



CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, September 11, 2023 at 7:00 PM

MINUTES

Members Present

Mayor, Becky S. Smith, Council Members: Brenda Boyd, Kay McCathen, Donnie Griffin, Brent Guffey, Dan Boling, and Joe Will were all present. City Manager, Josh Ross and City Attorney, David Smith were present as well.

Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. Dr. Matt Mitchell, Pastor of First Wesleyan Church led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

Adjustment and Approval of the Agenda

By motion of Brenda Boyd and unanimous vote, the September agenda was approved with no revisions.

Special Presentations -Dixie Youth 2023 World Series "Ponytails"

Mayor and City Council recognized the Bessemer City Girls Softball 11-12U team for winning for the 2023 World Series in Alexandria, Louisiana.

Request to Speak/Opportunity for Public Comment

Mayor Smith opened the floor for public comment. The following individuals came forth:

- David Lutz at 408 N. 12th Street: Mr. Lutz addressed Council regarding the closure of the underpass on S. 11th Street. This street was closed last December 2022 to pedestrian and vehicular traffic. Mr. Lutz stated that he visited the Osage Mill Redevelopment site and spoke with the contractors there conducting work. The contractors informed him that they did not request the road closure, the City Council did. Mr. Lutz asked that City Council reverse the decision. Additionally, Mr. Lutz would like to see a monthly statement of the City's financial statements. The people of Bessemer City need to know what's going on. He would like for this report to include the salaries of the top public officials and how much was spent on Stinger Park.

- Alan Fowler at 433 Bess Town Road: Mr. Fowler addressed Council regarding the Water Plant and a code enforcement issue. Mr. Fowler stated that he has had conversations with the Development Services Director requesting that a building be removed. The Water Plant has 5 employees, 3 live outside of the City. The 2 who live here drink water from a well.

- Courtney Womack: Ms. Womack addressed Council regarding Stinger Park and City Council meeting decorum. Per Ms. Womack certain Council members did not show proper decorum at the August 2023 Council meeting. Some members were argumentative, and made it hard for citizens to address their concerns. Citizens were not allowed to applaud their neighbors when they were speaking during a public

hearing. Citizens should be allowed to support others, although some citizens deviated and addressed Council inappropriately. Council should have remained professional. The citizen who was speaking his mind should not have been removed from the meeting. Stinger Park is nice, myself and my family visit often. However, there should be sidewalk from the top of the park to the bottom. This would help families utilizing strollers and those with disabilities.

- Aaron Grosdider at 517 Costner School Road: Mr. Grosdider addressed Council regarding several items. Grosdider stated that the public notices regarding City drinking water should have more detail in them. Citizens should have a whole picture of the health of the water system. Mr. Grosdider stated that 5 police officers have left the department due to the lack of numbers on the vehicles and pay. The Community Development Block Grant (CDBG), started off with 10 homes, now they are 6. However, there has only been \$250,000 spent. Where is the remaining money.

Public Comment Acknowledgment

Mayor Smith recognized City Manager, Josh Ross to provide clarification on some items discussed during public comment.

- The Community Development Block Grant (CDBG) project is still progressing. The project was awarded \$750,000. The City has provided emergency repairs to 5 homes for HVAC, and the remaining 5 homes are being rehabilitated. However, we had to de-obligate \$80,000 as the number of homes and project scope has changed. Additionally, the grant fees will cover several activities: attorney's fees for title searching, administration fee for a firm, and rehabilitation specialist who is certified. Personnel matters are protected by the North Carolina General Statutes; thus, they cannot be discussed in open session. The original plans for Stinger Park did include a sidewalk from the top of the parking lot by the soccer fields down to the main parking lot. However, due to budget constraints, this piece was removed. Additionally, every large City ran event has offered shuttle service to help those in need. Back in 2022 City officials met with the Osage Development owners and established an encroachment agreement for the S. 11th Street underpass. After the completion of the Osage Mill Redevelopment Project, the 11th Street one-lane underpass will be converted into a pedestrian path and will eventually connect with the Carolina Thread Trail as part of the City's Pedestrian Master Plan. The Osage Mill development team requested the use of 11th Street.

Consent Agenda

The following items on the Consent Agenda were unanimously approved by motion of Donnie Griffin:

2. **Approval of Minutes:** City Council will consider adopting the Regular Meeting minutes of the August 14th, 2023 meeting.
3. **Approval of Minutes:** City Council will consider adopting the Work Session Meeting minutes of the August 29th, 2023 meeting.
4. **Street Closure - Trunk or Treat:** City administration is requesting the temporary closure of the 100 Block of West and East Virginia Avenue for the Halloween Trunk or Treat event on Saturday, October 28th, 2023.

Proclamation: Dyslexia Awareness Month

Mayor, Becky S. Smith read the Dyslexia Awareness Month Proclamation aloud and declared October 2023 as a month of awareness in Bessemer City.

By motion of Brent Guffey and unanimous vote, the proclamation was adopted. A copy of the proclamation is available at City Hall.

Proclamation: Domestic Violence Awareness Month

Mayor, Becky S. Smith read the Domestic Violence Awareness Month Proclamation aloud and declared October 2023 as a month of awareness in Bessemer City.

By motion of Joe Will and unanimous vote, the proclamation was adopted. A copy of the proclamation is available at City Hall.

Brownfields Grant Application

Nathan Hester, Development Services Director, addressed Council regarding an EPA Brownfields grant. EPA's Brownfields Program provides direct funding for brownfields assessment, cleanup, revolving loans, environmental job training, technical assistance, training, and research. To facilitate the leveraging of public resources, EPA's Brownfields Program collaborates with other EPA programs, other federal partners, and state agencies to identify and make available resources that can be used for brownfield activities.

Establish Public Hearing - Petition for Right of Way Closure:

By motion of Donnie Griffin and unanimous vote, a public hearing will be held on Monday, October 9th at 7:00 PM to hear public comment regarding a right of way closure on Hillcrest Drive. This portion of unimproved street right-of-way measures approximately 0.0921 acres. The City has no plans to develop or use this right of way. Property owners adjacent to said area have requested the closure as well. At this public hearing, city officials plan to exercise the City's right to reserve an easement for future utility purposes.

Establish Public Hearing - for Rezoning Request (401 E. Alabama Avenue):

By motion of Joe Will and unanimous vote, a public hearing will be held on Monday, October 9th at 7:00 PM to hear public comment regarding a rezoning request from Lightbeam Estates to rezone tax parcel #121483 401 E. Alabama Avenue from City Center (CC) to Urban Residential (UR).

Public Hearing –Rezoning Request:

City Council held a public hearing to hear public comment regarding a rezoning request from Stacy Ellis for property located at tax parcel #204346 from business campus production (BCP) to rural (R) for purposes of maintaining livestock.

By motion of Dan Boling and unanimous vote, the public hearing regarding the rezoning request was opened at 7:43 PM.

Development Services Officer, Nathan Hester addressed Council regarding the rezoning request at tax parcel #204346 owned by Stacy Ellis. The Ellis family submitted the following request to expand the boundary for their horses. Stacy Ellis purchased the parcel from the Mount Pleasant Baptist Church in 2020. Originally the church owned this land and had plans to place a fellowship hall on it. However, the church sold the land, and the current property owners would like to have the property rezoned.

Mayor Smith asked if there was anyone present to speak in favor of the rezoning request. There was none.

Mayor Smith asked if there was anyone present to speak in opposition of the rezoning request. There was none.

By motion of Kay McCathen and unanimous vote, the public hearing regarding the rezoning request was closed at 7:48 PM.

Ordinance Amending Zoning Map:

By motion of Joe Will and unanimous vote, the zoning map amendment to include tax parcel #204346 as rural for purposes of maintaining livestock was approved. The requested rezoning is reasonable and consistent with the Bessemer City Planning & Economic Development Comprehensive Land Use Vision. The proposed map amendment would not be detrimental to the City and ETJ.

Annexation Agreement (City of Gastonia):

By motion of Brent Guffey and unanimous vote, the annexation agreement with the City of Gastonia was approved. This agreement will allow both parties to facilitate efficient growth and land use planning. This agreement was signed for a duration of 10 years. At which point, this agreement will be revisited. The map includes the City' ETJ and will allow for adequate growth. If at any point either party would want to voluntarily annex a portion of property in the others jurisdiction, they will have to directly solicit the permission of the opposing City.

City Manager's Report

City Manager, Josh Ross, addressed Council regarding the following:

- Resolution of Tentative Award: By motion of Joe Will and unanimous vote, the resolution awarding the Vantine Pump Station and Sewer replacement project to Neill Grading & Construction Co, Inc. of Hickory, North Carolina in the amount of \$1,618,525 was approved. Said tentative award is contingent upon the approval of bidding documentation and the commitment of additional funding by the North Carolina Department of Environmental Quality, Division of Water Infrastructure. The complete bid amount was \$2,269,875 and the scope of work was negotiated to reduce the contract price to \$1,618,525.
- General: Thank a Police Officer Day will be Friday, September 15th at 10 AM at the Kiser Senior Center. The Senior Health Fair will be Wednesday, October 11th at the First Baptist Church. Our 2nd Annual Brew & Que Festival will be Saturday, September 23rd downtown. The band performing will be "On the Border" with an Eagles Band tribute. City Staff have received many requests to install speed bumps or tables throughout the community. Staff are reviewing possible options and will bring them before the Council at a later date. Per the NC Department of Insurance's evaluation, the Fire Department's ISO protection class rating level has gone from a 5 to 3. ISO level 3 is the highest rating in the department's history! This achievement is due to the hard work of the BCFD staff and volunteers who work diligently to protect citizens and property in Bessemer City. This rating indicates that BCFD continues to make improvements and investments built on a solid framework of commitment and service. This higher rating can also significantly lower insurance rates within Bessemer City's Fire District.

Council General Discussion

Mayor Smith opened the floor for Council general discussion. Council member, Kay McCathen expressed her concern about the amount of cars speeding through the Vantine Community Cemetery. Council member, Brenda Boyd commended City Staff for working diligently to get Alabama Avenue paved. Council member, Brent Guffey asked City Staff to speak with the paving contractor to fix the striping along 12th Steet. City Manager, Ross informed Council that many may have noticed the striping around the Southridge Park. A traffic signal will be placed out at that intersection soon. Council member, Donnie Griffin requested that the right of way between 12th and 13th street be cleaned up.

Adjournment

Being no further business to come before the board, by motion of Brenda Boyd and unanimous vote, the meeting was adjourned at 8:02 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk