



CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, April 11, 2022 at 7:00 PM

MINUTES

Members Present

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

Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. First United Methodist Pastor, Tripp Hord led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

Adjustment and Approval of the Agenda

By motion of Brent Guffey and unanimous vote, the April agenda was approved with no revisions.

Request to Speak/Opportunity for Public Comment

Mayor Smith opened the floor for public comment. There was none.

Consent Agenda

The following items on the Consent Agenda were unanimously approved by motion of Dan Boling:

- **Approval of Minutes:** City Council will consider adopting the Regular Meeting Minutes of the March 14th, 2022 meeting.
- **Approval of Minutes:** City Council will consider adopting the Special Meeting Minutes of the March 25th, 2022 meeting.
- **Approval of Minutes:** City Council will consider adopting the Work Session Meeting Minutes of the March 29th, 2022 meeting.

Public Hearing – Osage Mill Redevelopment Revitalization Project Incentive:

City Council held a public hearing regarding a grant for the Osage Mill Redevelopment Revitalization Project Incentive.

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the redevelopment revitalization project incentive was opened at 7:09 PM.

Mayor Smith asked if there was anyone present to speak in favor of the redevelopment revitalization project incentive. There was none.

Mayor Smith asked if there was anyone present to speak in opposition of the redevelopment revitalization project incentive. There was none.

By motion of Brenda Boyd and unanimous vote, the public hearing regarding the redevelopment revitalization project incentive was closed at 7:09 PM.

Resolution- Osage Mill Redevelopment Revitalization Project Incentive

Donny Hicks of the Gaston County EDC, addressed Council regarding the Osage Mill Project Incentive. Mr. Hicks informed Council that the Gaston County Commissioners will be adopting the same resolution at its next meeting. Mr. Hicks also expressed his support of the resolution.

By motion of Joe Will and unanimous vote, the resolution was adopted. A copy is on file at City Hall.

Public Hearing: Text Amendment to LDC Section 2.7.B

City Council held a public hearing regarding an application to amend text in the Land Development Code Section 2.7.B, table of uses. City Planner, Nathan Hester informed Council that an amendment was needed to allow for mixed use residential in the downtown area. The Osage Mill Redevelopment Project and local businesses are using this new development set up. Typically, a commercial business is located on the first floor and the second floor is housing.

By motion of Kay McCathen and unanimous vote, the public hearing regarding the text amendment was opened at 7:12 PM.

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

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

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the text amendment was closed at 7:13 PM

Ordinance for Text Amendment:

By motion of Joe Will and unanimous vote, the text amendment regarding Section 2.7.B of the Land Development Code (LDC) was approved. A copy of this ordinance is on file at City Hall. This text amendment 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: Text Amendment to LDC Table 3-6 Section 3.5.H

City Council held a public hearing regarding an application to amend text in the Land Development Code table 3-6 Section 3.5.H, table of uses. City Planner, Nathan Hester informed Council that an amendment was needed to increase the fencing maximum. Currently the LDC has a maximum height requirement of 42 inches. For single family. Initially this height was imposed to create a pedestrian aesthetic with front yard fencing in residential areas.

However, after speaking with leaders in the commercial and residential industry Staff has determined that fence manufacturers don't produce a product that is 42 inches. The common increments are 24, 36, 48, 60, and 72. Thus, City Staff would like to amend the maximum height to 48 inches.

By motion of Brenda Boyd and unanimous vote, the public hearing regarding the text amendment was opened at 7:15 PM.

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

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

By motion of Kay McCathen and unanimous vote, the public hearing regarding the text amendment was closed at 7:15 PM.

Ordinance for Text Amendment to LDC Table 3-6 of Section 3.5.H:

By motion of Donnie Griffin and unanimous vote, the text amendment regarding table 3-6 Section 3.5.H of the Land Development Code (LDC) was approved. A copy of this ordinance is on file at City Hall. This text amendment 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: Pedestrian Plan Update

City Council held a public hearing regarding an update to the Pedestrian Plan. City Planner, Nathan Hester informed Council that in 2019, the City Council approved a Planning and Economic Development Land Use Plan. Later on in 2021 City Council adopted changes to the Bessemer City Land Development Code and Land Use Map that would aid in fulfilling the goals adopted by Council. City Staff along with consultants have conducted a study of the plan, providing opportunities for public comments and a public hearing. City Staff considers it to be in the best interests of the City to adopt a plan pursuant of the City's Strategic Plan. This plan would address the following: outside exercise capability, updated pedestrian crossings, improvements to existing roadways and side walk projects, way finding signs and establishing a website for health education.

By motion of Kay McCathen and unanimous vote, the public hearing regarding the pedestrian plan update was opened at 7:22 PM.

Mayor Smith asked if there was anyone present to speak in favor of the pedestrian plan update. There was none.

Mayor Smith asked if there was anyone present to speak in opposition of the pedestrian plan update. There was none.

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the pedestrian plan update was closed at 7:23 PM.

Resolution- Pedestrian Plan Update

By motion of Dan Boling and unanimous vote, the resolution regarding an update to the Pedestrian Plan was approved. A copy of this resolution is on file at City Hall. This text amendment 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 - Edgewood85 Commerce Park for Major Site Plan:

City Council held a public hearing regarding an application to amend the zoning map to include tax parcel #152648 as Business Campus Production (BCP). City Planner, Nathan Hester, addressed the Board regarding a site plan application received from Trinity Capital Advisors. Trinity has applied to develop 120 acres as phase one (1) of the Edgewood85 Commerce Park on Tax Parcels 152646, 152648, and 306415. The development will consist of new street infrastructure, utility infrastructure, and 1,028,700 square feet of structural space to accommodate future manufacturing ventures. The proposed site will be voluntarily annexed into the City of Bessemer City limits. Currently Tax Parcels 152646 and 306415 are zoned Business Campus Production. However, Tax Parcel 152648 is zoned Urban Residential, and will need to be rezoned to allow for development. Exactly 303.95 feet of recorded right of way, referred to as Downey Lane (PB 10, PG 154) will be closed to accommodate future ingress and egress into the development site.

The applicants submitted a Major Site Plan application on February 15, 2022 proposing to develop the proposed 120 acre site into a Commerce Park. Staff recommends approval of site plan with the following conditions proposed: The driveway between Buildings 1 and Building 2 be recorded as right of way, constructed, and dedicated to the City as a public street with sidewalks and landscaping. Restrictive vehicular access measures be constructed for the points of ingress and egress off of S 8th St., Capps Rd., and Steele Rd.

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the site plan was opened at 7:15 PM.

Mayor Smith asked if there was anyone present to speak in favor of the site plan. The following came forward:

- Massie Flippin of Trinity Development: Mr. Flippin addressed Council regarding his support of the project. Trinity Development has been in the development business for over 30 years. The group is known for producing high quality developments that established great paying jobs. There will be multiple entrances, and over \$100 million in growth once this project is complete.
- Jason Seaman of Trinity Development: Mr. Seaman addressed Council regarding the site plan and how the development plans to handle egress and vegetation.
- Donnie Hicks of the Gaston County EDC: Mr. Hicks addressed Council regarding his support for the project. He has been working with the County since 1984, and was onboard when the Southridge Business Park was established.
- Roger LaCount of 559 Steele Rd: Mr. LaCount addressed Council regarding his concern about his property values. Mr. LaCount acquired about what phase his property was located in and if the project would bring jobs. He was informed that he was in Phase II and that this project would employ over 100.

Mayor Smith asked if there was anyone present to speak in opposition of the site plan. The following individuals came forth:

- Joey Whitaker of 618 Steele Rd: Mr. Whitaker addressed Council regarding his concern about tractor trailers coming through the neighborhood and getting stuck. Although there has been talk about making sure trucks exit through the correct exit, some will inevitably go the wrong way. He also inquired about fire safety and police protection as the City grows.
- Nichole Whitaker of 618 Steele Rd: Mrs. Whitaker addressed Council regarding her concern about the small town character that the Steele Road community has. Mrs. Whitaker doesn't want the character of the neighborhood to be lost to development.

- Adam Huskins of 407 E. Tennessee Avenue: Mr. Huskins addressed Council regarding his concern about eminent domain. Mr. Huskins wanted to know if his property would be annexed into the City or if he would remain in the County. Mr. Huskins was informed that he would remain in the County. Cities no longer have the power to seize and involuntarily annex property into the City. He also inquired if DOT had plans to widen Edgewood Rd.
- Barabara Kennerly of 1137 Capps Rd: Ms. Kennerly inquired about her concerns. She is not in favor of the development and worries about the safety of her community.
- Rodney Absher of 1044 Capps Rd: Mr. Absher addressed Council about the public safety plans once this development has been completed.
- Benji Snipes of 314 E. Gaston Avenue: Mr. Snipes inquired about the tractor trailers that will get stuck if they come the wrong way out of the development. Mr. Snipes also spoke about his concern that natural wild life will no longer be preserved. Being a resident of the community for many years, he had grew accustomed to hearing the wildlife throughout the day.
- David Ross of 805 Edgewood Rd: Mr. Ross addressed Council about the trees and the possible encroachment of the development on his property. Mr. Ross also requested that the City not burn practice houses on days where it's windy.
- Tim Stuart of 1144 Capps Rd: Mr. Stuart addressed Council regarding the exit on Steele Road. Mr. Stuart stated that he felt that no exit on Steele Road was necessary. He suggested that the development team redraw their plans and place the exit on another street. He believes that this will be an inconvenience to residents on that street.
- Matt Weaver of 612 Steele Rd: Mr. Weaver addressed Council regarding his concern for the storm water system, construction, and the increased amount of traffic. Mr. Weaver also mentioned that the Tennessee Avenue already has numerous water problems, adding more can slow down the system.
- William Patterson of 563 Steele Rd: Mr. Patterson addressed Council regarding his concern with the number of parking spaces. This development will have over 1,000 parking spaces for. Mr. Patterson believes that many drivers of the development will look for a quick way out, and exit on to Steele Road often.

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the site plan was closed at 8:20 PM

Ordinance - Withdrawing & Closing a Portion of Right of Way Named Downey Lane

City Planner, Nathan Hester addressed Council regarding the closing of a portion of right of way, Downey Lane. This right of way will be closed and a portion will be given to the adjacent property owner for a drive way to his property. He will be responsible for maintaining the portion of right of way.

By motion of Joe Will and unanimous vote, the portion of right of way named Downey Lane was closed. A copy of this ordinance is on file at City Hall.

Ordinance - Zoning Map Amendment

City Planner, Nathan Hester addressed Council regarding the zoning map amendment to include Tax Parcel #152648 as Business Campus Production (BCP).

By motion of Dan Boling and unanimous vote, Tax Parcel #152648 will be recorded as Business Campus Production (BCP). A copy of this ordinance is on file at City Hall.

Resolution - Edgewood85 Commerce Park for Major Site Plan

By motion of Donnie Griffin and unanimous vote, the Edgewood85 major site plan was approved. A copy of this resolution is on file at City Hall.

City Manager's Report

City Manager James Inman, addressed Council regarding the following:

- Declare Property Surplus: City Manager, James Inman requested that a 2003 John Deere backhoe be declared as property surplus. If approved this item will be placed on GovDeals for 14 days. People will be able to log on and bid on the backhoe. By motion of Brent Guffey and unanimous vote, the budget amendment was approved.

Council General Discussion

Mayor Smith opened the floor for Council general discussion. Council member, Kay McCathen inquired about the possibility of opening the restroom facilities at the Indian Springs Park. Council member, Donnie Griffin inquired about the culverts on 8th Street and Georgia Avenue.

Adjournment

Being no further business to come before the board, by motion of Dan Boling and unanimous vote, the meeting was adjourned at 8:25 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk