



CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, August 8, 2022 at 7:00 PM

MINUTES

Members Present

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

Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. Council member, Brenda Boyd led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

Adjustment and Approval of the Agenda

By motion of Dan Boling and unanimous vote, the August agenda was approved with the following revisions:

- Add Item #3a under business items:
 - o **ABC Board Presentation:** ABC Board Chairman, Michael Brooks presented Mayor & City Council with a check from the ABC store proceeds in the amount of \$15,000.00.

Request to Speak/Opportunity for Public Comment

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

- Barry Boheler of 960 Sunset Dr: Mr. Bohler addressed Council regarding his concerns about the paving of Sunset Drive. Mr. Bohler stated that there is a lot of thorough fare on this unpaved road. He further stated that there is a speeding issue on this street.
- Charles Grooves of 1000 Sunset Dr: Mr. Groves addressed Council regarding his concerns about the paving of Sunset Drive. Mr. Groves stated that he bought the house back in 1985 with hopes that the City would eventually pave that road.
- Henry Moose of 805 Sunset Dr: Mr. Moose addressed Council regarding his concerns about the paving of Sunset Drive. Mr. Moose also stated that the road has no drainage, and is a hazard during inclement weather.
- Joe Morgan of 1010 Sunset D: Mr. Morgan addressed Council regarding his concerns about the paving of Sunset Drive. Mr. Morgan stated that there are many wrecks that happen on this road. The road is a nuisance.
- Sharlene Woollaston of 1010 Sunset D: Ms. Woollaston addressed Council regarding her concerns about the paving of Sunset Drive. Ms. Woollaston stated that the road is a hazard during inclement weather.

Consent Agenda

The following items on the Consent Agenda were unanimously approved by motion of Brenda Boyd:

-Approval of Minutes: City Council will consider adopting the Regular Meeting minutes of the July 11th, 2022.

- Approval of Minutes: City Council will consider adopting the Work Session Meeting minutes of the July 26th, 2022.

- Street Closure - 1st Annual Brew & Que Festival: City administration is requesting the temporary closure of the 100 Block of West Virginia, East Virginia, West Pennsylvania Avenue, and the 100 Block of North and South 12th Street for the 1st Annual Brew & Que Festival on Friday, October 14th and Saturday, October 15th, 2022.

9/11 Proclamation:

Mayor, Becky S. Smith read the 9/11 Proclamation aloud and declared September 11, 2022 as a day of remembrance in Bessemer City. All present were encouraged to engage in programming honoring those in the 9/11 attack on the twin towers.

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

Resolution- Clean Water State Revolving Fund Loan Acceptance: Project No. CS370763-03:

City Staff addressed Council regarding the approval of a resolution regarding sewer line replacements and upgrades to the Vantine Pump Station. This loan would fix lines throughout the City, at lift stations, and is for \$1.85 million. However, \$500,000 will be forgiven.

By motion of Dan Boling and unanimous vote, the resolution was adopted. A copy of the resolution is available at City Hall.

Resolution - Approving the Sale of Beer:

City Staff addressed Council the adoption of a resolution that would permit the sale of Beer at the 1st Annual Brew & Que Festival on Saturday, October 15th, 2022.

By motion of Brent Guffey and a 4:1 vote, with Brenda Boyd in opposition, the resolution was adopted.

Establish Public Hearing:

City Staff is requesting the establishment of a public hearing for Council to hear comments from citizens regarding a rezoning request from Eastwood Homes for property located at tax parcels #304904, #306573, #306572, #306571, #306570, and #306569 from Rural (R) to Urban Residential Conditional District (URCD).

By motion of Joe Will and unanimous vote, a public hearing regarding the rezoning request from Eastwood Homes will be held on Monday, September 12, 2022 at 7:00PM in Council Chambers. Public notice will be given per NC General Statutes.

Resolution Directing City Clerk to Investigate a Petition for Voluntary Annexation:

By motion of Dan Boling and unanimous vote, City Council adopted a resolution directing the City Clerk to investigate a petition received from Development Solutions Group regarding property located at the following parcel- #202266.

Establish Public Hearing:

City Staff is requesting the establishment of a public hearing for Council to hear comments from citizens regarding a voluntary annexation petition from Development Solutions Group for property located at tax parcel #202266 (7.196 acres) on Monday, September 12th, 2022 at 7:00 PM.

By motion of Donnie Griffin and unanimous vote, a public hearing regarding a voluntary annexation will be held on Monday, September 12, 2022 at 7:00PM in Council Chambers. Public notice will be given per NC General Statutes.

Resolution Directing City Clerk to Investigate a Petition for Voluntary Annexation:

By motion of Dan Boling and unanimous vote, City Council adopted a resolution directing the City Clerk to investigate a petition received from the City of Bessemer City regarding property located at the following parcels- #306555, #151628, #223258, #156697, #156702. These parcels are owned by the City, but are not in the City limits.

Establish Public Hearing -City of Bessemer City:

City Staff is requesting the establishment a public hearing on Monday, September 12th, 2022 at 7:00 PM to hear public comment regarding a voluntary annexation petition received from the City of Bessemer City regarding property located at the following parcels- #306555, #151628, #223258, #156697, #156702. These parcels are owned by the City, but are not in the City limits.

By motion of Brent Guffey and unanimous vote, a public hearing regarding a voluntary annexation will be held on Monday, September 12, 2022 at 7:00PM in Council Chambers. Public notice will be given per NC General Statutes.

Public Hearing –Rezoning Request (Arc St):

City Council held a public hearing regarding a rezoning request from Development Solutions Group for property located at tax parcel #202266 (7.05 acres), from Rural (R) to Urban Residential (UR).

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the rezoning request was opened at 7:36 PM.

Mayor Smith asked if there was anyone present to speak in favor of the rezoning request. The following individual came forth:

- Kyle Crowe of Development Solutions Group: Mr. Crowe addressed Council regarding the project. Mr. Crowe completed the application for rezoning, and is available to answer any questions from Council.

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

By motion of Brenda Boyd and unanimous vote, the public hearing regarding the rezoning request was closed at 7:38 PM.

Ordinance for Zoning Map Amendment:

City Planner, Nathan Hester addressed Council regarding rezoning request. The applicant has submitted an application with the City of Bessemer City Planning Department requesting the rezoning of Parcel # 202266 from Rural to Urban Residential. The purpose of the rezoning is to support the subdivision of the parcel into 16 subsequent parcels for the development of single family housing. The applicant will also extend the City's fire hydrants on the land.

By motion of Joe Will and unanimous vote, the zoning map amendment was approved. A copy of this ordinance is on file at City Hall. This zoning map was adopted along with the plan consistency and statement of reasonableness. The requested rezoning is reasonable and consistent with the Bessemer City Planning & Economic Development Comprehensive Land Use Vision.

Public Hearing –Major Subdivision (Sunset Drive):

City Council held a public hearing regarding a request for a major subdivision from Kevin T. Haskins for property located at Parcel #121008.

By motion of Dan Boling and unanimous vote, the public hearing regarding the major subdivision was opened at 7:40 PM.

Mayor Smith asked if there was anyone present to speak in favor of the major subdivision. The following individual came forth:

- **Charles Grooves 1000 Sunset Dr:** Mr. Groves informed Council that his mother owned property near the proposed property.

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

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the major subdivision was closed at 7:41 PM.

Resolution Approving Major Subdivision (Sunset Drive):

City Planner, Nathan Hester addressed Council regarding the major subdivision. Property Owner, Kevin T. Haskins, has applied to the City of Bessemer City to subdivide his 10.20 acre parcel of vacant land. The vacant lot is assigned PID# 121008 and is reference in Deed Book 5275, Page 1424 with the Gaston County Register of Deeds. The location of the land parcel is located along Sunset Dr. and is within the City of Bessemer City limits. The purpose of the project outlined by the applicant is to subdivide the lot into two acres of 4 and 6.20 acres respectively, with the intent to sell the four acre lot for single family development to a family friend. Due to the project meeting one of the four requirements listed above from Section 10.1 of the City of Bessemer City Land Development Code, the subdivision is classified as a major subdivision and is subject to the statutory requirements of Chapter 160D of the NC General Statutes. The Applicants has submitted a Major Subdivision Preliminary Plat application proposing to subdivide a 10.2 acre tract of land into two parcels for the purpose of single family residential.

By motion of Joe Will and unanimous vote, the resolution the major subdivision for property located at tax parcel #121008 was approved.

Public Hearing –Major Subdivision (Lennar Homes):

City Council held a public hearing regarding a request for a major subdivision from Lennar Homes property located at Parcel #307413.

By motion of Dan Boling and unanimous vote, the public hearing regarding the major subdivision was opened at 7:44 PM.

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

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

By motion of Joe Will and unanimous vote, the public hearing regarding the major subdivision was closed at 7:45 PM.

Resolution Approving Major Subdivision (Lennar Homes):

City Planner, Nathan Hester addressed Council regarding the major subdivision. Property Owner, Lennar Corporation has applied to subdivide tax parcel #307413. Tax Parcel 307413 was recently recombined from Tax Parcel's 151795 and 220086. The parcel was recently voluntarily annexed into the city limits of Bessemer City and is zoned Urban Residential. The applicants have submitted a Major Subdivision application on July 8, 2022 to develop a single family residential community on the proposed site.

By motion of Dan Boling, with a 4-1 vote with Brent Guffey in opposition, the resolution the major subdivision regarding property located at tax parcel #307413 was approved.

City Manager's Report

Director of Administration, Josh Ross, addressed Council regarding the following:

- Budget Amendment: By motion of Joe Will and unanimous vote, the budget amendment regarding Police Department equipment to enhance response time was approved.

Council General Discussion

Mayor Smith opened the floor for Council general discussion. There was none.

Adjournment

Being no further business to come before the board, by motion of Donnie Griffin and unanimous vote, the meeting was adjourned at 7:49 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk