



## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, November 8, 2021 at 7:00 PM

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### MINUTES

#### Members Present

Mayor, Becky S. Smith, Council Members: Alfred Carpenter, Kay McCathen, Brenda Boyd, Dan Boling, Joe Will, and Donnie Griffin were all present. City Manager, James Inman and City Attorney, Dan O'Shea were present as well.

#### Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. Mt. Pleasant Baptist Church Pastor, Thurman Clark led the audience in prayer. Mayor Smith invited all Veterans present to lead the audience in the Pledge of Allegiance.

#### Adjustment and Approval of the Agenda

By motion of Alfred Carpenter and unanimous vote, the November 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:

- Edgar Holbrook of 706 E. Iowa – Mr. Holbrook spoke about his concern at the Bessemer City Memorial Cemetery. Currently it is posted that the City cleans the cemetery in February, June, and September. However, Mr. Holbrook does not believe that the City is cleaning up during these times. Mayor Smith invited Mr. Holbrook to set up a meeting with the City Manager.
- Melissa Toye of 109 N. F St. – Mrs. Toye spoke to Council regarding communication with her Ward 2 representative. Mrs. Toye has made several attempts via email to speak with her Ward 2 representative. Mayor Smith informed Mrs. Toye that this is time is designated for Council to hear comments. Council will address her concerns after advisement.
- Shilo Canipe of 801 W Highway 161- Mr. Canipe addressed Council regarding his concern with the current Land

#### Consent Agenda

The following items on the Consent Agenda were unanimously approved by motion of Dan Boling:

1. **Approval of Minutes:** City Council will consider adopting the Regular Meeting Minutes of the October 11, 2021 meeting.
2. **Approval of Minutes:** City Council will consider adopting the Work Session Meeting Minutes of the October 26, 2021 meeting.

- 3. Gaston County's 175th Anniversary Proclamation:** City Council will consider adopting a proclamation recognizing Gaston County's 175th anniversary on December 21, 2021.

**Establish Public Hearing:**

By motion of Donnie Griffin and unanimous vote, a public hearing regarding junk vehicle and noise ordinance at the Monday, December 13, 2021 at 7:00PM in Council Chambers.

**Establish Public Hearing:**

By motion of Dan Boling and unanimous vote, a public hearing regarding a request to the Zoning Map to rezone Tax Parcel #220086, #151795, and Portion of Parcel #220086, 3200 Bessemer City Hwy, from Rural (R) and I-2 (Gaston Co. Zoning Jurisdiction) to Urban Residential (UR) will be held on Monday, December 13, 2021 at 7:00 PM in Council Chambers.

**Public Hearing – 801 W. Highway 161:**

By motion of Donnie Griffin and unanimous vote, the public hearing was opened at 7: 16 PM.

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

Michael Meeks of 812 W. Virginia Avenue spoke in favor of the rezoning, as the property would result in a new store. The community used to have one several years ago.

Melissa Toye of 109 N. F St spoke in favor of the store and her concerns regarding road infrastructure. Mrs. Toye also mentioned that the community would need sidewalks for easy access.

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

Dwayne Fortenberry of 804 W. Georgia Avenue spoke in opposition of the rezoning request as he was concerned with the unintended consequences a corner store can have.

By motion of Alfred Carpenter and unanimous vote, the public hearing was closed at 7:39 PM.

**Ordinance for Zoning Map Amendment - 801 W. Hwy 161:**

Code Enforcement Officer, Nathan Hester addressed Council regarding a rezoning request received from Shilo Canipe for his property located at 801 W. Highway 161. Mr. Canipe wishes to apply for a change of use to establish a convenience store. This is currently not allowed under the zoning. The Planning Board recommended to rezone the parcel to highway commercial. Discussion ensued amongst City Staff and Council regarding a Special Use Permit.

By general consensus, Council instructed City Manager, James Inman to reach out to Mr. Canipe to amend his application.

**Parks & Recreation Advisory Board Members**

Light discussion was held regarding the applications received to serve on the Parks & Recreation Advisory Board. By motion of Joe Will and unanimous vote, Council appointed the following applicants and terms:

<u>Board Member</u>	<u>Recommendation</u>	<u>Office</u>	<u>Term</u>	<u>Term in Years</u>
Huston R. Sheppard	YES		November 2021- June 2024	2
Andrew Baxter	YES	Chair	November 2021- June 2025	3
Jean C. Floyd	YES		November 2021- June 2023	1
Rev. Matt Mitchell	YES		November 2021- June 2023	1
Stephanie Gee	YES		November 2021- June 2024	2
Erika Nixon	YES		November 2021- June 2023	1
Andrew Herring	YES	Vice-Chair	November 2021- June 2024	2

**Resolution - USDA Amendment to Letter of Conditions:**

Nick Lattanzi, USDA Area Specialist addressed Council regarding an amendment to the letter of conditions for the Stinger Park and Water Treatment Plant projects. A resolution was needed to raise a portion of the cost of the project. The amount was raised by \$133,000.00.

By motion of Donnie Griffin and unanimous vote, the resolution amending the USDA letter of conditions by \$133,000.00 was approved.

**Resolution Adopting Text Amendments**

Code Enforcement Officer, Nathan Hester addressed Council regarding several Land Development Code (LDC) amendments: Section 3.2.B Accessory Structures, 3.3.F Garages and Carports, and Section 10.1 General Definitions.

Light discussion ensued between Council and City Staff.

By motion of Alfred Carpenter, the text amendments were tabled for 30 days.

**Demolition Ordinance- 107 W. Washington Ave**

Code Enforcement Officer, Nathan Hester addressed Council regarding a demolition ordinance for property located at 107 W. Washington Avenue.

By motion of Joe Will and unanimous vote, the ordinance regarding the demolition of property located at 107 W. Washington Avenue was approved.

**Demolition Ordinance- 113 W. Washington Ave**

Code Enforcement Officer, Nathan Hester addressed Council regarding a demolition ordinance for property located at 113 W. Washington Avenue. This house is owned by the City. The City wishes to demolish the house.

By motion of Joe Will and unanimous vote, the ordinance regarding the demolition of property located at 113 W. Washington Avenue was approved.

### **Demolition Ordinance- 402 N. 10<sup>th</sup> Street**

Code Enforcement Officer, Nathan Hester addressed Council regarding a demolition ordinance for property located at 402 N. 10<sup>th</sup> Street. This spring a minimum housing case and investigation began. Occupants were asked to clean junk and debris. However, the issues were not addressed. There is structural and water damage to the roof.

By motion of Joe Will and unanimous vote, the ordinance regarding the demolition of property located at 402 N. 10<sup>th</sup> Street was approved.

### **Demolition Ordinance- 609 S. 11th Street**

Code Enforcement Officer, Nathan Hester addressed Council regarding a demolition ordinance for property located at 609 S. 11th Street. Since October 2019, said property has had a minimum housing case. Occupants have had multiple junk vehicles, nuisance, and junk and debris on the property.

By motion of Joe Will and unanimous vote, the ordinance regarding the demolition of property located at 609 S. 11th Street was approved.

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

By general consensus the following items were tabled for the next Regular Meeting:

- Budget Amendment: Council will consider adopting a budget amendment.
- Capital Project Ordinance: City Council will consider approving a capital project amendment regarding the sale of general fund property.

### **Council General Discussion**

Mayor Smith opened the floor for Council general discussion. Council member, Brenda Boyd commended the Council for their hard work. Council member, Alfred Carpenter, commended Council Elect- Brent Guffey on being elected. Mr. Carpenter, further commended the Council, City Manager, City Staff, Fire and Police Departments. Council member, Donnie Griffin inquired about the flagpoles at the Vantine Cemetery and the Stinger Park project. Mr. Griffin commended the Police Chief and Department for being the 22<sup>nd</sup> Safest City.

### **Closed Session**

By motion of Dan Boling and unanimous vote, City Council entered Closed Session to consult with the City Attorney in accordance with NCGS 143-318.11(3) at 8:11 PM.

By motion of Dan Boling and unanimous vote, City Council came out of Closed Session at 8:19 PM. No action was taken.

### **Settlement Agreement**

By motion of Alfred Carpenter and unanimous vote, the attorney is authorized to enter a settlement agreement.

### **Adjourn**

Being no further business to come before the board, by motion of Alfred and unanimous vote, the meeting was adjourned at 8:20 PM.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk

