REGULAR MEETING June 11th, 2018

The Bessemer City Council met in regular session on Monday, June 11th, 2018 at 7:00 PM in the Council Chamber of City Hall.

Members Present

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

Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. Bessemer City First Baptist Pastor, Oscar Stalcup led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

Approval of the June Agenda

By motion of Alfred Carpenter and unanimous vote, the June agenda was approved with no revisions.

Special Presentations

Best of Gaston Winners- Mayor Smith recognized businesses from Bessemer City that won categories in the Gaston Gazette's Best of Gaston Competition. Mayor Smith presented Certificates of Recognition to 1) Whiskey Mill Bar & Grill for best wings and sports bar and 2) Dino's Italian Pizzeria for best Italian Restaurant.

Consent Agenda

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

- Approval of Minutes- Regular Meeting Minutes of May 14th, 2018 and Work Session Meeting Minutes May 29th, 2018.
- Temporary Street Closure- Bessemer City Police Department requests a temporary street closure for their 2nd Annual National Night Out (NNO) Tuesday, August 7th, 2018.

Request to Speak/Opportunity for Public Comment

Mayor Smith opened the floor for public comment and reiterated the new public comment procedure. All citizens wishing to address Mayor & Council will be required to sign in prior to the meeting. The following individual came forth:

- Oscar Stalcup of 413 W. Gaston Avenue addressed Council regarding congratulatory remarks he received from the visiting public. Mr. Stalcup informed Council that while conversing with Stanley, NC citizens the City received positive remarks for its street repairs, City wide beautification, and the reestablishment of the Police Department.

ABC Board Appointments

Mayor Smith reminded Council of three (3) vacancies on the Bessemer City ABC Board in Wards 1, 4, 6. Applications had been received by Michael Brooks and John Matsik.

By motion of Alfred Carpenter and unanimous vote, Michael Brooks was appointed to serve as the Ward 1 representative and John Matsik was appointed to serve as Ward 6 representative. Both representatives will serve until Wednesday, June 30, 2021.

Appoint ABC Council Member Liaison

Mayor Smith announced that Joe Will, Mayor ProTem has served as the ABC Board liaison for years. Unfortunately, as of June 30, 2018 he wishes to no longer serve. Thus, July 1, 2018 Council member Dan Boling, Ward 1 will begin serving as ABC Board Council liaison.

Public Hearing: 2018-2019 Proposed 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 7:17PM.

Mayor Smith asked if there was anyone to speak in favor of the 2018-2019 proposed budget. There was none.

Mayor Smith asked if there was anyone to speak in opposition of the 2018-2019 proposed budget. There was none.

By motion of Donnie Griffin and unanimous vote, the public hearing to consider the 2018-2019 proposed budget was closed at 7:18PM.

Ordinance: 2018-2019 Proposed Budget

By motion of Joe Will and unanimous vote, 2018-2019 proposed budget was adopted. A copy of this ordinance has been attached for citizen review.

New Public Works Building-Accept Bid Award

City Manager, James Inman informed Council that bids were received for the new Public Works Building last Thursday. Only one bid was received, however, the USDA requires that three (3) bids be received to proceed with USDA funding. Thus, the project must be advertised again in the local newspaper for June 21st. The proposed bid award must be submitted to the Local Government Commission (LGC) in July. City Manager Inman recommend that Council table the bid award to the June 2018 Work Session.

By motion of Alfred Carpenter and unanimous vote, the bid award regarding the new public works building is tabled to the June 2018 Work Session. Said Work Session will be held Tuesday, June 26th at 3:00 PM in Council Chambers.

Interim Financing Public Hearing & Resolution

As bids regarding the new public works building will be received June 21st, City Manager James Inman recommended that Council table both items.

By motion of Kay McCathen and unanimous vote, the public hearing and resolution pertaining to interim financing has been tabled to the June 2018 Work Session. Said Work Session will be held Tuesday, June 26th at 3:00 PM in Council Chambers.

Public Hearing- Dhollandia N.V. Annexation

By motion of Alfred Carpenter and unanimous vote, the public hearing regarding the Dhollandia N.V. annexation was opened at 7:21 PM.

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

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

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the annexation of Dhollandia N.V. was closed at 7:22 PM.

Ordinance- To Extend The Corporate Limits of the City of Bessemer City

Per NCGS 160A-31, City Clerk Hayes provided a certificate of sufficiency for Council review regarding a petition received by Dhollandia N.V. on April 26, 2018. Public hearing notice of the annexation was published in the local newspaper for public inspection ten (10) days prior to public hearing.

By motion of Joe Will and unanimous vote, City Council adopted an ordinance extending the corporate limits of the City of Bessemer City to include parcel number 3526569196 located at 270 South Ridge Parkway.

Resolution- Intent to Change the City of Bessemer City Charter

City Manager, James Inman addressed Council regarding a resolution of intent to amend the City charter regarding the hiring of Police Chief. Said resolution would permit the City Manager to appoint the Police Chief, rather than City Council.

By motion of Kay McCathen and unanimous vote, the resolution of intent to change the City charter regarding the Police Chief was approved.

Ratify- Intent to Change the City of Bessemer City Charter

A resolution amending the City charter to permit the City Manager to appoint City Clerk, rather than City Council was submitted during the North Carolina General Assembly's May 2018 session. A motion is needed to ratify the resolution.

By motion of Joe Will and unanimous vote, the resolution of intent to change the City charter regarding the hiring of City Clerk was ratified.

Resolution- Directing Clerk to Investigate Voluntary Annexation Petition (Mt. Pleasant Baptist Church)

Per NCGS 160A-31, the sufficiency of a voluntary petition must be certified by the Clerk before action is taken.

By motion of Kay McCathen and unanimous vote, the resolution directing the Clerk to investigate the Voluntary Annexation petition submitted by Mt. Pleasant Baptist Church was adopted.

Resolution- Establish Public Hearing for Voluntary Annexation Petition (Mt. Pleasant Baptist Church)

Per NCGS 160A-31, City Clerk Hayes provided a certificate of sufficiency for Council review. Thus, City Manager Inman addressed regarding the establishment of a public hearing for the Voluntary Annexation of Mt. Pleasant Baptist Church. Mr. Inman stated that the Church wanted to be annexed into the City so that they could receive Bessemer City Police Department protection. The Church currently owns one parcel of land on both sides of Crowders Mountain Road. They are asking for both parts to be annexed into the City.

By motion of Alfred Carpenter and unanimous vote, a public hearing to consider the Voluntary Annexation of Mt. Pleasant Baptist Church will be held Monday, July 9th at 7:00 PM in Council chambers. A copy of this resolution has been attached for citizen review.

Resolution- Water Interconnection Agreements & Commerce Grant

City Manager, James Inman addressed Council regarding a commerce grant. The City received a grant of $1.1 million last year to assist with the construction of a new pump station. Grant funds will be used to build a pump station in Gastonia, but a water interconnection agreement is needed for the purchasing of water. The pump station will be maintained by the City of Gastonia and Bessemer City will pay an availability fee. An availability fee is already being paid also to the City of Kings Mountain, as the City purchases water from them as well. The Water Interconnection agreement in Gastonia will allow the City to purchase water in case of a drought. Thus, allowing the City to purchase water from either Gastonia or Kings Mountain.

By motion of Sonny Boyd and unanimous vote, Commerce Grant and Water Interconnection agreements were approved.

Ordinance- To Rescind Demolition Ordinances of 118 West Carolina, 120 West Carolina, 108 West Georgia, and 201 East Georgia Avenues

Attorney David Smith addressed Council regarding the rescinding of four (4) local houses. During Council's regular meeting of December 11, 2017 a demolition ordinance for said houses was approved. The ordinance stated that houses be renovated to meet minimum housing code, else they would be demolished. However, property owners have since rehabilitated the houses and ask that the demolition ordinance be rescinded so that the homes may be sold.

By motion of Joe Will and unanimous vote, the ordinance to rescind the demolition ordinance of 118 West Carolina, 120 West Carolina, 108 West Georgia, and 201 East Georgia Avenues was approved.

Ordinance- To Allow The Sale Of Alcoholic Beverages Before Noon On Sundays At Licensed Premises

City Manager, James Inman informed Council that a number of grocery store and restaurant owners had approached him regarding the "Brunch Bill". Per NCGS 160A-205.3 the "Brunch Bill" authorizes cities to adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 AM on Sunday pursuant to the licensed premises' permit issued under G.S. 18B-1001.

By motion of Alfred Carpenter and unanimous vote, the ordinance regarding the sale of alcoholic beverages before noon on Sundays was approved.

City Manager's Report

City Manager, James Inman addressed Council regarding the following items:

Auditor Engagement Letter & Contract- Council was provided with a copy of Potter & Company P.A., City auditors' Engagement Letter and Contract for the 2017-2018 budget. Manager Inman noted that Finance Director, Diane Jenkins was present to answer any questions.

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

WastePro Recycling – City Manager Inman informed Council of the possible change in recycling services. Some weeks ago, Mecklenburg County stated that they would no longer accept outside recycling. At that time, City waste provider, WastePro began taking recycling to the landfill. A notable decline in recycling has taking place nationwide. Recently Mecklenburg County has began accepting recycling again. However, WastePro would like a plan of action in case Mecklenburg cease operations again. Manager Inman mentioned that the City of Lincolnton has stopped picking up recycling. Light discussion regarding the possibility of stopping service, the continuance of recycling, and possible increase in overall waste service.

By general consensus, this discussion regarding WastePro recycling has been tabled to another meeting.

City Council General Discussion

Mayor Smith opened the floor for Council general discussion. Council member Joe Will expressed his concern regarding a ditch on 14th Street. City Manager Inman assured him that he would order signage to warn citizens of the rough terrain. Council Member Alfred Carpenter noted an email he received from a concerned citizen. Said citizen mentioned that China had stopped purchasing the United States recycling, as a result the City should end its recycling efforts. Council member Donnie Griffin expressed his concern regarding a possible annexation of a Southridge Business, thanked the Police Department for apprehending a criminal from out of state, and thanked Code Enforcement for his hard work.

Adjourn

Being no further business to come before the board, by motion of Alfred Carpenter and unanimous vote, the meeting was adjourned at 7:45 PM.

_____ _____

Becky S. Smith, Mayor Hydeia Y. Hayes, City Clerk

City of Bessemer City

2018-2019 Budget Ordinance

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, 2018 and ending June 30, 2019.

Ad Valorem Taxes	1,455,000
Sales Tax	640,000
Grants	109,500
Fund Balance Appropriation	0
Administrative Charges - Enterprise Funds	715,000
Other	1,314,340
	4,233,840

Section 2. The following amounts are hereby appropriated in the General Fund for the Fiscal Year 2018-2019 in accordance with the established chart of accounts.

Governing Body & Legal	54,500
Administration & Finance	929,606
Police Department	1,239,389
Fire Department	110,463
Garage Operations	100,308
Public Works Department	288,800
Sanitation Department	329,700
Planning & Zoning	106,965
Economic Development	132,507
Debt Service	289,700
Recreation Department	498,374
Parks & Gym	29,500
Pool	96,228
Cemetery	36,800
	4,233,840

Section 3. It is estimated that the following revenues will be available to the Water & Sewer Fund for the Fiscal Year 2018-2019.

Water Sales	2,060,000
Sewer Sales	1,836,000
Fund Balance	0
Other	98,200

	3,994,200

Section 4. The following amounts are hereby appropriated in the Water & Sewer Fund for the Fiscal Year 2018-2019 in accordance with the established chart of accounts.

Debt Service	208,271
Other	3,785,929
	3,994,200

Section 5. It is estimated that the following revenues will be available to the Natural Gas Fund for the Fiscal Year 2018-2019.

Fund Balance	45,919
Other	1,281,837
	1,327,756

Section 6. The following amounts are hereby appropriated in the Natural Gas Fund for the Fiscal Year 2018-2019 in accordance with the established chart of accounts.

Debt Service	49,000
Other	1,278,756
	1,327,756

Section 7. It is estimated that the following revenues will be available to the Storm Water Fund for the Fiscal Year 2018-2019.

Storm Water Charges	86,000
Appropriated Fund Balance	0
	86,000

Section 8. The following amounts are hereby appropriated in the Storm Water Fund for the Fiscal Year 2018-2019 in accordance with the established chart of accounts.

Debt Service	35,600
Other	50,400
Storm Water Operations	**86,000**

Section 9. The following revenues are expected to be available to the Cemetery Trust Fund for the Fiscal Year 2018-2019.

Fund Balance Appropriated	0
	0

Section 10. The following amounts are hereby appropriated in the Cemetery Trust Fund for the Fiscal Year 2018-2019.

Transfer to General Fund	0
	0

Section 11. The following revenues are expected to be available in the Powell Bill Fund for the Fiscal Year 2017-2018.

State Powell Bill Allocation	166,000
Fund Balance	0
Other	15,000
	181,000

Section 12. The following amount is hereby appropriated in the Powell Bill Fund for the Fiscal Year 2018-2019 in accordance with the establish charts of accounts.

Street Operations	80,187
Debt Service	100,813
	181,000

Section 13. There is hereby levied a tax rate of forty-seven ($.47) per one hundred dollars ($100) valuation of property taxes as of January 1, 2015 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 $313, 422,907 and an estimated rate of collection of 97%. The estimated rate of collection is based off of the fiscal 2017-2018 collection rate of 97%. The motor vehicle tag fee per G.S. 20.97 is set at $20 per vehicle.

Section 14. A fee of $10.50 per month per roll-out (residential, commercial or industrial) within the City when the City provides garbage/trash collection service shall be charged and collected as an addition to the utility bill for the purpose of Landfill and Disposal fees.

Section 15. A fee of $3.50 per month per roll-out cart within the City when the City provides Recycling Collection service shall be charged and collected as an addition to the utility bill for the purpose of Disposal fees.

Section 16. A fee of $10.00 per month per residential/apartment unit within the City shall be charged and collected as an additional fee for bulk item, brush, and debris pickup if a solid waste and/or recycling fee is not charged.

Section 17. A fee for Storm Water Management shall be charged and collected as an addition to the utility bill as follows: Residential - $3.07/month, Commercial-$6.00/month, Industrial - $12.00/month.

Section 18. Water & Sewer Rates shall be charged as follows for meter readings on or after July 1, 2018.

Water: $10.20 Minimum per month for 2,000 gallons
$6.30 per 1,000 gallons over 2,000 gallons

The rate for customers outside the city limits of Bessemer City are double the above amounts.

Deposits: $100/150/300 Meter Tampering: $500 Administrative Fee: $40
Reconnect $35 Broken Lock: $300 Meter Reset: $150 Reconnect $35 Illegal Turn on: $150
Cut-off List Admin Fee: $15 After Hours Reconnect Fee: $125
Tap Fees: 3/4" - $450*; 1" - $500*; 1-1/2" - $550*; 2" - $600* *plus meter cost

Raw Water: $.90 per 1,000 gallons
Development Fees: Residential: $350.00 per Bedroom (100 Gallons x $3.50/gal)
Commercial: $350.00
Industrial: $500.00

Sewer: $13.90 minimum per month for 2,000 gallons water metered
$10.64 per 1,000 gallons over 2,000 gallons of water metered up to 1 million gallons
$6.00 per 1,000 gallons for >1 million gallons of water metered
$13.90 Inside customers connected to sewer but not water
$24.10 Inside customers not connected to water or sewer
Tap Fees: 4" - $500; 6" - $600
The rate for customers outside the city limits of Bessemer City are double the above amounts.

Development Fees: Residential: $450.00 per Bedroom (100 Gallons x $4.50/gal)
Commercial: $450.00
Industrial: $500.00

The availability charge for customers not connected to water or sewer shall be the minimum charge for that service. Meter Checks: One free per year. Defective meter replaced free of charge. Non-defective meters will result in a charge of $25 + cost of testing.

Section 19. Natural Gas and Other Fees shall be charged as follows after July 1, 2018.

Gas: Tap Fees:
The home must be plumbed and inspected by County Inspector & City Gas Employees prior to City's installation of riser and City portion of gas line to home.
Gas Deposit: $150/225/300 Gas Reconnect: $40 Seasonal Cutoff: $100
Cut-off List Admin Fee: $15 After Hours Reconnect Fee: $125 Administrative Fee: $40
Minimum Availability Fees : Residential: $8.70
(Active/Inactive) Small Commercial: $9.10
Industrial - Firm: $200.00
Industrial - Interruptible: $400.00

Planning & Zoning Fees:

Board of Adjustments:

Variance Request	$150	Appeal	$150
Conditional Use Permit	$150	Special Exception	$150

Planning & Zoning Board:

Zoning Map Amendment (Rezoning)	$300	Text Amendment (Rezoning)	$300

Zoning Fees:	New Single Family	$100	New Multi Family	$150 + $5/Unit	
	Additions	$20-$50	Accessory	$40	
	Zoning Verification	$25			

Non-Residential: Up to 5,000 sq.ft.	$100	5,001-10,000 sq.ft.	$200 + $1/1,000 sq.ft.
Non-Residential over 10,000 sq.ft.	$300 + $1/1,000 sq.ft.		

Subdivision Plat:	Minor	$50	Major	$100 + $5/lot	
Recombination Plat:		$50		Sign Permit:	$50
Accessory (no building permit)	$25	Accessory (building permit)	$50		

Other Permits:

Zoning Certificate of Compliance	$50	Home Occupation	$50
Temporary Use	$25	Demolition Permit	$25

Telecommunication Tower:	New	$300	Co-Location $100

Cemetery Fees: Lots - $600 Grave Opening: $425-700 as per Cemetery Ordinance*

Holiday, After 4:00pm, Short Notice & Rock Removal will incur additional charges.

Grave Marking- $100

Truck Rental Fee- $50 Returned Check Fee: $40 Administrative Fee for Utility Cut-offs: $15

Copies of Public Records Per Page:	B&W up to 8-1/2 x 14	$0.10
	Color up to 8-1/2 x 14 & B&W Ledger	$0.15
	Color Ledger	$0.20

Section 20. No checks will be accepted on an account that has had two (2) or more returned checks. Nor will a check be accepted for utility deposits. Only cash, credit, debit, or certified money order will be accepted in these instances. These policies are reflected in the City's Fiscal Control Policy.

Section 21. The City will no longer offer utility payment extensions.

Section 22. 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 23. 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 defined by Ordinance of the same fund with report on such transfers at the next regular Council meeting.

Section 24. Copies of the Budget Ordinance shall be furnished to all Department Heads for guidance in the disbursements of funds. A copy shall always be available for public inspection in the Clerk's office.

ADOPTED THIS THE 11TH DAY OF JUNE, 2018

ATTEST:

_____
Becky S. Smith, Mayor

_____
Hydeia Y. Hayes, City Clerk

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

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

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

WHERAS, 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 June 11th, 2018, after due notice by publication in the Gaston Gazette on June 1st, 2018; and

WHERAS, 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 June 11th, 2018.

Section 2. Upon and after June 11th, 2018, 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. l0.

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 43.62 acres as shown on the plat recorded in Gaston County Registry in Plat book 087 at page 099 to which reference is hereby made for a fuller and complete description of said lot by metes and bounds.

The parcel is a part of Southridge Parkway, Bessemer City, NC and County Parcel ID: 3526569196.

Adopted this 11th Day of June, 2018.

AN ORDINANCE TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES

BEFORE NOON ON SUNDAYS AT LICENSED PREMISES

WHEREAS, N.C. General Statute § 160A-205.3 authorizes cities to adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed

beverages beginning at 10:00 A.M. on Sunday pursuant to the licensed premises' permit issued under G.S. 18B-1001; and

WHEREAS, Ratified Senate Bill 155 was signed into law by Governor Roy Cooper on the 30th of June 2017 and became effective on that date (Session Law 2017, Chapter 87); and

WHEREAS, by enacting Senate Bill 155, North Carolina joins 47 other States in allowing alcohol service before noon on Sunday; and

WHEREAS, Sunday morning alcohol service will allow the hospitality community and retail merchants in our community to meet the needs of their customers, and will benefit our small business community; and

WHEREAS, our community has a diverse and growing population with different religious beliefs, each of which has various times and multiple days of worship;

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

SECTION 1. Pursuant to the authority granted by S.L. 2017-87 any establishment located in the corporate limits of Bessemer City and holding an ABC permit issued pursuant to G.S. 18B-1001 is permitted to sell beverages allowed by its permit beginning at 10 AM on Sundays.

SECTION 2. That all provisions of any city ordinance in conflict with this ordinance are hereby repealed.

SECTION 3. That this ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS 11th DAY OF JUNE, 2018.