



CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, June 12, 2023 at 7:00 PM

MINUTES

Members Present

Mayor, Becky S. Smith, Council Members: Brenda Boyd, Kay McCathen, Donnie Griffin, Brent Guffey, Dan Boling, and Joe Will were all present. 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. Van Spencer, Pastor of Concord Methodist Church 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 June agenda was approved with the following revision:

- (Additional Items) Budget Amendment 5 & 6 - City Council will consider approving a budget amendment regarding lease vehicles.

Special Presentations

Recognition of Fred Lankford- Mayor & City Council recognized Fred Lankford, Bessemer City Firefighter of 49 years posthumously. Mr. Lankford's family was present to accept this award on his behalf.

Recognition of Pamela Underwood- Mayor & City Council recognized Pamela Underwood, Bessemer City High School Art Teacher of 20 years. Mrs. Underwood has partnered with the City to provide student artwork for the Down Home Day, Christmas in the City, and Juneteenth Festivals.

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 Donnie Griffin:

1. **Approval of Minutes:** City Council will consider adopting the Regular Meeting minutes of the May 8th, 2023 meeting.
2. **Approval of Minutes:** City Council will consider adopting the Special Meeting minutes of the May 16th, 2023 meeting.
3. **Approval of Minutes:** City Council will consider adopting the Work Session Meeting minutes of the May 30th, 2023 meeting.

Public Hearing- Proposed FY 2023- 2024 Budget

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

By motion of Kay McCathen and unanimous vote, the public hearing was opened at 7:15 PM.

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 2023-2024 proposed budget is a policy document that reflects the direction and objectives of the City Council. This proposed budget between all funds is approximately \$13,647,077. 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 does not include a majority of department requests, which are needed to address existing and future growth. The City's goal is to respond to growth in our area by modifying and changing how services are delivered.

Per NCGS, the City must disclose its revenue-neutral tax rate. The City's revenue neutral tax rate is \$0.31 per \$100 of valuation (based on the City's 2023 TR-2 Report that includes changes to real property). The revenue-neutral property tax rate is the rate that is estimated to produce revenue for the next fiscal year equal to the revenue that would have been produced for the next fiscal year by the current tax rate if no reappraisal had occurred.

Mayor Smith asked if there was anyone to speak in favor of the 2023-2024 proposed budget. There was none.

Mayor Smith asked if there was anyone to speak in opposition of the 2023-2024 proposed budget. The following individual came forth:

-Wayne Massagee of 107 Windward Drive: Mr. Massagee addressed City Council regarding the recent Gaston County Tax Appraisal. Mr. Massagee expressed his concern of the increased cost for the community's population who are living on a fixed income.

By motion of Brenda Boyd and unanimous vote, the public hearing to consider the adoption of the 2023-2024 proposed budget was closed at 7:30 PM.

Ordinance- Proposed FY 2023- 2024 Budget:

Light discussion between Council and the City Manager ensued regarding the proposed 2023-2024 budget. The tax rate will remain at \$0.45 City Manager, Josh Ross thanked the Council, Department Heads, and Staff for their assistance and dedication during the budget process.

Council member, Joe Will commended City Manager, Josh Ross on preparing a comprehensive and balanced budget. Mr. Will further stated the following:

Our City Manager, Josh Ross has worked through a very hard and challenging budget. His in-depth analysis of our current situation with our debt service and our past budgets is impressive. He has had to make some very difficult recommendations to our new budget and I want to thank him for working with Council and giving us sound advice and presenting a very responsible budget. The mess he was left with from our previous manager has made it hard to work through. Not only did our previous manager mislead us, but he lied to us about the new Stinger Park and how much it would cost and how we could afford it. When the

proposed cost of the park came in, I raised major concerns about the cost and how we would pay for it, and how it would affect budgets for many years.

The last statement made by a council member before we voted on the park was that "If James Inman says we can afford it, we can afford it". James sat back and didn't say a word knowing that it would have a major impact on our budgets for years to come. I am not happy with this this budget, but I do commend our Manager for preparing a solid and responsible budget without impacting our finances negatively in the future.

By motion of Donnie Griffin and a 4:2 vote, with Joe Will and Brent Guffey in opposition, the 2023-2024 proposed budget was adopted. A copy of the budget ordinance is on file at City Hall.

Offer to Sell Property:

By motion of Joe Will and unanimous vote, City Council accepted the offer from Arctek Construction to purchase property on W. Iowa Avenue (0.18 acres) Parcel ID#151687 for \$1,100.00. Per NCGS, this offer was advertised in the local paper for 10 days. No bids were received.

Board Appointment:

Mayor and City Council reviewed applications received by citizens to serve on the following volunteer boards: Downtown Development Board, Planning & Zoning Board, Parks & Recreation Advisory Board, and the ABC Board. City Staff will bring in any candidates that Council would like to interview at the June 2023 Work Session.

2023 Water Shortage Response Plan:

City Staff is requesting the approval of the 2023 Water Shortage Response Plan. The City is required to update/review the Plan every 5 years. Thus, it is due on June 2023. The only change being made to the plan is the name of the City Manager. The City Manager is now Josh Ross.

By motion Donnie Griffin and unanimous vote, City Council approved the 2023 Water Shortage Response Plan.

City Manager's Report

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

- Offer to Purchase Property: By motion of Brent Guffey and unanimous vote, City Council approved the purchase of property at 110 W. Virginia Avenue (Parcel ID#20803) for \$250,000.00 from Harry Petrey with Business Accelerator Program (BAP) funds. In 2022 the City received \$500,000 from the Federal Government for the BAP. This program was designed to help leverage economic growth in downtown by purchasing and rehabilitating historic buildings. Capital from the sale of property would be used to purchase and rehabilitate other historic buildings.
- Budget Amendment #1: By motion of Donnie Griffin and a 4:2 vote, with Joe Will and Brent Guffey in opposition, the budget amendment regarding the Stinger Park debt payment was approved.
- Budget Amendment #2: By motion of Donnie Griffin and a 4:2 vote, with Joe Will and Brent Guffey in opposition, the budget amendment regarding the Stinger Park initial payment was approved.
- Budget Amendment #3: By motion of Joe Will and unanimous vote, the budget amendment regarding Southridge Parkway Phase #1 new gas lines was approved.

- Budget Amendment #4: By motion of Dan Boling and a 4:2 vote, with Joe Will and Brent Guffey in opposition, the budget amendment regarding the Stinger Park IT Services was approved.
- Budget Amendment #5: By motion of Donnie Griffin and unanimous vote, the budget amendment regarding the vehicle leasing payment program was approved.
- Budget Amendment #6: By motion of Joe Will and unanimous vote, the budget amendment regarding the vehicle leasing payment program debt was approved.
- General: The Osage Mill redevelopment project is fully underway. City Staff will be able to open the City Swimming Pool on time this season. The needed repairs to the drainage system have been completed.

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 Brenda Boyd and unanimous vote, the meeting was adjourned at 8:00 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



2023-2024 Budget Ordinance

BE IT ORDAINED, by the City Council of the City of Bessemer City, North Carolina:

Section 1. It is estimated that the following revenues will be available to the General Fund for the Fiscal Year beginning July 1, 2023 and ending June 30, 2024:

Ad Valorem Taxes	\$	3,200,000
Ad Valorem Taxes State Board Assessed		40,000
Prior Year Taxes		30,000
Motor Vehicle License		240,000
Gross Rental Vehicle Tax		600
Penalties & Interest		30,000
North Carolina Local Sales Tax		900,000
Solid Waste Disposal Tax		4,000
Beer & Wine Tax		20,000
Franchise Tax		450,000
PD Fees for Services		1,000
Confiscated Drug Money		500
Fire Department Grants		15,000
PD – Grants		85,000
Landfill Fees		450,000
Grave Opening/Closing		25,000
Cemetery Lot Sales		1,000
Zoning Permits & Fees		18,000
Grant - Kiser Center		5,000
Recreation Department Fees/Sponsors		100,000
Senior Events		6,000
Pool Fees/Concessions		100,000
Investment Earnings		20,000
Rent- Land		1,100
Miscellaneous Revenues		18,000
Insurance Proceeds		10,000
Administrative Charges - Enterprise Funds		950,000
Fund Balance Appropriated		249,702
	\$	6,969,902

Section 2. The following amounts are hereby appropriated in the General Fund for the Fiscal Year 2023-2024 in accordance with the established chart of accounts:

Governing Body & Legal	\$	83,595
Administration & Finance		907,076
Police Department		1,961,412
Fire Department		313,170
Garage Operations		224,697
Public Works Department		353,400
Sanitation Department		355,000
Planning & Zoning		102,003
Economic Development		120,638
Debt Service		1,230,287
Recreation Department		931,686
Parks & Gym		146,500
Pool & Concessions		206,438
Cemetery		34,000
	\$	6,969,902

Section 3. It is estimated that the following revenues will be available to the Water & Sewer Fund for the Fiscal Year 2023-2024:

Water Sales	\$	2,300,000
Sewer Sales		2,300,000
Water Tap Fees		8,000
Water System Development Fees		50,000
Reconnect Fees		20,000
Penalties		75,000
Miscellaneous		15,000
Admin Activation Fee		20,000
Sewer Tap Fees		5,000
Sewer System Development Fees		30,000
Fund Balance Appropriated		60,839
	\$	4,883,839

Section 4. The following amounts are hereby appropriated in the Water & Sewer Fund for the Fiscal Year 2023-2024 in accordance with the established chart of accounts:

Debt Service	\$	617,395
Administration Share		650,000
Water/Wastewater Treatment		2,333,740
Public Works		1,278,704
New Line Construction		4,000
	\$	4,883,839

Section 5. It is estimated that the following revenues will be available to the Natural Gas Fund for the Fiscal Year 2023-2024:

Sales of Gas	\$	1,500,000
Cut-ons and Reconnects		1,500
Fund Balance Appropriated		66,836
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	\$	1,568,336

Section 6. The following amounts are hereby appropriated in the Natural Gas Fund for the Fiscal Year 2023-2024 in accordance with the established chart of accounts:

Debt Service	\$	144,030
Administration Share		300,000
Gas Operations		1,124,306
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	\$	1,568,336

Section 7. It is estimated that the following revenues will be available to the Storm Water Fund for the Fiscal Year 2023-2024:

Storm Water Charges	\$	100,000
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	\$	100,000

Section 8. The following amounts are hereby appropriated in the Storm Water Fund for the Fiscal Year 2023-2024 in accordance with the established chart of accounts:

Debt Service	\$	35,958
Operations		64,042
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	\$	100,000

Section 9. The following revenues are expected to be available in the Powell Bill Fund for the Fiscal Year 2023-2024:

State Powell Bill Allocation	\$	170,000
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	\$	170,000

Section 10. The following amount is hereby appropriated in the Powell Bill Fund for the Fiscal Year 2023-2024 in accordance with the established chart of accounts:

Debt Service	\$	100,814
Street Operations		69,186
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	\$	170,000

Section 11. There is hereby levied a tax rate of forty-five (\$.45) per one hundred dollars (\$100) valuation of property taxes as of January 1, 2023 for the purpose of raising the revenue listed 'Ad Valorem Taxes' in the General Fund. This rate is on a total valuation of property for the purposes of taxation of \$733,134,166 and an estimated rate of collection of 97%.

Section 12: Fees shall be charged as follows starting July 1, 2023:

Service	2023-2024
WATER	
Treated Water- Inside City	\$13.10 min. per month for 2,000 gal.
	\$8.05 per 1,000 gal. over 2,000 gal.
Treated Water- Outside City	Double Rates Above
Water Deposit	\$200/\$250/\$400
Water Reconnect Fee	\$35-70
Broken Lock Fee	\$300
Meter Tampering Fee	\$500
Utility Cut off Fee	\$20
Utility Late Fee	15%
Administrative Fee	\$50
Illegal Turn-on Fee	\$200
Meter Reset Fee	\$300
Water Tap Fees*	
	<i>.75 Inch Line</i>
	\$950
	<i>1 Inch Line</i>
	\$1,000
	<i>1.5 Inch Line</i>
	\$1,100
	<i>2 Inch Line</i>
	\$1,200
<i>*Plus the cost of meter at market rate</i>	
SEWER	
Sewer- Inside City	\$18.65 min. per month for 2,000 gal. of water metered
	\$14.30 per 1,000 gal. over 2,000 gal. of water metered
	\$10.00 per 1,000 gal. over 1 mil. gal. of water metered
Sewer- Outside City	Double Rates Above
Sewer Tap Fees	
	<i>4 Inch Line</i>
	\$700
	<i>6 Inch Line</i>
	\$1,000
Sewer User Surcharges	
	<i>High Strength BOD</i>
	\$.02400 per lb. (for high strength >250 mg/L)
	<i>High Strength TSS</i>
	\$0.0450 per lb. (for high strength >250 mg/L)
	<i>High Strength O & G</i>
	\$0.10 per lb. (for high strength >100 mg/L)
	<i>High Strength TKN</i>
	\$0.4830 per lb. (for high strength >25 mg/L)
	<i>High Strength TP</i>
	\$0.8470 per lb. (for high strength > 8 mg/L)
	<i>Initial Issuance Permit</i>
	SIU Fee- \$1,000 Local Permit Fee- \$500
	<i>Annual Maintenance Permit</i>
	SIU Fee- \$250 Local Permit Fee- \$100
	<i>Reopening Permit</i>
	SIU Fee- \$500 Local Permit Fee- \$250
	<i>Composite Sample Event</i>
	\$300
	<i>Acute Toxicity Screening</i>
	\$600
	<i>Chronic Toxicity Screening</i>
	\$1,200

<i>TTO with Pesticide Analysis</i>	\$550
<i>TTO without Pesticide Analysis</i>	\$500
SYSTEM DEVELOPMENT FEES	
<i>** System development fees are calculated by the Council-Adopted System Development Fee Schedule Calculator. Examples are provided below:</i>	
Residential Dwelling Unit	
<i>2 Bedrooms</i>	\$3,861
<i>3 Bedrooms</i>	\$4,211
<i>4 Bedrooms</i>	\$5,573
Church without a Kitchen or Daycare	\$4,869
Full Service Restaurant (20 emp.)	\$5,410
Convenience Store with Food Preparation (2,500 sq. ft.)	\$16,230
Stores & Shopping Center without Food Service (25,000 sq. ft.)	\$27,050
AVAILABILITY FEES	
Water and Sewer Availability Fees	
<i>Inside Customer Connected to Water but Not Sewer</i>	\$18.65 per month
<i>Inside Customer Connected to Sewer but not Water</i>	\$80 per month
<i>Inside Customer not Connected to Water or Sewer</i>	\$93.10 per month (\$13.10 Water + \$80 Sewer)
METER CHECKS	
<i>One Check Per Year</i>	\$0
<i>Defective Meter Replacement</i>	\$0
<i>Non-Defective Meter Check</i>	\$25 + Cost of Testing
STORM WATER	
<i>Residential</i>	\$3.07
<i>Commercial</i>	\$6
<i>Industrial</i>	\$12
SOLID WASTE	
<i>Waste Collection Weekly</i>	\$12 per month per container
<i>Waste Collection Bi-Weekly (Commercial Only)</i>	\$24 per month per container
<i>Solid Waste Fee (Bulk, Brush, and Debris***)</i>	- \$12 per residential/apartment unit
<i>***This fee is only applied to units that are not charged a solid waste collection fee.</i>	
PLANNING AND DEVELOPMENT	
Board of Adjustment	
<i>Variance Request</i>	\$500
<i>Appeals</i>	\$500
<i>Conditional Use Permit</i>	\$700
<i>Special Use Permit (SUP)</i>	\$500
Planning Board	

<i>Zoning Map Amendment(Rezoning)</i>	\$600
<i>Zoning Text Amendment</i>	\$600
Other Fees	
<i>Zoning Verification Letter</i>	\$100
<i>New Single Family</i>	\$200
<i>New Multi Family</i>	\$200 + \$10 per unit
<i>Additions</i>	\$100
<i>Accessory</i>	\$100
<i>Non- Residential up to 5,000 Sq. Ft.</i>	\$200
<i>Non-Residential 5,001-10,000 Sq. Ft.</i>	\$350 + \$5 per 1,000 Sq. Ft.
<i>Non-Residential Greater Than 10,001 Sq. Ft.</i>	\$500 + \$5 per 1,000 Sq. Ft.
<i>Minor Subdivision Plat</i>	\$200
<i>Major Subdivision Plat</i>	\$600 + \$50 per lot
<i>Recombination Plat</i>	\$50
Zoning Permits	
<i>Sign Permit</i>	\$100
<i>Accessory Building Verification (No Building Permit Required)</i>	\$50
<i>Accessory Building Verification (Building Permit Required)</i>	\$100
<i>Zoning Certificate of Compliance</i>	\$100
<i>Demolition Permit</i>	\$100
<i>Home Occupation Permit</i>	\$100
<i>Temporary Use Permit</i>	\$150
<i>Telecommunication Tower Permit</i>	\$2,500
<i>Telecommunication Tower Permit (Co-Location)</i>	\$500
<i>Fence Permit</i>	\$25
<i>Driveway Permit</i>	\$50
CITY COUNCIL	
Code Enforcement Appeal	\$150
Annexation Petition	\$350
Street/Alley/ROW Closing Petition	\$500
CODE ENFORCEMENT	
Grass Cutting	
<i>Grass Cutting Maintenance Show Up Fee</i>	\$50
<i>Grass Cutting Maintenance Administrative Fee*</i>	\$200
<i>****Plus Cost Mowing Contractor</i>	
NATURAL GAS	
Gas Per MCF*****	
<i>Residential (All Usage)/Month</i>	Operating Expense + \$10.40 per MCF
<i>Business Level 1 (1-24,000 MCF)/Month</i>	Cost at Gate + \$6 per MCF
<i>Business Level 2 (24,001-30,000 MCF)/Month</i>	Cost at Gate + \$4 per MCF
<i>Business Level 3 (30,001 MCF or More)/Month</i>	Cost at Gate + \$2.50 per MCF
<i>***** Rates above are based off of monthly usage</i>	

OTHER FEES		
Return Check Fee		\$35
Copies		
	<i>B & W Up to 8.5 X 14</i>	\$.45/page
	<i>Color up to 8.5 X 14</i>	\$.50/page
City Truck Rental		\$75 + additional fees for waste exceeding 1 ton.
CEMETERY FEES		
	<i>Cemetery Lot</i>	\$1,000
	<i>Grave Marking Fee</i>	\$100
	<i>Grave Opening</i>	\$435-825 per City Cemetery Ordinance
MOTOR VEHICLE		
	<i>Motor Vehicle Tag Fee</i>	\$30

Section 13: All other fees for service, surcharges, etc. previously established by Council shall remain the same unless adjusted at some future date. All billing not paid on the due date is subject to a 15% late penalty.

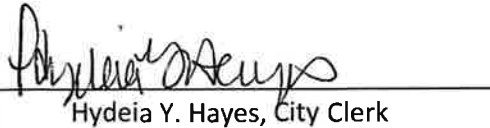
Section 14: The Budget Officer is hereby authorized to transfer appropriations within a fund as contained herein as follows:

- a. The Budget Officer may transfer amounts between object of expenditure within a department as defined by Ordinance without limitations.
- b. The Budget Officer may transfer amounts up to \$7,500 between departments as designed by Ordinance of the same fund with report on such transfers at the next regular Council meeting.

Section 15: Copies of the Budget Ordinance shall be furnished to all Department Heads for guidance in the disbursement of funds. A copy shall always be available for public inspections in the City Clerk's office.

Adopted this the 12th day of June, 2023.


Becky S. Smith, Mayor


Hydeia Y. Hayes, City Clerk

