



## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, November 13, 2023 at 7:00 PM

---

### MINUTES

#### Members Present

Mayor, Becky S. Smith, Council Members: Brenda Boyd, Donnie Griffin, Dan Boling, Nellie Floyd, Brent Guffey 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. John Harper, Pastor of Ragan Wesleyan led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

#### Adjustment and Approval of the Agenda

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

#### Oath of Office

Mayor Smith administered the oath of office to Nellie Floyd. Ms. Floyd was recently appointed to fulfill Kay McCathen's term until December 2025.

#### Special Presentations

Student Appreciation- Students from Bessemer City High School, Bessemer City Middle School, Bessemer City Central Elementary School, Bessemer City Primary School, and Tryon Elementary were recognized by their principals and City Council as part of the Student Appreciation Program:

Dr. Sheila Wyont, Principal of Bessemer City High School, and Mayor Smith, recognized the following students of the month: Monserrat Baez Salazar, 9<sup>th</sup> grade representative; Camron Marlow, 10<sup>th</sup> grade representative; Tyrese Edwards, 11<sup>th</sup> grade representative and Laila Coleman, 12<sup>th</sup> grade representative.

Dr. Jessica Mellon, Principal of Bessemer City Middle School, and Mayor Smith, recognized the following students of the month: Kevin Cruz, 6<sup>th</sup> grade representative; Leah Owens and Naeja Lewis, 7<sup>th</sup> grade representatives; and Madison Trakas and Jayden Morris 8<sup>th</sup> grade representatives.

Dr. April Conley, Principal of Bessemer City Central School, and Mayor Smith, recognized the following students of the month: Gustavo Cordova; 3<sup>rd</sup> grade representative; 4<sup>th</sup> Mylah Graham; and 5<sup>th</sup> Walker Hurst.

Mrs. Erin Morehead, Guidance Counselor of Bessemer City Primary and Mayor Smith, recognized the following students of the month: Karmon Hampton, Kindergarten representative; Lilliam Hinson, 1<sup>st</sup> grade, and representative; Aryanna Mills, 2<sup>nd</sup> grade representative.

Mrs. Kelsey Nixon, Kindergarten Administrator of Tryon Elementary and Mayor Smith, recognized the following students of the month: Emily Randall, Kindergarten representative; Hallie Hoyle, 1<sup>st</sup> grade, Zack

Randall, 2<sup>nd</sup> grade representative, Leslie Rodriguez and Yosthin Sanchez, 3<sup>rd</sup> grade representative; Elijah Love and Cullen Cooper, 4<sup>th</sup> grade representative; and Josiah Drake, 5<sup>th</sup> grade representative.

### **Request to Speak/Opportunity for Public Comment**

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

- Monica Hence at 705 S Skyland Drive: Mrs. Hence addressed Council regarding a light being placed in the Vantine Cemetery. Her father is buried there and she would like to go visit his grave in the light. Ms. Hence also stated that a number of residents have witnessed several people using the cemetery as an area of relief for their animals. This should be stopped, individuals should show respect and dignity when visiting the cemetery. Hence also mentioned a concern with the water being brown in color.

- Courtney Womack at 517 Costner School Road: Ms. Womack congratulated all winners of the recent Tuesday, November 7<sup>th</sup> election.

### **Consent Agenda**

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

2. **Approval of Minutes:** City Council will consider adopting the Regular Meeting minutes of the October 9<sup>th</sup>, 2023 meeting.
3. **Approval of Minutes:** City Council will consider adopting the Work Session Meeting minutes of the October 31<sup>st</sup>, 2023 meeting.

### **Establish a Public Hearing for Community Development Block Grant (CDBG):**

City Staff is requesting the establishment of a public hearing on Monday, December 11th at 7:00 PM to close out the 2014 (14-D-3029) and 2016 (16-D-3029) CDBG-Neighborhood Revitalization projects.

By motion of Brenda Boyd and unanimous vote, a public hearing regarding two CDBG close out projects will be held on Monday, December 11<sup>th</sup> at 7:00 PM.

### **Ordinance for the Closing & Withdrawing of a Recorded Section of Public Street Right-of-Way (Hillcrest Dr):**

By motion of Joe Will, this ordinance was approved. This portion of unimproved street right-of-way measures approximately 0.0921 acres. A public hearing was previously held on Monday, October 9th at 7:00 PM.

### **Declare Property Surplus:**

City Staff is requesting that a 1981 GE Generator and Condec Detroit diesel generator be declared surplus. These are old generators from the Water Plant. New upgrades have been made with the Water Plant improvements. Thus, these generators are no longer needed.

By motion of Donnie Griffin and unanimous vote, the two generators were declared surplus.

### **Resolution to Accept Offer for Loan Funding:**

The North Carolina Department of Environmental Quality Division of Water Infrastructure has offered the City a Clean Water State Revolving Loan in the amount of \$1,985,000 for the construction of the Vantine Pump Station and Sewer Replacements. This is a 0% interest loan, and the City will have \$500,000 forgiven at the completion of the project. The City will have 20 years to pay this loan back.

By motion of Dan Boling and unanimous vote, the resolution to accept the offer for loan funding for Vantine Pump Station and Sewer Replacements were approved.

**Capital Project Ordinance Amendment - Vantine Sewer Pump Station:**

By motion of Brent Guffey and unanimous vote, the capital project ordinance amendment for the Vantine Pump Station and Sewer Replacements were approved.

**Establish Public Hearing: Amend Land Development Code (LDC) & Abolish Planning & Zoning Board of Adjustments**

As required by NCGS 160A-346, the City is required to hold a public hearing prior to adopting and amending any changes to Land Development Code (LDC). Mayor and Council wish to abolish the board by rescinding sections 6.2 and 6.3 of the LDC at the next regular meeting. Public notice of this public hearing will be advertised in accordance of N.C.G.S. 160A-364.

By motion of Donnie Griffin and unanimous vote, a public hearing regarding the abolishment of the Planning & Zoning Board of Adjustments will be held Monday, December 11<sup>th</sup>, 2023 at 7:00 PM in Council Chambers.

**Establish Public Hearing: Amend Land Development Code (LDC) & Establish Planning & Zoning Board of Adjustments**

As required by NCGS 160A-346, the City is required to hold a public hearing prior to adopting and amending any changes to Land Development Code (LDC). Mayor and Council wish to establish a Planning & Zoning Board of Adjustments by adopting sections 6.2 and 6.3 of the LDC at the next regular meeting. Public notice of this public hearing will be advertised in accordance of N.C.G.S. 160A-364.

By motion of Joe Will and unanimous vote, a public hearing regarding the establishment of the Planning & Zoning Board of Adjustments will be held Monday, December 11<sup>th</sup>, 2023 at 7:00 PM in Council Chambers.

**Establish Public Hearing: Abolish Downtown Development Board & Bylaw Changes**

Mayor and Council wish to abolish the downtown development board and change the bylaws.

By motion of Donnie Griffin and unanimous vote, a public hearing regarding the abolishment of the Downtown Development Board will be held Monday, December 11<sup>th</sup>, 2023 at 7:00 PM in Council Chambers.

**Establish Public Hearing: Establish Downtown Development Board & Bylaw Changes**

Mayor and Council wish to establish the downtown development board and change the bylaws.

By motion of Dan Boling and unanimous vote, a public hearing regarding the establishment of the Downtown Development will be held Monday, December 11<sup>th</sup>, 2023 at 7:00 PM in Council Chambers.

**City Manager's Report**

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

- General: The previous items to establish a public hearing relate to City Staff wishing to increase the number of Board members on each Board. Back in 2018 the Boards underwent the same process to limit the number of Board members. But we would like to reverse this action. Christmas in the City will be this upcoming Sunday, November 19<sup>th</sup>. We have over 25 vendors set up to attend. The parade will begin at 4:30 PM. Once it's dark we will transition to the Tree Lighting program. The Fire Departments annual bbq sale yielded over 1,200 plates. The public works team is working on leaf removal. There is a county wide burn ban in effect, due to the drought. City Staff is working to address

the discoloration of city water. This is a natural effect due to lake turnover and the drought. Additionally, the water is being drew from a lower elevation in the lake. The discolored water poses no health or safety risk.

### **Council General Discussion**

Mayor Smith opened the floor for Council general discussion. Council member, Dan Boling thanked the Board and City Attorney, David Smith for their service to the City. Mr. Boling has been on the Board for 18 years. Mr. Boling thanked Mayor Smith and late Council member McCathen for their leadership during his tenure. Council member Nellie Floyd thanked the Board for allowing her to join the Bessemer City Council as the Ward 2 representative. Ms. Floyd is looking forward to helping the citizens of Bessemer City and serve the Board. Council member, Joe Will stated that he was honored to serve and work with the current board. Mr. Will commended Mayor Smith for her many years of leadership and dedication to the citizens of Bessemer City. Furthermore, he is happy to pass along the baton to the next City Councilman for Ward 3. Hiring Joshua Ross as the City Manager was a wonderful decision. Council member, Brenda Boyd thanked the Bessemer City citizenry for entrusting her with another four years. She thanked the past members for their service. Council member, Brent Guffey thanked Joe Will and Dan Boling for their years of service. Guffey thanked Mr. Boling for encouraging him to run for public office. Council member, Donnie Griffin commended Joe Will and Dan Boling for many years of great service to the Bessemer City community.

### **Closed Session**

By motion of Brent Guffey and unanimous vote, City Council entered in to closed session to discuss a personnel matter pursuant to NCGS143-318(a)(6) at 7:53 PM.

By motion of Donnie Griffin and unanimous vote, City Council came out of closed session at 8:45 PM. No action was taken.

### **City Manager - Vehicle Allowance**

By motion of Joe Will and unanimous vote, per City Manager, Joshua Ross 'request will receive a \$600 monthly stipend for a vehicle. Additionally, his managerial contract was extended an additional 2 years. Thus, Mr. Ross will serve as City manager until January 1, 2028.

### **Adjournment**

Being no further business to come before the board, by motion of Dan Boling and unanimous vote, the meeting was adjourned at 8:47 PM.

---

Becky S. Smith, Mayor

---

Hydeia Y. Hayes, City Clerk