



CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, February 12, 2024 at 7:00 PM

MINUTES

Members Present

Mayor, Becky S. Smith, Council Members: Brenda Boyd, Donnie Griffin, Nellie Floyd, Michael Brooks, Brent Guffey and Allen Hook 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. Scott Rudisill, Pastor of Westview Baptist 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 Brenda Boyd and unanimous vote, the February agenda was approved with no revisions.

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:

Mrs. Doneen Johnson, Principal of Bessemer City High School, and Mayor Smith, recognized the following students of the month: Vontavious McGill, 9th grade representative; Betsaida De Los Santos Noriega, 10th grade representative; Josue Lopez, 11th grade representative and Alyssa Payne, 12th grade representative.

Dr. April Conley, Principal of Bessemer City Central School, and Mayor Smith, recognized the following students of the month: Gustavo Alafo Cordova; 3rd grade representative; 4th grade representative Saia Watson; and 5th grade representative Kindall Seright.

Dr. Bill Kessler, Principal of Bessemer City Primary and Mayor Smith, recognized the following students of the month: Carti Hoyle, Kindergarten representative; Victor Lopez, 1st grade representative, and Glen Funk, 2nd grade representative.

Mrs. Kelsey Nixon, Kindergarten Administrator of Tryon Elementary and Mayor Smith, recognized the following students of the month: Blair Massey, Pre K representative; Gabriel Bowers, Kindergarten representative; Aurora Moulton, 1st grade, Desiree Sewell, 2nd grade representative, Ayden Garcia, 3rd grade representative; Miracle Love, 4th grade representative; Madison Sides, SAC representative; and Colton Payne, 5th grade representative.

Request to Speak/Opportunity for Public Comment

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

- Pamela Gladney of 502 E. Ohio Avenue: Mrs. Gladney addressed Council regarding the fire department, city council session agendas, and the recent audit presentation. At the January 3rd special meeting to firefighters were involuntarily removed from the Bessemer City Fire Department, as they were now serving as City Council members. Gladney inquired about this as the previous City Manager was permitted to be a police officer. The minutes are approved a month behind, and the agendas are only sent out 72 hours before the meetings. The agendas should be released in advance on the website calendars.

-David Lutz at 408 N. 12th Street: Mr. Lutz addressed Council regarding the close and vacate order on tonight's agenda. The close and vacate order for property at 112 West Georgia Avenue should be halted as this is someone's home. The gentleman living here currently has nowhere else to reside. He is destitute and should not be thrown into the street.

-Tracy Costner at 101 M.L Kiser: Mr. Costner addressed Council regarding the city's discolored water and his water bill. Mr. Costner displayed a bottle of water he stated that was collected in November 2023 at his primary residence. Mr. Costner has safety and health concerns regarding the discolored water. When he calls City representatives, he is advised that this is due to lake turnover. However, he does not agree. Additionally, his residential water bill is constantly increasing in the upper \$200s. He has tried to contact the City Manager to no avail.

-Aaron Grosdider at 517 Costner School Drive: Mr. Grosdider addressed Council regarding public works equipment and the close and vacate order on tonight's agenda. The City still has fall and winter banners displayed, they are out of season and should be changed. Housing at Osage Mill is Section 8 housing. Additionally, a public records request was made in December 2023 regarding the CDBG project. He has not received email correspondence fulfilling the request from staff. There is a vulnerable senior citizen living in the property at 112 West Georgia Avenue. The man residing her should be allowed to reside in his home until his passing. City Council should reconsider and investigate this matter.

-Mike Gomez at 302 Crescent Drive: Mr. Gomez addressed Council regarding tractor trailers coming down his street when they have missed the entrance for the Southridge Business Park. Many times, the google maps navigation system will reroute truckers to come down to Crescent drive to turn around. It would be helpful if the City could post signage warning tractor trailers to avoid this street. Trucks tend to leave larger craters in the yards of those residing on Crescent Drive.

Public Comment Acknowledgment

Mayor Smith recognized City Manager, Josh Ross to provide clarification on some items discussed during public comment.

- The public records request mentioned earlier was fulfilled and emailed back to Mr. Grosdider on December 17, 2023. Osage Mill is affordable workforce housing. Tenants will have to meet certain financial requirement thresholds. This is affordable housing, not subsidized. As mentioned in previous communications from the City, there was some discolored water coming from the plant in previous months. However, the discolored water does not pose a safety or health risk since all water in the system is processed at the water treatment plant. Water coming out from the plant is clear. The City is required to send out certain notices about the water due to the plants' TOC level being low.

Consent Agenda

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

2. **Approval of Minutes:** City Council will consider adopting Special Session Meeting minutes of the January 3, 2024 meeting.
3. **Approval of Minutes:** City Council will consider adopting the Regular Meeting minutes of the January 8, 2024 meeting.
4. **Approval of Minutes:** City Council will consider adopting Work Session Meeting minutes of the January 30, 2024 meeting.

Bessemer City Central School RoboBees

The Bessemer City Central Robotics addressed Mayor and Council regarding a potential art expression project. The club would like to partner with the City to produce an art expression tunnel in the underpass at S. 11th Street. There are a number of art expression tunnel examples in the State: NC State University in Raleigh has one and so does Appalachian State University. The team showcased a live model of the expression tunnel.

Light discussion was held. City Staff informed the group that the City doesn't own the railroad. Thus, Norfolk Southern would have to be included in the collaboration.

Proclamation: City With A Heart Day

Mayor, Becky S. Smith read the City With a Heart Day Proclamation aloud and declared Wednesday, February 14th, 2024 as City with a Heart Day.

By motion of Donnie Griffin and unanimous vote, the Proclamation was adopted.

Proclamation: African American History Month

Mayor, Becky S. Smith read the African American History month Proclamation aloud and declared February 2024 as African American month.

By motion of Nellie Floyd and unanimous vote, the Proclamation was adopted.

Appoint Alternate Board Members

By motion of Allen Hook and unanimous vote, the following Planning Board were appointed to serve on the Zoning Board of Adjustments:

- David Absher, Chair (Inside)
- Wendy Burgess, (Inside)
- Pamela Gladney (Inside)
- Charlene Hill (Outside)
- Linda Willis (Inside)

By motion of Donnie Griffin and unanimous vote, the following Planning Board members were appointed to serve as alternates for the Zoning Board of Adjustments:

- Bryan Hoffman (Inside)
- Constantine Tsambourinery (Inside)

Public Hearing - Rezoning Request (Development Solutions Group)

Development Services Officer, Nathan Hester addressed Council regarding a rezoning request from Development Solutions Group to rezone tax parcel ID 151678 from Urban Residential (UR) to Urban Residential Conditional District (URCD) for the purposes of developing a residential townhome

community. The proposed project is for new town homes on 6.3 acres along Yellow Jacket Lane. The planning and zoning board heard this matter at their February 2024 meeting. The planning and zoning board recommended the following:

- Pursue Project of multifamily development on site with relief of 3 acre size limitation.
- Recommend reducing density to Land Development Code restriction of 8 units per acre.
- Recommend deny relief of decreased open space.
- Recommend developer meet required setbacks. No relief of setback requirements recommended.
- Recommend to accept dedication to City of Bessemer City of the two main right of ways within the development and recommend that alleyways remain privately owned and maintained by future HOA.

City Staff recommended that 68 homes with 10 units per acre and 2 main public roads be permitted, in conference with the developer.

By motion of Michael Brooks and unanimous vote, the public hearing was opened at 8:25 PM.

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

- Kent Olson – Development Solutions Group: Mr. Olson addressed the Board about the proposed town homes. After hearing feedback from the Planning and Zoning Development board, changes were made to produce a product that is unique to Bessemer City. The homes are projected to be just under \$300k. The producer of the homes will be Brookline Homes out of Belmont. Light discussion was held regarding the design of the project.

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

- Bryan Hoffman – 704 S. 15th Street: Mr. Hoffman addressed the Board regarding the amount of units per acre on the property. The developer is proposing 10 units per acre, thus it would yield 62.6 units per his calculations.
- Tracy Costner at 101 M.L Kiser: Mr. Costner addressed Council regarding the impact of the townhomes on the City's utility infrastructure. He feels that the City may want to make repairs to the water system as it sees growth.

By motion of Brent Guffey and unanimous vote, the public hearing was closed at 8:29 PM.

Ordinance to Close & Vacate

Development Services Officer, Nathan Hester addressed Council regarding an ordinance to close and vacate property located at 112 West Georgia Avenue. An initial minimum housing code case was opened at this property back in October 2023. The home has some structural, electrical, and plumbing issues. Thus, City Staff is requesting a close and vacate order for the property.

Light discussion was held regarding the current homeowner residing in the home. City Council requested that staff work with Gaston County Social Services to aid in relocating the homeowner before taking action on this matter.

By motion of Brent Guffey and unanimous vote, this item was tabled to the March 2024 Regular Meeting.

City Manager's Report

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

- Budget Amendment: A budget amendment is needed to address the insurance proceeds received for damage to the Water Plants SCADA system during a severe storm last December. Light discussion regarding the bidding process and the current contractor who handles the repairs. By motion of Brenda Boyd and a 5:1 vote with Brent Guffey in opposition, the budget amendment in the amount of \$27,000 was approved.

Council General Discussion

Mayor Smith opened the floor for Council general discussion. Council Member, Michael Brooks inquired about houses on 13th Street, Fire Department laptops, a missed fire service call. Mr. Brooks inquired if the City Manager knew that the fire department missed a call in January 2024. City Manager Ross replied that he was not aware of a missed call. Upon review Mr. Ross replied that the call took place outside of the City's jurisdiction, but part of the mutual service area. Upon further review, call notes indicated that 2-3 volunteers responded to the call. Manager Ross further requested that if Council has questions, those can be asked at any time. Additionally, Manager Ross informed Mr. Brooks that staff is continuing to administer the deployment of laptops and sort through installation needs. Council Member, Allen Hook inquired about the City's bucket truck. This truck is typically utilized to aid City Staff in rotating the seasonal banner out. City Manager Ross informed him that the truck is in the shop for maintenance, and we plan to have it back within the coming weeks. Council Member, Brent Guffey suggested that City Staff reach out to the City of Cherryville to use their bucket truck. Council Member, Brenda Boyd commended City Staff for repairing the potholes on 11th Street. Council Member, Brent Guffey inquired about the raw water source and the splashpad at Stinger Park. Council member, Donnie Griffin inquired about the warranty at Stinger Park.

Adjournment

Being no further business to come before the board, by motion of Allen Hook and unanimous vote, the meeting was adjourned at 8:57 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk