

## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, July 12, 2021 at 7:00 PM

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### AGENDA

*Bessemer City will conduct this meeting in accordance with the Governor's current Executive Order issued in response to the COVID-19 Public Health Emergency. Full vaccinated people are not required to wear a mask. All others are.*

#### **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** — *Citizens will be provided an opportunity for Public Comment. You must sign up for Public Comment with the City Clerk at (704) 729-6509 by 12:00 PM on the day of the meeting in order to speak. Comments will be limited to three (3) 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** - Council will consider adopting the Regular Meeting minutes of June 14th, 2021.
2. **Approval of Minutes** - Council will consider adopting the Work Session Meeting minutes of June 29th, 2021.
3. **Ratify CDBG Award Bid for Emergency Repairs:** Council will consider ratifying the telephone poll on June 15th, 2021 approving the bid for Martin Enterprises NC, LLC to begin emergency repair work on the 5 CDBG homes.

#### **Business Items**

4. **Resolution - USDA Revenue Bond**
5. **Downtown Development Board Appointments:** Council will make appointments to the Downtown Development Board.
6. **Historic Preservation Commission-** Council will consider adopting an agreement with Gaston County regarding the City's historic preservation authority.
7. **Repeal Unified Development Code (UDO):** Council will consider repealing the current Unified Development Code (UDO) as of July 12th, 2021.



8. **Adoption of Land Development Code (LDC):** Council will consider adopting the Land Development Code.
9. **Repeal Zoning Map:** Council will consider repealing the current zoning map.
- [10.](#) **Adopt Official Zoning Map:** Council will consider adopting a new zoning map.
- [11.](#) **Adopt Official Zoning Overlay:** Council will consider adopting an official zoning overlay.
- [12.](#) **Approve Plan Consistency and Reasonableness Statement:** Council will consider approving a Plan Consistency and Reasonableness Statement regarding the new Land Development Code (LDC).

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

13. **Appoint a Zoning Administrator**
- [14.](#) **Approval Paving Bid**
15. **Board Chair Appointment - Planning & Zoning Board**
16. **Board Chair Appointment - ABC Board**

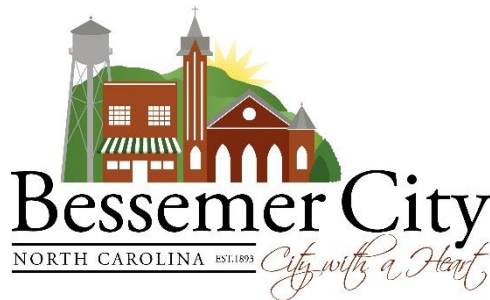
#### **Closed Session**

17. *Closed Session- As permitted under N.C.G.S. 143-318.11 section (a) (4) to discuss the purchase of property.*

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

#### **Adjourn**





## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, June 14, 2021 at 7:00 PM

### MINUTES

#### Members Present

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

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

Mayor Smith called the meeting to order. Van Spencer from First Concord Methodist led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

#### Adjustment and Approval of the Agenda

By motion of Alfred Carpenter and unanimous vote, the June agenda was approved.

#### Special Presentation—

1. **Livent:** Mayor & City Council recognized Livent for their contributions with the City's COVID 19 Vaccine Clinic in March and April 2021. Mayor Smith invited all present to congratulate Livent.

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

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

Scott Parrish of 404 E. Ohio- Mr. Parrish has been a resident of Bessemer City for over 30 years. Today he is present to express his concern regarding property that is owned by Dana Greene at 402 N. 10th. Mr. Parrish stated that the house is a nuisance and has been an issue in the community for several years. Thus, Mr. Parrish and his family have experienced pest and property issues.

City Manager, James Inman discussed that a civil lawsuit is currently pending for the said property owner. In a civil lawsuit the courts can order an individual to pay fines that the City has assessed for the junk and debris on the property.

#### Consent Agenda —

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

2. **Approval of Minutes** – Regular Meeting minutes of May 10<sup>th</sup>, 2021



### **3. Approval of Minutes:** Work Session Meeting minutes from of May 25<sup>th</sup>, 2021

#### **Public Hearing- Proposed FY 2021- 2022 Budget**

As required by NCGS 159-12, the City is required to hold a public hearing prior to adopting the fiscal budget. By motion of Kay McCathen and unanimous vote, the public hearing was opened at 7:23 PM.

Mayor Smith asked if there was anyone to speak in favor of the 2021-2022 proposed budget. There was none.

Mayor Smith asked if there was anyone to speak in opposition of the 2021-2022 proposed budget. There was none.

By motion of Donnie Griffin and unanimous vote, the public hearing to consider the 2021-2022 proposed budget was closed at 7:24 PM. A copy of the budget ordinance is on file at City Hall.

#### **Ordinance- Proposed FY 2021- 2022 Budget:**

Light discussion between Council and City Manager ensued regarding the proposed 2021-2022 budget. This budget was completed with no tax increase to citizens, Police Officer starting pay was raised to \$45,000 to remain comparable to other municipalities in the County. This budget will allow for new playground equipment for the Indian Springs Park, new equipment for the Fire Department, generators for pump stations and City Hall Annex. City Manager, James Inman thanked the Council for their hard work on behalf of the Staff.

By motion of Dan Boling and unanimous vote, the 2021-2022 proposed budget was adopted.

#### **Board Appointment Application:**

Director of Administration, Josh Ross addressed Council regarding all appointed boards and their vacancies.

By motion of Joe Will and unanimous vote, David Absher was reappointed to the Planning & Zoning Board of Adjustments. He will serve until 2024.

By motion of Donnie Griffin and unanimous vote, John Matsik was reappointed to the ABC Board. He will serve until 2024.

By general consensus, Mayor and Council will meet with the applicants who applied for the Downtown Development Board at the June 2021 Work Session. Council member, Joe Will will work on finding an additional candidate for the ABC Board.

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

##### Stinger Park Update

Parks & Recreation Director, JoD Franklin addressed Council regarding Stinger Park. Mr. Franklin spoke about the groundbreaking in April 2021 as well as grading taking place on site. The site should be completely cleared by the end of June.



General

Staff continues to work with the Gaston County Economic Development Commission (EDC) on a prospect project.

Staff continues to work with the investment groups pursuing the Osage Mill Redevelopment Project, a \$40,000,000.00 mixed use project taking place in downtown.

**Council General Discussion**

Mayor Smith opened the floor for Council general discussion. Council Members, Dan Boling, Brenda Boyd, and Alfred Carpenter thanked all the employees for their hard work and commended City staff. Council Member, Kay McCathen thanked the Police Chief and Police Department for being dedicated to their jobs. Council Member, Donnie Griffin commended all City departments for doing well. Mr. Griffin especially commended, JoD Franklin & Andrea Nixon for another successful Down Home Festival and the community concert and car shows.

**Adjourn**

Being no further business to come before the board, by motion of Donnie Griffin and unanimous vote, the meeting was adjourned at 8:05 PM.





**BE IT ORDAINED**, by the City Council of the City of Bessemer City, North Carolina:

Section 1. It is estimated that the following revenues will be available to the General Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

Ad Valorem Taxes	\$ 2,100,000
Ad Valorem Taxes State Board Assessed	40,000
Prior Year Taxes	42,000
Motor Vehicle License	240,000
Gross Rental Vehicle Tax	600
Penalties & Interest	20,000
Gaston County Local Sales Tax	10,000
North Carolina Local Sales Tax	700,000
Solid Waste Disposal Tax	2,000
Beer & Wine Tax	22,000
Franchise Tax	440,000
PD Fees for Services	8,000
Confiscated Drug Money	1,000
Fire Department Grants	14,000
PD – Grants	80,000
Landfill Fees	340,000
Grave Opening/Closing	20,000
Cemetery Lot Sales	1,000
Zoning Permits & Fees	5,000
Grant - Kiser Center	5,000
Code Enforcement Billing	500
Recreation Department Fees	17,000
Down Home Festival	50,000
Special Events Sponsors	30,000
Senior Events	4,000
Pool Fees	70,000
Investment Earnings	35,000
Rent- Land	1,100
Sale of General Fund Property	25,000
ABC Revenue	20,000
Miscellaneous Revenues	20,000
Insurance Proceeds	20,000
BB&T Loan Proceeds	155,022
Administrative Charges - Enterprise Funds	800,000
Fund Balance Appropriated	63,309

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**\$ 5,401,531**



**Section 2.** The following amounts are hereby appropriated in the General Fund for the Fiscal Year 2021-2022 in accordance with the established chart of accounts:

Governing Body & Legal	\$ 83,042
Administration & Finance	1,021,944
Police Department	1,576,532
Fire Department	291,937
Garage Operations	111,343
Public Works Department	329,187
Sanitation Department	304,400
Planning & Zoning	133,588
Economic Development	213,888
Debt Service	522,993
Recreation Department	611,013
Parks & Gym	59,666
Pool	93,498
Cemetery	48,500

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**\$ 5,401,531**

**Section 3.** It is estimated that the following revenues will be available to the Water & Sewer Fund for the Fiscal Year 2021-2022:

Water Sales	\$ 2,600,000
Sewer Sales	2,800,000
Water Tap Fees	50,000
Reconnect Fees	19,000
Penalties	35,000
Miscellaneous	55,000
Administrative Fee	10,000
Admin Activation Fee	10,000
Sewer Tap Fees	10,000
Loan Proceeds	147,489

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**\$ 5,736,489**

**Section 4.** The following amounts are hereby appropriated in the Water & Sewer Fund for the Fiscal Year 2021-2022 in accordance with the established chart of accounts:

Debt Service	\$ 422,041
Administration Share	500,000
Water/Wastewater Treatment	2,791,578
Public Works	1,073,544
New Line Construction	949,326

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**\$ 5,736,489**

**Section 5.** It is estimated that the following revenues will be available to the Natural Gas Fund for the Fiscal Year 2021-2022:

Sales of Gas	\$ 1,355,000
Penalties	50,000
Loan Proceeds	167,489
Fund Balance Appropriated	35,391

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**\$ 1,607,880**



**Section 6.** The following amounts are hereby appropriated in the Natural Gas Fund for the Fiscal Year 2021-2022 in accordance with the established chart of accounts:

Debt Service	\$	184,180
Administration Share		300,000
Gas Operations		1,123,700

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**\$ 1,607,880**

**Section 7.** It is estimated that the following revenues will be available to the Storm Water Fund for the Fiscal Year 2021-2022:

Storm Water Charges	\$	100,000
Fund Balance		76,830

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**\$ 176,830**

**Section 8.** The following amounts are hereby appropriated in the Storm Water Fund for the Fiscal Year 2021-2022 in accordance with the established chart of accounts:

Debt Service	\$	71,430
Operations		105,400

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**\$ 176,830**

**Section 9.** The following revenues are expected to be available in the Powell Bill Fund for the Fiscal Year 2021-2022:

State Powell Bill Allocation	\$	155,000
Fund Balance		42,314

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**\$ 197,314**

**Section 10.** The following amount is hereby appropriated in the Powell Bill Fund for the Fiscal Year 2020-2021 in accordance with the established chart of accounts:

Debt Service	\$	100,814
Street Operations		96,500

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**\$ 197,314**

**Section 11.** There is hereby levied a tax rate of forty-five (\$.45) per one hundred dollars (\$100) valuation of property taxes as of January 1, 2021 for the purpose of raising the revenue listed 'Ad Valorem Taxes' in the General Fund. This rate is on a total valuation of property for the purposes of taxation of \$476,898,855 and an estimated rate of collection of 97.88%. The estimated rate of collection is based off of the fiscal 2019-2020 collection rate of 97.88%.



**Section 12:** Fees shall be charged as follows starting July 1, 2021:

SERVICE	2020-2021	2021-2022
<b>WATER</b>		
Treated Water- Inside City	\$11.30 min. per month for 2,000 gal.	\$11.30 min. per month for 2,000 gal.
	\$6.95 per 1,000 gal. over 2,000	\$6.95 per 1,000 gal. over 2,000
Treated Water- Outside City	Double Rates Above	Double Rates Above
Water Deposit	\$100/\$150/\$300	\$100/\$150/\$300
Water Reconnect Fee	\$35-70	\$35-70
Broken Lock Fee	\$300	\$300
Meter Tampering	\$500	\$500
Administrative Fee	\$40	\$40
Illegal Turn-on Fee	\$150	\$150
Meter Reset	\$150	\$150
Water Tap Fees*		
¾ Inch Line	\$450	\$450
1 Inch Line	\$500	\$500
1 ½ Inch Line	\$550	\$550
2 Inch Line	\$600	\$600
*plus cost of meter at market rate		
<b>SYSTEM DEVELOPMENT FEES**</b>		
<b>** System development fees are calculated once projects have been submit and compared with the City's System Development Fee Calculator. Examples are provided below:</b>		
Residential Dwelling Unit- 2 bedrooms	\$3,861.00	\$3,861.00
Residential Dwelling Unit- 3 bedrooms	\$4,211.00	\$4,211.00
Residential Dwelling Unit – 4 bedrooms	\$5,573.00	\$5,573.00
Church w/o Kitchen, Day Care or Camp	\$4,869.00	\$4, 869.00
Restaurant, Full Service (20 emp.)	\$5,410.00	\$5,410.00
Convenience Store w/ food Preparation (2,500 sq. ft.)	\$16,230.00	\$16,230.00
Stores & Shopping Center w/o Food Service (25,000 sq. ft.)	\$27,050.00	\$27,050.00
<b>SEWER</b>		
Sewer- Inside City	\$15.35 per month for 2,000 gal. of water metered	\$16.15 min. per month for 2,000 gal. of water metered
	\$11.75 per 1,000 gal. over 2,000 gal. of water metered	\$12.35 per 1,000 gal. over 2,000 gal. of water metered
	\$6.95 per 1,000 gal. over 1 million	\$7.30 per 1,000 gal. over 1 Million



Sewer- Outside City	Double Rates Above		Double Rates Above
Sewer Tap Fees			
4 Inch	\$500	\$500	
6 Inch	\$600	\$600	
SEWER USER SURCHARGES			
High Strength BOD	\$.02400 per lb. (for high strength >250 mg/L)		
High Strength TSS	\$0.0450 per lb. (for high strength >250 mg/L)		
High Strength O & G	\$0.10 per lb. (for high strength >100 mg/L)		
High Strength TKN	\$0.4830 per lb. (for high strength >25 mg/L)		
High Strength TP	\$0.8470 per lb. (for high strength > 8 mg/L)		
Permit Fees			
Initial Issuance	SIU Fee- \$1,000	Local Permit Fee- \$500	
Annual Maintenance	SIU Fee- \$250	Local Permit Fee- \$100	
Reopening Fee	SIU Fee- \$500	Local Permit Fee- \$250	
Monitoring Fees (per event)			
Composite Sample Event	\$300		
Acute Toxicity Screening	\$600		
Chronic Toxicity Screening	\$1,200		
TTO with Pesticide Analysis	\$550		
TTO without Pesticide Analysis	\$500		
AVAILABILITY FEES			
Water and Sewer Availability Fees	Inside Customers Connected to Water but not to Sewer- \$11.30	Inside Customers Connected to Water but not to Sewer- \$11.30	
	Inside Customers Connected to Sewer but not to Water- \$15.35	Inside Residential Customers Connected to Sewer but not to Water- \$16.15	
		Inside Business Customers Connected to Sewer but not to Water- \$16.15	
	Inside Customers not Connected to Water or Sewer Service: \$26.65 (\$11.30 Water + \$15.35 Sewer)	Inside Customers not Connected to Water or Sewer Service: \$27.45 (\$11.30 Water + \$16.15 Sewer)	
METER CHECKS			
	One Free Check Per Year	One Free Check Per Year	
	Defective Meter replaced free of charge	Defective Meter replaced free of charge	
	Non-Defective Meter will result in a charge of \$25 + cost of testing	Non-Defective Meter will result in a charge of \$25 + cost of testing	
STORM WATER			
Residential	\$3.07/Month	\$3.07/Month	
Commercial	\$6.00/Month	\$6.00/Month	
Industrial	\$12.00/Month	\$12.00/Month	



<b>SOLID WASTE</b>		
Waste Collection (Weekly)	Residential and Commercial: \$11.00/month per container	Residential and Commercial: \$11.00/month per container
Waste Collection (Twice- Weekly)	Commercial Only: \$11.00/month per container	Commercial Only: \$11.00/month per container
Solid Waste Fee (Bulk, Bush, and Debris)*	\$11.00 per residential/apartment unit	\$11.00 per residential/apartment unit
<i>*This fee is only applied to units that are not charged a solid waste collection fee.</i>		
<b>PLANNING AND DEVELOPMENT</b>		
Board of Adjustment		
<i>Variance Request</i>	\$150	\$150
<i>Appeals</i>	\$150	\$150
<i>Conditional Use Permit</i>	\$150	\$150
<i>Special Exception</i>	\$150	\$150
Planning Board		
<i>Zoning Map Amendment (Rezoning)</i>	\$300	\$300
<i>Zoning Text Change</i>	\$300	\$300
Other Fees		
<i>Zoning Verification Letter</i>	\$25	\$100
<i>New Single Family</i>	\$100	\$100
<i>New Multi Family</i>	\$150 + \$5 per unit	\$150 + \$5 per unit
<i>Additions</i>	\$20-\$50	\$20-\$50
<i>Accessory</i>	\$40	\$40
<i>Non- Residential up to 5,000 Square Feet</i>	\$100	\$100
<i>Non-Residential 5,001-10,000 Square Feet</i>	\$200 + \$1 per 1,000 Sq. Ft.	\$200 + \$1 per 1,000 Sq. Ft.
<i>Non-Residential Greater Than 10,001 Square Feet</i>	\$300 + \$1 per 1,000 Sq. Ft.	\$300 + \$1 per 1,000 Sq. Ft.
<i>Minor Subdivision Plat</i>	\$50	\$50
<i>Major Sub Division Plat</i>	\$50 + \$5 per lot	\$100 + \$5 per lot
<i>Recombination Plat</i>	\$50	\$50
Zoning Permits		
<i>Sign Permit</i>	\$50	\$50
<i>Accessory Building Verification (No Building Permit Required)</i>	\$25	\$25
<i>Accessory Building Verification (Building Permit Required)</i>	\$50	\$50
<i>Zoning Certificate of Compliance</i>	\$50	\$50
<i>Demolition Permit</i>	\$25	\$25
<i>Home Occupation Permit</i>	\$50	\$50
<i>Temporary Use Permit</i>	\$25	\$25
<i>Telecommunication Tower Permit</i>	\$300	\$300
<i>Telecommunication Tower Permit (Co-Location)</i>	\$250	\$250



CITY COUNCIL		
Code Enforcement Appeal	\$150	\$150
CODE ENFORCEMENT		
Grass Cutting		
Grass Cutting Maintenance Show Up Fee	\$10	\$10
Grass Cutting Maintenance Administrative Fee*	\$50	\$200
*Plus Cost of Mowing Contractor		
NATURAL GAS		
Gas Per MCF*		
Residential (All Usage)/Month	Operating Expense + \$9.40 per MCF	Operating Expense + \$9.40 per MCF
Business Level 1 (1-24,000 MCF)/Month	Cost at Gate + \$5.00 per MCF	Cost at Gate + \$5.00 per MCF
Business Level 2 (24,001-30,000 MCF)/Month	Cost at Gate + \$3.00 per MCF	Cost at Gate + \$3.00 per MCF
Business Level 3 (30,001 MCF or More)/Month	Cost at Gate + \$1.50 per MCF	Cost at Gate + \$1.50 per MCF
*Rates above are based off of monthly usage.		
Other Gas Fees		
Gas Taps	See Gas Tap and Rebate Policy	See Gas Tap and Rebate Policy
Gas Deposits	\$150/\$225/\$300	\$150/\$225/\$300
Gas Minimum Availability Fees	\$8.70/\$9.10/\$200/\$400	\$8.70/\$9.10/\$200/\$400
Cut-Off List Admin. Fee	\$15	\$15
Reconnect Fee	\$40-80	\$40-80
After Hours Cutoff	\$125	\$125
Admin Fee	\$40	\$40
Seasonal Reconnect	\$100	\$100
OTHER FEES		
Return Check Fee	\$35	\$35
Copies		
B & W up to 8 ½ X 14	\$0.45/page	\$0.45/page
Color up to 8 ½ X 14	\$0.50/page	\$0.50/page
City Truck Rental*	\$50	\$50
* Additional Fees may apply if waste exceeds 1 ton.		
CEMETERY		
Cemetery Lot	\$600	\$600
Grave Marking Fee	\$100	\$100
Grave Opening	\$425-\$715*	\$435-\$725*
*Per City Ordinance		
MOTOR VEHICLE		
Motor Vehicle Tag Fee	\$20	\$20



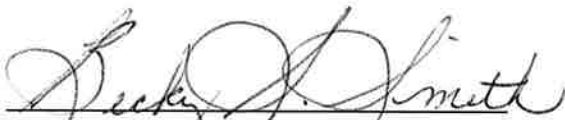
**Section 13:** All other fees for service, surcharges, etc. previously established by Council shall remain the same unless adjusted at some future date. All billing not paid on the due date is subject to a 10% late penalty.


**Section 14:** The Budget Officer is hereby authorized to transfer appropriations within a fund as contained herein as follows:

- a. The Budget Officer may transfer amounts between object of expenditure within a department as defined by Ordinance without limitations.
- b. The Budget Officer may transfer amounts up to \$7,500 between departments as designed by Ordinance of the same fund with report on such transfers at the next regular Council meeting.

**Section 15:** Copies of the Budget Ordinance shall be furnished to all Department Heads for guidance in the disbursement of funds. A copy shall always be available for public inspections in the City Clerk's office.

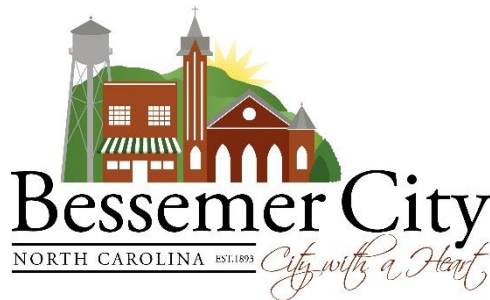
Adopted this the 14<sup>th</sup> day of June, 2021.

  
Becky S. Smith, Mayor

  
Hydeia Y. Hayes, City Clerk







## CITY COUNCIL WORK SESSION

City Council Chambers

Tuesday, June 29, 2021 at 3:00 PM

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### MINUTES

#### Members Present

Mayor Becky Smith, Council Members: Donnie Griffin, Kay McCathen, Brenda Boyd, Dan Boling, Joe Will and Alfred Carpenter were all present. Also present were City Manager, James Inman and department heads.

#### Call to Order

Mayor Becky S. Smith called the meeting to order.

#### Department Head Reports

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

Josh Ross, Director of Administration- Mr. Ross addressed Council regarding the Osage Mill and Land Development Code. The Osage Mill is still underway, The redevelopment team plans to Zoom in to the next Work Session to provide Council with an update. Some changes have been made to the Land Development Code (LDC). City Staff plans to bring the LDC before Council for a formal vote at the July 2021 Regular Meeting.

JoD Franklin, Parks and Recreation Director- Mr. Franklin addressed Council regarding the City's pool, Summer Feed program, the Youth Baseball program, and the upcoming Cruise-In. The City pool has seen an influx of new patrons. Mr. Franklin believes this is because other area pools have not opened for the season. The Summer Feed program created by Event and Recreation Supervisor, Andrea Nixon is going well. Staff distributes over 20-30 meals a day, Monday through Thursday at the City pool. The Youth Baseball program 9-10 year old received the "Sportsmanship" trophy at the District 3 All Stars tournament. The next Cruise-In will be Friday, July 2<sup>nd</sup> downtown. This Cruise-In will feature a fireworks show and inflatables for children.

Jamie Ramsey, Assistant City Manager- Mr. Ramsey addressed Council regarding inmate labor and general progress in the Public Works department. Gaston County Corrections is in the process of phasing workers back in to work.

Tom Ellis, Chief of Police- Mr. Ellis addressed Council regarding the bear sighting in town and a new employee who will began working for the City in July.

Diane Jenkins, Finance Director- Ms. Jenkins addressed Council regarding the budget, the upcoming audit, and state financial reporting.



Karen Floyd, City Planner – Mrs. Floyd addressed Council regarding her last day with the City. Wednesday, June 30<sup>th</sup> will be Karen’s last day with the City. City Manager, James Inman commended her on her three (3) years of service to the City.

Nathan Hester, Code Enforcement Officer- Mr. Hester addressed Council regarding general Code Enforcement progress, the Land Development Code (LDC), the proposed linear park plan, and plans of creating a committee to help with the park plan. An agreement with the County to aid in compliance with the City code is being discussed. This agreement would incorporate an internal check with the City regarding zoning regulations when it comes to County building permits. This would ensure that structures are being built on the correct property lines. Mr. Hester presented Council with a draft of the park plan. Light discussion ensued between Council and City staff. The City intends to complete the park in phases, doing one piece at a time. The Veteran’s Memorial was discussed as being the first piece completed for the Linear Park plan. By general consensus, Council agreed that a park committee should be created. Council will begin to brainstorm who they would like to serve on the committee.

### **Board Appointment Discussion**

Mayor & Council met with the following applicants who applied to serve on the Downtown Development Board: JC Vargas, Lauren Hogan, and Jonathan Fioritto.

By general consensus, these applicants will be placed on the July 2021 Regular Meeting agenda for appointment.

### **Historic Preservation Commission Discussion**

City Staff informed Council that Gaston County has asked for an update to an existing agreement regarding the City’s historic preservation authority. City Staff recommend that the agreement be updated. However, the City has the option to develop its own commission. The City of Belmont is an example of a municipality with their own commission.

By general consensus, this item will be placed on the July 2021 Regular Meeting agenda for a formal vote from Council.

### **Budget Amendments**

City Manager, James Inman explained that the following Budget Amendments were needed to close out the FY 2020-2021. A copy of the budget amendments are on file at City Hall.

By motion of Joe Will and unanimous vote, the June 2021 Budget Amendments were approved.

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

City Manager, James Inman addressed Council regarding the following:

#### **Capital Project Ordinance- ARPA Funds-**

The American Rescue Plan Act (ARPA) funds were discussed. We had a pre-bid meeting and didn’t receive any bids. Thus, City Staff will work to readvertise for the street paving project.

By motion of Alfred Carpenter and unanimous vote, the Capital Project Ordinance was approved.

**Crowders Mountain Fire Department** – The Crowder’s Fire Department will be closing its station in Bessemer City. The County has asked if the City, along with Gastonia and Kings Mountain, would like to take over a portion of their jurisdiction. Taking over this jurisdiction would allow the City to charge a fire district tax for servicing that area.



**Council General Discussion**

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

**Adjourn**

Being no further business to come before the board, the meeting was adjourned at 4:49 PM by motion of Donnie Griffin and unanimous vote.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk



# Bid Tabulation Sheet

Neighborhood Revitalization

Organization Name: Bessemer City  
 Organization Address: 132 West Virginia Avenue, Bessemer City, NC 28016  
 Date Bids Advertised: May 18th-May 28th, 2021  
 Date Bids Received: May 28th, 2021 1:00 PM  
 Rebid Date (if applicable): \_\_\_\_\_

Date of Expected Award: 6-14-21  
 Low Bid Minimum Range: 15%  
 High Bid Maximum Range: 15%

BMinR = Bid Minimum Range

BMaxR = Bid Maximum Range

Expected Awardee is circled and/or highlighted

Contractor Responding to Bid Invitation (include contact information: Address, phone, email)	Project 1 Bid Candace Propes 322 E. Georgia Ave. Bessemer City, NC 28016 Phone: 704-292-4130	Project 2 Bid Roxie Summey 305 S. Thirteenth St. Bessemer City, NC 28016 Phone: 704-629-4773	Project 3 Bid Teresa Murray 406 Tenth St. Bessemer City, NC 28016 Phone: 980-448-9458	Project 4 Bid Erland Hinsch 607 S. Thirteenth St. Bessemer City, NC 28016 Phone: 704-729-6115	Project 5 Bid Grace Herscher 105 Georgia Ave. Bessemer City, NC 28016 Phone: 704-292-4130	Insurance? (Y/N) Other Note?
Pre-Bid Cost Estimate	Cost Estimate: \$9,300.00 Low BMinR:\$7,905.00 High BMaxR:\$10,695.00	Cost Estimate: \$9,300.00 Low BMinR:\$7,905.00 High BMaxR:\$10,695.00	Cost Estimate: \$9,300.00 Low BMinR:\$7,905.00 High BMaxR:\$10,695.00	Cost Estimate: \$9,300.00 Low BMinR:\$7,905.00 High BMaxR:\$10,695.00	Cost Estimate: \$9,300.00 Low BMinR:\$7,905.00 High BMaxR:\$10,695.00	
BlueLine Construction 297 Jenwill Dr. Purlar NC 28665 Phone: 336-262-5980 Bluelinec99@gmail.com	\$10,950	\$11,300	\$10,150	\$10,150	no bid	
Tony Owens, Inc. 111 Moss Dr. Ext. Rutherfordton, NC 28139 Phone: 828-288-1364 otony@bellsouth.net	\$10,550	\$11,000	\$9,800	\$9,800	\$15,725	
Martin Enterprise NC LLC 6911 Harvest Glen Drive Phone: 336-253-4810 martinenterprisellc@yahoo.com	\$9,189	\$9,100	\$9,100	\$9,300	\$9,400	

Signature of Person Opening Bids: [Signature]  
 Date Bids Open: 5-28-21

Signature of Person Observing Bid Opening: [Signature] (recorded bids)  
 Signature of Person Observing Bid Opening: [Signature]  
 Signature of Person Observing Bid Opening: \_\_\_\_\_





**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BESSEMER CITY, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE AND SUBSEQUENT WATER AND SEWER SYSTEM REVENUE BOND; MAKING CERTAIN FINDINGS OF FACT; AND REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY'S WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE AND SUBSEQUENT WATER AND SEWER SYSTEM REVENUE BOND**

**WHEREAS**, the City Council (the "*City Council*") of the City of Bessemer City, North Carolina (the "*City*") hereby determines that it is necessary to improve its water and sewer system (the "*Project*"); and

**WHEREAS**, the City Council is considering the issuance of an up to \$4,865,000 City of Bessemer City, North Carolina Water and Sewer System Revenue Bond Anticipation Note (the "*Note*") to finance the Project, and has received a commitment from the United States Department of Agriculture ("*USDA*") to provide long-term financing for the Project on completion of construction, at which time the City will issue its Water and Sewer System Revenue Bond (the "*Bond*") and together with the Note, the "*Instruments*") to refund the Note; and

**WHEREAS**, the City Council wishes to retain Parker Poe Adams & Bernstein LLP of Charlotte, North Carolina, as bond counsel; and

**WHEREAS**, the City Council desires that the City Manager (1) file with the Local Government Commission of North Carolina (the "*Commission*") an application for its approval of the Instruments, on a form prescribed by the Commission, requesting in such application that the Commission approve (a) the sale of the Note, (b) the sale of the Bond to USDA and (c) the City's use of Parker Poe Adams & Bernstein LLP as bond counsel for the City, and (2) state in such application such facts and to attach thereto such exhibits in regards to the Note, the Bond, the City and the City's financial condition as the Commission may require, and to take all other action necessary to issue the Instruments; and

**NOW, THEREFORE**, be it resolved by the City Council as follows:

**Section 1.** The City will issue the Instruments to finance the Project and pay the costs of issuing the Instruments, all as set out fully in the documents attached to the City's application to the Commission.

**Section 2.** Parker Poe Adams & Bernstein LLP is hereby retained to serve as bond counsel.

**Section 3.** The City Manager, with advice from bond counsel, is hereby authorized, directed and designated to file an application with the Commission for its approval of the issuance of the Instruments. Any actions previously taken with respect thereto are hereby ratified and approved.

**Section 4.** The City Council finds and determines, and asks the Commission to find and determine, from the City's application and supporting documentation the following:



- (a) The issuance of the Instruments is necessary or expedient;
- (b) The stated principal amount of the Instruments will be sufficient but is not excessive, when added to other money available to the System, for the proposed Project;
- (c) The Project is feasible;
- (d) The City's debt management procedure and policies are good; and
- (e) The Instruments can be marketed at a reasonable interest cost to the City.

**Section 5.** The Mayor, the City Clerk, the City Manager and the Finance Director of the City are hereby authorized to do any and all other things necessary to complete the steps necessary for the issuance of the Instruments.

**Section 6.** This Resolution is effective on the date of its adoption.

On motion of Council Member \_\_\_\_\_, the foregoing resolution entitled **"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BESSEMER CITY, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE AND SUBSEQUENT WATER AND SEWER SYSTEM REVENUE BOND; MAKING CERTAIN FINDINGS OF FACT; AND REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY'S WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE AND SUBSEQUENT WATER AND SEWER SYSTEM REVENUE BOND"** was duly adopted by the following vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

Extract of Minutes of a regular meeting of the City Council of Bessemer City, North Carolina, held in the City Council Chambers, at 7:00 p.m. on July 12, 2021.

\* \* \*

The following members were present: \_\_\_\_\_

The following members were absent: \_\_\_\_\_

Also present: \_\_\_\_\_

\* \* \*



STATE OF NORTH CAROLINA                 )  
  )         ss:  
COUNTY OF GASTON                         )

*I, Hydeia Hayes, City Clerk of Bessemer City, North Carolina, DO HEREBY CERTIFY* that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE CITY COUNCIL OF BESSEMER CITY, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE AND SUBSEQUENT WATER AND SEWER SYSTEM REVENUE BOND; MAKING CERTAIN FINDINGS OF FACT; AND REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY’S WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE AND SUBSEQUENT WATER AND SEWER SYSTEM REVENUE BOND**” adopted by the City Council at a meeting held on the 12th day of July, 2021.

**WITNESS** my hand this the \_\_\_\_ day of July, 2021.

Hydeia Hayes  
City Clerk



# Memorandum



**To:** Mayor Smith and City Council  
**From:** Josh Ross, Director of Administration  
**Date:** 7/7/2021  
**Subject:** Council-Appointed Board Applications

Staff has been working in accordance with the *Council Rules and Procedures Policy* to advertise board vacancies. Currently, there are three (3) vacancies on the Downtown Development Board. The information below outlines who is currently on each board, their terms, and who has applied for the board's vacancy (ies):

## Downtown Development Board

<u>Board Member</u>	<u>Office</u>	<u>Term</u>
Nellie Floyd		June 2019-June 2022
Tracie Anderson		June 2019-June 2022
Vacancy (Donna Schroder)		June 2020-June 2023
Vacancy (Mike Croft)		June 2018-June 2021
Vacancy (Brooke Randolph)		June 2018-June 2021

## Downtown Development Board Applications Received:

JC Vargas (*staff recommended*) June 2021-2024  
 Jonathan Fioritto (*staff recommended*) June 2021-2023  
 Lauren Hogan (*staff recommended*) June 2021-2024  
 Shilo Canipe  
 Jonathan Jones  
 John Matsik





## **AGREEMENT DESIGNATING A JOINT HISTORIC PRESERVATION COMMISSION AND REQUESTING THAT GASTON COUNTY ACT AS A CERTIFIED LOCAL GOVERNMENT**

This is an agreement between the County of Gaston (“County”) and the City of Bessemer City requesting the Gaston County Historic Preservation Commission to exercise those powers and duties given to it by and under the North Carolina General Statutes 160D and the Gaston County Historic Preservation by-laws within City of Bessemer City planning jurisdiction, as well as to act on the City of Bessemer City behalf as a Certified Local Government.

### **1. Designation of a Joint Historic Preservation Commission**

Pursuant to the authority provided in Section 160D of the North Carolina General Statutes, the County and City of Bessemer City hereby designate the Gaston County Historic Preservation Commission as a joint historic preservation commission to be governed by the statutory sections cited above and provisions set forth in the Gaston County Historic Preservation Commission Ordinance, as established in the Ordinance and Resolution creating the Historic Preservation Commission and its amendments, as found in Resolution 90-124, 91-26, and 93-308. The Commission shall have the authority to exercise, within the planning jurisdiction of City of Bessemer City all the powers and duties given to it by said statutes as well as the Gaston County Historic Preservation Commission By-Laws. These powers and duties shall include but are not limited to identification and designation of local historic districts and landmarks as provided in N.C. Gen. Stat. §160D, provided that any such designation be submitted to and approved by both the City of Bessemer City and the County. The Commission shall have the sole authority for issuing Certificates of Appropriateness for any designated landmark.

### **2. County Amendments to the Gaston County Historic Preservation Commission Ordinance**

If the County proposes any amendment to the Gaston County Historic Preservation Commission Ordinance, it will provide the City of Bessemer City written notice of the proposed amendment and provide the City of Bessemer City reasonable opportunity to review and comment on the proposed amendment before the County holds a public hearing on the amendment.

### **3. Funding Commission**

As established in the Ordinance creating the Historic Preservation Commission and subsequent amendments, the County will provide the staffing, materials, and funding it deems necessary to support the Commission's basic duties.

### **4. Termination of Agreement**

The City of Bessemer City may terminate this agreement by providing the County a 90-day written notice of its intent to terminate. The County may terminate this Agreement by



providing the Town with a 90-day written notice of its intent to terminate. Any landmarks within the jurisdiction of the City of Bessemer City after withdrawal from the Agreement become the responsibility of the City of Bessemer City, provided that it has passed an ordinance to create a local preservation commission. Landmarks in the jurisdiction of the City of Bessemer City with no preservation commission will be de-designated by the Gaston County Historic Preservation Commission.

**5. Entire Agreement**

This Agreement constitutes the entire agreement between the Parties and it supersedes any and all prior representations and agreements, whether oral or written, between the Parties. No such prior representations or agreements may be offered or considered to vary the terms of this Agreement, or to determine the meaning of any of its provisions.

**6. Severability**

In the event that any provision of this Agreement is declared invalid for any reason by a court of competent jurisdiction, said finding will not affect the remaining provisions of this Agreement.

**7. No Third-Party Beneficiaries**

This Agreement is binding upon all Parties hereto, by and through their officials, agents, employees, and successors. This Agreement is enforceable only by the Parties. No person or entity is intended to be a third-party beneficiary of the provisions of the Agreement for purposes of any civil, criminal, or administrative action, and accordingly, no person or entity may assert any claim or fight as a beneficiary or protected class under the Agreement.

**8. Rights of Third-Parties**

This Agreement is not intended to impair or expand the rights of any person or organization seeking relief against the County or the Town, or any officer or employee thereof, for their conduct or the conduct of any officer or employee. Accordingly, it does not alter legal standards governing any such claims by third parties, including those arising under state or federal law.

**9. Effective Date**

This Agreement shall become effective between the County and the City of Bessemer City after adoption by both the County Board of Commissioners and the governing body of the City of Bessemer City.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk





# City of Bessemer City

Gaston County  
North Carolina

## Legend

- Streets and Roads
- Gaston County Line
- Municipal ETJ Lines
- Municipal Lines
- Property Parcels
- Ponds
- Rivers
- Creeks
- Railroads
- Bridges

## Bessemer City Zoning

- BC - Business Campus/Production
- CC - City Center
- HC - Highway Commercial
- I - Industrial
- R - Rural
- NR - Neighborhood Residential
- UR - Urban Residential
- CD - Conditional District

I HEREBY CERTIFY THAT THIS MAP IS THE OFFICIAL REGULATING MAP FOR THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF BESSEMER CITY, ADOPTED ON

TOGETHER WITH ALL AMENDMENTS.

MAYOR DATE

MANAGER DATE

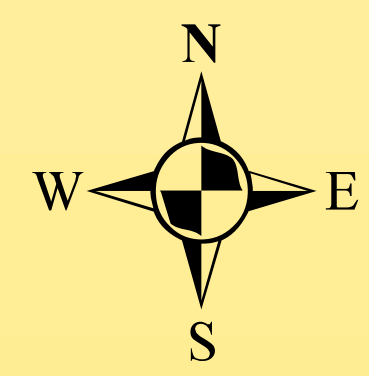
PLANNING DIRECTOR DATE

This map was compiled from the existing Gaston County Property parcel layer for the sole purpose of presenting Zoning information for the City of Bessemer City. This map shall not be used for the transfer of property, easements or covenances. Although strict accuracy standards have been employed in the production and maintenance of this map all property parcels, roadways and street names may not be correctly shown.

Note: For visual clarity Zoning may not be shown within the right of way of streets and roadways.

This map was created by the Gaston County Planning GIS Division. Not to be resold or otherwise used for trade or commercial purposes as provided by the NC General Statute 132-10.

Plot Date: 04/22/2021



1 inch = 700 feet







# City of Bessemer City

Gaston County  
North Carolina

## Legend

- Streets and Roads
- Gaston County Line
- Municipal ETJ Lines
- Municipal Lines
- Property Parcels
- Ponds
- Rivers
- Creeks
- Railroads
- Bridges

## Bessemer City Overlays

- Overlay Districts
- V-O - Viewshed Overlay
  - WS-O - Water Supply/Watershed Overlay

I HEREBY CERTIFY THAT THIS MAP IS  
THE OFFICIAL REGULATING MAP FOR  
THE UNIFIED DEVELOPMENT  
ORDINANCE FOR THE CITY OF  
BESSEMER CITY, ADOPTED ON

TOGETHER WITH ALL AMENDMENTS.

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

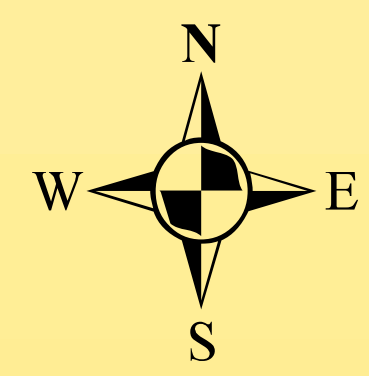
PLANNING DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

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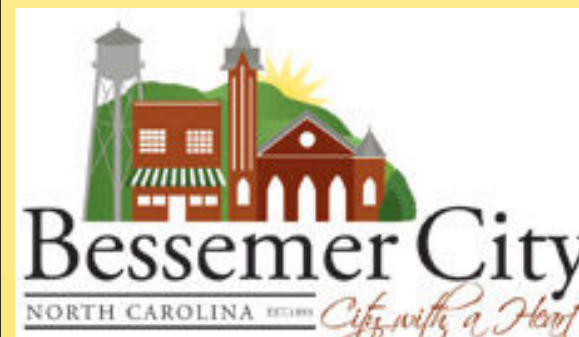
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General Statute 132-10.

Plot Date: 07/07/2021



1 inch = 700 feet







PLAN CONSISTENCY & STATEMENT OF REASONABLENESS  
ZONING MAP AMENDMENT  
July 12, 2021

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 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 rezonings 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 rezonings are consistent with these goals.
- 2) Said rezoning is **consistent** with the City of Bessemer City Planning and Economic Development Comprehensive Land Use Vision Map adopted by the City Council in 2019. The proposed rezonings 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 rezonings reasonable are:
    - Provides Economic Development growth opportunities with redevelopment and new development in areas that are currently limited due to current zoning.
    - Provides for systematic residential growth that preserves and protects our



existing neighborhoods and promotes quality opens space, walkability, streetscapes, and diverse housing types that do not take away from our small town character.

- b. The rezonings 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 rezonings 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 12<sup>th</sup> day of July, 2021.

ATTEST

CITY COUNCIL FOR THE  
CITY OF BESSEMER CITY

\_\_\_\_\_  
Hydeia Hayes, City Clerk

BY \_\_\_\_\_  
Becky S. Smith, Mayor

APPROVED AS TO FORM

\_\_\_\_\_  
David W. Smith, City Attorney





July 12, 2021

Mr. James Inman, ICMA-CM, MPA, MCJ  
City Manager  
City of Bessemer City  
132 W. Virginia Avenue  
Bessemer City, North Carolina 28016

RE: Award Recommendation  
2021 Roadway Resurfacing Project  
Bessemer City, North Carolina

Dear Mr. Inman:

On July 8, 2021, bids were received, opened, and publicly read aloud for the subject project. Blythe Construction, Inc. of Charlotte, NC was the lowest responsive, responsible bidder with a total base bid of \$2,061,190.00. Blythe is appropriately licensed with the NC Licensing Board for General Contractors and has successfully completed similar projects.

Based upon our discussions, we recommend that the City award the project to Blythe for the contract price of \$2,061,190.00.

Enclosed for your use is the Certified Bid Tabulation with total bid amounts. Please do not hesitate to contact us if you have any questions.

Sincerely,  
**McGILL ASSOCIATES, P.A.**

A blue ink signature of Douglas Chapman, consisting of a stylized 'D' and 'C' followed by a horizontal line.

**DOUGLAS CHAPMAN, PE**  
Hickory Office Manager – Principal

Enclosure: Certified Bid Tabulations

cc: Mr. Jamie Ramsey, Assistant City Manager



CERTIFIED BID TABULATION

2021 Roadway Resurfacing Project

BESSEMER CITY

Thursday, July 8, 2021; 2:00 pm local time

Bessemer City, North Carolina

TOTAL UNIT PRICE BID		Neill Grading and Construction Co, Inc.	Blythe Construction, Inc.
\$	2,572,098.00	\$	2,061,190.00

Math Errors corrected, not effecting the outcome of the bid

This is to certify that the bids tabulated herein were accompanied by a 5% bid bond or certified check and publicly opened and read aloud at 2:00 pm local time on the 8th day of July, 2021, in the Council Chambers Room of the Bessemer City, City Hall, located at 132 W. Virginia Avenue, Bessemer City, North Carolina.

Douglas Chapman, PE

 **mcgill** Shaping Communities Together

1240 19th Street Lane, NC  
Hickory, North Carolina 28601  
License No. C-0459

