REGULAR MEETING June 10th, 2019

The Bessemer City Council met in regular session on Monday, June 10th, 2019 at 7:00 PM in Council Chambers of City Hall.

Members Present

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

Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. Bethlehem Church, West Campus Pastor Ricky Collins led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

Approval of the June Agenda

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

Special Presentations

Bessemer City Police Department- Mayor Smith recognized Captain Brent Harp of the Police Department for completing the "Road to Hope" tour. In five days Captain Harp rode over 500 miles from Shelby, NC to Washington, DC to support fallen officers and their families. Mayor Smith encouraged everyone present to commend Captain Harp.

Bessemer City Area Principals- Principals from Bessemer City Primary, Dr. April Conley, Central, Mrs. Caroline Black, Middle, Dr. Jessica Melon, and High School, Dr. Sheila Wyont addressed Council regarding the technology and industrial engineering academy. In an effort to better equip local students for the evolving workforce in Gaston County, each school now offers a curriculum of technology or industrial engineering. The High School in particular has begun a special choice school academy, where by students from outside of the district could register to obtain various CTE certifications and experience with advanced technology. In addition, the Middle School has begun a special curriculum where by students are able to enroll in an engineering academy and receive high school credits. Bessemer City Central and Primary both have innovative stations that integrate students learning by making real life connections with advanced technology.

Request to Speak/Opportunity for Public Comment

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

- Chris Castro of Selective Service System Local Board Members- Mr. Castro addressed Council regarding vacancies on Gaston County's Selective Service System Local Board. The five member board currently has three vacancies, and is inoperable. The Board is responsible for making decisions regarding who to receive or defer, when and if the Congress and President reinstate a military draft. Each term is 20 years and receives recognition from the NC Governor's office. Mr. Castro left information on how citizens could apply with Council.
- Scott Noblett of 109 S. Inman Avenue- Mr. Noblett addressed Council regarding a traffic concern. Mr. Noblett informed Council that a four way stop was needed at the intersection of 14th Street and Highway 274 coming into W. Carolina. There have been a number of vehicles come through at dangerous speed at this intersection.

Consent Agenda

The following items on the Consent Agenda were unanimously approved by motion of Kay McCathen:

- Approval of Minutes- Regular Meeting Minutes of May 13th, 2019 and Work Session Meeting Minutes of May 21st, 2019.
- Ratify Proclamation Honoring Mary Hook- Council will consider ratifying a proclamation that honored Ms. Mary Hook for her contributions to the City on June 2nd, 2019.
- Ratify Proclamation 100th Birthday of Mrs. Beatrice Russell- Council will consider ratifying a proclamation that honored Ms. Beatrice Russell's 100 birthday on June 2nd, 2019.

Appointments

City Manager, James Inman addressed Council regarding ABC, Planning & Zoning, and Downtown Development Board appointments. City Manager Inman recommended the following appointments:

ABC Board
Robert Crouch (Chair) 2019-2020
Robert Crouch (Member) 2019-2022
Michael Brooks (Member) 2019-2022

By motion of Sonny Boyd and unanimous vote, the ABC Board appointments were approved.

Downtown Development
Nellie Floyd (Member) 2019-2022
Tracie Anderson (Member) 2019-2022

By motion of Donnie Griffin and unanimous vote, the Downtown Development appointments were approved.

Planning & Zoning Board of Adjustments
Danny Garrett (Chair) 2019-2020
Jean Floyd (Vice Chair) 2019-2020
Allen Hook (Member) 2019-2022
By motion of Dan Boling and unanimous vote, the Planning & Zoning Board of Adjustment appointments were approved.

Public Hearing- 2019-2020 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 Dan Boling and unanimous vote, the public hearing was opened at 7:43PM.

Mayor Smith asked if there was anyone to speak in favor of the 2019-2020 proposed budget. There was none.

Mayor Smith asked if there was anyone to speak in opposition of the 2019-2020 proposed budget. There was none.

By motion of Alfred Carpenter and unanimous vote, the public hearing to consider the 2019-2020 proposed budget was closed at 7:44PM.

Ordinance- 2019-2020 Proposed Budget

Light discussion between Council ensued regarding the proposed 2019-2020 budget. Council member Joe Will raised a concern about the tax rate. Mr. Will expressed his concern regarding a revenue neutral tax rate.

By motion of Dan Boling and 5:1 vote with Joe Will in opposition, the 2019-2020 proposed budget was adopted. A copy of this ordinance has been attached for citizen review.

Public Hearing- Recycling Ordinance

By motion of Donnie Griffin and unanimous vote, the public hearing was opened at 7:54PM.

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

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

By motion of Alfred Carpenter and unanimous vote, the public hearing to consider the proposed recycling ordinance was closed at 7:55PM.

Recycling Ordinance

City Manager Inman presented Council with a draft ordinance regarding recycling, prepared by Attorney Smith. If adopted, this ordinance would allow City staff to give warnings and citations to citizens regarding improper recycling habits.

By motion of Alfred Carpenter and unanimous vote, the proposed recycling ordinance was adopted. A copy of this ordinance has been attached for citizen review.

Public Hearing- Amending Code of Ordinances on Grass and Debris within the Right of Way

By motion of Alfred Carpenter and unanimous vote, the public hearing was opened at 8:01PM.

Mayor Smith asked if there was anyone to speak in favor of amending the code of ordinances on grass debris. The following individual came forth:

- Scott Noblett of 109 S. Inman Ave- As a member of the concerned bikers of North Carolina club, Mr. Noblett expressed his support of this ordinance. Blown grass and road debris are a hazard to the motorists of this community.

Mayor Smith asked if there was anyone to speak in opposition of amending the code of ordinances on grass debris. There was none.

By motion of Donnie Griffin and unanimous vote, the public hearing to consider the amending of the code of ordinances was closed at 8:03PM.

Amending Code of Ordinances on Grass and Debris within the Right of Way

City staff requested that a proposed grass debris amendment to the code of ordinances be adopted. Said ordinance amendment would prohibit citizens from spreading debris in the road and establish a penal system for violations.
By motion of Joe Will and unanimous vote, the proposed grass debris amendment was adopted. A copy of the ordinance has been attached for citizen review.

Resolution-Water and Wastewater Asset Inventory & Assessment Grant
City Manager Inman informed Council that a resolution accepting the State Reserve Grant funds of $150,000 for Water and $150,000 for Wastewater inventory and assessment were needed.

By motion of Donnie Griffin and unanimous vote, the water and wastewater resolutions were adopted. A copy of the resolutions are available at City Hall for citizen review.

Resolution-Local Water Supply Plan
City Staff is seeking the approval of the 2018 Annual Local Water Supply plan. This plan is needed to conform with new Division of Water Resources requirements.

By motion of Alfred Carpenter and unanimous vote, the 2018 local water supply plan was adopted. A copy of the resolution is available at City Hall.

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

Declare Property Surplus
City Manager Inman requests that the Admin City vehicle, 2014 Ford Explorer, be declared surplus.

By motion of Kay McCathen and unanimous vote, the 2014 administration vehicle has been declared surplus.

City Council General Discussion
Mayor Smith opened the floor for Council general discussion. Council member Dan Boling inquired about patchwork on Maine Avenue. Mr. Inman informed him that the City is required to patch all holes where sewer work has been completed. Council member Kay McCathen commended the Police Department for lowering the number of four wheelers on the streets. Council member Alfred Carpenter inquired about a "must turn right" sign on the Bessemer City Highway road pass Costner school road. Mr. Inman informed Mr. Carpenter that he would look into requesting that one be placed there.

Closed Session
By motion of Dan Boling and unanimous vote, at 8:16PM Council went in to closed session to consult with City Attorney per NCGS 143-318.11 (3).

By motion of Dan Boling and unanimous vote, at 8:29PM Council came out of closed session. No action was taken.

Adjourn
Being no further business to come before the board, by motion of Alfred and unanimous vote, the meeting was adjourned at 8:32 PM.

Becky S. Smith, Mayor

Hydeia Y. Hayes, City Clerk

2019-2020 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, 2019 and ending June 30, 2020:

Ad Valorem Taxes	$	1,630,000
Prior Year Taxes		15,000
Auto Tag Fee		180,000
Gross Rental Vehicle Tax		500
Penalties & Interest		10,000
Sales Tax		612,000
State Board Assessed		42,000
Solid Waste Disposal Tax		3,500
Beer & Wine Tax		23,000
Franchise Tax		450,000
PD Fees for Services		500
Confiscated Drug Money		500
PD – Grants		110,000
Fire Department Grants		48,000
Rent- Land		1,100
Landfill Fees		310,367
Recycling Fees		92,000
Grave Opening/Closing		20,000
Cemetery Lot Sales		1,000
Costner Building Grant		50,000
Grant - Kiser Center		5,000
ABC Revenue		5,000
Senior Events		8,000
Investment Earnings		40,000
Down Home Festival		50,000
Parks & Recreation Fees		14,000
Swimming Pool Fees		84,000
Zoning Permits & Fees		5,000
Code Enforcement & Civil Citations		500

Insurance Proceeds		2,500
Transfer From Cemetery Fund		24,000
Miscellaneous Revenues		100,000
Fund Balance Appropriated		39,337
Administrative Charges - Enterprise Funds		800,000
Sale of Property		5,000
	$	**4,781,804**

Section 2. The following amounts are hereby appropriated in the General Fund for the Fiscal Year 2019- 2020 in accordance with the established chart of accounts:

Governing Body & Legal	$	55,500
Administration & Finance		1,020,293
Police Department		1,432,898
Fire Department		127,020
Garage Operations		102,805
Public Works Department		295,700
Sanitation Department		319,067
Planning & Zoning		168,918
Economic Development		203,351
Debt Service		277,127
Recreation Department		588,647
Parks & Gym		33,750
Pool		96,228
Cemetery		60,500
	$	**4,781,804**

Section 3. It is estimated that the following revenues will be available to the Water & Sewer Fund for the Fiscal Year 2019-2020:

Water Sales	$	2,163,000
Sewer Sales		1,942,500
Tap Fees		12,000
Reconnect Fees		17,000
Pulled Water Meter Fee		0
Penalties		40,000
Investment Earnings		500
Miscellaneous		60,000
Administrative Fee		15,000
Fund Balance		59,854
	$	**4,309,854**

Section 4. The following amounts are hereby appropriated in the Water & Sewer Fund for the Fiscal Year 2019-2020 in accordance with the established chart of accounts:

Debt Service	$	267,901
Administration		500,000
Water/Wastewater Treatment		2,224,951
Public Works		1,140,583
New Line Construction		176,419
Capital Project		0
	$	**4,309,854**

Section 5. It is estimated that the following revenues will be available to the Natural Gas Fund for the Fiscal Year 2019-2020:

Sales of Gas	$	1,285,000
Cut-ons & Reconnects & Extension		2,200
Penalties		35,000
Miscellaneous		1,000
Interest		0
Fund Balance		0
	$	**1,323,200**

Section 6. The following amounts are hereby appropriated in the Natural Gas Fund for the Fiscal Year 2019-2020 in accordance with the established chart of accounts:

Debt Service	$	70,030
Administration		300,000
Gas Operations		953,170
	$	**1,323,200**

Section 7. It is estimated that the following revenues will be available to the Storm Water Fund for the Fiscal Year 2019-2020:

Storm Water Charges	$	98,500
Appropriated Fund Balance		10,241
	$	**108,741**

Section 8. The following amounts are hereby appropriated in the Storm Water Fund for the Fiscal Year 2019-2020 in accordance with the established chart of accounts:

Debt Service	$	35,441
Operations		73,300
	$	**108,741**

Section 9. The following revenues are expected to be available to the Cemetery Trust Fund for the Fiscal Year 2019-2020:

Fund Balance Appropriated	$	24,000
$		**24,000**

Section 10. The following amounts are hereby appropriated in the Cemetery Trust Fund for the Fiscal Year 2019-2020 in accordance with the established chart of accounts:

Transfer to General Fund	$	24,000
$		**24,000**

Section 11. The following revenues are expected to be available in the Powell Bill Fund for the Fiscal Year 2019-2020:

State Powell Bill Allocation	$	195,313
$		**195,313**

Section 12. The following amount is hereby appropriated in the Powell Bill Fund for the Fiscal Year 2019-2020 in accordance with the established chart of accounts:

Debt Service	$	100,814
Street Operations		94,499
	$	**195,313**

Section 13. There is hereby levied a tax rate of forty-five ($.45) per one hundred dollars ($100) valuation of property taxes as of January 1, 2019 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 $366,554,763 and an estimated rate of collection of 97%. The estimated rate of collection is based off of the fiscal 2018- 2019 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 $11.00 per month per roll-out cart (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 $10.00 per month per roll-out can (commercial only) within the City when the City provides garbage/trash collection services shall be charged and collected for twice-weekly collection as an addition to the utility bill for the purpose of Landfill and disposal fees.

Section 16. A fee of $22.00 per month per roll-out can shall be charged for non-recycling customers.

Section 17. A fee of $4.00 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 18. 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 19. 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 20. Water and Sewer rates shall be charged as follows for meter readings on or after July 1, 2019:

Water: $10.75 minimum per month for 2,000 gallons (treated water)
$6.60 per 1,000 gallons over 2,000 gallons (treated water)
$.90 per 1,000 gallons (raw water)
The rates for customers outside of the City limits are double the above amount

Deposits	$100/150/300
Reconnect	$35
Broken Lock	$300
Meter Tampering	$500
Administrative Fee	$40
Illegal Turn On	$150
Meter Reset	$150

Tap Fee Schedule*

¾ Inch Line:	$1,500
1 Inch Line:	$1,550
1 ½ Inch Line:	$1,600
2 Inch Line:	$1,650

**plus cost of meter*

Sewer: $14.60 minimum per month for 2,000 gallons
$11.20 per 1,000 gallons over 2,000 gallons
$6.30 per 1,000 gallons over 1,000,000 gallons
The rates for customers outside of the City limits are double the above amount

Tap Fee Schedule

4 Inch:	$1,850
6 Inch:	$1,950

The availability charge for customers not connected to water or sewer shall be a minimum charge for that service.

Availability Fee: $14.60 inside customers connected to sewer but not water
$25.35 inside customers not connected to water or sewer

Meters:

Meter Check: One free per year.
Defective meters replaced free of charge.
Non-defective meters will results in a charge of $25 plus the cost of testing.

Section 21: Natural Gas and other Fees shall be charged as follows after July 1, 2019

Natural Gas:

Residential (All Usage) Operation Expense + $9.40 per MCF Business Level 1 (1-24,000 MCF) Cost at Gate + $5.00 per MCF Business Level 2 (24,001-30,000 MCF) Cost at Gate + $3.00 per MCF Business Level 3 (30,001 MCF or More) Cost at Gate + 1.50 per MCF

All rates above are based off of monthly usage.

Deposits:	$150/225/300
Reconnect:	$40
Seasonal Cutoff:	$100
Cut-off List Administrative Fee:	$15
After Hours Reconnect Fee:	125
Administrative Fee:	$40

Minimum Availability Fees:

Residential:	$8.70
Small Commercial:	$9.10
Industrial- Firm:	$200
Industrial- Interruptible:	$400

Section 22: Planning / Zoning and other Fees shall be charged as follows after July 1, 2019

Board of Adjustments:

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

Planning Board:

Zoning Map Amendment (Rezoning)

$300 Text Amendment

$300

Zoning Fees:

New Single Family	$100
Additions	$20-50
Accessory	$40
New Multi-Family	$150+$5/Unit
Non-Residential: Up to 5,000 Sq. Ft	$100
Non-Residential: 5,001-10,000 Sq. Ft.	$200
Non-Residential: 10,001 Sq. Ft. Plus	$200 + $1/1,000 Sq. Ft.
Subdivision Plat- Minor	$50
Subdivision Plat- Major	$100+$5/Lot
Recombination Plat	$50
Sign Permit	$50
Accessory (No Building Permit)	$25
Accessory (Building Permit)	$50

Other Fees:

Zoning Certificate of Compliance	$50
Home Occupation	$50
Temporary Use	$25
Demolition	$25
Telecommunication Tower	$300
Co-Location	$100

Section 23: Other General Fees shall be charged as follows after July 1, 2019

General Other Fees:

Cemetery Lot	$600
Grave Opening	$425-700 (per Cemetery Ordinance)
Grave Marking	$100
Return Check Fee	$40
Administrative Fee for Utility Cut-Offs	$15
B & W Copies Up to 8 ½ X 14	$.25/Page
Color Copies Up to 8 ½ X 14	$.35/Page

Section 24: 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 25: 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 26: 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.

SOLID WASTE RECYCLING ORDINANCE

§ 54.12 Establishment of Program.

The City hereby establishes the voluntary separation of selected recyclable solid waste materials from garbage, rubbish and other trash, by the residential solid waste collection customers of the City, and the collection of those selected recyclable solid waste materials at the customer's curbside by the City or its agents.

§54.13 Fees.

The City Council may establish and fix from time to time such fees to provide recycling collection service and add said fees to customer utility bill as provided by N.C.G.S. §160A– 317.

§ 54.14 Availability and extent of service.

The City shall collect, remove and dispose of the designated recyclable solid waste materials within the City limits, except in case of emergency arising from an act of God or under circumstances over which the City has or had no control, as set forth in this article or in the City solid waste collection policy. Service shall consist of curbside collection of recyclable solid waste materials once each week, as set forth in the City solid waste collection policy, except during weeks when holidays are authorized and during which special schedules will be established.

§ 54.15. Limitations on service.

(a) Curbside recyclable solid waste material collection service shall be provided only to residential solid waste customers of the City. This service will not be provided to institutional, business or commercial or industrial solid waste collection customers. Furthermore, this service includes only those recyclable solid waste materials set forth in the City's contract with its waste management service provider ("WMSP"). Items that are acceptable by the City include newspapers and their inserts, computer paper, white office paper and junk mail, magazines, envelopes, cereal boxes and boxes for crackers, cookies and other similar foods, plastic soft drink bottles, plastic water and milk jugs, aluminum food cans, bi-metal and steel food cans, clean aluminum foil, old corrugated cardboard boxes that are flattened and/or crushed and other recyclables acceptable for processing by the WMSP as mutually agreed by the City and the WMSP, however, the following items are not acceptable for recycling and are not allowed ln The City's collection program including: Construction and Demolition Waste, Garbage, Hazardous Waste, Industrial Waste, Medical Waste, except those items within the MSW definition allowed above, Plastic Bags, Refuse, Septage, Solid Waste, Special Waste, White Goods, and Yard Waste, as those capitalized terms are defined in the City's contract with the WMSP, to which reference is hereby made.

(b) All recyclable solid waste materials not prepared and handled in accordance with the provisions of this article and the City solid waste collection policy shall not be collected by the City or its agents.

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§ 54-16. Ownership of recyclable solid waste materials.

Upon placement of recyclable solid waste materials at curbside for collection by the City or its agents in accordance with this article and the City solid waste collection policy, such recyclable solid waste materials shall become the property of the City, except those recyclable materials not prepared and handled in accordance with the City solid waste collection policy and any materials

not included in the list of recyclable solid waste materials in the City solid waste collection policy but placed at curbside for collection. It shall be a violation of this article for any person, other than authorized agents of the City acting in the course of their employment, to collect or pick up any recyclable solid waste materials so placed.

§ 54-17. Recycling containers.

The City shall furnish each solid waste collection customer with a special container which is specifically designed for the collection of recyclable solid waste materials. This container shall be used by each residential solid waste collection customer to store recyclable solid waste materials. It shall be the responsibility of each customer to maintain that container in a functional state of repair and to report any damage to or loss of that container immediately to the department of public works and utilities. Each container is and shall remain the property of the City and shall remain at a customers' residence after that customer has moved or otherwise vacated the dwelling.

§ 54-18. Collection practices.

(a) Precollection practice. After the recyclable solid waste materials have been properly prepared, those recyclable materials can be stored in the recycling container until the designated collection day, at which time the container and its contents shall be placed at curbside in front of the customer's residence not later than 7:00 a.m., nor earlier than dusk of the day prior to collection.

(b) Post-collection practice. After the recyclable materials have been collected by the City or its agents, each solid waste collection customer who has placed his recyclable materials collection container at curbside shall retrieve his container from curbside and return the container to its storage location in or at his residence, not later than 6:00 a.m. on the day following the collection day.

§ 54-19. Penalty. See §54-99

AN AMENDMENT TO SECTION 55 OF THE BESSEMER CITY

CODE OF ORDINANCES

WHEREAS, the City Council of the City of Bessemer City voted at their regular meeting on June 10th, 2019 to adopt a text change to the Bessemer City, NC Code of Ordinances;

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THEREFORE BE IT ORDAINED, by the City Council of the City of Bessemer City, that Section 55 of the Code of Ordinances is amended to reflect the adopted changes as written below.

CHAPTER 55: STREETS; SIDEWALKS; PUBLIC PLACES

Sec 55.09 Unlawful deposit of grass clippings, leaves, debris etc., within the public ways.

(a) It shall be unlawful for any person to blow, place, allow to be placed, or to permit the accumulation of yard waste or any other debris that is likely to injure any person, animal or vehicle within public rights-of-way, or on an area that pedestrians would be expected to use. A civil penalty in the amount of $150.00 may be issued to any person in violation of this section.

(b) This section shall not apply to the placement of leaves or yard waste along a curbside of a public rights-of-way for the purpose of collection per the City Manager or his designee.

Adopted this 10th day of June, 2019

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