

Bessemer City News

July 13, 2009 City Council Meeting Minutes

July 27, 2009 – 10:38 am

The Bessemer City Council met in regular session on July 13, 2009 at 7:00 pm in the council chambers of City Hall.

Members Present

Mayor Bob Hovis; Council Members: Jim Long, Becky Smith, Melanie Colvin, Marilyn Best, Kay McCathen and Wayne Massagee. Also present were City Manager Allan Farris and City Attorney David Smith.

Call to Order, Prayer and Pledge of Allegiance

Mayor Hovis called the meeting to order and led in the opening prayer, followed by the Pledge of Allegiance.

Adjustment & Approval of July Agenda

By motion of Kay McCathen and second of Melanie Colvin, the July agenda was unanimously approved as submitted.

Special Presentations

- A. **Presentation of Special Award to Madalyn Tate** - Mayor Hovis introduced Madalyn Tate of Bessemer City, winner of the "Proudest Kid in Gaston County" Essay Contest. Following her reading of the essay, Mayor Hovis presented Madalyn with a special award from the City congratulating her on her achievement. The contest was sponsored by Gaston Together.
- B. **A Proclamation in Honor of the 100th Birthday of Mrs. Nora Goodlette** – Mayor Hovis read a proclamation honoring Mrs. Nora Goodlette on the occasion of her 100th birthday. Mayor Hovis presented the proclamation to Mrs. Goodlette at her 100th birthday party that was held on July 4, 2009 at the Bessemer City Community Building. The proclamation was unanimously approved by motion of Kay McCathen and second of Jim Long. (A copy is on file in the Proclamation Book at City Hall).

Approval of Minutes

By motion of Marilyn Best and second of Becky Smith the minutes of June 8, 2009 and June 15, 2009 were unanimously approved.

Consent Agenda

The following items of the "Consent Agenda" were unanimously approved upon motion of Jim Long and second of Kay McCathen:

- A. **Resolution in Support of 2009 Carolina Thread Trail Implementation Grant** – A telephone poll was conducted on June 17, 2009 regarding a grant opportunity for Gaston County. Planner Kevin Krouse had advised that the Carolina Thread Trail had recently announced that there was \$300,000 up for grabs. The application deadline was June 30 and the Resolution of Support was required to accompany the grant package. Council ratified the telephone poll that resulted in a unanimous vote of approval for the Resolution. (A copy is on file in Ordinance/Resolution Book at City Hall).
- B. **Resolution to Amend the City of Bessemer City's Personnel Policy** – Council approved a Resolution amending the City's Personnel Policy to reflect recent changes by Congress to the Family Medical Leave Act and to the Privacy of Personnel Records Act.

(Copy is on file in Ordinance/Resolution Book at City Hall).

- C. **Budget Amendment** – As provided in Section 24(b) of the 2008-2009 Budget Ordinance, the Budget Officer has the authority to transfer amounts up to \$7,500 between departments of the same fund with a report of such transfers to the City Council at their next regular meeting. Due to an unforeseen invoice from the City of Gastonia for Bessemer City's share of work completed on the Functional Design of the Southridge Parkway Project and some work completed by Centralina Council of Governments, a budget transfer was made effective June 30, 2009 and approved as follows:

Section 1.			
To amend the General Fund, the appropriations are to be changed as follows:			
Account #		Increase	Decrease
4900	Planning and Zoning	\$7,500	-----
6130	Pool, Parks & Gym	-----	<\$ 7,500>
Total:		\$7,500	<\$7,500>
This will result in no increase or decrease in total General Fund appropriations.			
Section 2.			
Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.			

- D. **Resolution Adopting a Municipal Records Retention Schedule** – The N.C. Department of Cultural Resources, Archives and Records Section published the new Retention and Disposition Schedule dated May 19, 2009. The new schedule which replaces the 1997 edition was unanimously approved by City Council. (A copy is on file in Ordinance/Resolution Book at City Hall).
- E. **Classification for Gas Department Position** – Council approved a Gas Technician/Welder Classification for the Natural Gas Department. The new position was discussed at the budget session held on May 18, 2009 and approved with the adoption of the 2009/2010 budget. The new position classification was approved as a Grade 20 in the Classification Pay Plan.

Public Hearing – 2009 Land Use Plan

Following proper advertising, a public hearing was held on the City's Proposed Land Use Plan. While a public hearing was not required under General Statutes, Planner Kevin Krouse wanted to give the public every opportunity to comment on the proposed plan. Planner Krouse advised that the plan is available for public view on the City's website as well as the wikiplanning website. A survey was also conducted online on the proposed plan and the results were included in Council's agenda packet for their review. The Planner stated this is an important document that will guide development through the year 2020.

The plan recommendations support the 8 core values outlined in the adopted Strategic Vision Plan. The Urban Growth Boundary has the most long term benefit to addressing all the core values. The land use map will be the basis for future land use decision making as now required by general statutes. Mr. Krouse also advised that the next step in this process is presentation of the Small Area Plans. He asked that Council schedule a Special Meeting, either at 6:00 PM prior to the August 10th Council Meeting or at another time. The Small Area Plans which include the downtown area and Edgewood Road can be viewed online.

Upon motion by Kay McCathen, second of Wayne Massagee and unanimous vote the public hearing was opened. There being no one present desiring to speak for or against the Land Use Plan, the hearing was closed by motion of Marilyn Best, second of Becky Smith and unanimous vote. During discussion Mayor Hovis stated he would like to see the development of an overlay map to show the differences (changes) in current zoning and the recommended use shown in the land use map. Jim Long moved to adopt the 2009 Land Use Plan, seconded by Wayne Massagee with unanimous vote. (Copy of the Land Use Plan is on file at City Hall and available for public inspection).

Southridge Parkway Resolution

City Planner, Kevin Krouse reported that the County Economic Development Commission (EDC) is preparing to complete Southridge Parkway from the Dole Plant to Highway 274 near CVS. The Southridge Parkway from Edgewood Road to the Dole Plant is currently a state road while the .28 mile portion (considered Maine Avenue extension) from 274 to Advanced Drainage Systems is a City road. The EDC would prefer to connect a state road to a state road; therefore, it was recommended that the existing .28 mile portion of the parkway be relinquished to the North Carolina DOT. There would be a very small reduction in the City's Powell Bill allocation if the existing portion is turned over to the state; however, from a maintenance standpoint, it makes sense for one entity to maintain the entire length of the road. (Estimated reduction in Powell Bill allocation is \$410 per year). Upon motion of Jim Long and second of Marilyn Best, the City Council unanimously adopted a Resolution requesting the NCDOT assume maintenance responsibilities for Southridge Parkway and accept the street as part of the State street and highway system. (A copy is on file in Resolution/Ordinance Book at City Hall).

Request for New Street Light

Mr. Kenneth Patterson, 710 E. Iowa Avenue requested placement of a new street light on the 700 block of E. Iowa Avenue. This request was in response to recent vandalism of cars during the night time hours. Mr. Patterson and his neighbors signed a petition on behalf of his request. The City Manager and the Public Works Director investigated the request and while they did not feel the new light was necessary, they agreed to defer a final decision to the City Council. Council Member Smith stated she had checked on the request and found the area to be extremely dark and that the only other light on the street was not located in the middle of the block. During discussion, Council expressed some concern over setting a precedent by the granting of the request. They also requested that the area be patrolled more often. By motion of Becky Smith and second of Kay McCathen, the request for the placement of a streetlight between 710 and 708 E. Iowa Avenue was unanimously approved.

Offer to Purchase City Property

At the June 8, 2009 meeting, Council authorized the City Manager to enter into negotiations with the party interested in purchasing the 8.07 acres of land located on North 14th Street beside the Surf & Turf Restaurant. The property was appraised at \$210,000. The property is currently zoned C-1, Light Commercial but the new Land Use Plan recommends a zoning of Medium Density-Residential. Manager Farris advised that following negotiations, Mr. Jimmy Maney, Lead Pastor for Christ Worship Center submitted a letter stating the center had outgrown their present location in Bessemer City. The letter outlined plans to construct a new church, hopefully in Bessemer City and contained an offer of \$150,000 for the property on North 14th Street. Attorney Smith advised that the letter was not a formal bid and suggested that a sufficient effort be made to market the property if it was the City's desire to sell it. Discussion followed regarding criteria for the property including maintaining proper Rights-of Way and the desire for the property to be a commercial use. The City Manager was authorized to place the property with a realtor for marketing for a sixty day period. The City Planner was directed to put together a package containing criteria for the marketing of the property.

City Manager Report

- A. An agreement between the City and the Optimist Club for use of City's ball fields is being developed. A preliminary draft should be ready for Council consideration within the next two weeks.
- B. The City has agreed to give Jenny Kiser 90 days to comply with the order to remove the old cashier building and canopy located on her property. A written agreement to this effect has not been received. (Note: 90 days from the date of the email to Attorney David Smith on June 18, 2009. No further appeal has been filed).
- C. The Natural Gas Department recently received an excellent report following an inspection by the NC Utilities Commission.
- D. The Phoenix Tank Company offered to remove the 100,000 gallon storage tank for a fee of \$5,000. The offer was refused and the City is now looking for another company with a market for the tank that would remove it at no charge.
- E. The Fire Department Rules and Regulations are in the process of being revised. The last revision was completed back in 1992. The final draft will be ready for the August Council meeting.
- F. Harold Robinson owns a vacant lot on E. Texas Avenue that has a City sewer line that extends across the property and under the apartments on E. Maine Avenue. No agreement or easement for the sewer line has been found. (The City Attorney has agreed to conduct a title search of the properties). There are two options regarding this property: 1) the City can purchase the property that has a tax value is \$13,200 or 2) re-route the sewer line down to 11th Street & Texas Avenue (approximately 200-300 ft.) and dead-end the line that goes under the apartments at an approximate cost \$10,000-\$15,000. The City engineer will be consulted regarding this matter. (The City Attorney agreed to conduct a title search of these properties)
- G. The fire hydrant located at the corner of 11th and Virginia Avenue continues to leak and cause problems. Bishop Hydrant Service will look into rebuilding the hydrant at a cost of \$200-\$300.

Council General Discussion

Letter from Terry Kenny regarding the Animal League of Gaston County's new (low-cost spay/neuter) clinic located at 927 E. Franklin Boulevard; need more police presence on Windward Drive; Gazette's listing of weird road names – left out Helpmelawd Road in Cherryville; advertise farmers market and think about locating it on Pennsylvania Avenue (Kevin Krouse will develop a game plan for next year); signs covered up at corner of Cleveland and S. 11th Street and Tennessee & 10th Street; great comments on our pool by First Wesleyan's day camp; Code Enforcement Officer commended on the removal of dilapidated property on 8th Street and N. 13th Street; graffiti on building beside Berry's Appliance; paint Centennial Park walls; MPO sponsored gas cap check (leaking gas caps will be replaced at no cost); slow down speeders on Crowder's Mountain Road and Virginia Avenue (Gaston County Police very receptive to comments and concerns regarding speed and check points have been established); State looking at placement of rumble strips on Maine Avenue at 12th Street.

Adjourn

There being no other business to come before the board, motion to adjourn at 8:15 PM was made by Jim Long, seconded by Wayne Massagee and passed.

Janice M. Costner, City Clerk William R. Hovis, Mayor

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