



## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, October 9, 2023 at 7:00 PM

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### MINUTES

#### **Members Present**

Mayor, Becky S. Smith, Council Members: Brenda Boyd, Donnie Griffin, Dan Boling, and Joe Will were all present. City Manager, Josh Ross and City Attorney, David Smith were present as well. Council members, Kay McCathen and Brent Guffey were absent.

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

Mayor Smith called the meeting to order. Dennis Gomez, Pastor of New Life Baptist 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 October agenda was approved with no revisions.

#### **Special Presentations**

##### Fire Department Recognition

Mayor and City Council recognized the Bessemer City Fire Department for obtaining a new ISO rating of 3. Per the NC Department of Insurance's evaluation, the Fire Department's ISO protection class rating level has gone from a 5 to 3. ISO level 3 is the highest rating in the department's history! This achievement is due to the hard work of the BCFD staff and volunteers who work diligently to protect citizens and property in Bessemer City.

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

Mrs. Meghan Sneed, Assistant Principal of Bessemer City High School, and Mayor Smith, recognized the following students of the month: Quantarius Nance, 9<sup>th</sup> grade representative; Troy Baranowski, 10<sup>th</sup> grade representative; Ari'ana Irby, 11<sup>th</sup> grade representative and Tiasia Dunovant, 12<sup>th</sup> grade representative.

Dr. Jessica Mellon, Principal of Bessemer City Middle School, and Mayor Smith, recognized the following students of the month: Dekise Hill, 6<sup>th</sup> grade representative; Liliana "Lily" Johnson, Ethan McKoy, and Jalen Webber, 7<sup>th</sup> grade representatives; and Rihanna Williams 8<sup>th</sup> grade representative.

Dr. April Conley, Principal of Bessemer City Central School, and Mayor Smith, recognized the following students of the month: Isiah Hall; 3<sup>rd</sup> grade representative; 4<sup>th</sup> Natoddra Hines; and 5<sup>th</sup> Bentley Shuford.

Mr. Bill Kessler, Principal of Bessemer City Primary and Mayor Smith, recognized the following students of the month: Hannah Weatherford, Kindergarten representative; Arely Rueda Rosales, 1<sup>st</sup> grade, and representative; Amaya Scott, 2<sup>nd</sup> grade representative.

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

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

- Monica Hence at 705 S Skyland Drive: Mrs. Hence addressed Council regarding a light being placed in the Vantine Cemetery. Her father is buried there and she would like to go visit his grave. However, the cemetery is not well lit. Additionally, the citizens of Vantine would like to see the entrance sign decorated for Christmas. It is a beautiful sign, however, Vantine residents were previously informed that the sign would say "Vantine".

- John Setzer at 905 W Georgia Avenue: Mr. Setzer addressed Council regarding the manhole flooding issue he brought before Council in the previous meetings. With new residential development, this will only hinder the City's sewer system. Thus, creating more flooding on his street.

- Courtney Womack at 517 Costner School Road: Ms. Womack addressed Council regarding the budget year items, the records request process, and the streaming of City Council meetings. All City budgets and audits should be placed on the website. This would help people view the budget more and understand what changes are being made. Although citizens have the right to complete a public records request for financial documents, having them online makes them more readily accessible. During COVID the City streamed meetings. Thus, the capability is there. Streaming the meetings will make it more accessible for working individuals and single parents. This could aid in the transparency of the water issue. Also, having a public forum where government officials could come in and explain the issue to citizens would be helpful.

- Aaron Grosdider at 517 Costner School Road: Mr. Grosdider addressed Council regarding drugs, city vehicles, and Council member, Kay McCathen. Grosdider stated that the use of fentanyl is high and is being laced in marijuana. When at the last Concert & Cruise-In I could smell marijuana. However, the Police did not apprehend anyone. Several Police Officers were persuaded to leave the City's Police Department because they were being bullied by superiors. It would be better to let the aggressor or bully in upper management leave. The City workers speed in their vehicles. One citizen witnessed one truck lose it's tools and speeding, but they couldn't report it because the vehicle didn't have a number on it. Someone informed me that Council Member, Kay McCathen was relocated to a nursing home.

### **Public Comment Acknowledgment**

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

- The City has been looking into a policy regulating speed bumps throughout the City. It is City Staff desire to have a formal policy soon for City maintained roads. However, Highway 161 is a state-maintained road. Thus, the City would not be the entity responsible for employing them on that road. Instead, NC Department of Transportation is the responsible entity. The City does plan to decorate the entrance sign located in the Vantine Community. However, City Staff can not confirm that the sign was supposed to say "Vantine". The City sign that was placed there before said "Bessemer City" as well. Other statements mentioned by some citizens tonight were incorrect. If anyone has a question or would like to speak to City Staff they can contact the City Manager at any time. The City Manager is also available via email.

### **Bessemer City History & Art Society:**

Cynthia Lynn, of the Bessemer City History & Art Society addressed Mayor and Council regarding the society's club house and partnership efforts. The Society is still housed in the house located on Washington Avenue. The Society has been working diligently to digitize a lot of the records and older newspaper publications. However, the Society needs help with funding, gathering volunteers, and upfitting the building. The members of this organization would like to see the building preserved. They would also like to have crosswalk striping added for accessibility. The group would like to partner with the City at events such as the community concert series to obtain additional funding. Additionally, the organization would like to host an open house around Christmas to encourage citizens and visitors to come in and review the City's rich history.

### **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 the Regular Meeting minutes of the September 11<sup>th</sup>, 2023 meeting.
3. **Approval of Minutes:** City Council will consider adopting the Work Session Meeting minutes of the September 26<sup>th</sup>, 2023 meeting.
4. **Street Closure- Christmas in the City Festival & Parade:** City Staff is requesting a temporary street closure of the 100 block of West, 100 Block East Virginia Avenue, 100 block of N. 12th, 100 block of N. 11th Street for the Parks & Recreation Christmas in the City festival, Parade, and Community Tree Lighting on Sunday, November 19th from 11:00 AM until 9:00 PM.

### **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 \$1,500,000:**

Nancy Pascall, with the Gastonia Housing Authority addressed Council regarding the approval of a resolution approving multifamily housing for the Osage Mill Redevelopment property. Per Mrs. Pascall, the project needs additional funding as the cost of construction and other items have increased. Mrs. Pascall reminded the visiting public and Council that the Council had no financial obligation for the bonds. However, because this governing body is over the Bessemer City jurisdiction; thus City Council has to approve the application of funds. This will be workforce housing. There will be no section 8 or government subsidies given for these loft apartments.

By motion of Joe Will and unanimous vote, the resolution approving the Osage Mill apartments bonds in the amount of \$1,500,000 was approved.

### **Public Hearing –Right-Of-Way (Hillcrest Dr):**

City Council held a public hearing to hear public comment regarding a hear public comment regarding a right of way closure on Hillcrest Drive. This portion of unimproved street right-of-way measures approximately 0.0921 acres.

By motion of Brenda Boyd and unanimous vote, the public hearing regarding the right-of-way closure was opened at 7:49 PM.

Development Services Officer, Nathan Hester addressed Council regarding the right-of-way closure. City Staff received an application from property owners next to the right-of-way, the Rimmer family. They would like to see this right-of-way closed as they would like to extend their property line a little. Mr. Hester

displayed a map to show Council the area and metes and bounds. Per City Attorney David Smith at the last City Council meeting, the City would maintain the utility easements of said right-of-way.

City Council Member, Joe Will inquired about the future development of the property adjacent to the right-of-way. He inquired if the City would eventually need this right-of-way to access the City owned parcel behind it. Light discussion ensued between Council and City Staff.

Mayor Smith asked if there was anyone present to speak in favor of the right-of-way closure. The following came forth:

- Brent Rimmer at 501 Rimmer Rd: Mr Rimmer addressed Council regarding his desire to have this right-of-way closed. He stated that his family does not have the desire to build on the right-of-way. Rather, they would like to have the additional space to have more room in their driveway. Neighboring properties are becoming rentals, and he and his family would like some space.

Mayor Smith asked if there was anyone present to speak in opposition of the right-of-way closure. There was none.

By motion of Dan Boling and unanimous vote, the public hearing regarding the right-of-way closure was closed at 8:03 PM.

#### **Ordinance for the Closing & Withdrawing of a Recorded Section of Public Street Right-of-Way (Hillcrest Dr):**

By motion of Joe Will, this ordinance will be tabled to the November 2023 Regular Meeting on Monday, November 13, 2023.

#### **Public Hearing –Rezoning Request (401 E. Alabama Avenue):**

City Council held a public hearing to hear public comment regarding a rezoning request from Light Beam Estates to rezone the parcel #121483 401 E. Alabama Avenue from City Center (CC) to Urban Residential (UR).

By motion of Joe Will and unanimous vote, the public hearing regarding the rezoning request was opened at 8:11 PM.

Development Services Officer, Nathan Hester addressed Council regarding the rezoning request. The rezoning request is for tax parcel #121483 and is approximately 0.07 acres in size. The current property owner is Light Beam Estates LLC of 6028 Oxfordshire Rd. Waxhaw, NC 28173. The applicant purchased this property early 2023 and demolished the previous dilapidated single-family home upon the lot with the intent of constructing a new single-family structure.

The property, as it sits, is currently zoned City Center (CC) and does not allow for single-family as a land use permitted by right. The subject parcel and all parcels between S. 11th St. and S. 8th St. north of E. Alabama Ave. were rezoned to City Center in July of 2021 along with the city-wide zoning map amendment. The intent of this section of City Center was to allow for less intense commercial uses to be allowed along the Eastern Alabama corridor as passenger vehicles travel into the city.

There is currently single family residential structures on adjacent parcels of land along the southern road frontage side of E. Alabama Ave. The zoning of the north side of the E. Alabama Avenue right of way is City Center and the southern side of the right of way is Urban Residential. The size of the subject parcel

does present challenges if rezoning to Urban Residential. It does not meet the minimum lot size requirement, nor can any single-family structure be built upon the lot and be within the minimum setbacks of the Urban Residential District which are as follows:

Front – 20 feet  
Rear – 30 feet  
Side – 6 feet  
Corner – 20 feet

The subject parcel will have to be rezoned to conditional district designation under the Urban Residential district to allow for less intense setbacks for the sides and the rear. The Planning Board recommended that the standard setbacks be adhered to.

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

Mayor Smith asked if there was anyone present to speak in opposition of the rezoning request. There was none.

By motion of Brenda Boyd and unanimous vote, the public hearing regarding the rezoning request was closed at 8:12 PM.

#### **Ordinance Amending Zoning Map (401 E. Alabama Avenue):**

By motion of Donnie Griffin and unanimous vote, the ordinance regarding a zoning map request from Light beam Estates to rezone the parcel #121483 401 E. Alabama Avenue from City Center (CC) to Urban Residential (UR) was approved.

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

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

- **General:** Bessemer City has been granted \$2,150,000 from the State of North Carolina, as part of the 2023-2025 State Budget, for public safety improvements. The City is currently conducting a feasibility study that will identify current and future public safety needs in the community, i.e. fire, police, etc. This study is focused on facility needs as the City continues to invest in a full-service fire department and as the police department grows. The Queen City News featured the City in their Hometown segment on Wednesday, October 4<sup>th</sup>, 2023. The newscast featured interviews with local residents and businesses, interviewed Mayor Becky S. Smith who explained the City's goals for growth, preservation, and the community's quality of life. Additionally, City Staff have begun to look at moving the Community Concert & Cruise Ins to Friday nights. However, Staff is re-evaluating this option as Council Members Dan Boling and Brenda Boyd have informed us that many would like to continue to support this endeavor. Moving this event to a Friday could possibly lower community support and attendance.

#### **Council General Discussion**

Mayor Smith opened the floor for Council general discussion. Council member, Joe Will commended the Mayor on representing the city well on the Queens City News. Council member, Brenda Boyd expressed her love for the City and the community. Bessemer City is a great place to live. Council member, Donnie Griffin inquired about the pickleball and tennis courts at Stinger Park. He also commended the Police and Fire Departments for working so hard.

#### **Adjournment**

Being no further business to come before the board, by motion of Brenda Boyd and unanimous vote, the meeting was adjourned at 8:19 PM.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk