

CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, September 12, 2022 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.*

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.*

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.*

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

Business Items

4. **Ordinance - For Local Designation of Osage Mill:** City Council will consider adopting an ordinance establishing Osage Mill as a historically preserved site.
5. **Resolution Providing Approval Of A Multifamily Housing Facility To Be Known As Osage Mill Apartments In The City Of Bessemer City, North Carolina And The Financing Thereof With The Gastonia Housing Authority's Multifamily Housing Revenue Bonds In An Aggregate Amount Not To Exceed \$23,100,000:** City Council will consider approving a resolution approving multifamily housing for the Osage Mill Redevelopment property. This project will be funded by the Gastonia Housing Authority revenue bonds and shall not exceed \$23,100,000.00
6. **Proclamation: Dyslexia Awareness Month:** Council will consider adopting a proclamation recognizing October 2022 as Dyslexia Awareness Month.

7. **Proclamation: Domestic Violence Awareness Month:** Council will consider adopting a proclamation recognizing October 2022 as Domestic Violence Awareness Month.
8. **A Resolution Ratifying The Updated Charter Of Centralina Regional Council:** City Council will consider approving a resolution ratifying the updated Charter of the Centralina Regional Council. In February 2022 the Centralina Regional Council made a change to include language prohibiting private entities from benefitting or having interest in the Centralina Regional's earnings or assets.
9. **Board Member Appointment:** City Council will consider appointing a new board member to the Planning & Zoning Board of Adjustments Board to fulfill a vacant term ending in June 2023.
10. **Public Hearing- Economic Development Grant (Foundry):** City Council will hold a public hearing to hear public comment regarding an Economic Development Incentive for Foundry Commercial.
11. **Resolution to Approve Incentives Pursuant to NCGS §158-7.1 And To Authorize Bessemer City To Enter Into An Economic Development Agreement (EDA) With Foundry Commercial (Level I Investment):** City Council will hold a public hearing to hear public comment regarding an Economic Development Incentive for Foundry Commercial.
12. **Public Hearing - Eastwood Homes:** City Council will hold a public hearing to hear public comment regarding a rezoning request from Eastwood Homes for property located at tax parcel numbers #304904, 306573, 306572, 306571, 306570, and 306569 (36.07 acres), from Rural (R) and Neighborhood Residential (NR) to Urban Residential Conditional District (URCD).
13. **Ordinance for Zoning Map Amendment - Eastwood Homes:** City Council will consider adopting an ordinance to amend the zoning map of the City of Bessemer City to include tax parcel numbers #304904, 306573, 306572, 306571, 306570, and 306569 (36.07 acres) as Urban Residential Conditional District (URCD).
14. **Public Hearing - Petition for Voluntary Annexation (Arc St):** City Council will hold a public hearing to hear public comment regarding the petition for voluntary annexation from Development Solutions Group regarding property located at tax parcel #202266 (7.196 acres)
15. **Ordinance to Extend the Corporate Limits of the City of Bessemer City, North Carolina:** City Council will consider approving an ordinance to annex property located at tax parcel #202266 (7.196 acres).
16. **Public Hearing - Petition for Voluntary Annexation (City of Bessemer City):** City Council will hold a public hearing to hear public comment regarding the petition for voluntary annexation from the City of Bessemer City regarding property located at tax parcel #306555, # 151628, # 223258, # 156697, and # 156702.
17. **Ordinance to Extend the Corporate Limits of the City of Bessemer City, North Carolina -** City Council will consider approving an ordinance to annex property located at tax parcels #306555, # 151628, # 223258, # 156697, and # 156702.

City Manager's Report

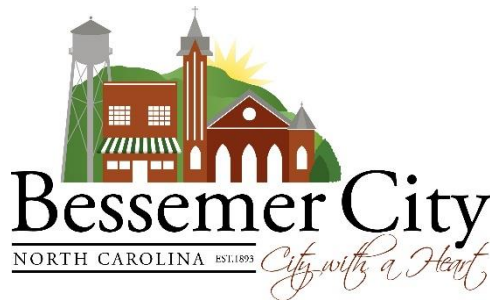
18. **Budget Amendments**

19. **Resolution - Governing Body for Stormwater Master Planning Funding:** City Council will consider adopting a resolution regarding stormwater master planning funding.

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.*

20. **Closed Session:** City Council will go in to closed session as permitted under N.C.G.S. §143-318.11(a)(5) and (6) to discuss a personnel matter and property.

Adjourn



CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, August 8, 2022 at 7:00 PM

MINUTES

Members Present

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

Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. Council member, Brenda Boyd led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

Adjustment and Approval of the Agenda

By motion of Dan Boling and unanimous vote, the August agenda was approved with the following revisions:

- Add Item #3a under business items:
 - o **ABC Board Presentation:** ABC Board Chairman, Michael Brooks presented Mayor & City Council with a check from the ABC store proceeds in the amount of \$15,000.00.

Request to Speak/Opportunity for Public Comment

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

- Barry Boheler of 960 Sunset Dr: Mr. Bohler addressed Council regarding his concerns about the paving of Sunset Drive. Mr. Bohler stated that there is a lot of thorough fare on this unpaved road. He further stated that there is a speeding issue on this street.
- Charles Grooves of 1000 Sunset Dr: Mr. Groves addressed Council regarding his concerns about the paving of Sunset Drive. Mr. Groves stated that he bought the house back in 1985 with hopes that the City would eventually pave that road.
- Henry Moose of 805 Sunset Dr: Mr. Moose addressed Council regarding his concerns about the paving of Sunset Drive. Mr. Moose also stated that the road has no drainage, and is a hazard during inclement weather.
- Joe Morgan of 1010 Sunset D: Mr. Morgan addressed Council regarding his concerns about the paving of Sunset Drive. Mr. Morgan stated that there are many wrecks that happen on this road. The road is a nuisance.
- Sharlene Woollaston of 1010 Sunset D: Ms. Woollaston addressed Council regarding her concerns about the paving of Sunset Drive. Ms. Woollaston stated that the road is a hazard during inclement weather.

Consent Agenda

The following items on the Consent Agenda were unanimously approved by motion of Brenda Boyd:

-Approval of Minutes: City Council will consider adopting the Regular Meeting minutes of the July 11th, 2022.

- Approval of Minutes: City Council will consider adopting the Work Session Meeting minutes of the July 26th, 2022.

- Street Closure - 1st Annual Brew & Que Festival: City administration is requesting the temporary closure of the 100 Block of West Virginia, East Virginia, West Pennsylvania Avenue, and the 100 Block of North and South 12th Street for the 1st Annual Brew & Que Festival on Friday, October 14th and Saturday, October 15th, 2022.

9/11 Proclamation:

Mayor, Becky S. Smith read the 9/11 Proclamation aloud and declared September 11, 2022 as a day of remembrance in Bessemer City. All present were encouraged to engage in programming honoring those in the 9/11 attack on the twin towers.

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

Resolution- Clean Water State Revolving Fund Loan Acceptance: Project No. CS370763-03:

City Staff addressed Council regarding the approval of a resolution regarding sewer line replacements and upgrades to the Vantine Pump Station. This loan would fix lines throughout the City, at lift stations, and is for \$1.85 million. However, \$500,000 will be forgiven.

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

Resolution - Approving the Sale of Beer:

City Staff addressed Council the adoption of a resolution that would permit the sale of Beer at the 1st Annual Brew & Que Festival on Saturday, October 15th, 2022.

By motion of Brent Guffey and a 4:1 vote, with Brenda Boyd in opposition, the resolution was adopted.

Establish Public Hearing:

City Staff is requesting the establishment of a public hearing for Council to hear comments from citizens regarding a rezoning request from Eastwood Homes for property located at tax parcels #304904, #306573, #306572, #306571, #306570, and #306569 from Rural (R) to Urban Residential Conditional District (URCD).

By motion of Joe Will and unanimous vote, a public hearing regarding the rezoning request from Eastwood Homes will be held on Monday, September 12, 2022 at 7:00PM in Council Chambers. Public notice will be given per NC General Statutes.

Resolution Directing City Clerk to Investigate a Petition for Voluntary Annexation:

By motion of Dan Boling and unanimous vote, City Council adopted a resolution directing the City Clerk to investigate a petition received from Development Solutions Group regarding property located at the following parcel- #202266.

Establish Public Hearing:

City Staff is requesting the establishment of a public hearing for Council to hear comments from citizens regarding a voluntary annexation petition from Development Solutions Group for property located at tax parcel #202266 (7.196 acres) on Monday, September 12th, 2022 at 7:00 PM.

By motion of Donnie Griffin and unanimous vote, a public hearing regarding a voluntary annexation will be held on Monday, September 12, 2022 at 7:00PM in Council Chambers. Public notice will be given per NC General Statutes.

Resolution Directing City Clerk to Investigate a Petition for Voluntary Annexation:

By motion of Dan Boling and unanimous vote, City Council adopted a resolution directing the City Clerk to investigate a petition received from the City of Bessemer City regarding property located at the following parcels- #306555, #151628, #223258, #156697, #156702. These parcels are owned by the City, but are not in the City limits.

Establish Public Hearing -City of Bessemer City:

City Staff is requesting the establishment a public hearing on Monday, September 12th, 2022 at 7:00 PM to hear public comment regarding a voluntary annexation petition received from the City of Bessemer City regarding property located at the following parcels- #306555, #151628, #223258, #156697, #156702. These parcels are owned by the City, but are not in the City limits.

By motion of Brent Guffey and unanimous vote, a public hearing regarding a voluntary annexation will be held on Monday, September 12, 2022 at 7:00PM in Council Chambers. Public notice will be given per NC General Statutes.

Public Hearing –Rezoning Request (Arc St):

City Council held a public hearing regarding a rezoning request from Development Solutions Group for property located at tax parcel #202266 (7.05 acres), from Rural (R) to Urban Residential (UR).

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the rezoning request was opened at 7:36 PM.

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

- Kyle Crowe of Development Solutions Group: Mr. Crowe addressed Council regarding the project. Mr. Crowe completed the application for rezoning, and is available to answer any questions from Council.

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 7:38 PM.

Ordinance for Zoning Map Amendment:

City Planner, Nathan Hester addressed Council regarding rezoning request. The applicant has submitted an application with the City of Bessemer City Planning Department requesting the rezoning of Parcel # 202266 from Rural to Urban Residential. The purpose of the rezoning is to support the subdivision of the parcel into 16 subsequent parcels for the development of single family housing. The applicant will also extend the City's fire hydrants on the land.

By motion of Joe Will and unanimous vote, the zoning map amendment was approved. A copy of this ordinance is on file at City Hall. This zoning map was adopted along with the plan consistency and statement of reasonableness. The requested rezoning is reasonable and consistent with the Bessemer City Planning & Economic Development Comprehensive Land Use Vision.

Public Hearing –Major Subdivision (Sunset Drive):

City Council held a public hearing regarding a request for a major subdivision from Kevin T. Haskins for property located at Parcel #121008.

By motion of Dan Boling and unanimous vote, the public hearing regarding the major subdivision was opened at 7:40 PM.

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

- **Charles Grooves 1000 Sunset Dr:** Mr. Groves informed Council that his mother owned property near the proposed property.

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

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the major subdivision was closed at 7:41 PM.

Resolution Approving Major Subdivision (Sunset Drive):

City Planner, Nathan Hester addressed Council regarding the major subdivision. Property Owner, Kevin T. Haskins, has applied to the City of Bessemer City to subdivide his 10.20 acre parcel of vacant land. The vacant lot is assigned PID# 121008 and is reference in Deed Book 5275, Page 1424 with the Gaston County Register of Deeds. The location of the land parcel is located along Sunset Dr. and is within the City of Bessemer City limits. The purpose of the project outlined by the applicant is to subdivide the lot into two acres of 4 and 6.20 acres respectively, with the intent to sell the four acre lot for single family development to a family friend. Due to the project meeting one of the four requirements listed above from Section 10.1 of the City of Bessemer City Land Development Code, the subdivision is classified as a major subdivision and is subject to the statutory requirements of Chapter 160D of the NC General Statutes. The Applicants has submitted a Major Subdivision Preliminary Plat application proposing to subdivide a 10.2 acre tract of land into two parcels for the purpose of single family residential.

By motion of Joe Will and unanimous vote, the resolution the major subdivision for property located at tax parcel #121008 was approved.

Public Hearing –Major Subdivision (Lennar Homes):

City Council held a public hearing regarding a request for a major subdivision from Lennar Homes property located at Parcel #307413.

By motion of Dan Boling and unanimous vote, the public hearing regarding the major subdivision was opened at 7:44 PM.

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

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

By motion of Joe Will and unanimous vote, the public hearing regarding the major subdivision was closed at 7:45 PM.

Resolution Approving Major Subdivision (Lennar Homes):

City Planner, Nathan Hester addressed Council regarding the major subdivision. Property Owner, Lennar Corporation has applied to subdivide tax parcel #307413. Tax Parcel 307413 was recently recombined from Tax Parcel's 151795 and 220086. The parcel was recently voluntarily annexed into the city limits of Bessemer City and is zoned Urban Residential. The applicants have submitted a Major Subdivision application on July 8, 2022 to develop a single family residential community on the proposed site.

By motion of Dan Boling, with a 4-1 vote with Brent Guffey in opposition, the resolution the major subdivision regarding property located at tax parcel #307413 was approved.

City Manager's Report

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

- Budget Amendment: By motion of Joe Will and unanimous vote, the budget amendment regarding Police Department equipment to enhance response time was approved.

Council General Discussion

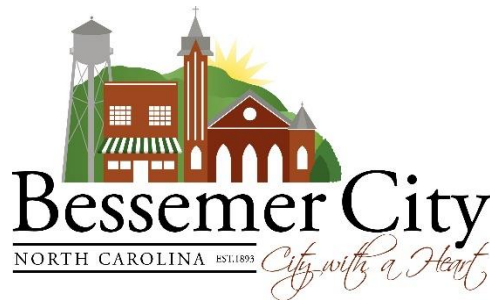
Mayor Smith opened the floor for Council general discussion. There was none.

Adjournment

Being no further business to come before the board, by motion of Donnie Griffin and unanimous vote, the meeting was adjourned at 7:49 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



CITY COUNCIL WORK SESSION

City Council Chambers

Tuesday, August 30, 2022 at 3:00 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, Brent Guffey, Brenda Boyd, Dan Boling, and Donnie Griffin were all present. City Manager, James Inman 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 pool highlights from the summer. Over 20,000 patrons visited the pool this summer, and we were open 77 days. October Brew & Que Festival will be held on Saturday, October 15th. Mr. Franklin provided Council with a general update on the Stinger Park.

Jamie Ramsey, Assistant City Manager- Mr. Ramsey addressed Council regarding upgrades at the water plant and general Public Works affair.

Nathan Hester, City Planner – Mr. Hester addressed Council regarding upcoming items on the next Council meeting. A major subdivision is proposing to build 95 new homes by Arc Street. This request was submitted by Eastwood Homes. Mr. Hester will send out proposed elevations. Foundry Inc. will be applying for an Economic Development Grant. This will formally come before Council at the September Regular 2022 meeting.

Charlie Harbin, Fire Chief – Mr. Harbin addressed Council regarding fire hydrants.

Tom Ellis, Police Chief- Chief Ellis addressed Council about ongoing investigations and the departments increasing service call volume.

Emergency Close & Vacate Order- 501 N. 13th Street

City Staff is requesting an emergency close and vacate order at property located at 501 N. 13th Street. City Staff was contacted by Gaston County Social Services to conduct an in home inspection to determine if a newborn could be bought in to the home. It was determined that the home does not meet minimum housing code. There are several issues to the structure and condition of the home.

By motion of Dan Boling and unanimous vote, the emergency close and vacate order for property located at 501 N. 13th Street was approved.

Sunset Drive - Paving

City Staff addressed Council regarding the paving of Sunset Drive. McGill Associates Engineer, Doug Chapman presented several options to Council about the cost of paving Sunset Drive.

By general consensus, Doug Chapman will regroup and provide Council with another option at the September 2022 Work Session.

Truist Proposal – City of Bessemer City Replacement Hardware

City Staff is requesting the approval of a financing proposal to replace City IT hardware. This resolution would allow the City to enter into a 5 year financing term at 3.09% interest rate.

By motion of Joe Will and the unanimous vote, the resolution from Truist for 5 years was approved.

City Manager's Report

Josh Ross, Director of Administration- Mr. Ross addressed Council about the Groundbreaking ceremony at 10:30 AM on Thursday morning. This will be at the Water Plant and in partnership with the USDA. City Staff received a request to create a shared greenspace on the back side of West Pennsylvania Avenue. This area will be utilized by the public to eat or sit.

By general consensus, Council approved City Staff exploring a greenspace agreement regarding public and private business.

By motion of Donnie Griffin and unanimous vote, Jamie Ramsey be permitted to sign on the City's behalf regarding USDA loan and grant documents.

Council General Discussion

Mayor Smith opened the floor for Council general discussion. Council member, Kay McCathen inquired about citizens receiving calls from a third party. She was informed that this is probably a scam.

Closed Session

By motion of Brenda and unanimous vote, City Council entered in to closed session to discuss a personnel matter pursuant to NCGS143-318(a)(6) at 4:55 PM.

By motion of Dan Boling and unanimous vote, City Council came out of closed session at 5:29 PM. No action was taken.

New Positions

By motion of Brent Guffey and unanimous vote, City Council approved the creation of 3 positions:

- Part-Time I.T. Services Technician
- Water Maintenance Technician I
- Part time Fire Chief

Adjourn

Being no further business to come before the board, the meeting was adjourned at 5:31 PM by motion of Dan Boling and unanimous vote.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



ORDINANCE REQUEST TO TEMPORARILY CLOSE STREET

WHEREAS, the City of Bessemer City wishes to allow recreational entertainment for the citizens of Bessemer City; and

WHEREAS, the City of Bessemer City understands the importance of allowing such entertainment in the downtown central business district of Bessemer City; and

WHEREAS, the City of Bessemer City acknowledges that a special event requires rerouting traffic and providing safety measures for citizens attending said events; and

WHEREAS, the City of Bessemer City wishes to host a Trunk of Treat Event along the:

- 100 Block of West Pennsylvania Avenue on Thursday, October 27th, 2022 from 5:30PM-7:30PM

NOW THEREFORE BE IT ORDAINED by the City Council of Bessemer City pursuant to the authority granted by N.C.G.S. 160A-296.4 that they do hereby declare a temporary road closure during the days and times set forth below on the following described City Street:

Dates: Thursday, October 27th, 2022

Times: 3:00PM-9:00PM

Route Description: 100 Block of West and East Virginia Avenue with proper barricades and traffic control (temporary use)

Adopted by City Council on this 12th day of September, 2022.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



**FOR THE HISTORIC PRESERVATION COMMISSION AN ORDINANCE
DESIGNATING THE OSAGE MILL IN BESSEMER CITY, NORTH CAROLINA AS A
HISTORIC PROPERTY**

WHEREAS, all the prerequisites to the adoption of this ordinance prescribed in Part 3C, Article 19, Chapter 160 A of the general statutes of North Carolina have been met; and

WHEREAS, the City of Bessemer City has taken into full consideration all statements and information presented by the Gaston County Historic Preservation Commission as of the 12th of September 2022; and

WHEREAS, the Board of County Commissioners of Gaston County will also take into full consideration statements and information presented at a joint public hearing held with the Gaston County Historic Preservation Commission; and

WHEREAS, the structure known as the Osage Mill located at 200 S. 12th Street

WHEREAS, the Gaston County Historic Preservation Commission has demonstrated the historic significance of the building and property and the North Carolina State Historic Preservation Office has approved the nomination of the Osage Mill.

NOW THEREFORE, IT BE RESOLVED by the City of Bessemer City Council:

1. That the Osage Mill is located at 200 S. 12th Street in Bessemer City, North Carolina, Gaston County, and is hereby designated as historic property pursuant to Part 3C, Article 19, Chapter 160A of the General Statutes of North Carolina. The parcel ID number is #121368. The property is located in the City of Bessemer City in Gaston County and the value of the property is \$774,970.00 and the value of the building is \$622,420.00.
2. That said building and property may not be demolished, materially altered, remodeled, or removed until three hundred sixty-five (365) days written notice of the owner's proposed action has been given to the Gaston County Historic Preservation Commission.
3. That nothing in this ordinance shall be construed to prevent ordinary maintenance or repair of any architectural exterior feature in or in the said building or property that does not involve a change in design, material, or other appearance therefore, nor to prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that said action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owners from making any use of this property not prohibited by any other statutes, ordinances, or regulations.
4. That a suitable sign shall be posted indicating the said building and property's designation as historic property and containing any other appropriate information. If the owner

consents, the sign shall be placed upon the said building or property. If the owner objects, the sign will be placed on a nearby public right of way.

5. That the owner of building and property known as the Osage Mill of City of Bessemer City be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the Offices of the County Clerk, Gaston County Register of Deeds, Building Inspection Department, and Tax Supervisor as required by law.

Approved this 12th day of September 2022.

Becky S. Smith, Mayor

Attest

Hydeia Y. Hayes, City Clerk



RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS OSAGE MILL APARTMENTS IN THE CITY OF BESSEMER CITY, NORTH CAROLINA AND THE FINANCING THEREOF WITH THE GASTONIA HOUSING AUTHORITY'S MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$23,100,000

WHEREAS, the City Council of the City of Bessemer City (the "City") met in Bessemer City, North Carolina at 7:00 p.m. on the 12th day of September, 2022; and

WHEREAS, the Gastonia Housing Authority (the "Authority"), a public body and body corporate and politic organized and operating pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (the "Act"), has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$23,100,000 (the "Bonds"), for the purpose of financing the acquisition of the historic Osage Mill and the renovating and equipping therein by Osage Mill Apartments LLC, a North Carolina limited liability company (the "Borrower"), or an affiliate or subsidiary thereof, of a multifamily residential rental facility to be known as Osage Mill Apartments (the "Development"); and

WHEREAS, the Development will consist of approximately 139 units and other related improvements located at 201 South 12th Street in the City of Bessemer City, Gaston County, North Carolina; and

WHEREAS, pursuant to Section 157-39.1 of the Act, the jurisdiction of the Authority extends to up to ten miles outside the city limits of the City of Gastonia, including the City, so long as the City Council of the City consents to the exercise of such powers by the Authority within the borders of the City; and

WHEREAS, the City acknowledges that the Development will satisfy a need for affordable housing within the City, and further the City desires to approve the issuance by the Authority of the Bonds to finance the Development within the borders of the City; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Authority for the Development may only be issued after approval of the plan of financing by the City following a public hearing with respect to such plan; and

WHEREAS, on August 17, 2022, the Authority held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the City approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall

such approval in any event be construed to obligate the City for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Authority, or to constitute the Bonds or any of the agreements or obligations of the Authority an indebtedness of the City, within the meaning of any constitutional or statutory provision whatsoever;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BESSEMER CITY:

1. The City Council hereby consents to and approves the issuance by the Authority of its multifamily housing revenue bonds to provide financing for the acquisition, rehabilitation, construction and equipping of the Development within the jurisdiction of the City of Bessemer City.

2. The proposed mixed income housing development consisting of the acquisition, rehabilitation, construction and equipping of the Development described above in the City of Bessemer City, Gaston County, North Carolina by the Borrower and the issuance of the Authority's multifamily housing revenue bonds therefor in an amount not to exceed \$23,100,000 are hereby approved for purposes of Section 147(f) of the Code.

3. This resolution shall take effect immediately upon its passage.

Council member _____ moved the passage of the foregoing resolution and Council member _____ seconded the motion, and the resolution was passed by the following vote:

Ayes: _____

Nays: _____

Not voting: _____

* * * * *

CERTIFICATION

I, Hydeia Y. Hayes, City Clerk of the City of Bessemer City, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council for the City of Bessemer City, North Carolina, in regular session convened on September 12, 2022, and that such proceedings of such meeting are recorded in the minutes of the City Council. Pursuant to state law, a current copy of a schedule of regular meetings of the City Council is on file in my office.

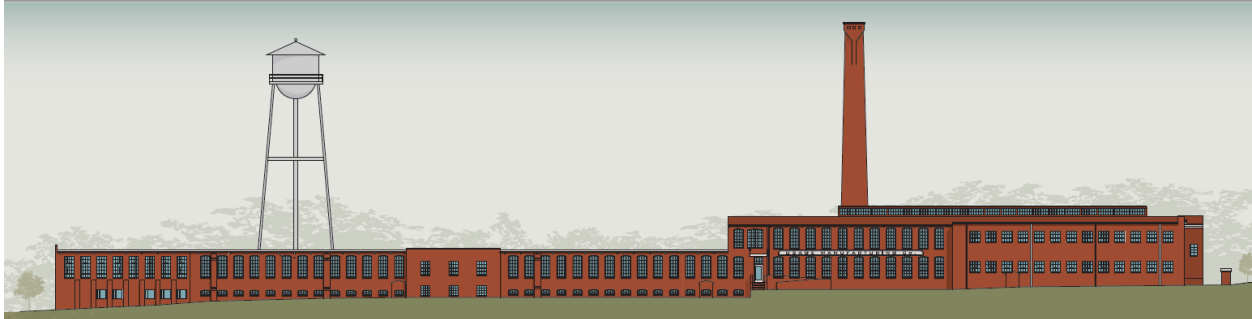
WITNESS my hand and the corporate seal of the City of Bessemer City, North Carolina, this the 12th day of September, 2022.

City Clerk

(SEAL)



Historic Osage Mill Apartments Bessemer City, NC



Summary

On behalf of Osage Mill Apartments LLC, WinnDevelopment is proud to announce the development of a new, vibrant residential community in the heart of Bessemer City, North Carolina, located 20 miles west of Charlotte. A vacant historic mill building will be transformed to create 139 new, high-quality affordable and moderate-income apartments. The building will feature extensive community and amenity space indoors and out, 244 parking spaces, and future commercial space.

Development Team

WinnDevelopment has assembled a highly-qualified team including:

- Tise Kiester Architects as the project architect
- MacRostie Historic Advisors LLC as the historic consultant
- Rehab Builders, Inc. as the general contractor
- WinnResidential, Winn's property management affiliate, as property manager

Site Location

Osage Mill is located in a mixed-use neighborhood in Bessemer City, adjacent to its downtown commercial area. The property is bounded on its north side by a freight rail line, and residential homes, churches, and commercial uses on other sides. The location offers easy access to Interstate 85, where one can drive northeast to Charlotte or southwest to Spartanburg, SC, both strong employment centers for the area.

The location is excellent for a proposed workforce housing project. The primary market area of Charlotte/Concord/Gastonia is experiencing population and job growth, and rental vacancy rates sit at or below 5%. There is a significant demand for affordable housing, with only a handful of competing projects in the area. The local Housing Authority's waiting list for vouchers has been closed since 2018 due to overdemand. We are pleased that the Housing Authority, local officials



and other stakeholders are so supportive of this project and we are enthusiastic about its potential to spur economic development in Bessemer City.

Program and Design

Osage Mill will be a transformative adaptive historic rehabilitation project, one of WinnDevelopment's specializations. To date, WinnDevelopment has completed 36 historic renovations which have created over 3,600 units of housing.

Osage Mill was one of Bessemer City's largest textile mills whose oldest portions date back to 1896, with other elements built in the early 1900s through 1950s. The Mill was in use until the 1990s but has lain vacant and dormant for over 20 years. The rehabilitation of the Mill will be performed to Secretary of the Interior Standards and eligible for Federal Historic Tax Credits as well as North Carolina State Mill Credits. The Osage Mill is also in the process of becoming a local historic landmark through the support of the Gaston County Historic Preservation Commission.

The renovated Osage Mill will include one, two, and three-bedroom apartments, common storage, laundry, mail, and on-site management office, as well as indoor and outdoor amenity areas. The design will conform to Energy Star guidelines and the design team is working closely with Duke Energy to maximize energy efficiency of the building's mechanical equipment, appliances, lighting, and building envelope. The apartments will be income restricted under the Low Income Housing Tax Credit (LIHTC) program, and rents will be affordable to families earning 60% of AMI or below.

Winn's design will maximize amenities on this generously-sized site. 244 parking spaces, including 20 spaces for persons with disabilities, will be provided, as well as multiple outdoor gathering and play areas to serve resident families. Two entrances, one on the north side and one on the south side of the Mill, will provide easy pedestrian access to downtown Bessemer City and area amenities.

Financing

Historic Osage Mill will be financed using 4% Low Income Housing Tax Credits (LIHTCs) and tax-exempt bond financing from the North Carolina Housing Finance Agency and Gastonia Housing Authority. WinnDevelopment will work with Bank of America to obtain construction and permanent financing for the redevelopment. Bank of America will also invest in the LIHTCs, Federal Historic Tax Credits and North Carolina State Mill Credits to generate equity for the project.

The project will benefit from a local Economic Incentive Grant to reduce property tax burden.

Schedule and Project Readiness

The Development team is planning to close on the Project financing and begin construction in the fall of 2022.



**PROCLAMATION DECLARING OCTOBER 2022
DYSLEXIA AWARENESS MONTH**

WHEREAS, dyslexia is a language-based learning disability, that affects approximately one in five people, regardless of race, gender, age, or socioeconomic status; and

WHEREAS, neurological in origin, dyslexia affects the way the brain processes information, and is characterized by difficulties with reading, writing and spelling despite normal intelligence; and

WHEREAS, those with dyslexia benefit greatly from specialized assistance from highly trained teachers, multi-sensory learning programs and individualized instruction; and

WHEREAS, early identification, alternative instruction and extra support from friends, family and teachers can contribute to the success dyslexic students enjoy in the classroom, in life and, later on, in employment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bessemer City that October 2022 is Dyslexia Month in Bessemer City, North Carolina.

Adopted this the 12th Day of September, 2022.

Becky S. Smith, Mayor

Attest:

Hydeia Y. Hayes, City Clerk



**PROCLAMATION DECLARING OCTOBER 2022
DOMESTIC VIOLENCE AWARENESS MONTH**

Whereas, 1 in every 3 teenagers, 1 in every 4 women, and 1 in every 6 men will experience domestic violence during their lifetime; and

Whereas, approximately 15.5 million children are exposed to domestic violence every year; and

Whereas, when a family member is abused, it can have long-term damaging effects on the victim that also leave a mark on family, friends, and the community at large; and

Whereas, the problem of domestic violence is not confined to any group or groups of people, but crosses all economic, racial, gender, educational, religious, and societal barriers, and is sustained by societal indifference; and

Whereas, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity due to the systematic use of physical, emotional, sexual, psychological, and economic control and/or abuse; and

Whereas, it is important to recognize the compassion and dedication of the individuals who provide services to victims of domestic violence and work to increase public understanding of this significant problem; and

Whereas, local programs, state coalitions, national organizations, and other agencies nationwide are committed to increasing public awareness of domestic violence and its prevalence, and to eliminating it through prevention and education; and

Whereas, the United States President and Congress as well as other federal agencies have expressed a commitment to eliminating domestic violence both nationally and internationally; and

Whereas, our Nation has a moral obligation to work to prevent domestic violence and to address its brutal and destructive effects;

Now, therefore, I, Mayor Becky S. Smith and the City Council do hereby proclaim the month of October 2022 as Domestic Violence Awareness Month and urge all citizens to actively participate in activities and programs designed to work towards the elimination of domestic violence.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Bessemer City to be affixed on this 12th day of September, 2022.

Becky S. Smith, Mayor

Josiah J. Will, Ward 3

Dan Boling, Ward 1

Kay McCathen, Ward 2

Brenda Boyd, Ward 4

Brent Guffey Ward 5

(SEAL)

Donnie Griffin, Mayor ProTem, Ward 6

Hydeia Y. Hayes, City Clerk



MEMORANDUM

TO: Centralina Member Governments

FROM: Geraldine Gardner, Executive Director

DATE: June 17, 2022

RE: Request to Ratify Centralina Regional Council's Amended Charter

Earlier this year, Centralina management identified an unresolved issue with the organization's tax status. Legal counsel determined that Centralina qualifies for federal income tax exempt status because the organization performs an "essential government function" consistent with Internal Revenue Code Section 115(1), which specifies tax exemption for income derived from such a function. Specific sections of the Centralina Charter and Bylaws needed to be amended to prohibit any private party from benefitting from or having an interest in the organization's earnings and assets, however.

At the February 9th Centralina Board of Delegates meeting, the Board adopted a resolution to amend the Charter and Bylaws to resolve this issue. To finalize the Charter amendment process, the governing body of each Centralina member government must ratify the updated Charter.

At your governing body's upcoming July or August meeting, I ask that you include the attached resolution on your Consent Agenda. A copy of the amending resolution adopted by the Centralina Board of Delegates and the updated Charter are also attached for reference. Centralina staff are available if you have any questions about the process. Once your council or board has ratified the Charter, please send a copy of your adopted resolution to Connor Choka at cchoka@centralina.org.

We greatly appreciate your membership in Centralina and thank you for your support of this request.



CENTRALINA COUNCIL OF GOVERNMENTS

CHARTER RESOLUTION

REVISED AND RESTATED JULY, 1989

WHEREAS, the undersigned governmental units of the State of North Carolina, together with the other county and municipal governmental units in North Carolina or a state adjoining North Carolina hereafter adopting concurrent Resolutions identical hereto, recognize that there is a need for such governmental units to consult among themselves to act in concert and to jointly exercise the powers of local government with reference to regional matters affecting health, safety, welfare, education, transportation, recreation, economic conditions, regional planning or regional development; now therefore, be it

RESOLVED, that pursuant to the General Statutes of North Carolina, Chapter 160A, Article 20, Parts 1 and 2, the following Resolution is hereby adopted for the establishment of a regional council of governments and for the joint exercise of any power, function, public enterprise, right, privilege or immunity of local government by and through this regional council and its member governmental units, all to the extent and in the manner authorized or permitted by Article 20 of Chapter 160A of the General Statutes of North Carolina entitled "Interlocal Cooperation".

ITEM I

Short Title - Binding Effect: This Resolution shall be hereafter referred to as the "Charter" of the Centralina Council of Governments; and said Charter, together with all amendments thereto, shall be binding upon and shall inure to the benefit of all governmental units who are now or hereafter become its members.

ITEM II

Name: The name of the regional council of governments hereby established shall be the **CENTRALINA COUNCIL OF GOVERNMENTS**, and shall be hereinafter referred to herein as the "Council".

ITEM III

Membership:

A. The initial membership of this Council of Governments shall consist of the following governmental units who are presently members of the Council and such additional units of local government admitted in accordance with the provisions of this Charter:

Albemarle	Indian Trail	Pineville
Belmont	Iredell County	Ranlo
Bessemer City	Kannapolis	Richfield
Cabarrus County	Landis	Rockwell
Charlotte	Lincoln County	Rowan County
Cherryville	Lincolnton	Salisbury
China Grove	Locust	Spencer
Cleveland	Lowell	Spencer Mountain
Concord	Marshville	Stallings
Cornelius	Matthews	Stanfield
Cramerton	McAdenville	Stanley
Dallas	Mecklenburg County	Stanly County
Davidson	Monroe	Statesville
Gaston County	Mooresville	Troutman
Gastonia	Mount Holly	Union County
Granite Quarry	Mount Pleasant	Waxhaw
Harmony	New London	Weddington
Harrisburg	Norwood	Wingate
High Shoals	Oakboro	
Huntersville		

B. Any municipal or county government which is not an initial member of the Council, including any municipal or county government in a state adjoining North Carolina (where permitted by the laws of said adjoining state) may join the Council by ratifying or adopting this Charter and upon the majority vote of the existing members. Notice of such application for admission shall be given each member in the manner prescribed by the Council Bylaws at least ten (10) days prior to the date of the meeting at which the vote is to be taken.

C. All rights and privileges of membership in the Council shall be exercised on behalf of the member governments by their delegates to the Council; and "delegates" as used in this Charter shall, unless otherwise provided, include alternate delegates duly designated by a member government.

ITEM IV

Purpose and Functions: The Council hereby established shall be a voluntary organization of local governmental units organized and existing to (1) provide a framework within which matters affecting the health, safety, welfare, education, recreation, economic conditions, transportation, water quality and solid waste, regional planning or regional development of and for the citizens within the member governmental units may be studied and discussed, and concerning which solutions or recommendations are proposed; (2) to implement courses of action relating to the matters within its jurisdiction through the joint exercise or contractual exercise by one unit for other units of any power, function, right, privilege or

immunity of local government; (3) to promote intergovernmental cooperation, communication and planning; and (4) to review, upon the request of state, federal or local governments, or agencies thereof, applications for grants or funds for projects affecting citizens within the members' jurisdictions.

ITEM V

Representation:

A. Each member governmental unit shall be represented in the Council by one delegate or in the absence of such delegate by a designated alternate, if any. All delegates and alternates shall be elected members of the governing bodies of the member governmental units they represent. The delegates and alternates, as well as their successors, shall be selected by the member governments in any manner consistent with law and the regulations governing such body, and their names shall be certified to the Council in the manner prescribed by the Bylaws of the Council. Each governmental unit may designate any number of alternate delegates.

B. The term of office of each delegate shall commence upon the selection and certification of the delegate to the Council by the respective member government; and such delegate shall continue to represent the member government until a successor delegate is certified, unless the delegate shall sooner resign, cease to be an elected member of said governing body, or be removed as a delegate by said governing body, in which case his term shall expire on the effective date of such event. Only an individual who has been duly appointed and certified to the Council as a delegate or alternate may be permitted to vote in any matter. The members shall also appoint and certify a successor to fill any vacancy created by the death, removal, resignation, or ineligibility of a delegate (but not an alternate), but an alternate may represent a member until such successor delegate is appointed and certified.

ITEM VI

Voting and Quorum Requirements:

A. Except as provided in paragraph D of this Item, each member governmental unit shall be entitled to one vote on all matters coming before the Council or before any committee to which such member unit is duly appointed. All votes shall be cast by the delegate, or in his absence, by an alternate delegate of the member government.

B. A quorum shall be present for the transaction of business of the Council at any meeting at which there is representation of either (a) a majority of all the member governmental units or (b) fifty percent (50%) of the county member governmental units and thirty percent (30%) of the total number of member municipal governmental units.

C. The affirmative vote of a majority of representatives present at any meeting at which a quorum was present shall be required for any action or recommendation of the Council or any committee, unless this Charter or the Bylaws of the Council require a larger affirmative vote on particular matters. Voting shall be by voice, a show of hands or, upon the request of any three delegates, by a poll of the delegates.

D. Any member governmental unit shall be entitled to request that any matter requiring a vote of the Council be considered by weighted voting in accordance with the following procedures:

1. A request for weighted voting must be made after the motion is made and before any vote on the motion is taken.

2. The vote on any matter appearing on the written agenda for the meeting, and upon which weighted voting has been requested, must be taken at that meeting unless the vote is postponed by a two-thirds non-weighted vote of the delegates.

3. Each member governmental unit shall be entitled to cast one vote for each 50,000 residents of its jurisdiction (or portion thereof) as determined by the census used in assessing members' dues for the current fiscal year. A simple majority of the votes cast shall be required for passage of any motion unless the Charter or Bylaws require a larger affirmative vote on particular matters.

4. Anything contained in these weighted voting procedures to the contrary notwithstanding, if on any motion utilizing weighted voting any three (3) county member governments shall cast negative votes, the motion shall fail unless the motion would have carried without the use of weighted voting.

5. All votes on issues where weighted voting is requested shall be taken by a poll of the delegates.

ITEM VII

Withdrawal: Any member may withdraw from the Council at the end of any fiscal year, provided written notice of intent to withdraw is given to each of the other members at least six (6) months prior to the end of the fiscal year.

ITEM VIII

Powers and Duties of the Council: Within the limits of funds and personnel available, the Council:

A. Shall have and may exercise, in accordance with its Charter and Bylaws, all of the powers which the General Assembly of North Carolina has authorized, and may hereafter from time to time authorize this Charter to confer upon the Council, including, but not limited to, all of

the specific powers enumerate in Section 160A-475 (and any amendments thereto) of the General Statutes of North Carolina, which powers are incorporated herein by reference. Similarly, to the

extent applicable, any powers authorized hereafter by the General Assembly of a state adjoining North Carolina may be exercised by the Council with respect to interstate activities or functions.

B. Shall have, and may exercise, in addition to and not in limitation of the foregoing, the following powers:

1. To create such committees as it deems necessary to exercise the powers granted to the Council herein in dealing with problems or problem areas that do not involve all the members of the Council. At least one delegate from each member governmental unit affected by the problem or problem area to be dealt with by the committee is entitled to be a member of that committee. Any two or more member governmental units shall have the right to have a Council committee formed to exercise the powers of the Council with reference to any problem which affects the petitioning governmental units, unless the Council shall reasonably determine that the problem or problem area in question should be assigned to an existing committee, in which case the petitioning members shall be entitled to be represented on said committee. The subject matter over which any committee has jurisdiction to exercise the powers of the Council shall be specifically defined, but may be enlarged or restricted by the Council from time to time. Unless the right of a member to representation on any particular committee granted hereinabove is asserted, the Chairman of the Council shall designate the membership of all committees.

2. To accept, receive and disburse in furtherance of the duties, purposes, powers, and functions specified in this Charter all member assessments, funds, grants, and services made available by the State of North Carolina, any other state, or any agency thereof, the Federal Government and its agencies, any municipality or county or agency thereof, the Federal Government and its agencies, any municipality or county or other governmental or quasi-governmental unit or agency (whether or not a member of such Council) and private and civic sources. The Council may provide matching funds, grants, or services, received from any source, to or for any governmental or quasi-governmental agencies established by the Council or any two or more member governmental units in furtherance of the duties, purposes, powers, and functions herein contained. None of the powers contained in this subparagraph may be exercised by any committee except with respect to funds budgeted or appropriated for their use by the Council.

3. To meet with, consult with, contract with or act in concert with any county or municipality or any agency of any state, the federal government, any civic organization, or private organization in the furtherance of the purposes and objects within its jurisdiction.

4. To participate, as a unit of local government, in any undertaking with any other unit of local government, whether or not a member of the Council, for the joint exercise of governmental powers in accordance with and pursuant to the provisions of Chapter 160A, Article 20, Part 1 of the General Statutes of North Carolina (and any amendments thereto), entitled "Interlocal Cooperation".

5. To contract with any government entity or agency, or any other person, firm or corporation for goods and/or services when same have been authorized by budget appropriations or by special resolution of the Council appropriating available funds; and to purchase and own such personal property, equipment, vehicles and furnishings as may be authorized or for which funds may be appropriated.

6. To adopt Bylaws containing such rules and regulations for the conduct of its business as it may deem necessary for the proper discharge of its duties and the performance of its functions, not inconsistent with the Charter or the laws of North Carolina.

7. To create agencies of the Council to act for and on behalf of the Council in the planning and development of particular programs which affect the health, safety, welfare, education, economic conditions or regional development of two or more member governmental units. Such agencies shall have such membership, staff, powers, duties and responsibilities as may be specified in the Council Resolutions pursuant to which such agency is established, consistent with the powers herein granted to the Council. Provided, however, such agency shall at all times be acting for and on behalf of, and shall be responsible to, the Council. The Council may appropriate funds for the use of agency programs which it has received from any source, including member assessments, provided such appropriation is made in accordance with this Charter.

8. To contract with other units of local government, as that term is defined in G.S. 160A-460, to provide for administrative, planning, procurements or other services, including administration of grants from local, state and federal agencies, in order to promote and encourage interlocal cooperation authorized under G.S. 160A-461.

ITEM IX

Financial:

A. The general operating expenses of the Council shall be paid from funds paid to the Council by each member governmental unit. The annual contribution of each member governmental unit shall be based upon the duly adopted budget for such year and shall be assessed on the basis of the population for each member. For the purpose of determining the current population of each governmental unit, the Council shall use either (1) the Population Estimates for North Carolina Municipalities and Counties prepared by the United States Bureau of the Census and the North Carolina Office of State Budget and Management and published from time to time or (2) the official 10 year census figures. The current population estimates are the most recent estimates available using either (1) or (2) above, on the date the annual dues for member governments is determined by the Council.

B. All expenditures of the Council for special projects of the Council or any committee thereof or for performance of contractual services for non-member units of local government shall be made from revenues paid to the Council by the governmental units directly involved in such projects. All such revenues shall be credited to a special revenue account and all expenditures made at the completion of any project or contract. In no case shall other general fund revenues be used to pay any special project costs which do not reasonably involve or benefit the entire Council. In the event payments made by other units of local government exceed or are less than the actual cost of a special project, the excess shall be refunded to and the deficit paid by the units of local governments affected thereby.

C. The budget for the Council for each fiscal year and the assessment of each member shall be adopted by the affirmative vote of at least seventy-five percent (75%) of the representatives present at a meeting at which a quorum was present, provided notice of such vote has been given in accordance with the Bylaws, and provided further said notice is accompanied by a copy of the proposed budget and assessment.

D. The budget for the Council and the assessment for each member governmental unit shall be adopted by the Council no later than April 15th of each year. Provided, the Council shall publish and deliver to the delegates a budget estimate, indicating each member governmental unit's estimated share thereof, on or before March 31st of each year, if the actual budget shall not have been adopted by that date.

E. The budget, once adopted, may be amended by the affirmative vote of at least seventy-five percent (75%) of the representatives present at a meeting at which a quorum was present, provided notice of such vote has been given in accordance with the Bylaws, and provided, further, said notice shall state in detail the proposed terms of the amendment and the reasons therefor.

F. The annual assessment for each member governmental unit shall be payable on or before August 1st of each year and shall be delinquent thereafter. Any member of the Council which becomes delinquent in the payment of its annual assessments shall lose all rights and privileges of Council membership during such a period of delinquency. Any new member shall pay the full annual assessment for the current fiscal year regardless of its date of admission.

G. All revenues paid to the Council by member governmental units and all other sources whatsoever shall be deposited in the general fund of the Council, and separate revenue and expenditure accounts shall be maintained for each phase of operation of the Council to the extent required by sound accounting practices, to include, but not to be limited to, such accounts for the general operating expenses of the Council and each special project undertaken by the Council or any committee thereof.

H. The general operating expenses of the Council shall include, but are not necessarily limited to: providing meeting and office space or other such physical facilities needed by the

Council or any committee thereof; providing compensation for the director and other administrative personnel of the Council; providing the necessary legal and accounting or other professional services; providing furniture, equipment, vehicles and supplies, paying special consultants, temporary employees and contractors duly authorized by the Council; reimbursing authorized expenses of Council employees.

I. Unless the Council shall otherwise provided by resolution, any surplus funds in the general operating expense account at the close of any fiscal year shall be credited as additional revenue for budget purposes for the following fiscal year. All other funds shall be held and disbursed as otherwise herein provided or as directed by the contributing source.

ITEM X

Compensation and Expenses of Delegates:

A. Except for the Chairman of the Council, a delegate, and in his absence, an alternate delegate may receive, if the Bylaws so provide, up to \$40.00 for each regular or special meeting of the Council and Executive Committee attended, not to exceed \$500.00 during any fiscal year. Such Bylaws may also provide that actual travel expenses, not to exceed twenty-five cents (\$.25) per mile, may be paid to each delegate, and in his absence to one alternate delegate, for attending any meeting of the Council or any committee meeting. The Chairman of the Council shall receive \$200.00 per month as compensation for his services to the Council.

B. For travel on any authorized business of the Council, other than to attend Council or committee meetings, delegates shall be reimbursed for their actual expenses, as approved by the Council.

ITEM XI

Severability: If any Item, paragraph, sentence or phase of this Charter shall be declared by any court of competent jurisdiction to be in violation of the laws of this State or, where applicable, of the laws of any other state, such provisions of this Charter shall be considered to be severable, as to the member or members affected, and the validity of the remaining portion of the Charter shall not be affected.

ITEM XII

Amendment of Charter and Dissolution of Council:

A. The Council may formally recommend to the member governments a resolution to amend the Charter by affirmative vote of at least three-fourths of the representatives present at any meeting at which a quorum was present, provided notice of such vote has been given in

accordance with the Bylaws. Said amendment shall become effective when the resolution has been duly adopted by three-fourths of the member governmental units.

B. The Council may be dissolved at the end of any fiscal year only (1) upon adoption of a dissolution resolution by three-fourths of the governing bodies of all governmental units, or (2) the withdrawal from the Council of all but one of the member governmental units. If such dissolution is effected by resolution of the member governments, such resolution shall specify the method of liquidating the Council's assets and liabilities. If such dissolution is occasioned by withdrawal of all but one member, the remaining governmental unit shall have the power to liquidate all assets and liabilities and it shall then distribute the net proceeds, if any, to those members who paid the latest annual assessment and in the same proportion. Any deficit shall be the responsibility of those member governments who would have received the net proceeds, and in the same proportions.

ITEM XIII

Effective Date: The effective date of this Restated Charter shall be July 1, 1989, as to the current membership; and as to all subsequent members, this Chapter shall be effective on the date of its adoption by the governing body of such governmental unit or the date such member's application was approved, whichever shall be later.

THE FOREGOING CHARTER RESOLUTION (as amended) was duly adopted by all member jurisdictions and was effective July 1, 1989.


A. R. Sharp, Executive Director



RESOLUTION AMENDING THE CENTRALINA CHARTER AND BYLAWS

WHEREAS, Centralina Regional Council is one of 16 regional councils in North Carolina, authorized by the General Assembly to address regional issues and opportunities by offering planning, coordination, program management, advocacy, and technical assistance services; and

WHEREAS, Centralina's Charter notes that the organization was created for the region's local governments to "consult among themselves to act in concert and to jointly exercise the powers of local government with reference to regional matters affecting health, safety, welfare, education, transportation, recreation, economic conditions, regional planning or regional development"; and

WHEREAS, Centralina attorneys from Shumaker, Loop, and Kendrick have advised that this statement in the Centralina Charter indicates that the organization performs an "essential government function" consistent with Internal Revenue Code Section 115(1), which specifies tax exemption for income derived from such a function; and

WHEREAS, Centralina's income is not exempt from federal income tax under Internal Revenue Code Section 115(1), however, because the Charter and Bylaws do not specifically prohibit a private party from benefitting or having an interest in the organization's earnings or assets; and

WHEREAS, Centralina attorneys have advised that Centralina's income will be eligible for a federal income tax exempt status if the organization amends its Charter and Bylaws to explicitly provide that no private party may benefit or have an interest in Centralina's earnings or assets, and that upon dissolution, those assets will be distributed solely to Centralina member governments.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Delegates of Centralina Regional Council amends the organization's Charter Resolution as follows (underlining indicates additions and strikethroughs indicate deletions):

ITEM IX, Section J:

No private party may benefit or have an interest in Centralina's earnings or financial assets.

...

ITEM XII, Section B:

The Council may be dissolved at the end of any fiscal year only (1) upon adoption of a dissolution resolution by three-fourths of the governing bodies of all governmental units, or (2) the withdrawal from the Council of all but one of the member governmental units. ~~If such dissolution is effected by resolution of the member governments, such resolution shall specify the method of liquidating~~



the Council's assets and liabilities. If such dissolution is occasioned by withdrawal of all but one member, the remaining governmental unit shall have the power to liquidate all assets and liabilities and it shall then distribute the net proceeds, if any, Upon dissolution, the Council's financial assets will be distributed solely to those members who paid the latest annual assessment and in the same proportion. Any deficit shall be the responsibility of those member governments who would have received the net proceeds, and in the same proportions.

BE IT FURTHER RESOLVED, that Centralina Regional Council amends its Bylaws as follows (underlining indicates additions):

Article X: Financial

G. Financial Interest and Distribution of Assets: No private party may benefit or have an interest in the Council's earnings or financial assets. Upon dissolution of the Council, its financial assets will be distributed solely to the member governments that paid the latest annual assessment and in the same proportion.

Adopted this 9th day of February, 2022.

Bobby Compton, Centralina Regional Council Board Chairman

ATTEST:

Kelly Weston, Clerk to the Board

CENTRALINA REGIONAL COUNCIL CHARTER RESOLUTION

WHEREAS, the undersigned governmental units of the State of North Carolina, together with the other county and municipal governmental units in North Carolina or a state adjoining North Carolina hereafter adopting concurrent Resolutions identical hereto, recognize that there is a need for such governmental units to consult among themselves to act in concert and to jointly exercise the powers of local government with reference to regional matters affecting health, safety, welfare, education, transportation, recreation, economic conditions, regional planning or regional development; now therefore, be it

RESOLVED, that pursuant to the General Statutes of North Carolina, Chapter 160A, Article 20, Parts 1 and 2, the following Resolution is hereby adopted for the establishment of a regional council of governments and for the joint exercise of any power, function, public enterprise, right, privilege or immunity of local government by and through this regional council and its member governmental units, all to the extent and in the manner authorized or permitted by Article 20 of Chapter 160A of the General Statutes of North Carolina entitled "Interlocal Cooperation".

ITEM I

Short Title - Binding Effect: This Resolution shall be hereafter referred to as the "Charter" of the Centralina Regional Council; and said Charter, together with all amendments thereto, shall be binding upon and shall inure to the benefit of all governmental units who are now or hereafter become its members.

ITEM II

Name: The name of the regional council of governments hereby established shall be the **CENTRALINA REGIONAL COUNCIL** and shall be hereinafter referred to herein as the "Council."

ITEM III

Membership:

- A. The initial membership of this Council of Governments shall consist of the following governmental units who are presently members of the Council and such additional units of local government admitted in accordance with the provisions of this Charter:

Albemarle	Harrisburg	Monroe
Anson County	Huntersville	Mooreville
Ansonville	Indian Trail	Morven
Badin	Iredell County	Mount Holly
Belmont	Kannapolis	Oakboro
Bessemer City	Kings Mountain	Pineville
Cabarrus County	Landis	Ranlo
Charlotte	Lincoln County	Richfield
Cherryville	Lincolnton	Salisbury
Cleveland	Locust	Spencer
Concord	Lowell	Stallings
Cornelius	Marshville	Stanley
Cramerton	Marvin	Stanly County
Dallas	Matthews	Statesville
Davidson	McAdenville	Troutman
East Spencer	Mecklenburg County	Union County
Faith	Midland	Wadesboro
Gaston County	Mineral Springs	Waxhaw
Gastonia	Mint Hill	Wingate
Granite Quarry	Misenheimer	

- B. Any municipal or county government which is not an initial member of the Council, including any municipal or county government in a state adjoining North Carolina (where permitted by the laws of said adjoining state) may join the Council by ratifying or adopting this Charter and upon the majority vote of the existing members. Notice of such application for admission shall be given each member in the manner prescribed by the Council Bylaws at least ten (10) days prior to the date of the meeting at which the vote is to be taken.
- C. All rights and privileges of membership in the Council shall be exercised on behalf of the member governments by their delegates to the Council; and “delegates” as used in this Charter shall, unless otherwise provided, include alternate delegates duly designated by a member government.

ITEM IV

Purpose and Functions: The Council hereby established shall be a voluntary organization of local governmental units organized and existing to (1) provide a framework within which matters affecting the health, safety, welfare, education, recreation, economic conditions, transportation, water quality and solid waste, regional planning or regional development of and for the citizens within the member governmental units may be studied and discussed, and concerning which solutions or recommendations are proposed; (2) to implement courses of action relating to the matters within contractual exercise by one unit for other units its jurisdiction through the joint exercise or of any power, function, right, privilege or immunity of local government; (3) to promote intergovernmental cooperation, communication and planning; and (4) to review, upon the request of state, federal or local governments, or agencies thereof, applications for grants or funds for projects affecting citizens within the members' jurisdictions.

ITEM V

Representation:

- A. Each member governmental unit shall be represented in the Council by one delegate or in the absence of such delegate by a designated alternate, if any. All delegates and alternates shall be elected members of the governing bodies of the member governmental units they represent. The delegates and alternates, as well as their successors, shall be selected by the member governments in any manner consistent with law and the regulations governing such body, and their names shall be certified to the Council in the manner prescribed by the Bylaws of the Council. Each governmental unit may designate any number of alternate delegates.
- B. The term of office of each delegate shall commence upon the selection and certification of the delegate to the Council by the respective member government; and such delegate shall continue to represent the member government until a successor delegate is certified, unless the delegate shall sooner resign, cease to be an elected member of said governing body, or be removed as a delegate by said governing body, in which case his term shall expire on the effective date of such event. Only an individual who has been duly appointed and certified to the Council as a delegate or alternate may be permitted to vote in any matter. The members shall also appoint and certify a successor to fill any vacancy created by the death, removal, resignation, or ineligibility of a delegate (but not an alternate), but an alternate may represent a member until such successor delegate is appointed and certified.

ITEM VI

Voting and Quorum Requirements:

- A. Except as provided in paragraph D of this Item, each member governmental unit shall be entitled to one vote on all matters coming before the Council or before any committee to which such member unit is duly appointed. All votes shall be cast by the delegate, or in his absence, by an alternate delegate of the member government.
- B. A quorum shall be present for the transaction of business of the Council at any meeting at which there is representation of either (a) a majority of all the member governmental units or (b) fifty percent (50%) of the county member governmental units and thirty percent (30%) of the total number of member municipal governmental units.
- C. The affirmative vote of a majority of representatives present at any meeting at which a quorum was present shall be required for any action or recommendation of the Council or any committee, unless this Charter or the Bylaws of the Council require a larger affirmative vote on particular matters. Voting shall be by voice, a show of hands or, upon the request of any three delegates, by a poll of the delegates.
- D. Any member governmental unit shall be entitled to request that any matter requiring a vote of the Council be considered by weighted voting in accordance with the following

procedures:

1. A request for weighted voting must be made after the motion is made and before any vote on the motion is taken.
2. The vote on any matter appearing on the written agenda for the meeting, and upon which weighted voting has been requested, must be taken at that meeting unless the vote is postponed by a two-thirds non-weighted vote of the delegates.
3. Each member governmental unit shall be entitled to cast one vote for each 50,000 residents of its jurisdiction (or portion thereof) as determined by the census used in assessing members' dues for the current fiscal year. A simple majority of the votes cast shall be required for passage of any motion unless the Charter or Bylaws require a larger affirmative vote on particular matters.
4. Anything contained in these weighted voting procedures to the contrary notwithstanding, if on any motion utilizing weighted voting any three (3) county member governments shall cast negative votes, the motion shall fail unless the motion would have carried without the use of weighted voting.
5. All votes on issues where weighted voting is requested shall be taken by a poll of the delegates.

ITEM VII

Withdrawal: Any member may withdraw from the Council at the end of any fiscal year, provided written notice of intent to withdraw is given to each of the other members at least six (6) months prior to the end of the fiscal year.

ITEM VIII

Powers and Duties of the Council: Within the limits of funds and personnel available, the Council:

- A. Shall have and may exercise, in accordance with its Charter and Bylaws, all of the powers which the General Assembly of North Carolina has authorized, and may hereafter from time to time authorize this Charter to confer upon the Council, including, but not limited to, all of the specific powers enumerate in Section 160A-475 (and any amendments thereto) of the General Statutes of North Carolina, which powers are incorporated herein by reference. Similarly, to the extent applicable, any powers authorized hereafter by the General Assembly of a state adjoining North Carolina may be exercised by the Council with respect to interstate activities or functions.
- B. Shall have, and may exercise, in addition to and not in limitation of the foregoing, the following powers:

1. To create such committees as it deems necessary to exercise the powers granted to the Council herein in dealing with problems or problem areas that do not involve all the members of the Council. At least one delegate from each member governmental unit affected by the problem or problem area to be dealt with by the committee is entitled to be a member of that committee. Any two or more member governmental units shall have the right to have a Council committee formed to exercise the powers of the Council with reference to any problem which affects the petitioning governmental units, unless the Council shall reasonably determine that the problem or problem area in question should be assigned to an existing committee, in which case the petitioning members shall be entitled to be represented on said committee. The subject matter over which any committee has jurisdiction to exercise the powers of the Council shall be specifically defined, but may be enlarged or restricted by the Council from time to time. Unless the right of a member to representation on any particular committee granted hereinabove is asserted, the Chairman of the Council shall designate the membership of all committees.
2. To accept, receive and disburse in furtherance of the duties, purposes, powers, and functions specified in this Charter all member assessments, funds, grants, and services made available by the State of North Carolina, any other state, or any agency thereof, the Federal Government and its agencies, any municipality or county or agency thereof, the Federal Government and its agencies, any municipality or county or other governmental or quasi- governmental unit or agency (whether or not a member of such Council) and private and civic sources. The Council may provide matching funds, grants, or services, received from any source, to or for any governmental or quasi-governmental agencies established by the Council or any two or more member governmental units in furtherance of the duties, purposes, powers, and functions herein contained. None of the powers contained in this subparagraph may be exercised by any committee except with respect to funds budgeted or appropriated for their use by the Council.
3. To meet with, consult with, contract with or act in concert with any county or municipality or any agency of any state, the federal government, any civic organization, or private organization in the furtherance of the purposes and objects within its jurisdiction.
4. To participate, as a unit of local government, in any undertaking with any other unit of local government, whether or not a member of the Council, for the joint exercise of governmental powers in accordance with and pursuant to the provisions of Chapter 160A, Article 20, Part 1 of the General Statutes of North Carolina (and any amendments thereto), entitled "Interlocal Cooperation".
5. To contract with any government entity or agency, or any other person, firm or corporation for goods and/or services when same have been authorized by budget appropriations or by special resolution of the Council appropriating available

funds; and to purchase and own such personal property, equipment, vehicles and furnishings as may be authorized or for which funds may be appropriated.

6. To adopt Bylaws containing such rules and regulations for the conduct of its business as it may deem necessary for the proper discharge of its duties and the performance of its functions, not inconsistent with the Charter or the laws of North Carolina.
7. To create agencies of the Council to act for and on behalf of the Council in the planning and development of particular programs which affect the health, safety, welfare, education, economic conditions or regional development of two or more member governmental units. Such agencies shall have such membership, staff, powers, duties and responsibilities as may be specified in the Council Resolutions pursuant to which such agency is established, consistent with the powers herein granted to the Council. Provided, however, such agency shall at all times be acting for and on behalf of, and shall be responsible to, the Council. The Council may appropriate funds for the use of agency programs which it has received from any source, including member assessments, provided such appropriation is made in accordance with this Charter.
8. To contract with other units of local government, as that term is defined in G.S. 160A- 460, to provide for administrative, planning, procurements or other services, including administration of grants from local, state and federal agencies, in order to promote and encourage interlocal cooperation authorized under G.S. 160A-461.

ITEM IX

Financial:

- A. The general operating expenses of the Council shall be paid from funds paid to the Council by each member governmental unit. The annual contribution of each member governmental unit shall be based upon the duly adopted budget for such year and shall be assessed on the basis of the population for each member. For the purpose of determining the current population of each governmental unit, the Council shall use either (1) the Population Estimates for North Carolina Municipalities and Counties prepared by the United States Bureau of the Census and the North Carolina Office of State Budget and Management and published from time to time or (2) the official 10-year census figures. The current population estimates are the most recent estimates available using either (1) or (2) above, on the date the annual dues for member governments is determined by the Council.
- B. All expenditures of the Council for special projects of the Council or any committee thereof or for performance of contractual services for non-member units of local government shall be made from revenues paid to the Council by the governmental units

directly involved in such projects. All such revenues shall be credited to a special revenue account and all expenditures made at the completion of any project or contract. In no case shall other general fund revenues be used to pay any special project costs which do not reasonably involve or benefit the entire Council. In the event payments made by other units of local government exceed or are less than the actual cost of a special project, the excess shall be refunded to and the deficit paid by the units of local governments affected thereby.

- C. The budget for the Council for each fiscal year and the assessment of each member shall be adopted by the affirmative vote of at least seventy-five percent (75%) of the representatives present at a meeting at which a quorum was present, provided notice of such vote has been given in accordance with the Bylaws, and provided further said notice is accompanied by a copy of the proposed budget and assessment.
- D. The budget for the Council and the assessment for each member governmental unit shall be adopted by the Council no later than April 15th of each year. Provided, the Council shall publish and deliver to the delegates a budget estimate, indicating each member governmental unit's estimated share thereof, on or before March 31st of each year, if the actual budget shall not have been adopted by that date.
- E. The budget, once adopted, may be amended by the affirmative vote of at least seventy-five percent (75%) of the representatives present at a meeting at which a quorum was present, provided notice of such vote has been given in accordance with the Bylaws, and provided, further, said notice shall state in detail the proposed terms of the amendment and the reasons therefor.
- F. The annual assessment for each member governmental unit shall be payable on or before August 1st of each year and shall be delinquent thereafter. Any member of the Council which becomes delinquent in the payment of its annual assessments shall lose all rights and privileges of Council membership during such a period of delinquency. Any new member shall pay the full annual assessment for the current fiscal year regardless of its date of admission.
- G. All revenues paid to the Council by member governmental units and all other sources whatsoever shall be deposited in the general fund of the Council, and separate revenue and expenditure accounts shall be maintained for each phase of operation of the Council to the extent required by sound accounting practices, to include, but not to be limited to, such accounts for the general operating expenses of the Council and each special project undertaken by the Council or any committee thereof.
- H. The general operating expenses of the Council shall include, but are not necessarily limited to: providing meeting and office space or other such physical facilities needed by the Council or any committee thereof; providing compensation for the director and other administrative personnel of the Council; providing the necessary legal and accounting or other professional services; providing furniture, equipment, vehicles and

supplies, paying special consultants, temporary employees and contractors duly authorized by the Council; reimbursing authorized expenses of Council employees.

- I. Unless the Council shall otherwise provided by resolution, any surplus funds in the general operating expense account at the close of any fiscal year shall be credited as additional revenue for budget purposes for the following fiscal year. All other funds shall be held and disbursed as otherwise herein provided or as directed by the contributing source.
- J. No private party may benefit from or have an interest in the Council's earnings and financial assets.

ITEM X

Compensation and Expenses of Delegates:

- A. Except for the Chairman of the Council, a delegate, and in his absence, an alternate delegate may receive, if the Bylaws so provide, up to \$40.00 for each regular or special meeting of the Council and Executive Committee attended, not to exceed \$500.00 during any fiscal year. Such Bylaws may also provide that actual travel expenses, not to exceed twenty-five cents (\$.25) per mile, may be paid to each delegate, and in his absence to one alternate delegate, for attending any meeting of the Council or any committee meeting. The Chairman of the Council shall receive \$200.00 per month as compensation for his services to the Council.
- B. For travel on any authorized business of the Council, other than to attend Council or committee meetings, delegates shall be reimbursed for their actual expenses, as approved by the Council.

ITEM XI

Severability: If any Item, paragraph, sentence or phase of this Charter shall be declared by any court of competent jurisdiction to be in violation of the laws of this State or, where applicable, of the laws of any other state, such provisions of this Charter shall be considered to be severable, as to the member or members affected, and the validity of the remaining portion of the Charter shall not be affected.

ITEM XII

Amendment of Charter and Dissolution of Council:

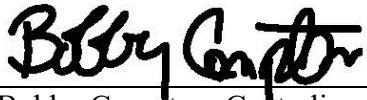
- A. The Council may formally recommend to the member governments a resolution to amend the Charter by affirmative vote of at least three-fourths of the representatives present at any meeting at which a quorum was present, provided notice of such vote has been given in accordance with the Bylaws. Said amendment shall become effective when the resolution has been duly adopted by three-fourths of the member governmental units.

- B. The Council may be dissolved at the end of any fiscal year only (1) upon adoption of a dissolution resolution by three-fourths of the governing bodies of all governmental units, or (2) the withdrawal from the Council of all but one of the member governmental units. Upon dissolution, the Council's financial assets will be distributed solely to those members who paid the latest annual assessment and in the same proportion. Any deficit shall be the responsibility of those member governments who would have received the net proceeds, and in the same proportions.

ITEM XIII

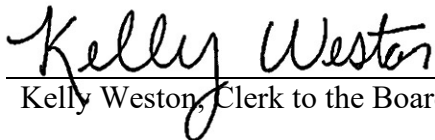
Effective Date: The effective date of this amended Charter shall be February 9, 2022, as to the current membership; and as to all subsequent members, this Charter shall be effective on the date of its adoption by the governing body of such governmental unit or the date such member's application was approved, whichever shall be later.

Amended January 1, 1972
 Amended July 1, 1989
 Amended February 9, 2022



Bobby Compton, Centralina Chair

Attested by:



Kelly Weston, Clerk to the Board



A Resolution Ratifying The Updated Charter Of Centralina Regional Council

WHEREAS, the City of Bessemer City is a member of Centralina Regional Council (Centralina), a council of governments serving the needs of the nine-county region that includes Anson, Cabarrus, Gaston, Lincoln, Iredell, Mecklenburg, Rowan, Stanly and Union counties; and

WHEREAS, on February 9, 2022, the Centralina Board of Delegates adopted a resolution amending the organization's Charter to add language prohibiting private entities from benefitting from or having an interest in the organization's earnings or assets; and

WHEREAS, each member government must endorse the Charter as Centralina's governing document.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City of Bessemer City hereby ratifies the amended Centralina Regional Council Charter.

Adopted by City Council this 12th Day of September, 2022

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



Board Appointment Application

The Mayor and City Council of Bessemer City believe that all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member of one of the City's advisory boards or committees. If you wish to be considered for such an appointment, please complete the following application and return to the City Clerk, 132 W. Virginia Ave., Bessemer City, NC 28016. Phone: 704-729-6509 Email: hhayes@bessemercity.com

REQUEST FOR APPOINTMENT TO: Planning and zoning board of adjustments

NAME: Peter M. Feldman

ADDRESS: 703 West Virginia Ave Bessemer City NC 28016

TELEPHONE: HOME _____ WORK 704.295.0299 _____ CELL 704.591.3053 _____

EMAIL ADDRESS: pmfeldman66@hotmail.com

CURRENT: OCCUPATION: Warehouse Associate (facility management & receiving and shipping)

EDUCATIONAL BACKGROUND: BA Psychology/Minor Information Sciences/ MBA/Paralegal certificate

VOLUNTEER/CIVIC/PROFESSIONAL ACTIVITIES:

Bernstein leadership group. Volunteer Fireman. Numerous college leadership positions. School board election committee . Night at the inn (assist homeless)

BRIEFLY STATE WHY YOU WOULD LIKE TO BE CONSIDERED TO SERVE ON THIS BOARD OR COMMITTEE:

I come from a history of small town living and a family that believes in community service. I believe there should be a balance between growth, prosperity and quality of life while maintaining a small town atmosphere.

WHAT QUALITIES DO YOU POSSESS THAT MAKES YOU THE RIGHT CANDIDATE FOR THIS BOARD?

My career path has taken many twists and turns over my lifetime. I have taken the path less taken to gain knowledge on many subjects

I am continually looking for ways to expand my knowledge horizons. I have the ability to weigh many options to find the correct solution

CITY OF BESSEMER CITY- BOARD APPOINTMENT APPLICATION
HOW CAN YOU POSITIVELY IMPACT THE COMMUNITY BY SERVING ON THIS BOARD?

Item 9.

I have been in North Carolina for 21(Mecklenburg and Union county) years and I set down roots in Bessemer City by purchasing a home in August of 2021. As I stated my background is varied, from customer service to project management to financial analysis and assisting in the building of over 40 private homes as well as assisting real estate agents. Further at my current job not only I am responsible for the management of the warehouse I also manage the upkeep of the facility as well as working on special projects that require me to analyze cost and services. Not only do I bring many talents to the table I bring a sense of community and a genuine love of the town I have chosen as my home.

SIGNATURE: Peter M. Feldman

DATE: May 31, 2022

CLERK USE ONLY

Received On:

Received By:

Signature:



Board Appointment Application

The Mayor and City Council of Bessemer City believe that all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member of one of the City's advisory boards or committees. If you wish to be considered for such an appointment, please complete the following application and return to the City Clerk, 132 W. Virginia Ave., Bessemer City, NC 28016. Phone: 704-729-6509 Email: hhayes@bessemercity.com

REQUEST FOR APPOINTMENT TO: Planning & Zoning Board

NAME: Michelle Inman

ADDRESS: 1324 N 12th St., Bessemer City NC 28016

TELEPHONE: HOME 980-613-1597 WORK 980-613-1597 CELL 980-613-1597

EMAIL ADDRESS: michelle.inman@uncc.edu

CURRENT: OCCUPATION: Associate Director, Undergraduate Admissions, UNC Charlotte

EDUCATIONAL BACKGROUND: Master's Degree, Leadership & Organizational Change

VOLUNTEER/CIVIC/PROFESSIONAL ACTIVITIES:

Stanly Community College Transfer Advisory Board

BRIEFLY STATE WHY YOU WOULD LIKE TO BE CONSIDERED TO SERVE ON THIS BOARD OR COMMITTEE:

I am looking for a place to serve our community. Since we moved to Bessemer City, based on my husband's position, I have not been as engaged as I have been in the past.

With his impending retirement, I would like to become more involved.

WHAT QUALITIES DO YOU POSSESS THAT MAKES YOU THE RIGHT CANDIDATE FOR THIS BOARD?

I have peripheral experience with planning and zoning based on things I've learned over the years. I am a good listener, have strong consultative skills, and I am generally fair and open minded.

I also possess excellent research skills and written and verbal communication skills.

CITY OF BESSEMER CITY- BOARD APPOINTMENT APPLICATION
HOW CAN YOU POSITIVELY IMPACT THE COMMUNITY BY SERVING ON THIS BOARD?

Item 9.

The future of Bessemer City is important to me and I believe that I can bring a thoughtful and measured approach to the board as we help to shape the future of this community.

SIGNATURE

Michelle Lunn

DATE:

June 21, 2022

CLERK USE ONLY

Received On:

Received By:

Signature:



**RESOLUTION TO APPROVE INCENTIVES PURSUANT TO N.C.GEN.STAT.§158-7.1
AND TO AUTHORIZE BESSEMER CITY TO ENTER INTO AN ECONOMIC
DEVELOPMENT AGREEMENT (EDA) WITH FOUNDRY COMMERCIAL (LEVEL I
INVESTMENT GRANT)**

WHEREAS, Foundry Commercial is considering a total investment of \$14,023,000 to establish a 280,460 square foot warehouse and distribution facility in the South Ridge Business Park, with the expectation to complete this investment on or before November, 2023; and,

WHEREAS, an advertised public hearing was held on Monday, September 12, 2022 to hear public comment regarding this economic development incentive; and

WHEREAS, North Carolina General Statute §158-7.1 authorizes a County to undertake an economic development project by providing grants for the location of industry; and,

WHEREAS, Bessemer City and Gaston County developed an economic grant policy to provide global advanced manufacturing companies and distribution facilities with high quality industrial park locations; and,

WHEREAS, it is anticipated that the Company's capital investment in and at the Property and its operations thereat will generate significant ad valorem tax, sales tax and other revenues to the City; and,

WHEREAS, Bessemer City and Gaston County will prepare a detailed Level I economic development agreement (EDA), between Foundry Commercial, so as to induce the company to provide good job opportunities and capital investment which will enhance the City's ability to attract additional business and industry.

NOW, THEREFORE, BE IT RESOLVED by the Bessemer City Council:

1. That the Level I Economic Incentive Grant is approved for Foundry Commercial; and,
2. That the Mayor of Bessemer City or the City Manager is authorized to execute any documents necessary to complete an Economic Development Agreement for Foundry Commercial.

Adopted this the 12th Day of September, 2022.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk



City of Bessemer City, North Carolina

Conditional District Rezoning Staff Report

Planning Board Agenda Item September 6, 2022

City Council Agenda Item September 12, 2022

Applicant: Eastwood Homes

Request:

Eastwood Homes has submitted an application to rezone six parcels of land. These six parcels are currently zoned Neighborhood Residential and Rural. Application is to rezone the six parcels to an Urban Residential Conditional District that will accommodate the development of a single family residential community.

Background Information:

The preliminary site plan for the development includes six separate parcels, 304904, 306573, 306572, 306571, 306570, and 306569, which are located off of Costner School Rd. Bessemer City, NC 28016. The proposed development site is approximately 36.07 acres or 1,571,209.20 square feet of vacant land. Applicant is proposing to develop approximately 95 single family homes with 13.82 acres of open space with a pedestrian access to the Stinger Park.

Current regulations within section 3.3.F of the Bessemer City Land Development Code states that attached garage buildings shall be located within the side or rear yard only and that any garage building that faces a public street shall be recessed a minimum of six feet from the front façade. The purpose of this application for a conditional district is to develop a single family community that does not comply with the recessed garage regulations within section 3.3.F of the Bessemer City Land Development Code. In return for relief granted of the restrictions from section 3.3.F, the applicant is proposing conditions for the development. These conditions will be outlined within that specific section of this report.

Proposal: The Applicants have submitted a Conditional District application proposing to develop a single family residential community on six land parcels, 36.07 acres. The developers and property owners have voluntarily petitioned to annex into the Bessemer City limits. Specifics of the application are as follows:

Urban Residential Dimensional Standards:

Minimum Lot Area: 6,000 Square Feet

Minimum Lot Width: 50 Feet

Minimum Front Setback: 20 Feet

Minimum Side Setback: 6 Feet

Minimum Rear Setback: 30 Feet

Minimum Corner Setback: 20 Feet

Maximum Building Height: 45 Feet

Site Development Data:

Acreage: 36.07

Tax Parcels: 306569, 306570, 306571, 306572, 306573, 304904

Existing Zoning: (R) Rural (ETJ) Neighborhood Residential NR (Bessemer City)

Proposed Zoning: Urban Residential Conditional District (URCD)

Existing Uses: Vacant

Proposed Uses: Single-Family

Lots: +/- 95 (52' Minimum Lot Width) (Length 125' – 200')

Maximum Building Height: 45' (Per Bessemer City Code)

Minimum Building Height: 20' (Per Bessemer City Code)

Parking: 2 per Unit Minimum

Roads: The proposal of the development site involves the creation of four fifty foot right of ways within the community. All right of ways and streets will be dedicated to the city upon development completion. The primary and only point of ingress and egress from the site will be off of Costner School Rd. Right of ways include the following:

- Twelve feet of pavement for vehicular traffic on each side.
- Two (2) feet of curb and gutter on each side.
- Five (5) foot wide planting strip on each side.
- Five (5) foot wide sidewalk for pedestrian traffic on each side.

Utilities – Water and Sewer: The applicant is proposing the development to be served by City of Bessemer City Water and Sewer services.

- Public Works Director and the city engineering consultant have indicated that there is available City water and sewer capacity to adequately service the development site.
- Applicants will pay the water, sewer, and system development fees.

Stormwater Drainage: Drainage will be engineered according to the best management practices at the time of construction. Applicant is proposing to mitigate stormwater runoff through a curb and gutter system located within the proposed road right-of-way as well as two storm water control measure ponds. The property is subject to adopted stormwater management guidelines.

Open Space: Open Space requirements for the proposed site are 2.71 acres of open space. Applicant proposes 13.82 acres of open space spread throughout the development. The developer has proposed to incorporate two pedestrian pathways within the development. One will be in the middle of the development connecting two adjacent blocks and the second will be a pedestrian access point from the development to Stinger Park.

Landscaping and Buffering: The preliminary site plan indicates there will be a five (5) foot greenstrip along all main roadways within the residential community. The greenstrip shall have Canopy, Understory, or a combination of both. Number of trees required to be determined at the time of permitting. Applicant has proposed 197 street trees and 218 lot trees within proposed development.

Traffic Impact:

Land Use ITE Code	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips		Weekday Peak Hour Trips	
			Enter	Exit	Enter	Exit
Single -Family Detached Housing (210)	95 Units	963	Enter	Exit	Enter	Exit
			18	53	60	35

*Based on the traffic data collected by Ramey Kemp Associates utilizing methodology from ITE Trip Generation Manual 11th Edition, NCDOT will not require a traffic impact analysis nor will the City of Bessemer City.

*NCDOT trip Threshold – 3,000 trips per day.

*City of Bessemer City Threshold – 100 peak hour trips.

<u>School Impact:</u>	Enrollment	Capacity
Bessemer City Primary	337	502
Bessemer City Central	391	490

Bessemer City Middle	490	751
Bessemer City High	573	685

*These were enrollment numbers at the end of the 2021-2022 school year. Gaston County Schools has not collected the data for enrollment as of the start of the 2022-2023 school year. These numbers will be updated as they are provided by Gaston County Schools.

Conditions: The following are a list of conditions, proposed by the applicant, in return of the request for relief from the regulations outlined in section 3.3.F of the City of Bessemer City Land Development Code.

1. Pedestrian Path and bridge access to Stinger Park
2. All homes will be heated by Natural Gas from Bessemer City
3. Natural Gas appliances will be offered as options to all home buyers
4. Garage doors will be painted and will include enhanced hardware
5. A variety of color patterns will be provided such that no two homes directly adjacent to each other are of the same color.
6. Additional 13.02 acres of common open space to be comprised of walking trails, benches, and other passive recreational features.
7. HOA established and responsible for maintenance of Common Open Space.

Staff Recommendation:

1. Approve preliminary site plan as submitted.
2. Recommend that City Council rezone requested parcels to Urban Residential Conditional District (URCD).

Exhibits:

1. Costner School Rd. Application Packet.
2. Staff Report

Recommended Effective Date: September 12, 2022.



132 W. Virginia Ave.
Bessemer City, NC 28016
(704) 629 – 5542 Ext. 1003

Staff Only:

Date Rec'd: _____
Rec'd by: _____
Case #: _____

LAND DEVELOPMENT APPLICATION FORM

1. Application Type	✓	Fee	✓	Fee
• Sketch Plan/Plat (Major Sub):	_____		X	\$700.00
• Preliminary Plat (Major Sub):	_____			_____
• Final Plat (Major Sub):	_____			_____
• Major Site Plan	_____			_____
• Construction Documents:	_____			_____
• Recombination Plat	_____			_____
• Other: _____	_____			_____
Fee Total:				\$700.00

2. Project Information

Date of Application: July 20, 2022 Name of Project: Stewart Property

Location: Costner School Rd, just north of Toncin Ave Property Size (acres): 36.07 ± # of Units/Lots: 95 lots

Current Zoning: County R & City NR Proposed Zoning: UR CZ

Current Land Use: Vacant Proposed Land Use: Single Family Homes

Tax Parcel Number(s): 304904, 306573, 306572, 306571, 306570, 306569

Square Footage: 1,571,209.20 ±

3. Contact Information

Owner, Applicant, or Developer

Eastwood Homes

Address

2857 Westport Road

City, State Zip

Charlotte, NC 28208

Telephone

704-421-6541

Email

mkemp@eastwoodhomes.com

Agent(s) (Engineer, Architect, Etc.)

POB Engineering, PLLC

Address

16439 Bastille Dr

City, State Zip

Charlotte, NC 28278

Telephone

704-564-3824

Email

frank.cantrell@pobengineering.com

4. The following items may also be required to be considered part of a complete application, please check all that apply on this list:

- ☒ **Signed "Original" application**
- ☒ **Project Fee(s)** – See Fee Schedule
- ☒ **Written Summary/Description of Request** can be on company letterhead. Shall include requested use or uses, sq. feet of non-residential space, or density and number of units/lots for residential, or any other applicable information. For CZ's, must also describe any variations proposed from the Land Development Code
- ☒ **Property Survey** (at least one copy), including existing buildings, topography, wetlands, streams, vegetation (trees over 18" in diameter), and other natural features.
- ☒ **Site/sketch plan** (at least one copy), may contain multiple pages and must be drawn to scale by an engineer or landscape architect. Shall include locations of buildings and/or lots, streets, parking, proposed grading, landscaping/screening, open space, watershed/storm water information, associated storm water measures, and proposed utilities and lighting. Shall also include general information from adjoining lots
- ☒ **Illustrative (color) site/sketch plan** for presentation purposes with same layers as described above
- ☒ **Architectural elevations, Perspective Renderings, and Architectural Review Board Checklist** may include multiple pages and must be drawn to scale by an architect. Include all primary and accessory buildings (all building sides), an illustrative color package, and black and white w/dimensions. Other architectural elements/features of the site such as gazebos, trellis's, garden walls, retaining walls, or other items over 4-feet in height must also be included (NOT REQUIRED, BUT OPTIONAL FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS).
- ☒ **Illustrative (color) elevations** for presentation purposes for all items described above, as well as perspective (3D) renderings and photograph examples
- ☒ **Digital Files** of all items listed above

DocuSigned by:

Last Update: 07/06/2021

Signature: _____

Joe Polite

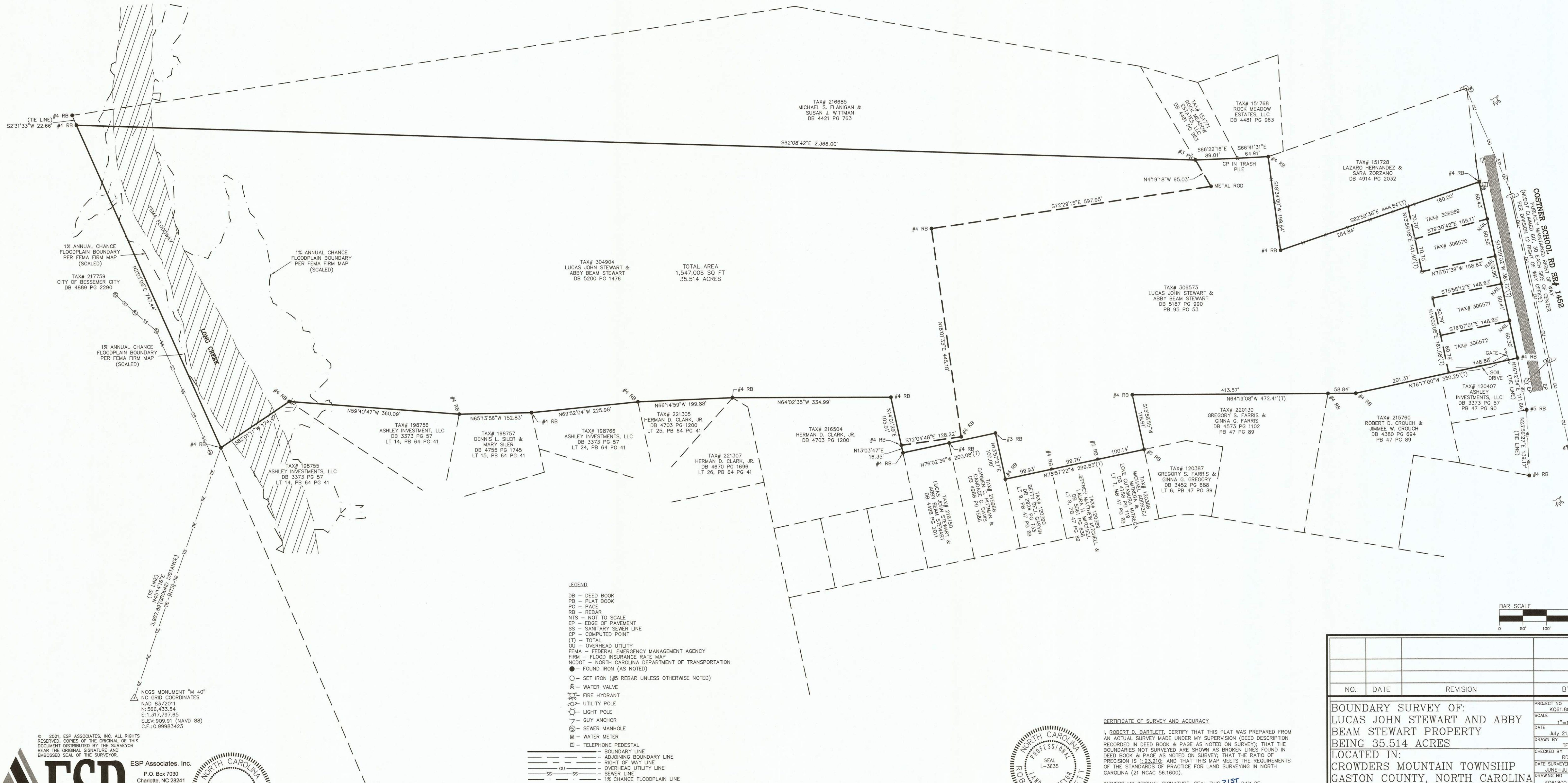
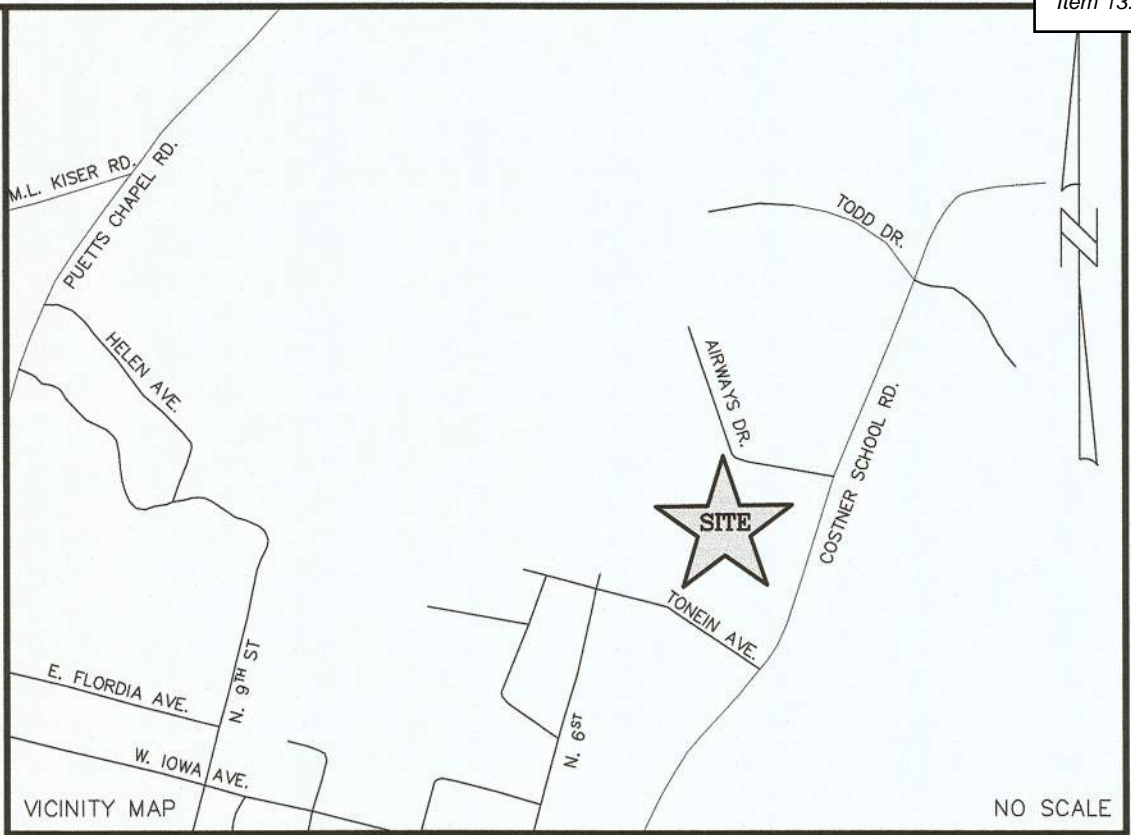
E:143168C51C24F4

Printed Name: _____

Joe Polite

Date: 8/1/2022

NOTES:
THIS SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
NO PHYSICAL IMPROVEMENTS SHOWN HEREON.
THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RESTRICTIONS, EASEMENTS AND/OR RIGHTS-OF-WAY.
SET #5 REBAR AT ALL CORNERS UNLESS OTHERWISE NOTED.
AREAS COMPUTED BY COORDINATE METHOD.
UNADJUSTED RATIO OF PRECISION: 1:23,210
SUBJECT TRACT ADDRESS: COSTNER SCHOOL ROAD
TOTAL ACREAGE FOR THE AREA ENCOMPASSED BY THIS MAP IS: 35.514 ACRES
SUBJECT TAX PARCEL: AS NOTED ON SURVEY
SUBJECT TRACT DEED REFERENCE: AS NOTED ON SURVEY
THE GRAPHIC REPRESENTATION OF THE UNDERGROUND UTILITIES SHOWN ON THIS PLAT WERE ESTABLISHED BY FIELD LOCATION OF PAINT MARKS AND/OR PIN FLAGS PLACED BY UTILITY LOCATION CONTRACTOR AND OTHER INFORMATION SHOWING APPROXIMATE LOCATION.
NO NGS OR NCGS TRAVERSE WITHIN 2000 FEET OF THIS SITE.
PORTIONS OF THE SUBJECT TRACT AREA GRAPHICALLY LOCATED WITHIN SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD PER FEMA FIRM MAP NUMBER 3710352700J WITH AN EFFECTIVE DATE OF SEPTEMBER 28, 2007.



ESP Associates, Inc.
P.O. Box 7030
Charlotte, NC 28241
3475 Lakemont Blvd.
Fort Mill, SC 29708
704-883-4949 (NC)
803-402-2440 (SC)
www.espassociates.com

LICENSE NO.: F-1407



CERTIFICATE OF SURVEY AND ACCURACY
I, ROBERT D. BARTLETT, CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK & PAGE AS NOTED ON SURVEY); THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES FOUND IN DEED BOOK & PAGE AS NOTED ON SURVEY; THAT THE RATIO OF PRECISION IS 1:23,210, AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).
WITNESS MY ORIGINAL SIGNATURE, SEAL THIS 21ST DAY OF July 2022.
Robert D. Bartlett
ROBERT D. BARTLETT * NCPLS: L-3635

NO.	DATE	REVISION	BY
BOUNDARY SURVEY OF: LUCAS JOHN STEWART AND ABBY BEAM STEWART PROPERTY BEING 35.514 ACRES LOCATED IN: CROWDERS MOUNTAIN TOWNSHIP GASTON COUNTY, NORTH CAROLINA			
PROJECT NO. KQ61800.000			SCALE 1"=100'
DATE July 21, 2022			DRAWN BY TFB
CHECKED BY RDB			DATE SURVEYED JUNE-JULY 2022
DRAWING NO. KQ61800-BM.DWG			1.0
SHEET 1 OF 1			

August 2, 2022

Nathan Hester, MPA, CZO
Bessemer City – Planning Department
132 W. Virginia Avenue
Bessemer City, NC 28016
P: 704.629.5542
E: nhester@bessemercity.com

Reference: Stewart Property – Bessemer City, NC

Subject: Trip Generation Letter

Dear Mr. Hester:

This letter provides an estimate of the trip generation for the proposed Stewart Property to be located west of Costner School Road, south of Airways Drive in Bessemer City, North Carolina. The proposed residential development is anticipated to consist of 95 units of single-family homes. Site access is proposed via a full movement driveway intersecting Costner School Road.

Trip Generation

Average daily traffic, weekday AM and weekday PM peak hour trips for the proposed development were estimated using the methodology contained within the *ITE Trip Generation Manual*, 11th Edition. Table 1 provides a summary of the trip generation potential for the proposed development based on the LUC 210 [Single-Family Detached Housing] trip generation equations.

Table 1: Site Trip Generation Summary

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Single-Family Detached Housing (210)	95 units	963	18	53	60	35

As shown in Table 1, it is estimated that the buildout of the development is expected to generate approximately 963 trips during a typical 24-hour weekday period. Of the daily site trips, it is anticipated that 71 trips (18 entering and 53 exiting) will occur during the weekday AM peak hour and 95 trips (60 entering and 35 exiting) will occur during the weekday PM peak hour.

It should be noted that the typical threshold for NCDOT to require a TIA is 3,000 trips per day, which this development is anticipated to generate significantly less than. The City of Bessemer (City) threshold to require a TIA is 100 or more peak hour trips during the weekday AM or PM peak hours, which this development is anticipated to generate less than.

Findings and Summary

Based on the trip generation results, it is expected that the proposed Stewart Property will have minimal impact on the surrounding roadway network. The peak hour trip generation potential for this proposed development is expected to be under the typical threshold for NCDOT and the City to require a TIA.

If you have any questions or concerns, please feel free to contact me at (704) 220-6847.

Sincerely,

Ramey Kemp Associates



J. Andrew Eagle, PE, PTOE
Senior Traffic Engineering Project Manager

Infrastructure Consulting Services, Inc.
dba

Ramey Kemp Associates

License # F-1489



Item 13.

Sheet Number	Sheet Title
RZ-100	COVER SHEET
RZ-101	COLORIZED SITE PLAN
RZ-102	SITE PLAN
RZ-103	SITE PLAN
RZ-104	EXISTING SITE AND TOPO PLAN
RZ-105	LANDSCAPE PLAN
RZ-106	LANDSCAPE PLAN

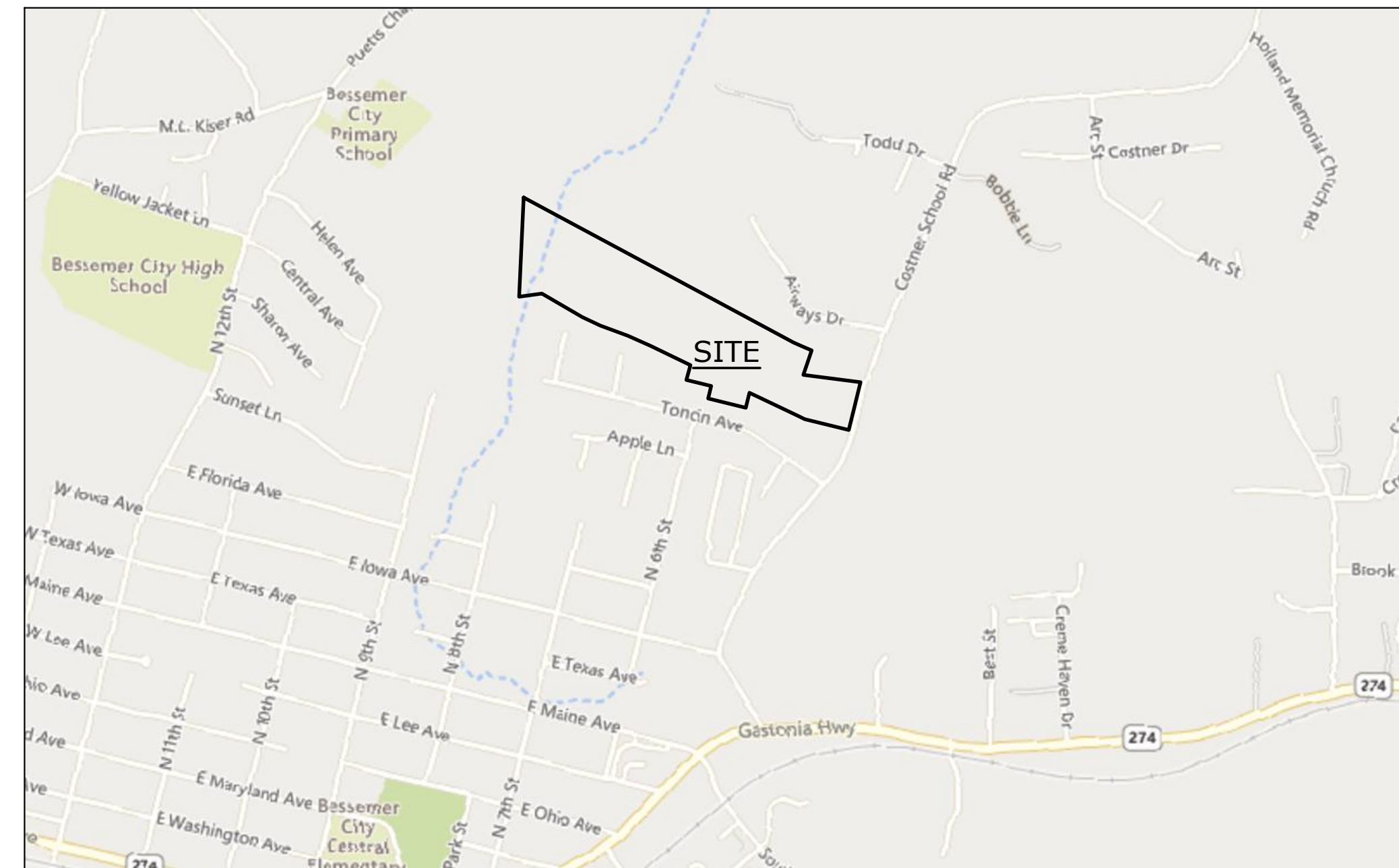
OWNER:	EASTWOOD HOMES
DEVELOPER INFO:	EASTWOOD HOMES
CONTACT:	MIKE KEMP
EMAIL:	MKEMP@EASTWOODHOMES.COM
SITE ADDRESS:	COSTNER SCHOOL ROAD
GROSS SITE AREA:	36.07±
P.I.N. No.:	304904, 306573, 306572, 306571, 306570, 306569
EXISTING ZONING:	GASTON COUNTY R & BESSEMER CITY NR
PROPOSED ZONING:	BESSEMER CITY UR
EXISTING USE:	VACANT
PROPOSED USE:	RESIDENTIAL SINGLE FAMILY HOMES

PROPOSED # OF UNITS:	
SINGLE FAMILY HOMES	95
PROPOSED DENSITY	2.63± DUA

FRONT:	20'
SIDE:	6'
CORNER LOT:	16'
REAR	30'
BUILDING HEIGHT:	35'

PROPOSED STREETS:	AS SHOWN ON PLAN
LINKS/NODES 6 /5	1.20

COMMON OPEN SPACE REQUIRED	1 /35 ACRE PER LOT	2.71±	ACRE
COMMON OPEN SPACE PROVIDE		13.82±	ACRE
ACTIVE OPEN SPACE REQUIRED	2 /3 REQUIRED COS	1.80 ±	ACRE
ACTIVE OPEN SPACE PROVIDED		2.5 ±	ACRE



OVERALL PROJECT PLAN
SCALE: 1"=1,000'



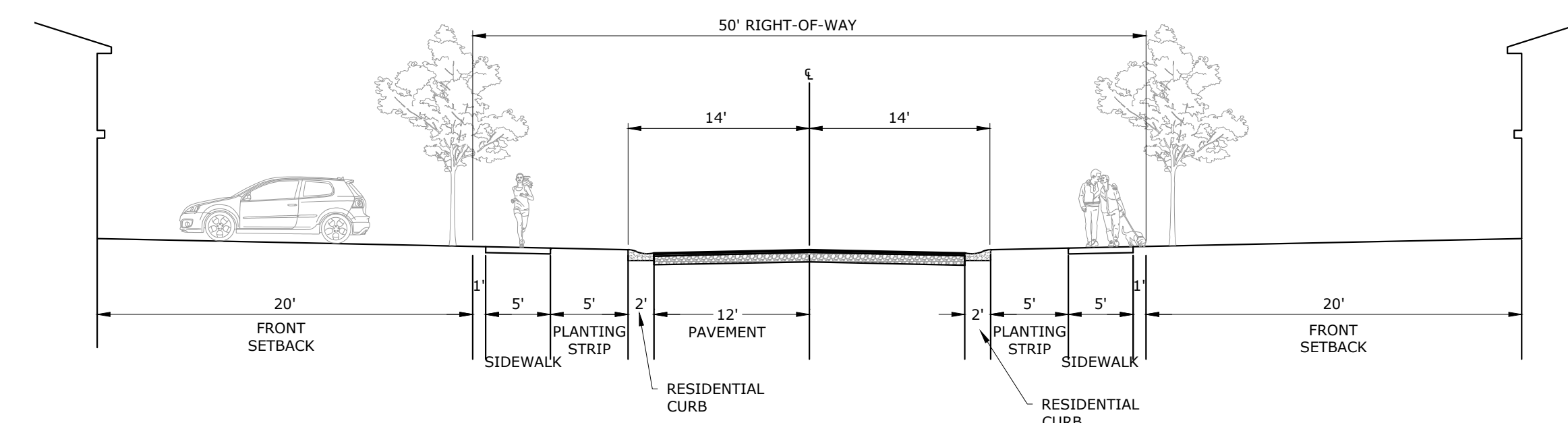
built with **care.**

DEVELOPER:
EASTWOOD HOMES

MIKE KEMP
(704) 421-6541
MKEMP@EASTWOODHOMES.COM
2857 WESTPORT ROAD
CHARLOTTE, NC 28208

DESIGN ENGINEER:

Frank Cantrell, PE
704-564-3824
Frank.Cantrell@pobengineering.com
16439 Bastille Drive
CHARLOTTE, NC 28278



PROPOSED TYPICAL STREET SECTION W/SIDEWALK BOTH SIDES
NTS

NOTE:
CONSTRUCTION MATERIALS QUALITY AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH
NCDOT SPECIFICATIONS AND STANDARDS AND THE MANUAL OF UNIFORM TRAFFIC CONTROL
DEVICES.

NORTH CAROLINA COL
P-1888



July 20, 2022


COVER SHEET
REZONING PLAN
STEWART PROPERTY
EASTWOOD HOMES
BESSEMER CITY, GASTON

	A	DATE	DESCRIPTION	BY
DRAWN		FC		
DESIGNED		FC		
CHECKED		DC		
PROJECT #		220114		

SHEET NUMBER

RZ-100

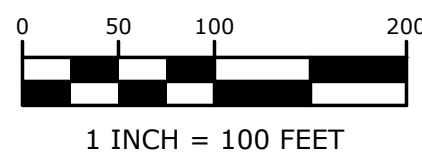
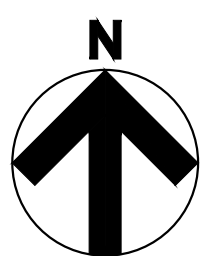


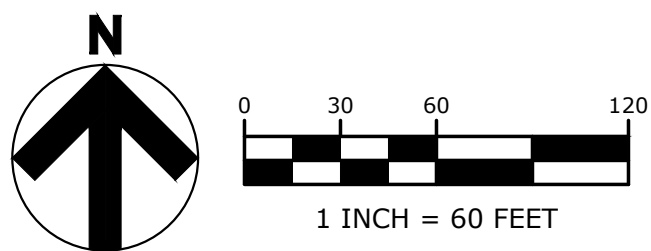


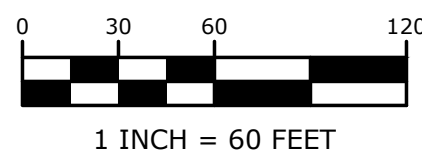
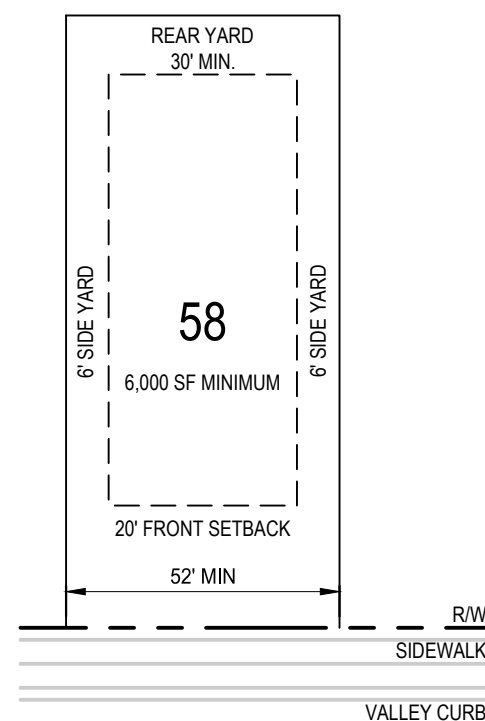
COLORIZED SITE PLAN
REZONING PLAN
STEWART PROPERTY
EASTWOOD HOMES
BESSEMER CITY, GASTO

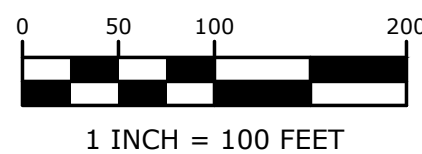
DRAWN	FC
DESIGNED	FC
CHECKED	DC
PROJECT #	220114

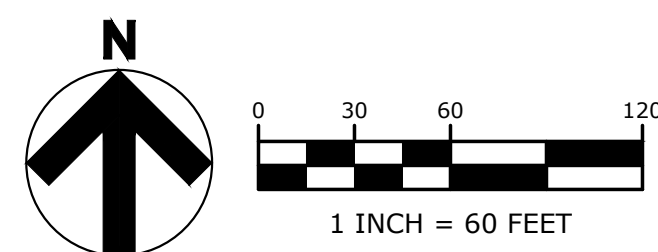
RZ-101





SHEET NUMBER





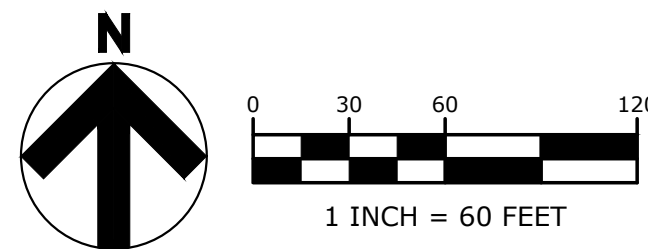
North Carolina 811
www.nc811.org

LANDSCAPE PLAN
REZONING PLAN
STEWART PROPERTY

[illegible]

RZ-106

1. CONTRACTOR TO VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION, TO DETERMINE THE DEPTH OF THE ACTUAL LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES, WHETHER SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL CALL UTILITY LOCATE SERVICE 72 HOURS PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL EXAMINE FINISH SURFACE, GRADES, TOPSOIL QUALITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
3. CONTRACTOR TO REPORT ALL DAMAGES TO EXISTING CONDITIONS AND INCONSISTENCIES WITH PLANS TO ENGINEER.
4. ALL PLANT MASSES TO BE CONTAINED WITHIN A 4" LAYER MULCH BED UNLESS NOTED OTHERWISE.
5. BED EDGE TO BE NO LESS THAN 12" AND NO MORE THAN 18" FROM OUTER EDGE OF PLANT MATERIAL BRANCHING. WHERE GROUND-COVER OCCURS, PLANT TO LIMITS OF AREA AS SHOWN.
6. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN ALL LANDSCAPE BEDS AND ALL LAWN AREAS.
7. CONTRACTOR TO FINE GRADE AND ROCK-HOUD ALL TURF AREAS PRIOR TO SEEDING, TO PROVIDE A SMOOTH AND CONTINUAL SURFACE, FREE OF DISCREPANCIES (BUMPS OR DEPRESSIONS) & EXTRANEOUS MATERIAL OR DEBRIS.
8. QUANTITIES SHOWN ARE INTENDED TO ASSIST CONTRACTOR IN EVALUATING THEIR SOIL TAKE OFFS AND ARE NOT GUARANTEED AS ACCURATE REPRESENTATIONS OF REQUIRED MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS BID QUANTITIES AS REQUIRED BY THE PLANS AND SPECIFICATIONS. IF THERE IS A DISCREPANCY BETWEEN THE QUANTITY LABELED ON THE PLANT LEGEND AND THE QUANTITY OF GRAPHIC SYMBOLS SHOWN, THE GREATER QUANTITY SHALL GOVERN.
9. COORDINATE LANDSCAPE INSTALLATION WITH INSTALLATION OF UNDERGROUND SPRINKLER AND DRAINAGE SYSTEMS.
10. LANDSCAPE MAINTENANCE PERIOD BEGINS IMMEDIATELY AFTER THE COMPLETION OF ALL PLANTING OPERATIONS AND WRITTEN ACCEPTANCE FROM THE OWNER AND ENGINEER. MAINTAIN TREES, SHRUBS, PERENNIALS AND OTHER PLANTS AND MATERIALS FOR 12 MONTHS. MAINTENANCE IS THE LANDSCAPING CONTRACTORS RESPONSIBILITY UNTIL FINAL ACCEPTANCE BY THE OWNER.
11. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FOR ALL PLANT MATERIAL SUBSTITUTIONS FROM THE ENGINEER PRIOR TO INSTALLATION. PLANT SUBSTITUTIONS WITHOUT PRIOR WRITTEN APPROVAL THAT DO NOT COMPLY WITH THE DRAWINGS AND SPECIFICATIONS MAY BE REJECTED BY THE ENGINEER AT NO COST TO THE OWNER. THESE ITEMS MAY BE REQUIRED TO BE REPLACED WITH PLANT MATERIALS THAT ARE IN COMPLIANCE WITH THE DRAWINGS.
12. CONTRACTOR SHALL BE RESPONSIBLE TO SECURE ALL PLANT MATERIAL IN THE SIZE SPECIFIED ON PLAN PRIOR TO INSTALLATION. IN THE EVENT THE PLANT MATERIAL IS NOT AVAILABLE IN THE SIZE SPECIFIED, THE CONTRACTOR SHALL LOCATE PLANT SIZE AT THEIR COST.
13. REMOVE EXISTING WEEDS FROM PROJECT SITE PRIOR TO THE ADDITION OF SOIL, FERTILIZER AND FERTILIZER. APPLY AMENDMENTS AND FERTILIZER AS NEEDED.
14. BACKFILL MATERIAL FOR TREE AND SHRUB PLANTING SHALL CONTAIN: ONE PART FINE GRADE COMPOST TO ONE PART TOPSOIL BY VOLUME, BONE MEAL PER MANUFACTURER'S RECOMMENDATION, AND SLOW RELEASE FERTILIZER PER MANUFACTURER'S RECOMMENDATION.
15. PRIOR TO MOBILIZATION THE CONTRACTOR SHALL NOTIFY THE ENGINEER, IN WRITING, IF HE/SHE BELIEVES ANY OF THE PLANT MATERIAL IDENTIFIED ON THE PLAN MAY NOT BE SUITABLE FOR THE SITE OR FOR THE CLIMATE. SUBSTITUTIONS WILL BE GRANTED BY THE ENGINEER PRIOR TO THE START OF CONSTRUCTION ACTIVITIES. IF NOTIFICATION IS NOT GIVEN TO THE ENGINEER ALL PLANTING WHICH FALLS TO GROW (EXCEPT FOR DEFECTS RESULTING FROM LACK OF ADEQUATE MAINTENANCE) SHALL BE THE OWNERS RISK. ANY NEGLIGENCE OR VANDALISM) SHALL BE REPLACED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
16. THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING, WHEN CONDITIONS DETRIMENTAL TO PLANT GROWTH ARE ENCOUNTERED, SUCH AS RUBBLE FILL, POOR PLANTING SOIL, ADVERSE DRAINAGE CONDITIONS, OR OBSTRUCTIONS, PRIOR TO REPLACING.
17. CONTRACTOR SHALL INSTALL ALL PLANT MATERIAL IN SIZE AS INDICATED IN THE PLANS. PLANTS SHALL BE SPECIFICALLY SPECIFIED ON THE PLAN SET. ALL SIZES AND QUALITY OF PLANT MATERIAL SHALL MEET THE MINIMUM SPECIFICATIONS OF THE AMERICAN STANDARD FOR NURSERY STOCK. ALL PLANTS THAT DO NOT MEET THE SIZE AND SPECIFICATIONS SET FORTH BY THE AMERICAN STANDARD FOR NURSERY STOCK WILL BE REJECTED BY ENGINEER AT NO COST TO OWNER.

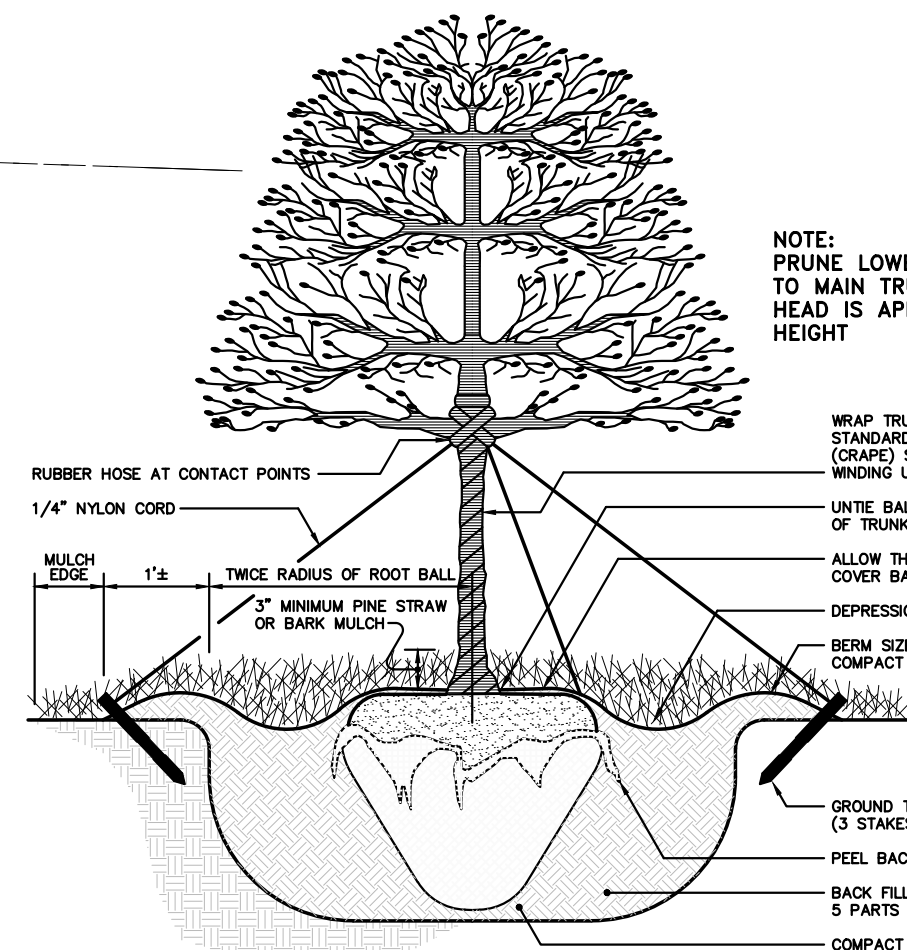


- STREET TREES - 1 PER EVERY 40 LF OF FRONTAGE
- LOTS LESS THAN 6,000 SF - 1 CANOPY TREE
- LOTS 6,000 SF - 9,999 SF - 2 CANOPY TREES
- LOTS 10,000 SF AND GREATER - 3 CANOPY TREES

Diagram illustrating the construction of a tree pit for a newly planted tree. The diagram shows a cross-section of the ground with a tree planted in a pit. Labels indicate the following steps:

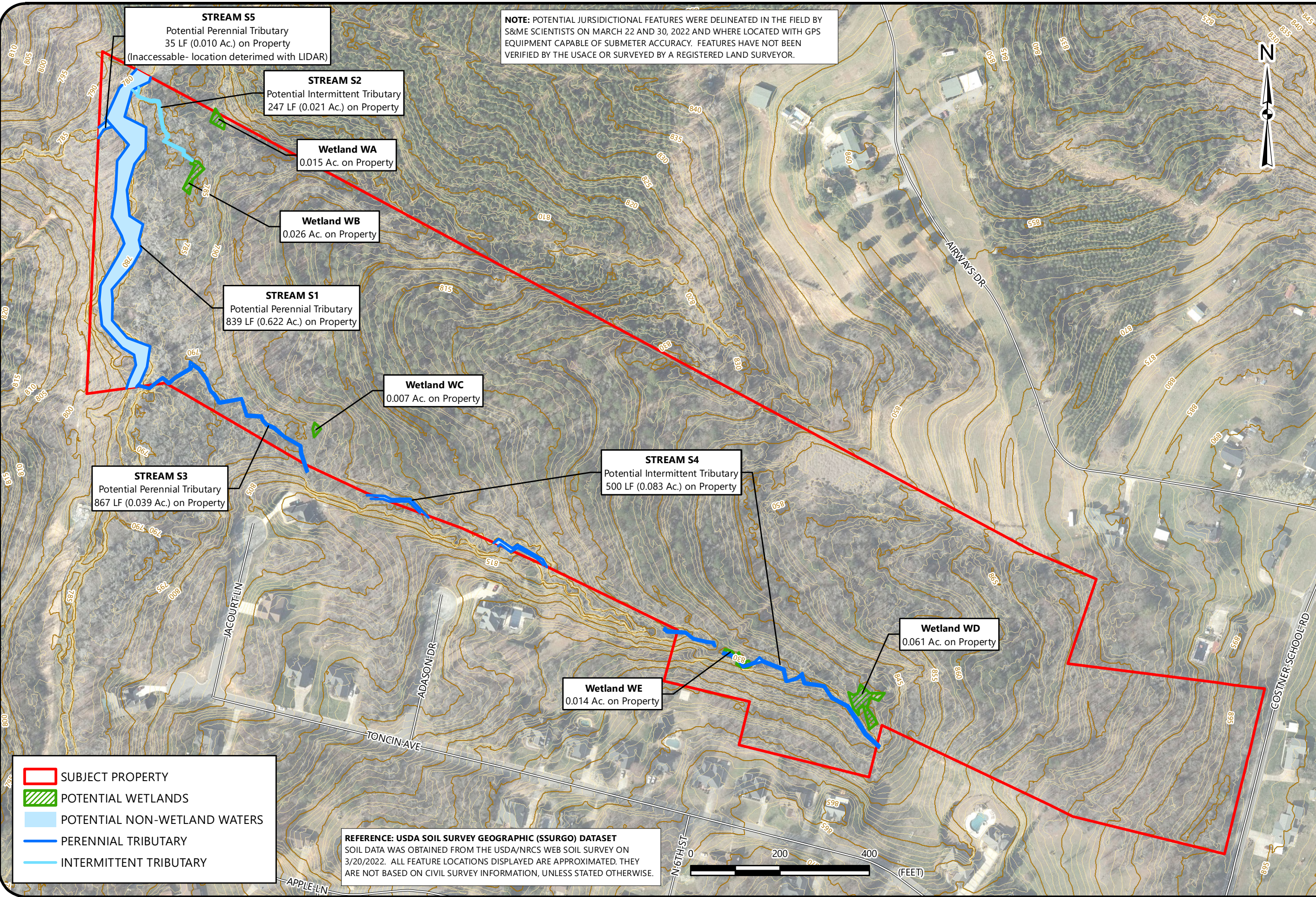
- ALLOW THIN LAYER OF SOIL TO COVER BALL
- ROOT BALL SHOULD BE 1/2" ABOVE EXISTING GRADE
- IMPORTED TOP SOIL
- COMPACT BACKFILL IN EXISTING SOIL
- BACKFILL 1 PART COMPACTED BARK WITH 5 PARTS EXISTING SOIL
- PEEL BACK BURLAP ON BARE SHRUBS
- 2" MINIMUM PINE STRAW OR BARK MULCH
- TWICE RADIUS OF BALL BALL

NOT TO SCALE



North Carolina 811
www.nc811.org

Drawing Path: T:\ENV\Projects\2022\22350170 Eastwood Homes, Stewart Property Due Diligence, Bessemer City\4 ENV\Project Docs\GIS\3 potentialwatersmap.mxd plotted by DHomans 04-01-2022



POTENTIAL WATERS OF THE U.S. MAP

STEWART PROPERTY ASSEMBLAGE
COSTNER SCHOOL ROAD
BESSEMER CITY, GASTON COUNTY, NORTH CAROLINA

PLAN CONSISTENCY & STATEMENT OF REASONABLENESS
ZONING MAP AMENDMENT
September 12th, 2022

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 rezoning of the Tax Parcels included with development application CD 02 -2022 within the City limits and Extra Territorial Jurisdiction of Bessemer City, North Carolina as noted and depicted on the proposed Official Zoning Map.

- 1) Said zoning change is **consistent** with the goals and values established by the City Council adopted in 2019.
 - a. The City Council created a mission and vision statement that included the following seven values: 1. Open, Honest and Accessible Government, 2. Fiscal Accountability and Sustainability, 3. Public Safety and Safe and Accessible Neighborhoods, 4. Keeping True to Our Small-Town Character and Traditions, 5. Focused on Quality and Customer Service, 6. Family Oriented, 7. Promote a Healthy Quality of Life. These rezoning's are consistent with these values.
 - b. The City Council created a mission and vision statement that included the following eight goals: 1. A desirable place to live and work that is open to growth, 2. A safe and secure community for residents and visitors, 3. A sustainable community with high quality and dependable infrastructure and utilities, 4. A thriving, viable and diverse economy, 5. Provide opportunities for our citizens, 6. Sustainable organizational capacity, 7. Embrace innovation and promote creativity, 8. Promote a healthy quality of life. These rezoning's are consistent with these goals.
- 2) Said rezoning is **consistent** with the City of Bessemer City 2020 Vision Plan and the City of Bessemer City Planning and Economic Development Comprehensive Land Use Vision Map adopted by the City Council in 2019. The proposed rezoning's are:
 - a. Consistent with the future land use as designated on the official land use map.
- 3) The proposed map amendments **would not be detrimental** to the city and ETJ.
 - a. The physical conditions that make the rezoning's reasonable are:
 - Provides Residential and Economic Development growth opportunities with new development in areas that are currently limited due to current zoning.
 - b. The rezoning's are in the best interest of the public to increase and maximize property values in order to provide for future infrastructure and amenities.

Therefore, the requested rezoning's are **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 12th day of September, 2022.

ATTEST

CITY COUNCIL FOR THE
CITY OF BESSEMER CITY

Hydeia Hayes, City Clerk

BY _____
Becky S. Smith, Mayor

APPROVED AS TO FORM

Dan O' Shea, City Attorney



PLANNING BOARD/BOARD OF ADJUSTMENT
REQUEST FOR ACTION

AGENDA ITEM NO.: 4.a

MEETING DATE: 09/06/2022

DESCRIPTION: Development application from Eastwood Homes CD 02-2022

BACKGROUND INFORMATION:

Application is to rezone six tax parcels located within the City limits of Bessemer City and the Extraterritorial Jurisdiction. Rezoning is under a conditional district application to accommodate the development of approximately 95 single family homes on the site. See agenda packet for application details.

STAFF RECOMMENDATION:

Recommendation to City Council for approval of rezoning.

BOARD ACTION TAKEN:

Recommend City Council approve rezoning for development with additional conditions below:

Homes that meet the City Land Development Code section 3.3.F.2 requirements be incorporated within the development where feasible.

Homes within the development cannot be sold for rental property purposes.



Written Consent for Zoning Conditions

The petitioner hereby expressly consents to all zoning conditions listed in this report and attached to this as Exhibit A:

1. Pedestrian Path and bridge access to Stinger Park
2. All homes will be heated by Natural Gas from Bessemer City
3. Natural Gas appliances will be offered as options to all home buyers
4. Garage doors will be painted and will include enhanced hardware
5. A variety of color patterns will be provided such that no two homes directly adjacent to each other are of the same color.
6. Additional 13.02 acres of common open space to be comprised of walking trails, benches, and other passive recreational features.
7. Homes that meet the City of Bessemer City recessed Garage Requirement in section 3.3.F.2 of the Bessemer City Land Development Code must be incorporated within the development where feasible.
8. Homes must be sold to user that will reside within the home and not for rental purposes.
9. HOA established and responsible for maintenance of Common Open Space.

ATTEST:

Authorized Agent/Property Owner

Date

Print Name

Becky Smith, Mayor

Date

Print Name



**AN ORDINANCE AMENDING OFFICIAL ZONING MAP OF THE
CITY OF BESSEMER CITY.**

WHEREAS, after proper notification a Public Hearing was held before the Bessemer City Council on September 12, 2022 to consider a proposed amendment to the City of Bessemer City Zoning Map. On September 6, 2022 the Bessemer City Planning Board voted to recommend the City Council approve the proposed zoning map amendment.

WHEREAS, after a _____ vote, the City Council of Bessemer City approved a zoning map change to the Official City of Bessemer City Zoning Map reflected in application CD 02-2022.

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

1. Tax Parcel 304904 is rezoned from Rural to Urban Residential Conditional District.
2. Tax Parcel 306573 is rezoned from Neighborhood Residential to Urban Residential Conditional District.
3. Tax Parcel 306572 is rezoned from Neighborhood Residential to Urban Residential Conditional District.
4. Tax Parcel 306571 is rezoned from Neighborhood Residential to Urban Residential Conditional District.
5. Tax Parcel 306570 is rezoned from Neighborhood Residential to Urban Residential Conditional District.
6. Tax Parcel 306569 is rezoned from Neighborhood Residential to Urban Residential Conditional District.

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 12th Day of September, 2022.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk

PETITION MUST BE NOTARIZED

State of:
County of:

North Carolina
Mecklenburg

Use this section for individual landowners.

I, Ellen Hubbard [Notary's Name], a Notary Public for said County and State, do hereby certify that the landowner, Kent Olsen ^{Development Solutions Group} [Name of Landowner], as stated on the annexation petition, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Use this section for all land owners that are not individuals, such as (without limitation) corporate land owners, properties held in an estate, properties held in trust, etc.

I, Ellen Hubbard [Notary's Name], a Notary Public for said County and State, do hereby certify that Kent Olsen [Representative for Landowner], a duly authorized representative for Development Solutions Group [Landowner], mentioned on the annexation petition as the landowner, personally came before me this day and acknowledged that he is Manager [Title] of said land owner, and acknowledged on behalf of said landowner, the due execution of the foregoing instrument.

Use this section for all individual landowners that are having a Power-of-Attorney execute the Annexation Request.

I, _____ [Notary's Name], a Notary Public for Said County and State, do hereby certify that, _____ [Attorney-in-Fact's Name], Attorney-in-Fact for _____, [Name of Landowner(s)] personally appeared before me this day, and being by me duly sworn, say that he/she executed the foregoing and annexed instrument for and on behalf of said Landowner(s) and that his/her authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged and recorded in the office of the Register of Deeds in the County of _____, State of _____, [County & State of Recording Office] on the ____ day of _____, 20__, [Date of Recording of the Document] and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney. I further certify that the said Attorney-In-Fact acknowledged the due execution of the foregoing instrument for the purposed therein expressed for and on behalf of said Landowners.

Witness my hand and official seal this 4 day of August, 2022

My Commission Expires
August 20, 2023

[Signature]
Notary Public

My commission expires _____.

[SEAL of Notary Public]

Notary's Stamp:

Section D Annexation Petition**State of North Carolina, Gaston County, Petition of Annexation of Property to the City of Bessemer City, North Carolina**

Part 1 The undersigned, being all the owners of the real property described in this application (Section C) respectfully request the annexation of said property to the City of Bessemer City, North Carolina. The petitioners understand and agree that any utilities that must be extended to the annexed area are the responsibility of the developers or successive property owners. The property to be annexed is:

☒

Contiguous to the present primary corporate limits of the City of Bessemer City, North Carolina, or

Satellite (Not Contiguous) to the municipal limits of the City of Bessemer City, and meets all of the requirements for NCGS §160A-58.1(b). This includes that if any portion of an area of the proposed annexation is part of a subdivision, all of the subdivision must be included.

Part 2 NC General Statutes require petitioners of both contiguous and satellite annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S.160A-385.1 or 153A-344.1 for properties subject to the petition.

Do you declare such vested rights for the property subject to this petition? Yes _____ No ^x _____

If yes, please submit proof that vested rights have been granted by governing board. I hereby declare that my failure to disclose existence of a vested right terminates any vested right previously acquired for this property.

Signed this ¹ _____ day of August, 20 2022 by the owners of the property described in Section C.

Owner's Signature(s)

Include signatures of new owners if ownership will change during the annexation process.

Indicate if owner is signing on behalf of legal entity and in what capacity.

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

Print Name _____ Phone _____

Address _____

Signature _____ Date _____

A notary statement must be completely filled out for each signature.

Section E Supplemental Information

In order for the City of Bessemer City to better serve annexation areas, now and in the future, the City requests the following information from you. Please give your best estimates where they are needed. Contact information for relative City Departments can be found at the end of the worksheet. Please indicate 'N/A' for questions on which you have no information.

Acreage of Area					7.196				
Current Population of Area					0				
Current Zoning of Area					R				
Desired City Zoning of Area					UR				
Proposed Use (i.e. residential, commercial, or industrial)					Residential				
Estimated Total Value of Residential Units for the Proposed Development									
Total Proposed Number of Dwelling Units					16				
Type of Proposed Dwelling Units (Single Family Detached, Single Family Attached, Multi-Family)					Single Family Detached				
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
Estimated Total Value of Business Units for the Entire Proposed Development					0				
Commercial Value				Industrial Value				Other (not-for-profit) Value	
Proposed Number of Commercial									
Year 1		Year 2		Year 3		Year 4		Year 5	
Proposed Number of Industrial									
Year 1		Year 2		Year 3		Year 4		Year 5	
Proposed Number of Other (not-for-profit)?									
Year 1		Year 2		Year 3		Year 4		Year 5	

Section E (continued) Supplemental Information**Street Information** Public Roads

Proposed total linear mileage of roadway installed					1300				
Year 1	1300	Year 2		Year 3		Year 4		Year 5	
Proposed total number of non-state maintained street miles									
Year 1		Year 2		Year 3		Year 4		Year 5	

Water Information Public Water

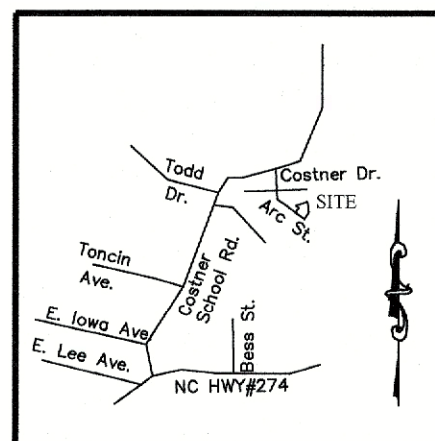
Typical water service(s) (i.e. 3/4", 1", etc.)					3/4"				
Number of services installed by developer (by service type)					3/4"				
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
Number of services requested (by service type)					3/4				
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
Typical irrigation meter size(s) to be installed (i.e. 3/4", 1", etc.)					3/4"				
Number of Services Requested									
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
Estimated Mileage of Water Pipe Needed									
Year 1	.12	Year 2		Year 3		Year 4		Year 5	

Sewer Information Public Sewer and main relocation

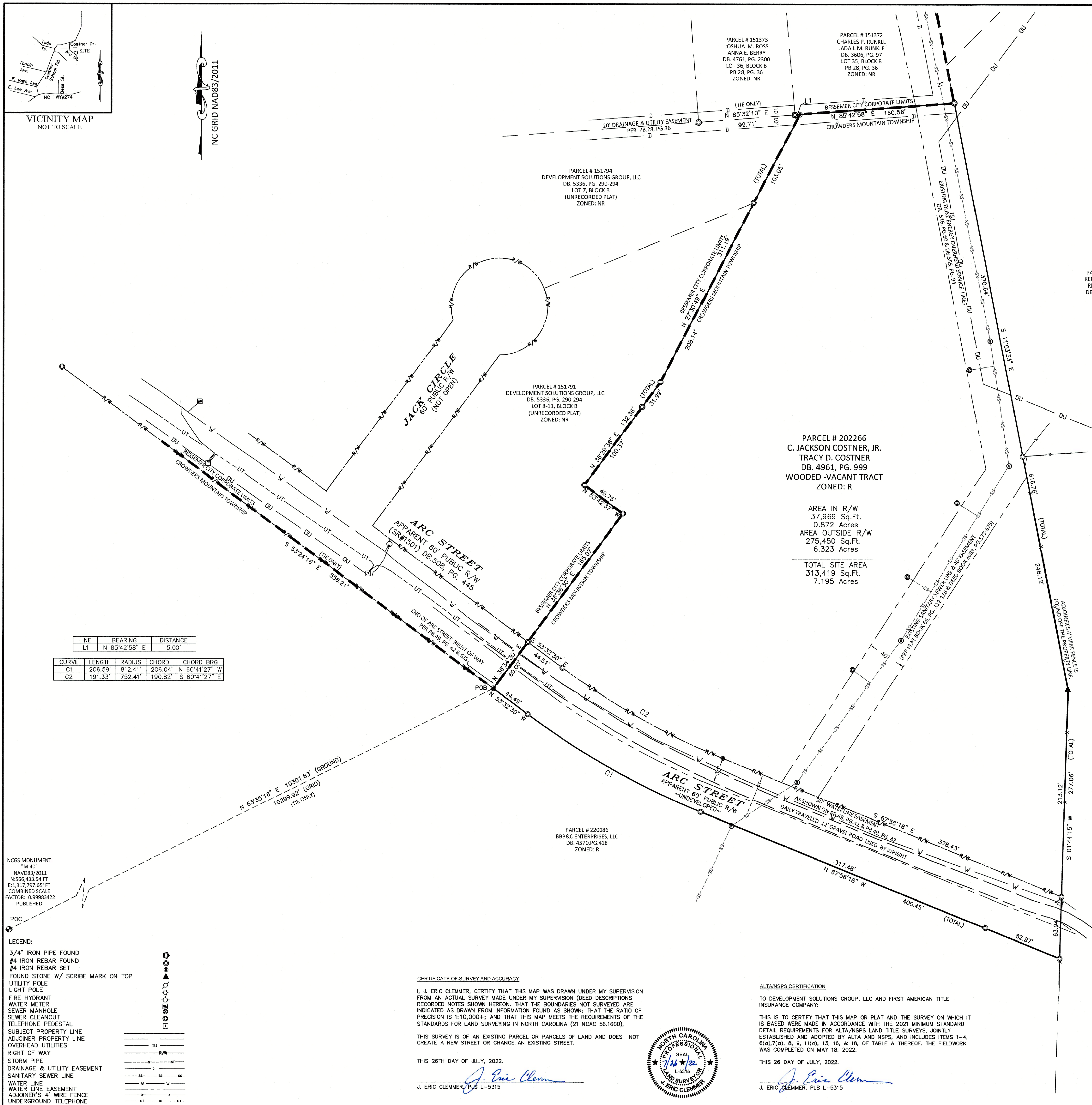
Typical sewer service(s) (i.e. 4", 6", 8" etc.)					4" for each lot, relocate ex. line				
Number of services installed by developer (by service type)					4"				
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
Number of services requested (by service type)									
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
Estimated Mileage of Water Pipe Needed									
Year 1	.13	Year 2		Year 3		Year 4		Year 5	

Section E (continued) Supplemental Information**Solid Waste Data Trash collection**

Number of Rollouts needed for Multi-Family Units									
Year 1	0	Year 2		Year 3		Year 4		Year 5	
Number of commercial units using City rollout collection									
Year 1	0	Year 2		Year 3		Year 4		Year 5	
Number of commercial units needing corrugated (cardboard) recycling									
Year 1	0	Year 2		Year 3		Year 4		Year 5	
Number of commercial units needing white paper pick-up (recycling)									
Year 1	0	Year 2		Year 3		Year 4		Year 5	

VICINITY MAP
NOT TO SCALE

NC GRID NAD83/2011

FIRST AMERICAN TITLE COMPANY
COMMITMENT NO. 22-2036
SCHEDULE B, PART II
COMMITMENT DATE: JULY 22, 2022 AT 8:00 AM

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHED, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I - REQUIREMENTS ARE MET. (NOT A SURVEY MATTER)
2. TAXES FOR THE YEAR 2022 AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE. (NOT A SURVEY MATTER)
3. EASEMENT(S) TO DUKE POWER COMPANY RECORDED IN BOOK 516, PAGE 60; AND BOOK 555, PAGE 94, GASTON COUNTY REGISTRY. (BLANKET EASEMENT FOR ELECTRIC SERVICE & EQUIPMENT MAINTENANCE)
4. WATERLINE RIGHT OF WAY TO CITY OF BESSEMER CITY RECORDED IN PLAT BOOK 49, PAGE(S) 42, GASTON COUNTY REGISTRY. (SHOWN HEREON)
5. ANY DISCREPANCY, CONFLICT, ACCESS, SHORTAGE IN AREA OR BOUNDARY LINES, ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OVERLAP, SETBACK, EASEMENT OR CLAIM OF EASEMENT, RIPARIAN RIGHT, AND TITLE TO LAND WITHIN ROADS, WAYS, RAILROADS, WATERCOURSES, BURIAL GROUNDS, MARSHES, DREDGED OR FILLED AREAS OR LAND BELOW THE MEAN HIGHWATER MARK OR WITHIN THE BOUNDS OF ANY ADJOINING BODY OF WATER, OR OTHER ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY A CURRENT INSPECTION AND ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. (NOT A SURVEY MATTER)

LEGAL DESCRIPTIONS PER TITLE COMMITMENT

LOCATED IN THE TOWN OF BESSEMER CITY, IN CROWDERS MOUNTAIN TOWNSHIP, IN GASTON COUNTY AND BEING THAT PROPERTY THAT D. RUSH COSTNER AND WIFE, PEGGY L. COSTNER CONVEYED TO MARY COSTNER AND C. JACKSON COSTNER BY DEED FILED APRIL 24, 2002 IN BOOK 3443 PAGE 51. FURTHER BEING ALL OF TRACT II THAT THE DEVISEES' OF MARY SUE VAN DYKE COSTNER CONVEYED THEIR ONE-HALF UNDIVIDED INTEREST TO TRACY D. COSTNER BY QUITCLAIM DEED FILED FEBRUARY 19, 2018 IN BOOK 4961 PAGE 999.

SURVEY NOTES:

1. TIE TO NCGS MONUMENT SHOWN HEREON. NC GRID COORDINATES AS SHOWN HEREON ARE BASED UPON GPS OBSERVATIONS UTILIZING NCGS' NETWORK RTK SYSTEM WITH A TRIMBLE R8 AND ARE REFERENCED TO THE NAD 83(NSRS 2011) DATUM. COMBINED FACTOR: 0.99983422. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES (US SURVEY FOOT) UNLESS OTHERWISE NOTED.
2. SUBJECT PROPERTY IS CURRENTLY ZONED R. CONSULT WITH GOVERNING AGENCY FOR PREVAILING LAND DEVELOPMENT AND ZONING REQUIREMENTS PRIOR TO DESIGN OR CONSTRUCTION OF ANY IMPROVEMENTS. NO ZONING REPORT SUPPLIED BY THE CLIENT.
3. THE SUBJECT PROPERTY IS NOT LOCATED IN A FEMA FLOOD PLAIN PER FEMA PANEL NO. #3710352700J EFFECTIVE DATE 09/28/2007.
4. ARC STREET & JACK CIRCLE ROAD RIGHT OF WAY WIDTHS BASED UPON ADJOINING PROPERTIES INFORMATION AS FOUND IN THE GASTON COUNTY PUBLIC REGISTRY. THE RIGHT OF WAY DEDICATION DOCUMENTS WERE NOT PROVIDED FOR ANY OF THE PROPERTIES SHOWN HEREON.
5. NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES, OR EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
6. THIS BOUNDARY SURVEY IS BASED ON EXISTING PHYSICAL EVIDENCE OBSERVED ON THE DATE OF THE FIELD SURVEY. NO TITLE SEARCH DONE BY TIDEMARK OR PROVIDED BY CLIENT AT TIME OF SURVEY.
7. AREA BY COORDINATE COMPUTATION. TOTAL SITE AREA IS 313,419 SQ. FT. OR 7.195 ACRES.
8. DATE OF FIELD SURVEY 5/13/2022 TO 5/18/2022.
9. THE UTILITIES SHOWN ARE PER OBSERVED EVIDENCE IN THE FIELD AT THE TIME OF SURVEY. NO NC811 OR PRIVATE S.U.E. LOCATE REPORT PROVIDED BY CLIENT.
10. SUBJECT PARCEL PID NUMBER: 202266.
11. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
12. NO OTHER ENCROACHMENTS EXIST OTHER THAN THE ONES SHOWN HEREON.
13. THE PROPERTY SURVEYED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 22-2036 WITH AN EFFECTIVE DATE OF JULY 22, 2022 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.

14. SURVEY PERFORMED FOR : DEVELOPMENT SOLUTIONS GROUP, LLC

11121 CARMEL COMMON BLVD.
SUITE #360
CHARLOTTE, NC 28226
704-543-0760

REFERENCES:

- 1) DEED BOOK 5315 PG.1421, PLAT BOOK 28, PG. 36. PLAT BOOK 49, PG. 41 & 42.

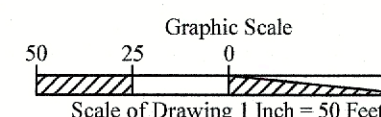
ALTA/NSPS LAND TITLE SURVEY OF:

7.195 ACRES OF LAND BEING IDENTIFIED AS GASTON COUNTY
PARCEL NUMBER: 202266, PER DEED BOOK 4961, PG. 999
BEING THE SAME PROPERTY OF RECORD PER PROVIDED TITLE
PROPERTY SITUATED IN THE ETJ OF CITY OF BESSEMER CITY,
CROWDERS MOUNTAIN TOWNSHIP, GASTON COUNTY, NORTH CAROLINA

FIELD DATE: 5/13/2022 - 5/18/22
PROJECT NO. 2023-0011
DRAWN BY: JEC
PROJECT SURVEYOR: SD
CLIENT: DEVELOPMENT SOLUTIONS GRP.
SHEET 1 OF 1
SCALE: 1" = 50'
LAST REVISED:



3556 CENTRE CIRCLE DRIVE, SUITE A
FORT MILL, SC 29715
OFFICE: 844.865.5263
WWW.TIDEMARKLAND.COM
NC FIRM C-4291





COBC-GOVBOB-2022-2023 O 11

City of Bessemer City

ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF BESSEMER CITY, NORTH CAROLINA

WHEREAS, the City Council has been petitioned under GS 160A-31 to annex the area described below; and

WHEREAS, the City Council has directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Council Chambers of City Hall at 7:00PM on September 12, 2022, after due notice by publication in the Gaston Gazette on Wednesday, August 31st; and

WHEREAS, the City Council finds that the petition and annexation map meet the requirements of contiguous annexation found in GS 160A-31;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bessemer City, North Carolina that:

Section 1. By virtue of the territory described below is hereby annexed and made part of the City of Bessemer City as of September 12, 2022.

Section 2. Upon and after September 12, 2022, the area described below shall be subject to all debts, laws, ordinances, and regulations in force in the City of Bessemer City and shall be entitled to the same privileges and benefits as other parts of the City of Bessemer City. Said territory shall be subject to municipal taxes according to GS 160A-58. 10.

Section 3. The Mayor of the City of Bessemer City shall cause to be recorded in the office of the Register of Deeds of Gaston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory together with a duly certified copy of this ordinance. Such a map shall also be delivered to the City Board of Elections, as required by GS 163-288.1.

ANNEXATION AREA DESCRIPTION

The area is 7.196 acres as shown on the deed recorded in Gaston County Registry by Tax Parcel Number 202266 in deed book 5353 and page 2032 respectively to which reference is hereby made for a fuller and complete description of said lot by metes and bounds.

The following parcel #202266 is a part of a future residential development.

Also, Tax Parcel ID #202266 will be zoned to Urban Residential (UR).

Adopted this 12th Day of September, 2022.

BECKY S. SMITH, MAYOR

ATTEST: _____
HYDEIA Y. HAYES, CITY CLERK

NORTH CAROLINA
GASTON COUNTY

This the ____ day of _____, _____, personally appeared before me, a Notary Public for said County and State, Hydeia Y. Hayes who being duly sworn to me says that she knows the common seal of the City of Bessemer City and is acquainted with Becky S. Smith, who is the Mayor and presiding member of said municipal corporation; and that she saw the Mayor sign the foregoing instrument and saw the common seal of the said municipal corporation affixed to said instrument by said Mayor, and that she, the said Hydeia Y. Hayes, signed her name in attestation of said instrument in the presence of said Mayor of said municipal corporation.

Witness my hand and notarial seal, this the ____ day of _____, _____.

Notary Public

My Commission expires _____

Prepared By: Hydeia Y. Hayes (Bessemer City City Hall)

Mail To: Bessemer City Hall
ATTN: Hydeia Hayes
132 W. Virginia Ave.
Bessemer City, NC 28016



COBC-GOVBOD-2022-2023 O 15

City of Bessemer City

ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF BESSEMER CITY, NORTH CAROLINA

WHEREAS, the City Council has been petitioned under GS 160A-31 to annex the area described below; and

WHEREAS, the City Council has directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Council Chambers of City Hall at 7:00PM on September 12, 2022, after due notice by publication in the Gaston Gazette on Wednesday, August 31st; and

WHEREAS, the City Council finds that the petition and annexation map meet the requirements of contiguous annexation found in GS 160A-31;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bessemer City, North Carolina that:

Section 1. By virtue of the territory described below is hereby annexed and made part of the City of Bessemer City as of September 12, 2022.

Section 2. Upon and after September 12, 2022, the area described below shall be subject to all debts, laws, ordinances, and regulations in force in the City of Bessemer City and shall be entitled to the same privileges and benefits as other parts of the City of Bessemer City. Said territory shall be subject to municipal taxes according to GS 160A-58. 10.

Section 3. The Mayor of the City of Bessemer City shall cause to be recorded in the office of the Register of Deeds of Gaston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory together with a duly certified copy of this ordinance. Such a map shall also be delivered to the City Board of Elections, as required by GS 163-288.1.

ANNEXATION AREA DESCRIPTION

The area is shown on the deed recorded in Gaston County Registry by annex Tax Parcel #306555 referenced in Deed Book 5249, Page 2331, Tax Parcel # 151628 reference in Deed Book 2144, Page 0544, Tax Parcel # 223258 referenced in Deed Book 2729, Page 343, Tax Parcel # 156697 referenced in Deed Book 1388, Page 0401, and Tax Parcel # 156702 referenced in Deed Book 1400, Page 0284 respectively to which reference is hereby made for a fuller and complete description of said lot by metes and bounds.

Adopted this 12th Day of September, 2022.

BECKY S. SMITH, MAYOR

ATTEST: _____
HYDEIA Y. HAYES, CITY CLERK

NORTH CAROLINA
GASTON COUNTY

This the ____ day of _____, _____, personally appeared before me, a Notary Public for said County and State, Hydeia Y. Hayes who being duly sworn to me says that she knows the common seal of the City of Bessemer City and is acquainted with Becky S. Smith, who is the Mayor and presiding member of said municipal corporation; and that she saw the Mayor sign the foregoing instrument and saw the common seal of the said municipal corporation affixed to said instrument by said Mayor, and that she, the said Hydeia Y. Hayes, signed her name in attestation of said instrument in the presence of said Mayor of said municipal corporation.

Witness my hand and notarial seal, this the ____ day of _____, _____.

Notary Public

My Commission expires _____

Prepared By: Hydeia Y. Hayes (Bessemer City City Hall)

Mail To: Bessemer City Hall
ATTN: Hydeia Hayes
132 W. Virginia Ave.
Bessemer City, NC 28016

BUDGET AMENDMENT
September 12, 2022

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>
100-10-4310-435	Equipment Leased Vehicles (PD)	\$ 10,000	
100-10-4340-121	PT Fire Chief	\$ 40,000	

This will result in a net increase of \$50,000 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	\$ 50,000
-----------------	---------------------------	-----------

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 _____ 2022.

Becky Smith, Mayor

Date

Hydeia Hayes, Clerk

Date

COBC-GOVBOD-2022-2023 O 10

BUDGET AMENDMENT
September 12, 2022

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>
100-40-4900-390	Contracted Service (Corridor Study)	\$15,000	

This will result in a net increase of \$15,000 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 (Grant)	\$15,000
-----------------	-----------------------------------	----------

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 _____ 2022.

Becky Smith, Mayor

Date

Hydeia Hayes, Clerk

Date

COBC-GOVBOD-2022-2023 O 13



RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The City of Bessemer City has need for and intends to construct, plan for, or conduct a study in a project described as Stormwater Master Planning, and

WHEREAS, The City of Bessemer City intends to request State loan and/or grant assistance for the project, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BESSEMER CITY:

That Bessemer City, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of Bessemer City to make a scheduled repayment of the loan, to withhold from Bessemer City any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

If applying for a regional project, that the **Applicant** will partner and work with other units of local government or utilities in conducting the project, including N/A.

That James Inman, City Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 12th Day of September 2022 at Bessemer City, North Carolina.

Becky S. Smith

Title

The undersigned duly qualified and acting City Clerk of the City of Bessemer City does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Bessemer City City Council duly held on the 12th day of September, 2022; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of September, 2022.

Hydeia Y. Hayes

Title

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