REGULAR MEETING July 9th, 2018

The Bessemer City Council met in regular session on Monday, July 9th, 2018 at 7:00 PM in the Council Chamber of City Hall.

Members Present

Mayor Becky S. Smith, Council Members: Joe Will, Sonny Boyd, Donnie Griffin and Alfred Carpenter were all present. Council member Dan Boling and Kay McCathen were 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 Mount Pleasant Baptist Associate Pastor, Donald Leslie led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

Approval of the July Agenda

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

Special Presentations

Best of Gaston Winners- Mayor Smith recognized Hilary Koon, of Hilary Koon Photography, for winning the Best of Gaston for photography. Mayor Smith welcomed everyone to congratulate Hilary on her accomplishment.

Consent Agenda

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

- Approval of Minutes- Regular Meeting Minutes of June 11th, 2018 and Work Session Meeting Minutes June 26th, 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. There was none.

ABC Board Appointments

Mayor Smith reminded Council of one (1) vacancy on the Bessemer City ABC Board in Ward 3.

By motion of Joe Will and unanimous vote, David Bess was appointed to serve as the Ward 3 representative. Bess will serve until Wednesday, June 30, 2021.

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Appoint 2018-2019 ABC Board Chairman

Mayor ProTem Joe Will informed Council that current Chairman Dr. Bob Crouch would like to serve again.

By motion of Joe Will and unanimous vote, Dr. Bob Crouch was reappointed to serve as the 2018-2019 ABC Board Chairman.

Approve Contract to Purchase

City Manager James Inman addressed Council regarding a contract to purchase the local SunTrust building. An opportunity has come for the City to purchase the building and house the Customer Service, Finance, and Code Enforcement divisions in said building. Previous plans to renovate the first floor in City Hall would be more costly than purchasing the bank. If purchased the bank would require little upfitting and painting. This location is also ideal as it offers a drive thru window for the elderly to pay their bill.

Attorney Smith informed Council that after reviewing there was some terminology that he would like to address prior to the signing of the agreement. However, the funds could be appropriated to begin the purchasing process.

By motion of Alfred Carpenter and unanimous vote, the contract to purchase the SunTrust building located at 125 East Virginia Avenue, Bessemer City, NC 28016 (Parcel IDs: 120820, 120825, 120826) was approved.

Approve BB & T Financing

City Manager Inman addressed Council regarding BB & T financing. As Customer Service will be the primary division utilizing the SunTrust building Manager Inman recommended that monies be taken from those funds to cover payments. If approved the financing agreement would be 59 months with a 3.14% rate.

By motion of Joe Will and unanimous vote, the BB & T financing resolution was adopted.

Establish Public Hearing: Amend Unified Development Ordinance & Abolish Planning & Zoning Board of Adjustments

As required by NCGS 160A-346, the City is required to hold a public hearing prior to adopting and amending any changes to Unified Development Ordinances (UDO). Mayor and Council wish to abolish the board by rescinding sections 4.4 and 4.5 of the UDO at the next regular meeting. Public notice of this public hearing will be advertised in accordance of N.C.G.S. 160A-364.

By motion of Donnie Griffin and unanimous vote, a public hearing regarding the abolishment of the Planning & Zoning Board of Adjustments will be held Monday, August 13th, 2018 at 7:00 PM in Council Chambers. A copy of this resolution has been attached for citizen review.

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Establish Public Hearing: Amend Unified Development Ordinance & Establish Planning & Zoning Board of Adjustments

As required by NCGS 160A-346, the City is required to hold a public hearing prior to adopting and amending any changes to Unified Development Ordinances (UDO). Mayor and Council wish to establish a Planning & Zoning Board of Adjustments by adopting sections 4.4 and 4.5 of the UDO at the next regular meeting. Public notice of this public hearing will be advertised in accordance of N.C.G.S. 160A-364.

By motion of Alfred Carpenter and unanimous vote, a public hearing regarding the establishment of the Planning & Zoning Board of Adjustments will be held Monday, August 13th, 2018 at 7:00 PM in Council Chambers. A copy of this resolution has been attached for citizen review.

Public Hearing- Mt. Pleasant Baptist Church Annexation

By motion of Alfred Carpenter and unanimous vote, the public hearing regarding the Mt. Pleasant Baptist Church annexation was opened at 7:14 PM.

Mayor Smith asked if there was anyone present to speak in favor of the annexation. The following individuals came forward:

- Michael Vince: Mr. Vince addressed Mayor and Council by expressing his favor of the annexation.
- Donald Leslie: Mr. Leslie addressed Mayor and Council by expressing his favor of the annexation. Mr. Leslie informed Council that the four (4) members of Mt. Pleasant's congregation present were in favor as well.
- City Manager Inman: Mr. Inman informed Council that church leadership had approached the City in hopes to be annexed into the City to receive Bessemer City Police Department protection. Also the church expressed delight with the City's fire and police department having had better response rates than their current representatives.

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

By motion of Sonny Boyd and unanimous vote, the public hearing regarding the annexation of Mt. Pleasant Baptist Church was closed at 7:17 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 Mt. Pleasant Baptist Church on June 5, 2018. Public hearing notice of the annexation was published in the local newspaper for public inspection ten (10) days prior to public hearing.

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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 Mt. Pleasant Baptist Church. A copy of this ordinance has been attached for citizen review.

Public Works Building Bid Award

City Manager, James Inman addressed Council regarding the bid award for the new Public Works building. Bids were higher than initially thought. Neill Grading & Construction Company of Hickory was the lowest responsible bidder. However, to meet projected cost price cuts were suggested. USDA representatives warned against price cuts, so instead Mr. Inman request that awarding of the bid award be postponed to a later date. Postponing the bid award would allow for additional funding to be identified. Awarding of the bid would need to be done at a special meeting in order to meet the deadlines for the August 7th Local Government Commission (LGC) meeting.

By motion of Sonny Boyd and unanimous vote, public works building bid award has been postponed until the Special Meeting of Tuesday, July 24th at 3:00 PM in Council Chambers.

Interim Financing Public Hearing & Resolution

As bids regarding the new public works building bid will be awarded at a later date, City Manager James Inman recommended that Council table both items.

By motion of Alfred Carpenter and unanimous vote, the public hearing and resolution pertaining to interim financing has been tabled to the July Special Session. Said Special Session will be held Tuesday, July 24th at 3:00 PM in Council Chambers.

Ordinance- To Vacate & Close Property- 415 E. Virginia Avenue

Code Enforcement Officer Dave Taylor addressed Mayor and Council regarding property located at 415 E. Virginia Avenue. Mr. Taylor recommends that said property be vacated and closed as the house does not meet the minimum housing code. This residence is seen as unfit and has numerous code violations that have yet to be addressed. There are a number of people including a child residing in the house. The current resident has been given many notices about the outstanding violations and is incurring a daily fine.

Light discussion was held between Code Enforcement Officer Dave Taylor, City Manager Inman, and Council regarding living conditions and possible rehabilitation of the property.

By motion of Joe Will and unanimous vote, the ordinance to vacate and close property at 415 E. Virginia Avenue was approved.

City Manager's Report

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

Amending Public Works (Cemetery) Ordinance- City Manager Inman and staff recommend that text in the cemetery ordinance be amended. Said amendment would remove the numeric value

from the ordinance and refer directly to the fee schedule. Currently, every time cemetery fees are changed, an ordinance amendment is required.

By motion of Donnie Griffin and unanimous vote, the amendment to the cemetery ordinance was approved.

Policy for Repeat Utility Delinquencies – Every month during utility cut offs there are a number of repeat customers. Many of these customers have become problematic for the Public Works staff. Therefore, all staff has been informed to call the Police when a customer becomes irate. The School of Government was contacted for a remedy to cease repeat offenders. Staff was informed that those with two or more utility cut offs in a twelve month span could be charged an excess fee according to statute. If adopted notices to all residents will be placed in City Hall as well as mailed with monthly utility bills. City Manager Inman recommends that the excess fee be double the charge of current reconnection fees. Therefore, a water reconnection fee for a repeat offender would be $70 for water and $80 for gas.

By motion of Donnie Griffin and unanimous vote, the policy regarding utility repeat offenders was adopted.

Excess Property Sale Offers – Mayor & Council voted months prior to sale a number of vacant lots and property, deemed surplus. City Manager Inman was permitted to advertise these items on Govdeals.com. Said items have been advertised and extended twice. To no avail, the asking price for some of the properties and lots were not received. Yet, City Manager Inman is requesting that the properties be sold to the highest bidder.

By motion of Joe Will and unanimous vote, said surplus properties are permitted to be sold.

Establish Meeting for Public Works building – As discussed earlier Council will hold a special session Tuesday, July 24th to discuss items regarding the new Public Works building.

Recycling Discussion– Manager Inman informed Mayor and Council of the nationwide crisis with recycling. During one week in May 2018, Mecklenburg County had refused the City's recycling, and WastePro had to funnel all recycling to the landfill. Manager Inman stated that soon Mayor and Council will have to decide whether to continue or dissolve the city's recycling program. As the market for recycling decreases, the cost associated with recycling are unknown and may incur additional cost for the City.

Prepay Gas Contract – Mr. Inman informed Council that he had received a proposal from a gas engineer to prepay for gas supplements. The City could purchase gas at a cheaper rate with said contract. The City currently pays a monthly fee for a service company, Texla, for reporting. If approved, said contract could help the City save up to $20,000.

By motion of Donnie Griffin or unanimous vote, the prepay gas contract was approved.

General – Mayor, Council, and City Staff have been invited to attend the Surf n Turf dedication service. At 3:00 PM on Friday, June 15th Surf n Turf owners will be doing a dedication of the room

involved in the May 2018 tragedy. In the coming weeks ADS will have an expansion and purchase some additional property in Southridge Business Park. City Manager Inman thanked everyone for all of the prayers and kind words during his heart procedure.

City Council General Discussion

Mayor Smith opened the floor for Council general discussion. Council member Joe Will expressed his concern regarding the middle school School Resource Officer (SRO) position and the demolishing of the Edgewood Rd. motel's administration building. City Manager Inman informed Mr. Will that discussions regarding the SRO position were still being made and due to budget constraints the demolition of the administrative building had been postponed. Council member Donnie Griffin thanked the Police Department and Code Enforcement for their hard work and welcomed Mr. Inman back to work. Mr. Griffin also expressed concern with a green light being out by Maine St. and the fire department.

Adjourn

Being no further business to come before the board, by motion of Alfred Carpenter and unanimous vote, the meeting was adjourned at 8:01 PM.

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

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