

## **REGULAR MEETING**

**April 11<sup>th</sup>, 2016**

The Bessemer City Council met in regular session on Monday, April 11<sup>th</sup>, 2016 at 7:00 PM in the Council Chamber of City Hall.

### **Members Present**

Mayor Becky Smith, Council Members: Dan Boling, Kay McCathen, Joe Will, Howard Jones, Alfred Carpenter, and Donnie Griffin. Attorney, David Smith and City Manager, James Inman, were also present.

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

Mayor Smith called the meeting to order. City Council Member, Donnie Griffin, led in prayer. Mayor Smith followed by leading in the Pledge of Allegiance.

### **Approval of the April Agenda**

By motion of Alfred Carpenter and unanimous vote, the April Agenda was approved.

### **Special Presentations**

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

Mr. James Montgomery, Principal of Bessemer City High School, and Mayor Smith, presented certificates to Ashley Johnson and Casey Cross.

Mr. James Montgomery, Principal of Bessemer City High School, and Mayor Smith, presented certificates to Bessemer City Middle School students: Nathan Marlow, Kaitlyn Ragan, and Lizbeth Altunar.

Mrs. Beth Germain, Principal of Bessemer City Central Elementary, and Mayor Smith, presented certificates to Caila Summey, Wesley Patterson, and Aireonna Mayfield.

Mrs. Kristi Gornto, Principal of Bessemer City Primary School, and Mayor Smith, presented certificates to Gracie Haney, Teagan Sanderson, and Logan Farris.

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

Mayor Smith opened the floor for public comment.

Elizabeth Graves of 212 West Boston Avenue wanted to pass along a compliment to the City for printing the monthly newsletter. Ms. Graves mentioned that she believe this is a great communication tool.

Jenny Kiser of 311 East Virginia Avenue expressed to Mayor Smith and City Council her concern in receiving a letter from the City's Code Enforcement Division and Attorney Smith

regarding high grass at her property. Ms. Kiser felt that it was unnecessary and mentioned she believe this is a form of harassment and is unjust. Ms. Kiser produced pictures of the site to share with Mayor Smith and City Council.

### **Consent Agenda**

The following items for the Consent Agenda were unanimously approved by motion of Donnie Griffin:

- a. Approval of Minutes: Regular Meeting Minutes of March 14<sup>th</sup>, 2016 and Work Session Meeting Minutes of March 29<sup>th</sup>, 2016.
- b. Request for Overnight Travel- Assistant Public Works Director, Melinda Beard, is requesting overnight travel to Greensboro, NC to attend the NC Rural Water Association Annual Conference May 16-19
- c. Temporary Street Closure Request- City administration is requesting certain streets to be closed for the City's Community Concert and Cruise-In Series and 28<sup>th</sup> Annual down Home Festival. The streets being requested to close are as follows:
  - i. 100 Block of East Virginia Avenue and 100 Block of West Virginia Avenue on April 23, May 28, June 25, July 23, August 27, and September 24 from the hours of 5pm and 10pm. NCDOT paperwork has been submitted.
  - ii. 100 Block of West Pennsylvania Avenue on Friday, May 13 from the hours of 8am and 11pm; and the 100 Block of West Virginia Avenue, 100 Block of East Virginia Avenue, and the 100 Block of North 12<sup>th</sup> Street on Saturday, May 14 from the hours of 8am and 11pm.

### **Public Hearing- 321 East Maryland Avenue**

Roger Gee, owner of 321 East Maryland Avenue, is requesting to change the property's zoning from C-1 (Light Commercial) to I-1 (Light Industrial).

My motion of Howard Jones and unanimous vote, the Public Hearing was opened for public comment.

Mayor Smith asked if there was anyone to speak in favor of the requested zoning change.

Mr. Jeffrey Kirchner, City Planner, spoke to Mayor Smith and City Council about the change. Mr. Kirchner explained the reason for the change which includes the construction of an additional storage site. This change would make his property conforming. Neighboring parcels (currently owned by the City) are also zoned I-1. This rezoning request would be contiguous with this zoning district. Mr. Kirchner also expressed that the Bessemer City Planning Board recommended the change.

Mayor Smith asked if there was anyone to speak in opposition to the zoning change. There was none.

By motion of Howard Jones and unanimous vote, the public hearing was closed for public comment.

Dan Boling made a motion to accept the zoning change request. The vote was unanimous.

**Public Hearing- 601 Gastonia Highway**

Howard Eaves, owner of 301 Gastonia Highway, is requesting to change the property's zoning from C-1 (Light Commercial) to C-2 (Highway Commercial).

By motion of Kay McCathen and unanimous vote, the public hearing was opened for public comment.

Mayor Smith requested Jeffrey Kirchner to explain the zoning change request. Mr. Kirchner explained the property owner is requesting this change to add car sales to their business. This property owner had already requested City Council to close the 100 block of North 7<sup>th</sup> Street for the expansion of their business; however, they have not been able to obtain the entire property closed by the City. Mr. Eaves only owns half of the property with the other half being owned by the adjacent property owner. Mr. Kirchner explained the site to Mayor Smith and City Council.

Mr. Kirchner described the implications of this type of business and requirement specified by the City's Unified Development Ordinance (UDO). There is a concern that the entire closed section of the 100 block of North 7<sup>th</sup> Street will be needed to conduct the type of business they are wanting to expand to.

Council Member Dan Boling expressed that there seems to be similar business in close proximity to this site.

Ms. Shanna Eaves of 601 Gastonia Highway expressed to Mayor Smith and City Council their intent to make the property attractive with the car lot as well as work to meet all City requirements. Mrs. Eaves mentioned she wants to expand their business in Bessemer City.

Mayor Smith asked if there was anyone to speak in opposition to the zoning change. There was none.

By motion of Donnie Griffin and unanimous vote, the public hearing was closed for public comment.

Council Member Joe Will asked Jeffrey Kirchner, City Planner, if the Planning Board recommended the change. Mr. Kirchner said they did.

Dan Boling made a motion to pass the rezoning request as presented. Those in favor were Kay McCathen, Dan Boling, and Donnie Griffin. Those against were Alfred Carpenter, Howard Jones, and Joe Will. The vote tied 3:3.

Mayor Smith allowed Ms. Eaves to speak again. Ms. Eaves mentioned that a neighboring house close to their property at one time was going to be a residents and car lot. Mr. Eaves expressed her intent to make the property aesthetically pleasing if approved.

Council Member Howard Jones was concerned about some of the changes happening. In accordance to N.C.G.S. the Mayor must cast a vote in the event of a tie. Mayor Smith voted in favor of the rezoning request. The final vote was 4:3 in favor of the rezoning.

Attorney Smith mentioned that the final action must be approved at the next regular meeting in accordance to N.C.G.S. since the introduction of the change did not meet a two-thirds vote. The motion still carries but the vote will have to be moved to the next regular meeting for final approval.

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

Acceptance of Township Grant Agreement- James Inman, City Manager explained that this is money granted to the City by Gaston County for the construction of a new park. The City is still working to submit other grant applications for the project's funding.

By motion of Howard Jones and unanimous vote, City Council approved the agreement.

Gastonia/Gaston County Consortium-HUD Agreement- James Inman, City Manager explained this is a program the City has been involved with for several years. The program assists low-income families with rehabilitating homes. The money is directed towards residents in smaller communities and rural areas in Gaston County. The City does not pay for the program but rather issues support of the program through the agreement. The program is federally funded.

By motion of Dan Boling and unanimous vote, the agreement was approved.

Capital Project Ordinance- Water System Evaluation- Mr. Inman explained that the City received a grant of \$50,000 to evaluate the City's water system.

By motion of Donnie Griffin and unanimous vote, the Capital Project Ordinance was adopted. A copy of this ordinance is on file at City Hall.

Projects Update- A review of the West Pennsylvania Avenue Streetscape Project, Community Center Renovation Project, Fire Department Expansion Project, Centennial Park Expansion Project, and the Sewer Line Replacement Project. Photos of each project were displayed to City Council and the all in attendance.

### **City Council General Discussion**

Mayor Smith opened the floor for Council general discussion. City Council Member, Alfred Carpenter, asked about code issue with a property in the City. City Council Member Kay McCathen asked if there was a way to educate citizens on how yard debris is picked up and when. City Council Member Dan Boling asked if the City picked up furniture and mentioned

that he believes that the police presence in certain areas of the community has discourage residents from speeding.

**Adjourn**

Being no further business to come before the board, by motion of Kay McCathen and unanimous vote, the meeting adjourned at 8:00PM.

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Joshua M. Ross, City Clerk

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Becky S. Smith, Mayor

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