



## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, September 12, 2022 at 7:00 PM

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### MINUTES

#### Members Present

Mayor, Becky S. Smith, Council Members: Brent Guffey, Brenda Boyd, Kay McCathen, Dan Boling, Donnie Griffin 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. John Harper, Pastor of Raegan Wesleyan 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 September agenda was approved with no revisions.

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

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

- Kimberly Robinson of 604 E. Louisiana Avenue- Ms. Robinson addressed Council regarding a potential soup kitchen. Ms. Robinson would like for the City to donate a place for her to utilize. Volunteers will be solicited to aid in serving the community.
- Barry Boheler of 960 Sunset Drive- Mr. Boheler addressed Council regarding the paving of Sunset Drive. He attended the last Council meeting in August, and would like for the City to pave the street soon.
- Charles Groves of 1000 Sunset Drive – Mr. Groves addressed Council regarding the paving of Sunset Drive. Mr. Groves informed Council that the gravel road is a hazard during inclement weather. In addition, his car collects a lot of dust from the ground.

#### Consent Agenda

The following items on the Consent Agenda were unanimously approved by motion of Donnie Griffin:

- **Approval of Minutes:** City Council will consider adopting the Regular Meeting minutes of the August 8th, 2022.
- **Approval of Minutes:** City Council will consider adopting the Work Session Meeting minutes of the August 30th, 2022.
- **Street Closure - Trunk or Treat:** City administration is requesting the temporary closure of the 100 Block of West and East Virginia Avenue for the Halloween Trunk or Treat event on Thursday, October 27th, 2022

#### Ordinance- For Local Designation of Osage Mill:

Laura Manville of Winn Development Corporation, addressed Council regarding the adoption of an ordinance designating the Osage Mill a historic site.

Mr. Ted Carpenter of the Gaston County Historic Preservation Association addressed Council regarding the historic preservation designation. The Gaston County Historic Preservation Association declared the Osage Mill a historic site on July 19, 2022.

By motion of Joe Will and unanimous vote, the Osage Mill was declared a historic site.

**Resolution Providing Approval Of A Multifamily Housing Facility To Be Known As Osage Mill Apartments In The City Of Bessemer City, North Carolina And The Financing Thereof With The Gastonia Housing Authority's Multifamily Housing Revenue Bonds In An Aggregate Amount Not To Exceed \$23,100,000:**

Laura Manville of Winn Development Corporation, addressed Council regarding the adoption of a resolution to approve funding for the Osage Mill Redevelopment project with revenue bonds from the Gastonia Housing Authority. The bond amount shall not exceed \$23,100,000 and will be private bonds.

Nancy Paschal of the Gastonia Housing Authority addressed Council regarding any questions. There was none.

By motion of Donnie Griffin and unanimous vote, the resolution was adopted. A copy of the resolution is available at City Hall.

**Proclamation: Dyslexia Awareness Month**

Mayor, Becky S. Smith read the Dyslexia Awareness Month Proclamation aloud and declared October 2022 as a month of awareness in Bessemer City.

By motion of Brenda Boyd and unanimous vote, the proclamation was adopted. A copy of the proclamation is available at City Hall.

**Proclamation: Domestic Violence Awareness Month**

Mayor, Becky S. Smith read the Domestic Violence Awareness Month Proclamation aloud and declared October 2022 as a month of awareness in Bessemer City.

By motion of Dan Boling and unanimous vote, the proclamation was adopted. A copy of the proclamation is available at City Hall.

**Resolution – Ratifying the Updated Charter of Centralina Regional Council:**

City Staff received a request from the Centralina Regional Council to amend its charter. In February 2022 the Centralina Regional Council made a change to include language prohibiting private entities from benefitting or having interest in the Centralina Regional's earnings or assets. As the City of Bessemer City is a member of the Centralina Council of Government, City Council's approval is needed in the form of a resolution.

By motion of Brenda Boyd and unanimous vote, the resolution was ratifying the updated charter of Centralina Regional Council was adopted.

**Board Member Appointment:**

City Staff informed City Council that there is a vacancy on the Planning & Zoning Board. The Planning & Zoning has not been able to hear variances, due to the lack of membership.

By motion of Joe Will and unanimous vote, Michelle Inman was appointed to fulfill the vacant term until June 30, 2023.

**Public Hearing –Economic Development Grant (Foundry):**

City Council held a public hearing regarding an economic development incentive program for Foundry Commercial regarding property located in the Southridge Business Park. The investment is a total of \$14,023,000.00 for a 280,460 square foot facility.

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the economic development incentive was opened at 7:30 PM.

Mayor Smith asked if there was anyone present to speak in favor of the economic development incentive. There was none.

Mayor Smith asked if there was anyone present to speak in opposition of the economic development incentive. There was none.

By motion of Kay McCathen and unanimous vote, the public hearing regarding the economic development incentive was closed at 7:31 PM.

**Resolution Approving Incentives Pursuant to NCGS §158-7.1 And To Authorize Bessemer City To Enter Into An Economic Development Agreement (EDA) With Foundry Commercial (Level I Investment):**

City Manager, Josh Ross informed Council that Foundry is creating a multimillion dollar project in the Southridge Business Park. The proposed Economic Development agreement is very similar to other projects in the Business Park, like Trinity Capital.

By motion of Donnie Griffin and unanimous vote, the resolution the level 1 investment for Foundry Commercial was approved.

**Public Hearing –Eastwood Homes:**

City Council held a public hearing regarding a rezoning request from Eastwood Homes for property located at tax parcel numbers #304904, 306573, 306572, 306571, 306570, and 306569 (36.07 acres), from Rural (R) and Neighborhood Residential (NR) to Urban Residential Conditional District (URCD).

By motion of Dan Boling and unanimous vote, the public hearing regarding the rezoning request was opened at 7:42 PM.

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

- **Joel Ledge of Eastwood Homes:** Mr. Ledge presented Council with renderings of the proposed development. Eastwood Homes was founded by a local builder in 1977. Mr. Joel presented the setbacks and an estimate of 98 homes are projected to be built. There is a landscape plan to add greenery throughout the development, utilized gas appliances in the homes and have enhanced hardware of the garages. This development will have a Homeowners Association (HOA).

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

- **Amy Rickers on behalf of Greg & Gina Farris of 905 Toncin Avenue:** Ms. Rickers stated that she was an attorney at law representing Greg & Gina Farris. Ms. Rickers stated that she and her clients had met with Eastwood Homes in an effort to reach an agreement about buffering. Mr. and Mrs. Farris would like a buffer between their property and the proposed site. Per Rickers, her clients would like to have the developer agree to provide for buffer areas between the development and adjoining properties and an agreement to maintain the vegetation density of said areas such that they are never any less dense than currently exists.

By motion of Kay McCathen and unanimous vote, the public hearing regarding the rezoning request was closed at 7:47 PM.

**Ordinance for Zoning Map Amendment:**

Light discussion was held amongst the Board and Attorney Smith regarding the previous request from Amy Rickers to include buffering language in the written consent and list of conditions with Eastwood Homes.

Brent Guffey made a motion to table the adoption of the zoning map amendment for 30 days. The vote was 1:5, with Dan Boling, Kay McCathen, Joe Will, Brenda Boyd, and Donnie Griffin in opposition this motion failed.

By motion of Donnie Griffin and a 5:1 vote with Brent Guffey in opposition, the zoning map amendment was approved. A copy of this ordinance is on file at City Hall. This zoning map was adopted along with the plan consistency, statement of reasonableness, and written consent. To be added to the written consent and list of conditions is the following: The developer shall provide for buffer areas between the development and adjoining properties as shown on the amended plans dated September 10, 2022, and shall, either directly or via the HOA, maintain the vegetation density of said areas such that they are never any less dense than currently exists. The requested rezoning is reasonable and consistent with the Bessemer City Planning & Economic Development Comprehensive Land Use Vision.

**Public Hearing – (Petition for Voluntary Annexation (Arc St):**

City Council held a public hearing regarding a request for voluntary annexation from Development Solutions Group (DSG) for property located at Tax Parcel #202266 (7.196 acres).

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the voluntary annexation was opened at 7:55 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. There was none.

By motion of Brenda Boyd and unanimous vote, the public hearing regarding the voluntary annexation was closed at 7:56 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 Development Solutions Group on August 4<sup>th</sup>, 2022. Public hearing notice of the annexation was published in the local newspaper for public inspection ten (10) days prior to public hearing.

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 #202266. A copy of this ordinance has been attached for citizen review.

### **Public Hearing – (Petition for Voluntary Annexation (City of Bessemer City):**

City Council held a public hearing regarding a request for voluntary annexation the City of Bessemer City for property located at Tax Parcels #306555, # 151628, # 223258, # 156697, and # 156702. These parcels are owned by the City, but are not currently apart of the City's jurisdiction.

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the voluntary annexation was opened at 7:57 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. There was none.

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the voluntary annexation was closed at 7:58 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 the City of Bessemer City on August 1<sup>th</sup>, 2022. Public hearing notice of the annexation was published in the local newspaper for public inspection ten (10) days prior to public hearing.

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 parcels parcel #306555, # 151628, # 223258, # 156697, and # 156702. A copy of this ordinance has been attached for citizen review.

### **City Manager's Report**

Director of Administration, Josh Ross, addressed Council regarding the following:

- Budget Amendment #1: By motion of Joe Will and unanimous vote, the budget amendment regarding the Police Department equipment and personnel changes were approved.
- Budget Amendment #2: By motion of Dan Boling and unanimous vote, the budget amendment regarding the Planning Department's corridor study was approved.
- Resolution - Governing Body for Stormwater Master Planning Funding: By motion of Joe Will and unanimous vote, the resolution regarding stormwater master planning funding was approved.

### **Council General Discussion**

Mayor Smith opened the floor for Council general discussion. Council member, Joe Will inquired about installing a 4 way stop at 12<sup>th</sup> street and a signage signaling no stopping on the railroad by the train tracks.

Council member, Brent Guffey spoke about the trash service leaving trash cans in the road way near Costner School Road. Council member, Donnie Griffin inquired about having a traffic officer at the Primary and Central schools to assist in the mornings.

**Closed Session**

By motion of Brenda and unanimous vote, City Council entered in to closed session to discuss a personnel matter pursuant to NCGS143-318(a)(6) at 8:04 PM.

By motion of Dan Boling and unanimous vote, City Council came out of closed session at 9:15 PM. No action was taken.

**Adjournment**

Being no further business to come before the board, by motion of Dan Boling and unanimous vote, the meeting was adjourned at 9:16 PM.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk