



CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, May 08, 2023 at 7:00 PM

AGENDA

Call to Order, Prayer, Pledge of Allegiance

Adjustment and Approval of the Agenda — *Items will only be added or removed with the approval of the Mayor and City Council.*

Special Presentations

1. **Students of the Month:** Mayor & City Council will recognize the April and May 2023 students of the month from Bessemer City area schools: Bessemer City Primary School, Bessemer City Central Elementary, Bessemer City Middle School, and Bessemer City High School.
2. **Bessemer City High School Band:** Mayor & City Council will recognize the Bessemer City High School band for earning a Superior rating at the Concert Band Music Performance Adjudication (MPA) conference in March 2023.

Request to Speak/Opportunity for Public Comment — *This is an opportunity for members of the public to express items of interest to the Mayor and City Council. This is not a time to respond or take action. Any necessary action will be taken under advisement. Speakers are asked to use proper decorum and to limit comments to no more than three minutes.*

3. **Public Comment Acknowledgment:** City Manager, Josh Ross will provide clarity on items mentioned during public comment, if needed.

Consent Agenda — *The items of the Consent Agenda are adopted on a single motion and vote, unless the Mayor and City Council wish to withdraw an item for separate vote and/or discussion.*

4. **Approval of Minutes:** City Council will consider adopting the Regular Meeting minutes of the April 10th, 2023 meeting.
5. **Approval of Minutes:** City Council will consider adopting the Work Session Meeting minutes of the April 25th, 2023 meeting.
6. **A Resolution Ratifying The National Day of Prayer Proclamation:** City Council will consider ratifying a Proclamation that declared Thursday, May 4th as the National Day of Prayer in Bessemer City.

Business Items

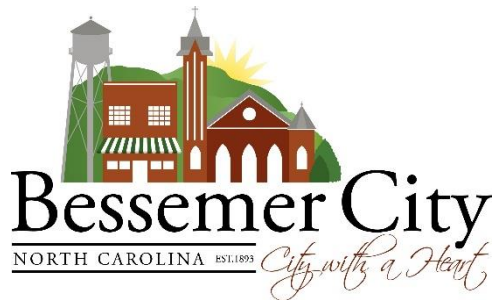
- 7. National Police Week Proclamation:** City Council will consider proclaiming Sunday, May 14th - Saturday, May 20th, 2023 as National Police Week in Bessemer City.
- 8. Juneteenth Week - Proclamation:** City Council will consider adopting a proclamation that celebrates Juneteenth week in Bessemer City from Sunday, June 11th until Saturday, June 17th.
- 9. Establish Public Hearing for 2023-2024 Proposed Budget:** City Council will consider establishing a public hearing on Monday, June 12th at 7:00 PM to hear public comment regarding the proposed 2023-2024 City budget.
- 10. Public Hearing- Text Amendments:** City Council will hold a public hearing to hear public comment regarding the proposed text changes in the following sections of the Land Development Code: 3.2.B Accessory Structures, 3.7 Lighting, 4.7.D Street Lighting, 7.1.D Development Approvals chart, 7.1.E.6 Review Process, 7.3.C Special Use Permit, Major Site Plans, and Major Subdivision.
- 11. Ordinance for Text Amendments:** City Council will consider adopting an ordinance to amend text in the following sections of the Land Development Code: 3.2.B Accessory Structures, 3.7 Lighting, 4.7.D Street Lighting, 7.1.D Development Approvals chart, 7.1.E.6 Review Process, 7.3.C Special Use Permit, Major Site Plans, and Major Subdivision.
- 12. Award Bid for Southridge Parkway Expansion -** City Staff is requesting that the Natural Gas System Expansion in Phase 1 of the Southridge Parkway be awarded to Classic City Mechanical, Inc in the amount \$96,328.00.

City Manager's Report

- 13. Budget Amendment:** City Council will consider approving a budget amendment regarding Water Plant Improvement Grant funds.
- 14. Budget Amendment:** City Council will consider approving a budget amendment regarding Stinger Park and Truist.
- 15. Offer to Sell Property-** City Council will consider accepting an offer from Arctek Construction to purchase property on W. Iowa Avenue (0.18 acres) Parcel ID#151687 for \$1,100.00.

Council General Discussion — *This is an opportunity for the Mayor and City Council to ask questions for clarification, provide information to staff, request staff to report back, or place a matter on a future agenda.*

Adjourn



CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, April 10, 2023 at 7:00 PM

MINUTES

Members Present

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

Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. Thurman Clark, Pastor of Mt. Pleasant 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 Kay McCathen and unanimous vote, the April agenda was approved with the following revision:

- (Additional Item) Establish Public Hearing: City Council will consider holding a public hearing to consider text amendments to section 3.2.B Accessory Structures, 3.7 Lighting, 4.7.D Street Lighting, 7.1.D Development Approvals chart, 7.1.E.6 Review Process, 7.3.C Special Use Permit, Major Site Plans, and Major Subdivisions of the City of Bessemer City Land Development Code.

Request to Speak/Opportunity for Public Comment

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

- Aaron Grosdidier of 517 Costner School Road – Mr. Grosdidier addressed Council regarding the Gaston County property tax rate and an emergency response incident. Mr. Grosdidier stated that he felt that the Police Department could be more empathetic when dealing with the elderly population. He stated that an elderly man needed help, during the emergency response the Police broke his door, and his gun was subsequently stolen. He stated that he believed that the Gaston County tax rate should be lowered.
- City Manager, Josh Ross- Mayor Smith recognized City Manager, Josh Ross to provide clarity on some items discussed during public comment. City Manager, Josh Ross stated that all comments made were opinions. Thus, a response was not needed.

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 March 13th, 2023 meeting.

2. **Approval of Minutes:** City Council will consider adopting the Work Session Meeting minutes of the March 28th, 2023 meeting.
3. **Adoption of City Mission, Vision, Values, and Goals:** City Council will consider adopting a new mission, vision, values, and goals.

Honey Hunters -

Veronica Jeon, COO of the Momentous Group addressed Council regarding the Gastonia Honey Hunters. The Momentous Group is a cutting-edge experiential company that focuses on delivering memorable customer experiences through strategic business segments that include sports & entertainment, hospitality, venue management, and marketing. Together with its subsidiaries, The Momentous Group serves the diverse needs of a constantly growing and evolving sports and entertainment sector. The Momentous Group has been hosting corporate events, musical concerts, and more at the Caromont Health Park. This summer the Honey Hunters will also host a youth baseball camp.

115 West Pennsylvania Avenue Building Rehabilitation Incentive Grant (BRIG):

City Staff is requesting the approval of a Building Rehabilitation Incentive Grant (BRIG) for property owners of 115 West Pennsylvania Avenue. The building is currently undergoing changes to become a retail space. Currently, there is a body care shop in the back who would like to expand. The grant is a dollar per dollar match up to \$10,000.

By motion of Joe Will and unanimous vote, the Building Rehabilitation Incentive Grant (BRIG) was approved for property at 115 West Pennsylvania Avenue.

Resolution- Water & Sewer System Revenue Bonds:

By motion Donnie Griffin and unanimous vote, City Council approved two revenue bonds for the Water Treatment Plant. The first bond amount is \$4,865,000 (Series 2023A) and the second is \$133,000 (Series 2023B).

Loan Closing Approval:

City Staff is requesting the approval of a resolution regarding a Stormwater Grant application. The City applied for funds last year and did not was not awarded the grant. Thus, Staff would like to apply again.

By motion of Brenda Boyd and unanimous vote, the resolution regarding a Stormwater Grant application was approved.

City Manager's Report

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

- Budget Amendment #1: By motion of Joe Will and unanimous vote, the budget amendment regarding a replacement City Christmas Tree was approved.
- General: The first Community concert and cruise in will be Saturday, April 22nd in downtown Bessemer City. The 35th Down Home Festival will be held Thursday, May 11th – Saturday, May 13th, 2023.

Council General Discussion

Mayor Smith opened the floor for Council general discussion. Council member, Joe Will commended the Parks & Recreation Department's landscaping team. The City Cemetery looks great, and there are no weeds. Council member, Donnie Griffin commended City Staff and expressed his excitement for the new businesses joining the Southridge Industrial Park.

Adjournment

Being no further business to come before the board, by motion of Brenda Boyd and unanimous vote, the meeting was adjourned at 7:29 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



CITY COUNCIL WORK SESSION
City Council Chambers
Tuesday, April 25, 2023 at 2:00 PM

MINUTES

Call to Order

Mayor Becky S. Smith called the meeting to order.

Members Present

Mayor, Becky S. Smith, Council Members: Joe Will, Kay McCathen, Brenda Boyd, Brent Guffey, Dan Boling, and Donnie Griffin were all present. City Manager, Josh Ross and department heads was present as well. A quorum was present.

Department Head Reports

Bessemer City department heads gave reports on their department's status:

JoD Franklin, Parks and Recreation Director- Mr. Franklin addressed Council regarding Stinger Park and the City Swimming Pool. Stinger Park is currently still undergoing work and has not reached completion. The City Manager, Josh Ross explained liquidated damages regarding Stinger Park. A recommendation was provided to apply a credit towards the liquidated damage amount for items not included in the project. The Manger recommended that this would be the preferred method to include items without increasing the project budget. By consensus Council approved said recommendation. Additionally, City Staff has been working with contractors to fix the drainage issue at the City pool. The pool will be able to open on time, during Memorial Day weekend.

Tom Ellis, Director of Public Safety- Chief Ellis addressed Council about the upcoming Police Banquet. At this banquet officers and community partners will be recognized.

Diane Jenkins, Finance Director- Ms. Jenkins addressed Council regarding the new customer service kiosk and the audit response letter. The new kiosk will be up and ready to take payments on July 1st of this year. Staff are still working with the service vendor to complete the installation process. City Staff constructed a response letter to address the Financial Performance Indicators (FPIC) of concern. The letter was accepted by the Local Government Commission (LGC).

Nathan Hester, Development Services Officer- Mr. Hester addressed Council regarding the Robinson Drug Store and text amendments. The new drug store, Robinson's located on 805 Gastonia Highway would like to have a ribbon cutting. The store is open and conducting business. City Staff will reach out at a later date with the details for the ribbon cutting. Also at the next regular meeting in May 2023, Mr. Hester will be addressing Council regarding several text amendments.

City Manager’s Report

Josh Ross, City Manager- Mr. Ross addressed Council the FY 23-24 budget. The proposed budget seeks to conduct operations according to Council’s newly adopted mission, vision, values, and goals. There was an increase in personal and property ad valorem. This proposed budget includes a recommendation that the tax rate remain at \$0.45 per \$100. The proposed budget is balanced and primarily includes payroll, general operations, and debt service.

Council General Discussion

Mayor Smith opened the floor for Council general discussion. There was none.

Adjourn

Being no further business to come before the board, the meeting was adjourned at 4:27 PM by motion of Brent Guffey and unanimous vote.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



**A PROCLAMATION
NATIONAL DAY OF PRAYER**

WHEREAS, Civic prayers and national days of prayer have a long and honored history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, The Declaration of Independence, our first statement as Americans of National purpose and identity, made “the Laws of Nature and Nature’s God” the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

WHEREAS, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

WHEREAS, In 1988, legislation setting aside the first Thursday in May of each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, The “National Day of Prayer” is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, It is fitting and proper to give thanks to God by observing a day of prayer in the City of Bessemer City when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and Nation.

Now, therefore, I, Mayor Becky S. Smith, do hereby proclaim Thursday, May 4th, 2023, to be designated as

“A DAY OF PRAYER IN BESSEMER CITY”

And encourage the citizens and employees of Bessemer City to observe the day in ways appropriate to its importance and significance.

Proclaimed this 4th day of May 2023

Attest:

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



PROCLAMATION
National Police Week 2023

To recognize National Police Week 2023 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are approximately 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Bessemer City Police Department; and

WHEREAS, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries; and

WHEREAS, since the first recorded death in 1791, almost 25,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and

WHEREAS, The City of Bessemer City wishes to recognize Officer, Michael Patrick Jenkins and Chief Lloyd M. Parton of the Bessemer City Police Department who were killed in the line of duty; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS, many new names of fallen heroes are being added to the National Law Enforcement Officers Memorial; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 35th Annual Candlelight Vigil, on the evening of May 13, 2023; and

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff.

THEREFORE, BE IT RESOLVED that the City of Bessemer City formally designates Sunday, May 14 - Saturday, May 20, 2023, as Police Week in Bessemer City, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

IN WITNESS WHEREOF, I hereunto set my hand this the 8th day of May, 2023

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



PROCLAMATION
COMMEMORATING JUNETEENTH WEEK A NATIONAL WEEK OF PRIDE

WHEREAS, the Emancipation Proclamation, an executive order issued January 1st, 1863 by President Abraham Lincoln immediately freed approximately five hundred thousand from generational bondage, but still left approximately 3.5 million enslaved across the United States; and

WHEREAS, Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States, when Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas to announce the war had ended, freeing the enslaved; and

WHEREAS, 2023 is the 158th anniversary of Juneteenth Day, a federally recognized holiday as of Friday, June 18, 2021 which commemorates June 19, 1865 as the observance of African American Emancipation Day of Freedom; and

WHEREAS, “Emancipation Day” is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, Juneteenth is a time to cultivate the true spirit of freedom and remember our ancestors as the men and women who bravely acted as catalysts for change; and

WHEREAS, the City of Belmont, City of Bessemer City, City of Gastonia, and Elements of Empowerment, will host a Juneteenth Celebration on Friday, June 16, in Bessemer City Centennial Park from 6:00 PM -10:00 PM, and Saturday, June 17, 2023 in Belmont and Gastonia, beginning with “Juneteenth Sunday” on Sunday, June 11, 2023.

NOW, THEREFORE, I, Mayor Becky S. Smith and the City Council do hereby proclaim June 19th, 2023 as “Juneteenth Day” and Sunday, June 11th as “Juneteenth Sunday” and encourage citizens to recognize and commemorate Juneteenth which honors the history, legacy, and culture of African Americans throughout the United States of America by participating in celebrations and festivities during the month of June.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Bessemer City to be affixed on this 8th day of May 2023.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



AN ORDINANCE AMENDING CHAPTER 3.2.B Accessory Structures, 3.7 Lighting, 4.7.D Street Lighting, 7.1.D Development Approvals chart, 7.1.E.6 Review Process, 7.3.C Special Use Permit, Major Site Plans, and Major Subdivisions OF THE CITY OF BESSEMER CITY LAND DEVELOPMENT CODE

WHEREAS, after proper notification a Public Hearing was held before the Bessemer City Council on May 8, 2023 to consider a proposed amendment to the City of Bessemer City Code of Ordinances and Land Development Code.

WHEREAS, after a _____ vote, the City Council of Bessemer City approved a text change to the City of Bessemer Land Development Code reflected 3.2.B Accessory Structures, 3.7 Lighting, 4.7.D Street Lighting, 7.1.D Development Approvals chart, 7.1.E.6 Review Process, 7.3.C Special Use Permit, Major Site Plans, and Major Subdivision of the City of Bessemer City Land Development Code.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Bessemer City, that the City of Bessemer City Code of Ordinances is amended to reflect the adopted changes as written below.

Chapter 3.2.B. Accessory Structures

1. Unless otherwise specified, accessory structures shall be set back at least five feet from the rear, side lot lines, and at least ten feet from the principle structure on the lot.
2. The accessory structure shall be clearly incidental to the primary use. Accessory structures shall not exceed the height, length, or width of the principal structure on the lot.
3. With the exception of mailboxes, newspaper boxes, walls, fences, birdhouses, flag poles, pump houses, and bus shelters, accessory structures must be located in the rear yard and in no case may an accessory structure be placed in a general drainage or utility easement unless, upon the determination of the Zoning Administrator, no practical location exists.
4. Each lot shall be permitted up to three accessory structures.
5. Lots that are one acre or less shall only be permitted one accessory structure that may be used for storage purposes.
6. A detached garage shall not be counted towards the one permitted accessory structure used for storage purposes.
7. Lots greater than one acre shall be permitted up to four accessory structures.
8. The square footage of accessory structures must not exceed 50 percent of the square footage of the primary structure on a lot, unless within the Rural (R) zoning district.
9. Garage buildings, both attached and detached, shall be regulated as an accessory structure.
10. All outdoor in-ground swimming pools shall be enclosed entirely by a fence. All fence openings or points of entry into the pool area enclosures shall be equipped with gates. The minimum height for fences and gates shall be four (4) feet above the grade level. All gates shall be equipped with

self-latching devices placed at the top of the gate. All materials shall be decay-or corrosion resistant. The fence shall not have openings greater than sixteen (16) inches.

- 11. All above-ground pools that are equipped with stairs to access the pool shall have a gate with a height of a minimum of four (4) feet. All gates shall be equipped with self-latching devices placed at the top of the gate.
- 12. Except as herein provided, accessory structures shall be placed on the same lot as the principal structure to which it is an accessory. In cases where a property owner owns two or more adjacent lots (on the same block and accessing the same street), up to one accessory structure may be placed on the lot abutting the lot containing the principal structure.
- 13. Roof-mounted solar panels shall be regulated as an accessory structure but shall not be counted toward the permitted accessory structure square footage lot requirements.
- 14. Structures that cannot be used as an accessory structure for a residential use include:
 - i. school buses
 - ii. Manufactured Trailers
 - iii. Tractor Trailers (with or without wheels)
 - iv. Buses
 - v. Recreation Vehicles
 - vi. Cargo Containers (Connex Containers)

Chapter 3.7 – General Provisions

3. The maximum height of the light source (light bulb) detached from a building shall be 20 feet for residential developments and 30 feet for developments within the Business Campus Production (BCP) and Industrial (I) zoning districts.

Chapter 4.7.D. – Street Lighting

- 1. Spacing of lighting should be approximately 200 feet (no less than 150 feet and no greater than 250 feet)
- 2. Every intersection within the development shall be illuminated by street lighting.
- 3. Uniformity in the type of lighting (if there is existing lighting in the area, any new lighting should match the existing lighting). If new lighting cannot match existing lighting, then new lighting should follow design standards according to section 3.7 *Lighting* of this code.
- 4. Avoidance of stormwater infrastructure conflicts.
- 5. Light sources should be installed in the right-of-way on property lines.
- 6. Minimum of 50W 3000K LED fixtures.

Chapter 7.1.D Development Approval Chart

Development Approval	LDC Section	Process Type	Reviewer	Public Notice	Approving Body	Appeal	Valid*	Extension
Major Subdivision	7.1.E.6	Administrative	Admin	N	Admin	Superior Court	1 Year	1 Year

Chapter 7.1.E.6. Major subdivision. All subdivisions not considered a minor subdivision, an exempted subdivision, or an expedited review. Major subdivisions shall be subject to a sketch plan and pre-submission meeting.

STEP 1: Application

Fees

Existing conditions

Project description

Site constructions plans/preliminary plat

Drainage calculations

Landscape plans

Trip generation report/traffic impact analysis

STEP 2: Completeness review

STEP 3: Administrative review

STEP 4: TRC review

STEP 5: Environmental permits

STEP 6: Construction of required improvements

STEP 7: Performance guarantees

STEP 8: Final plat/signatures

STEP 9: Recorded at Gaston County Register of Deeds

7.3.C Special Use Permit, Major Site Plans

Special uses permits, major site plans, are generally compatible with the land uses permitted by right in a zoning district, but which require individual review of their location, design, and configuration so as to evaluate the potential for adverse impacts on adjacent property and uses. This process ensures the appropriateness of the use at a particular location within a given zoning district.

1. Application procedure. An application for a major site plan, or a special use permit may be filed by the owner of the property or by an agent specifically authorized by the owner to file such application. Each application for a special use permit shall contain legal descriptions, a site plan (section 7.2.B.3) and other information required by section 7.1.E. or necessary to show that the use or structure complies with the standards set forth in this Code shall also be provided. The administrator shall review the application to ensure that it is complete and if complete, prepare a report and recommendation on the application, and schedule the matter for review before the planning board and for a public hearing before the city council.
2. Review process:
 - a. Planning board review. The planning board shall review the application, conduct only an informal, preliminary discussion, and make a recommendation to the city council within 45 days of its first consideration on the matter. If no recommendation is received from the planning board within 45 days, the city council shall proceed without a recommendation from the planning board. The recommendation must not be used as a basis for the decision of the city council. The decision of the council must be based solely on the evidence presented at the evidentiary hearing.
 - b. Board hearing and decision. The city council shall hold an evidentiary hearing. The applicant and other property owners likely to be materially affected by the application shall be given an opportunity to be heard. Upon reviewing all of the pertinent information, the city council may approve, deny or approve with conditions the special use permit, major subdivision, or major site plan, by a majority vote.

- c. Conditions. The city council may place conditions on the approval to assure that mitigation measures are associated with the use. The conditions shall become part of the special use permit, major subdivision, or site plan approval and shall be included in the final site plan application. However, the board must not impose conditions on special use permits or approvals that the city does not otherwise have the statutory authority to impose. Further, there must be written consent by the applicant to the related conditions.
- d. Findings of fact. In addition to determining that the application meets all other requirements of this Code, the city council must find the following in order to grant approval of a special use permit, or major site plan:
 - (1) The proposed use, as designed, conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.
 - (2) The proposed use will not cause undue traffic congestion or create a traffic hazard.
 - (3) Adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed use.
 - (4) The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
 - (5) The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property.
 - (6) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.
 - (7) The proposed use will not substantially injure the value of adjoining or abutting property.
 - (8) The proposed use and its layout and design is consistent with the officially adopted plans and policies of the city.
- e. Permit validity. Special uses, and major site plans that have been granted approval must begin development within one year following approval or the approval becomes invalid.

Permit extension. The city council may grant one extension of this time period of up to one year, upon submittal by the applicant of sufficient justification for the extension, prior to the actual expiration of the permit. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.

Effective Date

This Ordinance shall become effective upon its adoption by the City Council of the City of Bessemer City, North Carolina.

Adopted by City Council this 8th Day of May, 2023

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk

3.2.B – Accessory Structure Requirement Changes

Changes within the text of section 3.2.B are needed to provide further clarity to citizens and applicants. Several instances have arisen over the past months where further clarification within the Land Development Code would have provided easier communication with community members and provided better understanding of what is allowable by code.

Staff Recommends the current section of the Land Development Code be amended to reflect the text below:

1. Unless otherwise specified, accessory structures shall be set back at least five feet from the rear, side lot lines, **and at least ten feet from the principle structure on the lot.**
2. The accessory structure shall be clearly incidental to the primary use. Accessory structures shall not exceed the height, length, or width of the principal structure on the lot.
3. With the exception of **mailboxes, newspaper boxes, walls, fences, birdhouses, flag poles, pump houses, and bus shelters**, accessory structures must be located in the rear yard and **in no case may an accessory structure be placed in a general drainage or utility easement unless**, upon the determination of the Zoning Administrator, no practical location exists.
4. Each lot shall be permitted up to three accessory structures.
5. Lots that are one acre or less shall only be permitted one accessory structure that may be used for storage purposes.
6. A detached garage shall not be counted towards the one permitted accessory structure used for storage purposes.
7. Lots greater than one acre shall be permitted up to four accessory structures.
8. The square footage of accessory structures must not exceed 50 percent of the square footage of the primary structure on a lot.
9. Garage buildings, both attached and detached, shall be regulated as an accessory structure.
- 10. All outdoor in-ground swimming pools shall be enclosed entirely by a fence. All fence openings or points of entry into the pool area enclosures shall be equipped with gates. The minimum height for fences and gates shall be four (4) feet above the grade level. All gates shall be equipped with self-latching devices placed at the top of the gate. All materials shall be decay- or corrosion-resistant. The fence shall not have openings greater than sixteen (16) inches.**
- 11. All above-ground pools that are equipped with stairs to access the pool shall have a gate with a height of a minimum of four (4) feet. All gates shall be equipped with self-latching devices placed at the top of the gate.**
- 12. Except as herein provided, accessory structures shall be placed on the same lot as the principal structure to which it is an accessory. In cases where a property owner owns two or more adjacent lots (on the same block and accessing the same street), up to one accessory structure may be placed on the lot abutting the lot containing the principal structure.**
- 13. Roof-mounted solar panels shall be regulated as an accessory structure but shall not be counted toward the permitted accessory structure square footage lot requirements.**
14. Structures that cannot be used as an accessory structure for a residential use include:
 - A. school buses
 - B. Manufactured Trailers
 - C. Tractor Trailers (with or without wheels)
 - D. Buses

E. Recreation Vehicles
F. Cargo Containers (Connex Containers)

3.7 – Lighting

The maximum height of the light source (light bulb) detached from a building shall be 20 feet for residential developments and 30 feet for developments within the Business Campus Production (BCP) and Industrial (I) zoning districts.

4.7.D – Lighting Changes

Proposed Standards:

1. Spacing of lighting should be approximately 200 feet (no less than 150 feet and no greater than 250 feet)
2. Every intersection within the development shall be illuminated by street lighting.
3. Uniformity in the type of lighting (if there is existing lighting in the area, any new lighting should match the existing lighting). If new lighting cannot match existing lighting, then new lighting should follow design standards according to section 3.7 *Lighting* of this code.
4. Avoidance of stormwater infrastructure conflicts.
5. Light sources should be installed in the right-of-way on property lines.
6. Minimum of 50W 3000K LED fixtures.

Chapter 7.1.D Development Approval Chart

Development Approval	LDC Section	Process Type	Reviewer	Public Notice	Approving Body	Appeal	Valid*	Extension
Major Subdivision	7.1.E.6	Administrative	Admin	N	Admin	Superior Court	1 Year	1 Year

6. Major subdivision. All subdivisions not considered a minor subdivision, an exempted subdivision, or an expedited review. Major subdivisions shall be subject to a sketch plan and pre-submission meeting.

STEP 1: Application

Fees

Existing conditions

Project description

Site constructions plans/preliminary plat

Drainage calculations

Landscape plans

Trip generation report/traffic impact analysis

STEP 2: Completeness review

STEP 3: Administrative review/~~public notice~~

STEP 4: TRC review

~~STEP 5: Planning board review and recommendation~~

~~STEP 6: Evidentiary hearing and city council decision~~

STEP 5: Environmental permits

STEP 6: Construction of required improvements

STEP 7: Performance guarantees

STEP 8: Final plat/signatures

STEP 9: Recorded at Gaston County Register of Deeds

7.3.C Special Use Permit, Major Site Plans, ~~and Major Subdivisions.~~

Special uses permits, major site plans, ~~and major subdivisions~~ are generally compatible with the land uses permitted by right in a zoning district, but which require individual review of their location, design, and configuration so as to evaluate the potential for adverse impacts on adjacent property and uses. This process ensures the appropriateness of the use at a particular location within a given zoning district.

1. Application procedure. An application for a major site plan, ~~a major subdivision~~, or a special use permit may be filed by the owner of the property or by an agent specifically authorized by the owner to file such application. Each application for a special use permit shall contain legal descriptions, a site plan (section 7.2.B.3) and other information required by section 7.1.E. or necessary to show that the use or structure complies with the standards set forth in this Code shall also be provided. The administrator shall review the application to ensure that

it is complete and if complete, prepare a report and recommendation on the application, and schedule the matter for review before the planning board and for a public hearing before the city council.

2. Review process:

- a. Planning board review. The planning board shall review the application, conduct only an informal, preliminary discussion, and make a recommendation to the city council within 45 days of its first consideration on the matter. If no recommendation is received from the planning board within 45 days, the city council shall proceed without a recommendation from the planning board. The recommendation must not be used as a basis for the decision of the city council. The decision of the council must be based solely on the evidence presented at the evidentiary hearing.
- b. Board hearing and decision. The city council shall hold an evidentiary hearing. The applicant and other property owners likely to be materially affected by the application shall be given an opportunity to be heard. Upon reviewing all of the pertinent information, the city council may approve, deny or approve with conditions the special use permit, major subdivision, or major site plan, by a majority vote.
- c. Conditions. The city council may place conditions on the approval to assure that mitigation measures are associated with the use. The conditions shall become part of the special use permit, major subdivision, or site plan approval and shall be included in the final site plan application. However, the board must not impose conditions on special use permits or approvals that the city does not otherwise have the statutory authority to impose. Further, there must be written consent by the applicant to the related conditions.
- d. Findings of fact. In addition to determining that the application meets all other requirements of this Code, the city council must find the following in order to grant approval of a special use permit, ~~major subdivision~~, or major site plan:
 - (1) The proposed use, as designed, conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.
 - (2) The proposed use will not cause undue traffic congestion or create a traffic hazard.
 - (3) Adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed use.
 - (4) The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
 - (5) The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property.
 - (6) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.
 - (7) The proposed use will not substantially injure the value of adjoining or abutting property.
 - (8) The proposed use and its layout and design is consistent with the officially adopted plans and policies of the city.

- e. Permit validity. Special uses, ~~major subdivision~~, and major site plans that have been granted approval must begin development within one year following approval or the approval becomes invalid.
- f. Permit extension. The city council may grant one extension of this time period of up to one year, upon submittal by the applicant of sufficient justification for the extension, prior to the actual expiration of the permit. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.

PLAN CONSISTENCY & STATEMENT OF REASONABLENESS
TEXT AMENDMENT 01-2023
May 8, 2023

Pursuant to N.C. Gen. Stat. §160D-605 the City of Bessemer City Council hereby approves and adopts the following Plan Consistency and Statement of Reasonableness for the text amendment of the Land Development Code of the City of Bessemer City, North Carolina.

- 1) Said text change **is/is not consistent** with the goals and values established by the City Council adopted in 2023.
 - a. The City Council created a mission and vision statement that included the following seven values: 1. Accountability, 2. Ethics, 3. Respect, 4. Commitment/Dependability, 5. Open-Mindedness, 6. Honesty.
 - b. The City Council created a mission and vision statement that included the following eight goals: 1. Promote a desirable place to live and work that provides a healthy quality of life., 2. Ensure a safe and secure community for residents and visitors, 3. Invest in high quality infrastructure to support a thriving and diverse economy., 5. Provide opportunities for citizen engagement and promote volunteerism., 6. Foster organizational sustainability that embraces innovation and creativity.
 - c. These text amendments are consistent with these goals.
- 2) The text amendments **would/would not be detrimental** to the city and ETJ.
 - a. The physical condition that make the text amendments reasonable are:
 - Provides clarity within current Accessory Structure regulations to aid citizens and business owners of the City of Bessemer City.
 - Provides regulations to street lighting within residential developments to ensure proper vehicular and pedestrian safety for future residents.
 - Eliminates the need for public hearings with respect to technical review of major subdivision standards within the City of Bessemer City Land Development Code and the State of N.C. General Statutes.
 - b. The text amendments are in the best interest of the public to simplify understanding of the Land Development Code and increase and maximize property values in order to provide for future infrastructure and amenities.

Therefore, the requested text amendments **are/are not reasonable** and in the public interest.

Upon a motion that the application is **consistent** with the Bessemer City Planning and Economic Development Comprehensive Land Use Vision.

Read, approved and adopted this the 8th Day of May, 2023.

ATTEST

CITY COUNCIL FOR THE
CITY OF BESSEMER CITY

Hydeia Hayes, City Clerk

BY _____
Becky S. Smith, Mayor

APPROVED AS TO FORM

Daniel P. O'Shea, City Attorney



City of Bessemer City, North Carolina

Text Amendment Staff Report

Planning Board Recommendation April 3, 2023

City Council Agenda Item May 8, 2023

Applicant: Bessemer City Planning Staff

Request:

To amend text within sections 3.2.B Accessory Structures, 3.7 Lighting, 4.7.D Street Lighting, 7.1.D Development Approvals chart, 7.1.E.6 Review Process, 7.3.C Special Use Permit, Major Site Plans, and Major Subdivisions.

Backaround:

3.2.B – Accessory Structure Requirement Changes

Changes within the text of section 3.2.B are needed to provide further clarity to citizens and applicants. Several instances have arisen over the past months where further clarification within the Land Development Code would have provided easier communication with community members and provided better understanding of what is allowable by code.

Staff Recommends the current section of the Land Development Code be amended to reflect the text below:

- 1. Unless otherwise specified, accessory structures shall be set back at least five feet from the rear, side lot lines, and at least ten feet from the principal structure on the lot.

2. The accessory structure shall be clearly incidental to the primary use. Accessory structures shall not exceed the height, length, or width of the principal structure on the lot.
3. With the exception of mailboxes, newspaper boxes, walls, fences, birdhouses, flag poles, pump houses, and bus shelters, accessory structures must be located in the rear yard and in no case may an accessory structure be placed in a general drainage or utility easement unless, upon the determination of the Zoning Administrator, no practical location exists.
4. Each lot shall be permitted up to three accessory structures.
5. Lots that are one acre or less shall only be permitted one accessory structure that may be used for storage purposes.
6. A detached garage shall not be counted towards the one permitted accessory structure used for storage purposes.
7. Lots greater than one acre shall be permitted for up to four accessory structures.
8. The square footage of accessory structures must not exceed 50 percent of the square footage of the primary structure on a lot.
9. Garage buildings, both attached and detached, shall be regulated as an accessory structure.
10. All outdoor in-ground swimming pools shall be enclosed entirely by a fence. All fence openings or points of entry into the pool area enclosures shall be equipped with gates. The minimum height for fences and gates shall be four (4) feet above the grade level. All gates shall be equipped with self-latching devices placed at the top of the gate. All materials shall be decay- or corrosion-resistant. The fence shall not have openings greater than sixteen (16) inches.
11. All above-ground pools that are equipped with stairs to access the pool shall have a gate with a height of a minimum of four (4) feet. All gates shall be equipped with self-latching devices placed at the top of the gate.
12. Except as herein provided, accessory structures shall be placed on the same lot as the principal structure to which it is an accessory. In cases where a property owner owns two or more adjacent lots (on the same block and accessing the same street), up to one accessory structure may be placed on the lot abutting the lot containing the principal structure.
13. Roof-mounted solar panels shall be regulated as an accessory structure but shall not be counted toward the permitted accessory structure square footage lot requirements.
14. Structures that cannot be used as an accessory structure for a residential use include:
 - A. school buses
 - B. Manufactured Trailers
 - C. Tractor Trailers (with or without wheels)
 - D. Buses
 - E. Recreation Vehicles
 - F. Cargo Containers (Connex Containers)

3.7 Lighting and 4.7.D Street Lighting

The Bessemer City Land Development Code has no street lighting standards specific to the distance requirements between streetlights within residential developments. Due to the number of residential projects applied for and either approved or denied by the city council of Bessemer City, it would be pertinent to require developers to follow such requirements. The planning staff has spoken with the electrical provider for our municipality, Duke Energy, and other municipal planning staff in Hickory, NC, Dallas, NC, and Charlotte, NC. Staff proposes the following list

to the City Council of Bessemer City to be adopted and enforced within section 4.7.D. Street Lighting of Chapter Four Infrastructure and Subdivision Standards.

Proposed Standards:

1. Spacing of lighting should be approximately 200 feet (no less than 150 feet and no greater than 250 feet)
2. Every intersection within the development shall be illuminated by street lighting.
3. Uniformity in the type of lighting (if there is existing lighting in the area, any new lighting should match the existing lighting). If new lighting cannot match existing lighting, then new lighting should follow design standards according to section 3.7 *Lighting* of this code.
4. Avoidance of stormwater infrastructure conflicts.
5. Light sources should be installed in the right-of-way on property lines.
6. Minimum of 50W 3000K LED fixtures.

Spacing is the biggest challenge, and traditional photometric requirements do not allow for flexibility when it comes to lot frontages/size while having lights installed on the property lines, so that is the reason for the minimum and maximum allowances. Developers should be able to meet desired levels of safety if the spacing attempts to reach that 200-foot goal.

The Land Development Code for the City of Bessemer City requires that the maximum height of light poles be 20ft. During discussions with Industrial developers and the municipality electrical service provider, Duke Energy, planning staff has been made aware that this causes a dilemma for industrial development. The restriction to a 20ft light pole will cause a large installation of light poles within the parking areas of these development sites. Furthermore, with a large amount of passenger vehicle and tractor-trailer traffic for the end users of such industrial sites, the number of light poles can become burdensome to developers and the electricity provider and exceed the required lighting amount for pedestrians and vehicle safety.

Staff proposes the following amendment to the current text:

The maximum height of the light source (light bulb) detached from a building shall be 20 feet for residential developments and 30 feet for developments within the Business Campus Production (BCP) and Industrial (I) zoning districts.

7.1.D Development Approvals chart, 7.1.E.6 Review Process, 7.3.C Special Use Permit, Major Site Plans, and Major Subdivisions.

Chapter Seven of the Bessemer City Land Development Code regulates all procedures and plans for development approvals. Currently, within Section 7.1.D. – Development Approval Chart, 7.1.E.6 Review Process Major Subdivision, and Section 7.3.C. Special use permits, major site plans, and major subdivisions; the review and approval of major subdivisions are classified as a quasi-judicial process and require a public hearing. After consultation with other North Carolina municipalities, this has been identified as a double redundancy and does not provide any specific

benefit to the technical review of the development requirements. Currently, the city of Bessemer City defines major subdivisions as:

1. Subdivisions of land that result in five (5) or more lots.
2. When at least one (1) new street, public or private, is proposed.
3. The extension of public utilities to serve the subdivision.
4. When the entirety of the tract of land subdivided is more than ten (10) acres.

The change of major subdivision review from quasi-judicial to administrative would only allow people applying for major residential development and the subdivision of large parcels of land without intent for extensive development to forego a public hearing for the subdivision of land itself and does not prevent the citizens of Bessemer City from voicing their support and or opposition to such development applications. The change would prevent the same development application from facing two separate public hearings, one for rezoning and one for major subdivisions. The development application, development company, and potential site would still be subject to the evidentiary hearing for rezoning, conditional districts, special use permits, planned unit developments, and major site plans. However, the actual technical review for the preliminary plat of the subdivision of land would transition to a staff review by all local, state, and third-party entities required (e.g., planning staff, public works staff, engineering firms, NCDOT.)

Please see Attachment A to changes to major subdivision process within Chapter 7 of the Bessemer City Land Development Code.

Staff Recommendation:

Approve as submitted.

Exhibits:

1. Plan Consistency Statement
2. Attachment A – Supplemental Document
 - a. Highlights changes as will be seen in Land Development Code

Recommended Effective Date: May 8, 2023

BID OPENING SUMMARY

CITY OF BESSEMER CITY, NORTH CAROLINA NATURAL GAS DEPARTMENT

PROJECT NAME: NATURAL GAS SYSTEM EXPANSION SOUTHRIDGE PARKWAY – PHASE 1
DATE: April 18, 2023 **TIME:** 2:00 p.m. EST
LOCATION: City of Bessemer City, North Carolina City Hall Annex

BID #	CONTRACTOR NAME	BID BOND	NON-COLLUSION	REFERENCE	FEIN	IRAN	BID FORM	
							TOTAL PRICE	ADDENDA
1	Classic City Mechanical	5%	X	X	X	X	\$ 96,328.00	2
2	Dawn Development	5%	X	X	X	X	\$ 125,705.00	2
3	Appling Boring	5%	X	X	X	X	\$ 160,011.65	2
4								
5								
6								
7								
8								
9								
10								

ATTEST TO OPENING:

BIDS OPENED BY: RK&K – Brian Hahn

NATURAL GAS DEPARTMENT REPRESENTATIVE: Jamie Ramsey / Todd Davis

DESIGN ENGINEER REPRESENTATIVE: Brian Hahn /

April 19, 2023

Jamie Ramsey
 Director of Operations
 City of Bessemer City
 Public Works Department – Natural Gas Division
 405 N. 9th Street
 Bessemer City, NC 28016

**Reference: Bid Evaluation and Award Recommendation for the
 Natural Gas System Expansion Southridge Parkway – Phase 1**

Bids were received and opened at 2:00 P.M., local time on April 18, 2023, for the above referenced work. The following contractors submitted bids: Appling Boring Company, Inc., Classic City Mechanical, Inc., and Dawn Development Company, Inc. Classic City Mechanical properly submitted their bid; with the bid package including the revised Bid Proposal, acknowledgement of Addenda #1 and #2, the non-collusion affidavit, the FEIN request, the Iran Divestment Certification, and the 5% Bid Bond. Appling Boring and Dawn Development submitted incorrect Bid Proposal forms, but otherwise the bid packages were complete and correct. The two bids were not rejected because the Bid Proposal form submitted was the original form instead of the updated form included with Addendum #1 and did not affect the estimated quantities for project cost calculation.

The bid included fourteen (14) unit prices for the work that will be required to complete this project. A copy of the bid tabulation spreadsheet for the project was previously provided. The following are the total extended bid prices submitted by each contractor.

BIDDER	ALTERNATE BID PRICE
Classic City Mechanical, Inc.	\$96,328.00
Dawn Development	\$125,705.00
Appling Boring	\$160,011.65

An Award Recommendation was developed in conformance with the requirements in the Instructions to Bidders, Award of Contract, *“The award of the contract will be to the lowest responsible and responsive Bidder, whose qualifications indicate the award will be in the best interest of the City of Bessemer City and whose bid meets the prescribed requirements.”* RK&K has not performed additional verification of similar experience and performance due to RK&K’s knowledge of Classic City Mechanical’s work experience and work performance. RK&K hereby recommends that the City of Bessemer City accept and award Classic City Mechanical, Inc., the contract to perform the work for the Natural Gas System Expansion Southridge Parkway – Phase 1.

Sincerely,
Rummel, Klepper & Kahl, LLP

Brian E. Hahn
 Project Manager

City of Bessemer City, NC
 Natural Gas Department

Bid Opening Date: Tuesday, April 18, 2023
 Natural Gas System Expansion: Southridge Parkway - Phase 1

ITEM DESCRIPTION	UNIT	QUANTITY	CLASSIC CITY MECHANICAL		DAWN DEVELOPMENT		APPLING BORING		
			UNIT PRICE	EXTENDED	UNIT PRICE	EXTENDED	UNIT PRICE	EXTENDED	
GENERAL FACILITIES									
1.0	Rock excavation:	CY	25	\$ 75.00	\$ 1,875.00	\$ 300.00	\$ 7,500.00	\$ 200.00	\$ 5,000.00
2.0	Furnish & install select fill:	CY	70	\$ 40.00	\$ 2,800.00	\$ 70.00	\$ 4,900.00	\$ 30.00	\$ 2,100.00
3.0	Furnish & install sand bedding material:	TON	65	\$ 30.00	\$ 1,950.00	\$ 0.01	\$ 0.65	\$ 25.00	\$ 1,625.00
4.0	Furnish & install erosion & sedimentation measures:								
4.1	Silt fences	LF	2,230	\$ 2.50	\$ 5,575.00	\$ 2.50	\$ 5,575.00	\$ 5.00	\$ 11,150.00
4.2	Storm drain inlet protection	EACH	4	\$ 100.00	\$ 400.00	\$ 100.00	\$ 400.00	\$ 300.00	\$ 1,200.00
GAS FACILITIES									
5.0	Install polyethylene gas mains by direct burial:								
5.1	6-inch nominal diameter	LF	2,004	\$ 23.75	\$ 47,595.00	\$ 40.00	\$ 80,160.00	\$ 25.00	\$ 50,100.00
6.0	Furnish & install polyethylene gas mains by direct burial:								
6.1	2-inch nominal diameter	LF	550	\$ 15.50	\$ 8,525.00	\$ 18.00	\$ 9,900.00	\$ 12.00	\$ 6,600.00
7.0	Furnish & install polyethylene gas mains by underboring:								
7.1	6-inch nominal diameter	LF	77	\$ 58.00	\$ 4,466.00	\$ 30.00	\$ 2,310.00	\$ 70.00	\$ 5,390.00
7.2	4-inch nominal diameter	LF	63	\$ 40.00	\$ 2,520.00	\$ 18.00	\$ 1,134.00	\$ 40.00	\$ 2,520.00
7.3	2-inch nominal diameter	LF	28	\$ 25.00	\$ 700.00	\$ 14.00	\$ 392.00	\$ 25.00	\$ 700.00
8.0	Furnish & install polyethylene gas mains by directional drilling:								
8.1	6-inch nominal diameter	LF	284	\$ 58.00	\$ 16,472.00	\$ 160.00	\$ 45,440.00	\$ 130.00	\$ 36,920.00
9.0	Install polyethylene gas valves & valve boxes:								
9.1	6-inch nominal diameter	EACH	2	\$ 750.00	\$ 1,500.00	\$ 750.00	\$ 1,500.00	\$ 700.00	\$ 1,400.00
10.0	Furnish & install polyethylene gas valves & valve boxes:								
10.1	4-inch nominal diameter	EACH	1	\$ 1,150.00	\$ 1,150.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
10.2	2-inch nominal diameter	EACH	1	\$ 800.00	\$ 800.00	\$ 300.00	\$ 300.00	\$ 500.00	\$ 500.00
TOTAL BID					\$ 96,328.00		\$ 160,011.65		\$ 125,705.00

Bid Error Summary	No errors	No errors	No errors
-------------------	-----------	-----------	-----------

BUDGET AMENDMENT
May 8, 2023

BE IT ORDAINED by the governing body of the City of Bessemer City that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2023 as follows:

Section 1. To amend the Water Fund appropriations as follows:

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
610-60-6680-037	USDA WTP Debt (P)	\$ 82,000	
610-60-6680-038	USDA WTP Debt (I)	\$ 12,663	

This will result in a net increase of \$ 94,663 in the appropriations for the Water Fund. To provide the additional revenue for the above, the following revenues will be increased.

610-91-3991-991	Fund Balance Appropriated	\$ 94,663
-----------------	---------------------------	-----------

Section 2. Copies of this budget amendment shall be furnished to the Clerk, to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted by Council, this _____ day of _____ 2023.

Becky Smith, Mayor

Date

Hydeia Hayes, Clerk

Date

COBC-GOVBOD-2022-2023 O 33

BUDGET AMENDMENT
May 8, 2023

BE IT ORDAINED by the governing body of the City of Bessemer City that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2023 as follows:

Section 1. To amend the General Fund appropriations as follows:

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
100-60-6680-036	Truist Debt PD & Park (P)	\$ 81,188	
100-60-6680-037	Truist Debt PD & Park (I)	\$ 6,550	

This will result in a net increase of \$ 88,438 in the appropriations for the General Fund. To provide the additional revenue for the above, the following revenues will be increased.

100-00-3991-991	Fund Balance Appropriated		\$ 87,738
-----------------	---------------------------	--	-----------

Section 2. Copies of this budget amendment shall be furnished to the Clerk, to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted by Council, this _____ day of _____ 2023.

Becky Smith, Mayor

Date

Hydeia Hayes, Clerk

Date

COBC-GOVBOD-2022-2023 O 34

From: [arctek construction](#)
To: [Josh Ross](#)
Subject: Re: Land acquisition
Date: Wednesday, April 5, 2023 10:59:26 AM

Good Morning Josh ,

Based on the Tax value of parcel # 151687 of \$131,550 for the 23.22 acres currently owned by the City. We are offering the City \$1,100.00 for the .18 acre of land described in the previous email. In addition we would assume the cost of surveying and legal fees involved with the transaction.

The offer is based on the current tax value of the property at 131,550 divided into the .18 acre requested by the offer.

Thank you to everyone involved for the consideration of this offer !!

Sent from my iPhone

> On Mar 28, 2023, at 12:53 PM, arctek construction <arctekconstruction@yahoo.com> wrote:

>

> Afternoon Josh ,

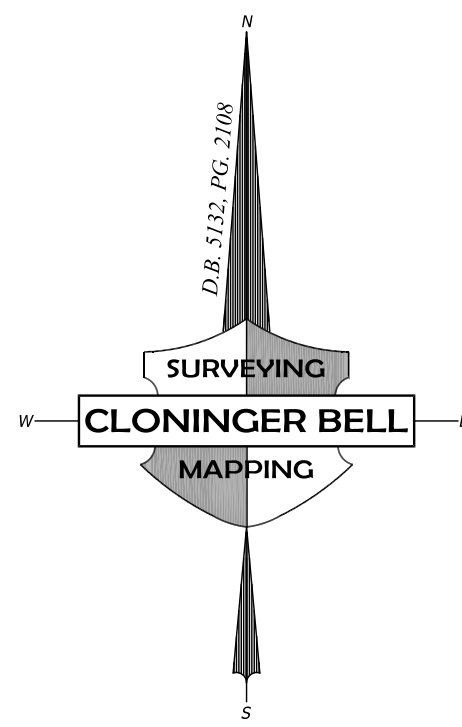
>

> Thanks for taking the time to meet with us and discussing possibly purchasing a small piece of vacant land from the City. As a follow up to our discussion we are interested in purchasing approximately .18 acre (8130sqft) from parcel #151687 which the City owns. Our intent with the purchase of the land will be to combine it with Parcel #119988 which we currently own. Currently #119988 is approximately .64 acre and is in the NR zoning for 12,000 sqft min lot size. With the the purchase of the land we would have the ability to develop 3 residential structures while maintaining the 12,000 sqft requirements for each. Our proposal would be offering current tax value for the land and encoring all surveying and legal cost for the transaction. Parks Wilson law has completed a clear title search for the property we currently own. We would ask the City to allow his Firm to complete any possible dead work pertaining to this matter as a replicated title search would not be necessary. Thanks again we look forward to hearing from you !

>

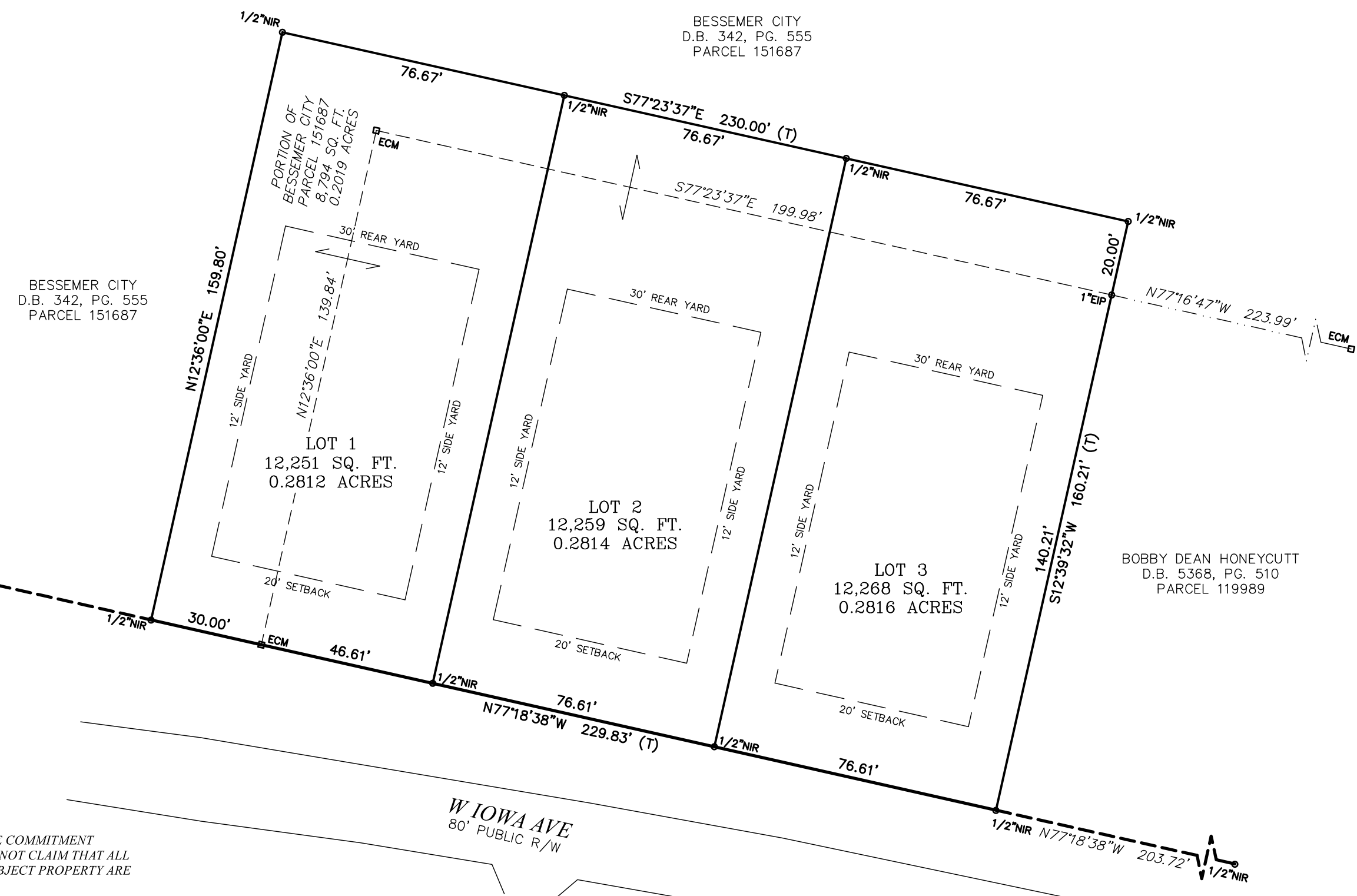
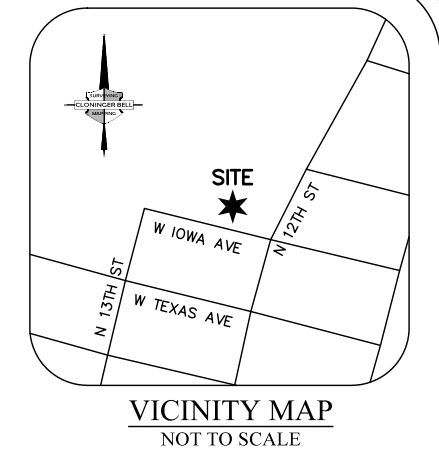
>

> Sent from my iPhone



SUBDIVISION
 PROPERTY OF
JAMES S. PARSONS AND
THE CITY OF BESSEMER CITY
 W IOWA AVE
 CITY OF BESSEMER CITY, GASTON COUNTY, NC
 DEED REFERENCE: 5392-904 AND 342-555
 PARCEL: 119988 AND 151687

TOTAL AREA: 36,778 SQ. FT. (0.8442 ACRES)



REVIEW OFFICER:

I, _____ REVIEW OFFICER OF GASTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

SURVEYOR'S CERTIFICATE:

STATE OF NORTH CAROLINA
 COUNTY OF GASTON
 I, THE UNDERSIGNED SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED REFERENCE: 5392-904 AND 342-555); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS REFERENCED ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1: 10,000 LINEAR FEET; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 11th DAY OF APRIL, A.D., 2023.

THIS PLAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

PRELIMINARY
 PROFESSIONAL LAND SURVEYOR _____ DATE _____



NOTES:

- ALL CORNERS MONUMENTED AS SHOWN.
- THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. CLONINGER BELL SURVEYING & MAPPING, PLLC DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
- BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
- THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
- THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE SUBJECT PROPERTY AS SHOWN HEREON.
- ALL AREAS SHOWN HEREON WERE DETERMINED BY COORDINATE COMPUTATION.

ZONING:

ZONING RESTRICTIONS AS PER ZONING ORDINANCE:
 SUBJECT PROPERTY ZONED: NR AND UR
 FOR FURTHER INFORMATION CONTACT THE CITY OF BESSEMER CITY ZONING DEPARTMENT.

LEGEND:

- D.B. - DEED BOOK
- ECM - EXISTING CONCRETE MONUMENT
- EIP - EXISTING IRON PIPE
- M.B. - MAP BOOK
- NIR - NEW IRON ROD
- PG. - PAGE
- R/W - RIGHT-OF-WAY
- (T) - TOTAL
- PROPERTY LINE _____
- PROPERTY LINE (ADJACENT) - - - - -
- RIGHT-OF-WAY _____
- RIGHT-OF-WAY (ADJACENT) - - - - -
- SETBACK _____

FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED SEPTEMBER 28, 2007.
 COMMUNITY PANEL NO: 3710351600J

CLONINGER BELL
 SURVEYING & MAPPING, PLLC
 201 W. 2nd AVENUE, SUITE C
 GASTONIA, NC 28052
 704.864.9007
 LICENSE P-2326

CREW:	DRAWN:	REVISED:	SCALE:	DATE:	FILE NO.
JH	CEB		1" = 30'	APRIL 11, 2023	2652