concern is still assessing the need for a four-way-stop at Inman Avenue and Virginia Avenue.

By motion of Brent Guffey and unanimous vote, a text change to Chapter 75 of the City code of ordinances will be added to the August 2024 Regular meeting agenda. At that time City Council will consider

establishing a public hearing for September 2024's Regular meeting to hear public comment for installing a four-way-stop at Arc Street and Costner Drive.

Ordinance Amending Zoning Map (City Center)

City Council previously held a public hearing at the July 2024 Regular Meeting regarding a rezoning request for property located at tax parcels #121595, 121596, 121597 (0.8 acres) from City Center (CC) to City Center Conditional District (CCCD) to accommodate the development of a multifamily townhome community consisting of 19 units.

Mayor Smith led the discussion by asking each Council member what they would like to hear from the developer as this item was tabled from the July 2024 Regular meeting. Council member, Nellie Floyd stated that she had no objection with project. Council members, Michael Brooks, Brent Guffey, Allen Hook and Donnie Griffin had concerns about density, sidewalks, crime rate, and if a ladder truck would be needed to potentially aid the fire department in the future.

David Tibbals of South Oak Partners, LLC and the property owner, Dr. Robert Neunzig addressed the Boards concerns regarding the project. There will be sidewalks installed, there is a fire hydrant within 200 feet of the structure to aid in case of a fire. In terms of density, the development team could possibly produce 18 units instead of 19. However, there are a number of metrics that go into calculation of units. When Dr. Neunzig initially invested in the pet hospital in Bessemer City, he took a chance. Years later, his pet hospital is the most successful hospital in the County. This project should be approved by Council as it helps revitalize a gateway into Bessemer City and will be a product of quality. This project will be a catalyst for inner City development.

By motion of Michael Brooks and unanimous vote, the rezoning from City Center (CC) to City Center Conditional District (CCCD) with the following conditions:

1. The proposed development shall follow the requirements of the City of Bessemer City Land Development Code with the added relief of:
 - a. Allowing for an excess of eight (8) units per acre, which is more than the density requirements per acre stated within 3.2.A. of the city's LDC. However, the unit number is not to exceed 19.
 - b. Relief from front setback requirements provided in section 3.2.A of the Bessemer City Land Development Code.
2. The following conditions will be applied to the development and agreed to by the developer with the vote of the City of Bessemer City Council to approve the rezoning:
 - a. All units will be comprised of 100% masonry, which is more than the 60% required within the Land Development Code.
 - b. Developer required to install sidewalks along E. Virginia Ave., S. 8th St. and E. Pennsylvania Ave.
 - c. Architectural features of the townhome units will complement the architectural features of the Historic Osage Mill Redevelopment Project, a residential rehabilitation project also located within the City Center zoning district. All other multifamily design standards stated within the City of Bessemer City Land Development Code shall be adhered to.
3. The developer shall extend the City of Bessemer City water and sewer to and within the site, at their expense. The development will be served by City utilities: water and sewer.
4. All off-site utility easements, if necessary to provide utilities to the site, must be obtained by the developer, at their expense, prior to approval of construction plans, issuance of permits, or commencement of construction.
5. Conditional Zoning approval is valid for a period of twenty-four (24) months from the date of approval.

Department Head Reports

Bessemer City department heads gave reports on their department's status:

JoD Franklin, Parks and Recreation Director- Mr. Franklin addressed Council regarding the NC Dixie Girls Softball Tournament and City Swimming Pool success. The City Swimming Pool will close for the season on Sunday, August 11th, 2024. Next week the City will host an appreciation celebration for our summer lifeguards. The splashpad will remain open through the end of September. The Hall of Fame banquet went well, this was the 4th class installment. The Brew & Que festival will be held Saturday, September 21st, 2024.

Jamie Ramsey, Director of Operations- Mr. Ramsey addressed Council regarding NC DEQ funding for the Lead & Copper Study in the amount of \$760,000. City Staff has recently become aware of studies conducted by the North Carolina Department of Environmental Quality (DEQ), that the City's water contains measurable levels of PFAS above the Maximum Contaminate Levels (MCL) . These man-made chemicals are widely used in commercial and consumer products, including food packaging, water- and stain-repellent fabrics, nonstick products, and firefighting foams. Unfortunately, this is not an isolated problem; it is a nationwide concern affecting countless communities. Additionally, City staff continues to work with Gaston County on the Tryon water line project. The line will come down Ramseur Road and cut across Highway 274. Updates will be provided, as they become available. Light discussion was held about how to address the City's outside utility fees for those that connect during the water line project.

Public Safety Director, Tom Ellis- Mr. Ellis addressed the Council regarding his return to the City. Mr. Ellis has been out on medical leave, and commended Deputy Chief, Chris Vaughn and Code Enforcement Officer, David James for filling in during his time of need. The number of police calls are on the rise. To date, the department has received over 1,000 calls per month. Mr. Ellis also commended City fleet services director, Wade Brown, Chris Massey, and Donald Mauldin for the great work in their respective departments. Light discussion was held regarding police applicants, School Resource Officers (SRO), and the golf cart ordinance.

Diane Jenkins, Finance Director – Ms. Jenkins informed the Board that she has finished the year end reporting. The audit team will be here September 23 – September 26. The Finance Department is taking applications once more for the Customer Service Representative position.

Michael Gordon, Fire Chief – Mr. Gordon informed the Board that fire has had about 300 calls this year and received a \$25,000 fire grant. Additionally, we have a fire truck out of service for repair work.

Hydeia Hayes, City Clerk & Human Resources Director- City Clerk & Human Resources Director, Hydeia Hayes informed the Board of the new UNC Lead Fellow, Hannah Dove who will be joining the City for a year to complete her fellowship. Ms. Hayes also noted the upcoming Staff Pool Party and annual City Manager review deadline.

City Manager's Report

City Manager, Josh Ross informed Council that city staff is working on a public safety building plan to utilize the grant funds of \$2.15 million received from the state. Staff had hoped that additional proceeds would be received. However, a plan is being devised now to utilize funds. At the August 2024 regular meeting staff will come before the board regarding a rezoning request for property located at tax parcels #151640, #151644, and #151645 (35.77 acres) from Neighborhood Residential (#151645) and Rural (#151644 & 151640) to Neighborhood Residential Conditional District to accommodate the development of a single-family residential community that will consist of 93 single family units, with the intent to voluntarily annex tax parcels 151640 and 151644 into the Bessemer City limits. The Osage Mill project is still underway. They are painting the water tower in the coming weeks. The leasing office is expected to lease the first 30 units around the end of September.

Per several email correspondences with Council, City Manager Ross acknowledged several questions which included:

- Discussion of pay and classification plan
- Staffing and promotion procedures
- Role of City Council members and City Manager per adopted rules and procedures

Additionally, the Manager advised Council that they should refrain from having extensive conversations in email correspondence amongst the Board as a whole. Instead, they should discuss these topics in an open meeting.

Council General Discussion

Mayor Smith opened the floor for Council general discussion Council member, Brenda Boyd asked staff to reach out to a resident along Dover Drive. Council member, Donnie Griffin expressed his concern about the tax rate, as it has placed a hardship on seniors living in Bessemer City.

Donnie Griffin made a motion to amend the tax rate and charge the full stormwater fees to businesses per July 1, 2024.

Light discussion was held amongst the Board and the City Attorney, Marshall Walker regarding the feasibility of this motion. As well as the usage of Powell Bill funds.

Donnie Griffin made a motion to withdraw his previous motion to amend the tax rate.

Adjourn

Being no further business to come before the board, by motion of Michael Brooks and unanimous vote the meeting was adjourned at 5:48 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk