



CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, May 9, 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, David Smith were present as well.

Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. Mount Pleasant Pastor, Thurman Clark 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 May agenda was approved with no revisions.

Special Presentations

2022 NC Main Street Champion Award- Mayor Smith and City Council recognized J.C. Vargas for being selected as a 2022 NC Main Street Champion. J.C. Vargas is a key player in downtown Bessemer City's success. He began investing in downtown in 2019 and is currently renovating four downtown buildings for new restaurants and shops. J.C. serves on the Bessemer City Downtown Development Board and supports the vision of creating a downtown that "swarms with historic character, supports new development opportunities, and creates energy that leads to success for small business owners and investors." All present were invited to congratulate Mr. Vargas on his accomplishment.

Gwendolyn Harrison Smith Presentation- City Council recognized Carla Smith Brown for her mother's achievements. Bessemer City resident, Gwendolyn Harrison Smith was the first Black woman to attend classes at UNC-Chapel Hill in 1952. Mrs. Smith was honored posthumously when Chapel Hill named an Office Building in her honor in August 2021.

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 April 11th, 2022 meeting.
- **Approval of Minutes:** City Council will consider adopting the Special Session Meeting Minutes of the April 13th, 2022 meeting.

- **Approval of Minutes:** City Council will consider adopting the Work Session Meeting Minutes of the April 26th, 2022 meeting.

Establish Public Hearing:

City Staff is requesting the establishment of a public hearing for Council to hear comments from citizens regarding the proposed Fiscal Year 2022-2023.

By motion of Dan Boling and unanimous vote, a public hearing regarding the FY 2022 -2023 Municipal Budget will be held on Monday, June 13, 2022 at 7:00PM in Council Chambers. Public notice will be given per NC General Statutes.

Resolution for Truist:

City Manager, James Inman addressed Council regarding a resolution for financing terms. City Staff is seeking the approval of a short term loan with Truist to pay for some Police Department equipment and Stinger Park items.

By motion of Kay McCathen and unanimous vote, the resolution regarding financing terms with Truist for 3 years with an interest rate of 2.62% was approved.

National Police Week Proclamation

Mayor Smith read the proclamation aloud and proclaimed Sunday, May 15th -Saturday, May 21st as National Police Week here in Bessemer City, NC. Mayor Smith thanked the Police Chief Ellis and the police department for their dedication.

By motion of Brenda Boyd and unanimous vote, the proclamation regarding National Police Week in Bessemer City was adopted.

Juneteenth Week Proclamation

Mayor Smith read the proclamation aloud and proclaimed Sunday, June 12th until Saturday, June 18th as Juneteenth week in Bessemer City. Additionally, they proclaimed Sunday, June 12th as Juneteenth Sunday and Sunday, June 19th as Juneteenth Day. Mayor Smith encouraged all present to attend the 4th Annual Juneteenth Festival on Friday, June 17th in downtown Bessemer City.

By motion of Donnie Griffin and unanimous vote, the proclamation regarding Juneteenth Week in Bessemer City was adopted.

Public Hearing –Rezoning Request:

City Planner, Nathan Hester addressed Council regarding the rezoning request for property located at tax Parcel 121274, 203 W. Highway 161 Bessemer City, NC 28016, from Urban Residential to Highway Commercial Conditional District to specifically operate a towing storage facility. This property is 0.41 acres and is a vacant lot right now. Said tax parcel was zoned Urban Residential on July 12, 2021. The rezoning was a part of the adoption of the City’s Land Development Code and amendment of the Official Bessemer City Zoning Map to be consistent with the proposed zoning districts.

The applicant has stated within the application that the subject parcel was previously zoned B2. This is historically correct, however its most recent zoning was C-1 under the previous Bessemer City Unified Development Ordinance and had been since at least 2007. The zoning classification amendment from a commercial district to a residential district underneath the 2021 map amendments, was to make the parcel’s zoning consistent with the zoning of adjacent parcels.

City Staff and the Planning Board have recommended that this request be denied. The area where the tax parcel is located is a residential. Also, City Staff would like to see certain conditions regarding fencing and masonry be followed if the request is permitted.

By motion of Kay McCathen and unanimous vote, the public hearing regarding the rezoning request was opened at 7:33 PM.

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

- Yana Milano of 123 Morrisville Lane: Mrs. Yana addressed Council on behalf of Mr. Fredy A. Alonzo of 1732 Southwind Dr. Mr. Alonzo is the property owner. Mrs. Yana spoke about Mr. Alonzo's intent to run a clean and noise free towing service. Mr. Alonzo would be willing to follow any conditions set by the City in order to be permitted.

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

- Billy Yams of 201 W. Highway 161: Mr. Yams addressed Council regarding his concern of the towing service becoming a junk yard. He also inquired about how this business would affect his property values and taxes.

Council held light discussion on the option of conditional use permit for the rezoning request. Staff informed Council that this option was discussed, however, Lennar withdrew their application and designed a different product to meet the code. However, the City is restricted in what it can regulate when it comes to the housing design.

By motion of Dan Boling and unanimous vote, the public hearing regarding the rezoning request was closed at 7:39 PM.

Ordinance for Zoning Map Amendment:

Nathan Hester addressed Council regarding the ordinance to approve the zoning map amendment. Light discussion was held regarding the feasibility of the business and the City's recent Land Development Code (LDC) updates to prevent spot zoning.

By motion of Dan Boling and unanimous vote, the zoning map amendment regarding the rezoning of property located at tax parcel 121274 was denied. The requested rezoning is not reasonable or consistent with the Bessemer City Planning & Economic Development Comprehensive Land Use Vision. The proposed map amendment would be detrimental to the City and ETJ.

City Manager's Report

City Manager James Inman, addressed Council regarding the following:

- Budget Amendment: City Staff is requesting the approval of a budget amendment for Storm water Fund appropriations. By motion of Brent Guffey and unanimous vote, the budget amendment was approved.
- Budget Amendment: City Staff is requesting the approval of a budget amendment for Capital Outlay Fund appropriations. By motion of Donnie Griffin and unanimous vote, the budget amendment was approved.

- Approval of a Settlement: City Attorney, David Smith addressed Council regarding negotiated settlements of property value claims by Ernest Dameron, Jr., Sarah K. Morgan, and Wesley Dameron in connection with the City's foreclosure and taking of certain real property located on Sunset Drive (PID 151627). By motion of Dan Boling and unanimous vote, the settlement was approved for \$20,175.00.

Council General Discussion

Mayor Smith opened the floor for Council general discussion. Mayor led the discussion by recognizing the Parks & Recreation Department for a job well with the Down Home Festival. Council members, Dan Boling and Donnie Griffin commended the Parks & Recreation Department for a great car show in April 2022.

Adjournment

Being no further business to come before the board, by motion of Brent Guffey and unanimous vote, the meeting was adjourned at 7:51 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk