



CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, May 13, 2024 at 7:00 PM

MINUTES

Members Present

Mayor, Becky S. Smith, Council Members: Brenda Boyd, Brent Guffey, Donnie Griffin, Nellie Floyd, Michael Brooks and Allen Hook were all present. City Manager, Josh Ross and Attorney, David Smith.

Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. Council member, Nellie Floyd 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 the following revision:

- Add under the Manager's Report to revise the Downtown Development Board's meeting schedule

Special Presentations

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

Mrs. Doneen Johnson, Principal of Bessemer City High School, and Mayor Smith, recognized the following students of the month: Nyzer Harris, 9th grade representative; Luna Aguilar, 10th grade representative; Payton Ingersoll, 11th grade representative and Alicia Avila Arellanes, 12th grade representative.

Dr. April Conley, Principal of Bessemer City Central School, and Mayor Smith, recognized the following students of the month: Emma Abernathy; 3rd grade representative; 4th grade representative, Brayllan June; and 5th grade representative, Mikyha Cozart.

Dr. Bill Kessler, Principal of Bessemer City Primary and Mayor Smith, recognized the following students of the month: Kirston Johnson & Colt Clampett, Kindergarten representatives; Harley Tallent & Maddie Hall, 1st grade representatives, and Kanler Carpenter & Tucker Baxter, 2nd grade representatives.

Mrs. Kelsey Nixon, Kindergarten Administrator of Tryon Elementary and Mayor Smith, recognized the following students of the month: Akasia Brewer, Kindergarten representative; Jase Towell, 1st grade, Alayah Brooks, 2nd grade representative, Ryder Hampton, 3rd grade representative; Grayson Correll, 4th grade representative; and Bryce Brown, 5th grade representative.

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 Brenda Boyd:

1. **Approval of Minutes:** City Council will consider adopting Regular Meeting minutes of the April 8, 2024 meeting.
2. **Approval of Minutes:** City Council will consider adopting Work Session Meeting minutes of the April 30, 2024 meeting.

Proclamation Commemorating National Police Week

Mayor, Becky S. Smith read the proclamation recognizing Sunday, May 12th - Saturday, May 18th, 2024 as National Police Week in Bessemer City.

By motion of Allen Hook and unanimous vote, the Proclamation was adopted. A copy of this proclamation is available for citizen review at City Hall.

Proclamation Commemorating Juneteenth Week & Festival

Mayor, Becky S. Smith read the proclamation recognizing Juneteenth week in Bessemer City from Sunday, June 9th until Saturday, June 15th, 2024. Additionally, the Festival will be held Friday, June 14th at 6:00 PM in Centennial Park.

By motion of Nellie Floyd and unanimous vote, the Proclamation was adopted. A copy of this proclamation is available for citizen review at City Hall.

Establish a Public Hearing - Rezoning Request (Tryon Courthouse Road)

By motion of Michael Brooks and unanimous vote, City Council will hold a public hearing on Monday, June 10th, 2024 at 7:00 PM to hear public comment regarding a rezoning request from property owners for property located at tax parcel #151483 (0.58 acres) at 1220 N. Tryon Courthouse Rd from Rural (R) to Neighborhood Residential (NR) for the construction of one single family residence.

Public Hearing- Proposed FY 2024- 2025 Budget

As required by NCGS 159-12, the City is required to hold a public hearing prior to adopting the fiscal budget.

City Manager, Josh Ross presented a review of the proposed budget. This budget has been prepared per the North Carolina Local Government Budget and Fiscal Control Act. This proposal encompasses Council's newly adopted mission, vision, values, and goals. The 2024-2025 proposed budget is a policy document that reflects the direction and objectives of the City Council. This proposed budget between all funds is approximately \$15,473,200. The following funds are in the budget: General, Water/Wastewater, Natural Gas, Stormwater, and Powell Bill. Each fund primarily includes operational expenses, payroll, and debt service for various projects. This year's proposed budget has several variables that were considered while being developed:

- Additional debt services in the general fund and water/wastewater fund
- Additional operational expenses (inflation)
- Fund balance
- Investments for growth
- Decrease in utility usage

The 2024-2025 Proposed Budget includes increasing the City's tax rate from \$.45 per \$100 of valuation to \$.60 per \$100 of valuation. This \$.15 per \$100 valuation increase is crucial to providing funds for general operations, debt service, and to build back fund balance (savings) in all funds. In a ten-year period (2013-2023), the City's tax rate only changed from \$.43 to \$.45 per \$100 of valuation; however, debt service and operating expenses drastically increased. This budget proposes a rate increase of the following:

- Solid Waste Fee to \$16/cart/month (\$12 to \$16)
- 7% Water Rate Increase
- 10% Sewer Rate Increase (2.5% City; 7.5% Two Rivers Utilities)
- Residential Stormwater: \$6.00/month (\$3.07 to \$6.00)
- Non-Residential: based off impervious surface schedule; charged at 50% rate for 2024-2025 Fiscal Year

This recommended budget works toward providing a revenue stream for future service changes as the City grows and service expectations increase.

By motion of Donnie Griffin and unanimous vote, the public hearing was opened at 6:57 PM.

Mayor Smith asked if there was anyone to speak in favor of the 2024-2025 proposed budget. There was none.

Mayor Smith asked if there was anyone to speak in opposition of the 2024-2025 proposed budget. The following individual came forth:

-Greg Farris of 905 Toncin Avenue: Mr. Farris stated that the City didn't do a tax reduction when the County did the revaluation one year ago. This was an increase to citizens. Now the City would like to increase taxes again this year. Mr. Farris states that you can't spend more money than you make. There are issues with the budget and infrastructure, and this burden will be placed on the citizens. Mr. Farris says that sometimes you have to say no to departmental request.

-Michael Meeks of 812 West Virginia Avenue: Mr. Meeks said that he hopes his City Council representative doesn't vote in support of the budget. Additionally, Mr. Meeks deferred the rest of his allotted speaking time to Mr. Greg Farris to continue his remarks.

By motion of Allen Hook and unanimous vote, the public hearing to consider the adoption of the 2024-2025 proposed budget was closed at 7:04 PM.

Public Hearing – Petition for Voluntary Annexation (Meritage Homes)

City Council held a public hearing to hear public comment regarding a voluntary annexation petition from Meritage Homes (Stewart Crossing) for property located at tax parcel #304904 and a portion of Parcel# 306573 (23.688 acres).

Development Services Director, Nathan Hester addressed the Board, stating that this project was previously approved as an Eastwood Development back in 2022. Since then, Meritage Homes has acquired the property and would like to annex the back portion of the development into the City limits. A pedestrian bridge will be constructed to Stinger Park and the project will be utilizing natural gas. Dennis Roy with Meritage Homes introduced himself to the Board. This project will be zoned Urban Residential Conditional District (URCD). All other previous conditions imposed by City Council will be followed.

By motion of Michael Brooks and unanimous vote, the public hearing regarding the voluntary annexation was opened at 7:08 PM.

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

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

-Greg Farris of 905 Toncin Avenue: Mr. Farris inquired about the 30-foot buffer that will be maintained by the HOA of the development. Attorney Smith informed him that all previously adopted conditions under Eastwood would transfer to Eastwood.

By motion of Brenda Boyd and unanimous vote, the public hearing regarding the rezoning request was closed at 7:10 PM.

Ordinance to Extend The Corporate Limits of the City of Bessemer City, North Carolina

Per NCGS 160A-31, City Clerk Hayes provided a certificate of sufficiency for Council review regarding a petition received by Meritage Homes. Public hearing notice of the annexation was published in the local newspaper for public inspection ten (10) days prior to public hearing on May 1, 2024.

By motion Brent Guffey and unanimous vote, City Council adopted an ordinance extending the corporate limits of the City of Bessemer City to include property located at tax parcel #304904 and a portion of Parcel# 306573 (23.688 acres). A copy of this ordinance is available for citizen review.

Ordinance Amending Zoning Map

Development Services Director, Nathan Hester addressed the Board regarding a revision to the site plan from Development Solutions Group (DSG). After the initial public hearing in February 2024, the developer has addressed the Boards concerns about connection to M.L. Kiser and Yellowjacket. There is one right of way connection to Yellowjacket and one to M.L. Kiser the unit number has decreased to 63. Thus, making it to 10 units per acre.

Kyle Crowe with LC3 Consulting introduced himself to the Board. Mr. Crowe provided clarity on the setbacks from Yellowjacket Lane and the open space between each building. Thus, the units will be connected.

By motion of Allen Hook and unanimous vote, the zoning map amendment to include tax parcel #151678 as Urban Residential Conditional District (URCD) for purposes of a multifamily housing development 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.

Ordinance - Authorizing An Amendment To Gas Supply Contract With The Public Energy Authority of Kentucky (“PEAK”)

City Manager, Joshua Ross informed Council that an amendment to the gas supply contract was needed. Starting in April of 2019, The City executed a yearly gas supply contract with Public Energy Authority of Kentucky (PEAK). Amending the contract will allow the City to lock in a better rate for purchased gas sold to citizens. This amendment would extend the current contract. The City will still be able to sale excess gas if need be.

By motion of Brenda Boyd and unanimous vote, the ordinance authorizing the City Manager to make an amendment to the PEAK gas supply contract was approved.

Amendment To Gas Supply Contract

By motion of Nellie Floyd and unanimous vote, the ordinance regarding an amendment to the PEAK gas supply contract was approved.

Audit Contract

City Staff is requesting the approval of an audit contract of City financials with Tony Brewer. Mr. Brewer previously worked for Eddie Carrick, CPA, the City's previous auditor. Brewer has worked on the City's audit for four years. Council Member Brent Guffey inquired about if the City had solicited other audit contracts. City Manager, Josh Ross informed him that City Staff would like to stick with the current auditor to eliminate new costs associated with the budget.

By motion Michael Brooks and a 5:1 vote, with Brent Guffey in opposition, City Council approved the audit contract with Tony Brewer, CPA for the 2023-2024 audit for \$23,000.

City Manager's Report

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

- General: Down Home Festival went well, and the fireworks celebration will be held on Friday, June 28th in downtown as part of the Independence Day celebration. The Juneteenth Festival is coming up on Friday, June 14th. The recent storm did not bring as much damage to the City as anticipated. The City is working to support neighboring communities that were not as fortunate. The splash pad will be opening Saturday, May 25th. City Staff has been working with WastePro to renew the City's waste collection contract. Mr. Ross thanked the Board and City Staff for their input and service with the budget.
- Downtown Development Board: The Board would like to move their business meetings from the last Monday of the month to the last Thursday of the month. City Council approval is needed for this. By motion of Brent Guffey and unanimous vote, the Downtown Development Board meeting scheduled change was approved.

Council General Discussion

Mayor Smith opened the floor for Council general discussion. Council Member, Michael Brooks commended City Staff for getting the live stream up. Council Member, Allen Hook provided an update about the officer who was involved in a shooting in Charlotte earlier this month. Council Member, Brent Guffey stated that he would like to see the proposed tax increase lowered. Council member, Donnie Griffin inquired about traffic on Costner School Road and 274. City Manager, Josh Ross informed him that this area has been discussed with NCDOT. Additionally, about a red flashing light at Virginia Avenue and 12th Street.

Adjournment

Being no further business to come before the board, by motion of Michael Brooks and unanimous vote, the meeting was adjourned at 8:29 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk