

**CITY OF CHERRYVILLE**  
**REGULAR CITY COUNCIL MEETING**  
**MONDAY APRIL 13, 2015 @ 7:00 PM**  
**CHERRYVILLE COMMUNITY BUILDING**

The Honorable Mayor H.L. Beam III called the meeting to order and welcomed everyone. Also present at the meeting was Council Member's Jill Puett, David Kiser, Brian Dalton and Malcolm Parker. Also present was City Manager Ben Blackburn, City Clerk Paige Green, City Attorney Palmer Huffstetler Jr., Finance Director Dixie Wall, Police Chief Chad Hawkins, Fire Chief Jeff Cash, Public Works Director Brandon Abernathy, and EDC Director Richard Randall.

Also present was former Mayor's Robert Austell, Jack Davis and Wade Stroupe.

Michael Powell was present for media coverage.

The invocation was given by Rev. Bob Wise of North Brook Baptist Church and it was followed by the Pledge of Allegiance.

**MAYOR'S COMMENTS:**

"On Saturday March 28<sup>th</sup> at 9 am I was honored to speak at opening day for the Cherryville Dixie Youth Softball Program. Even though the temperature was quite cold, a large crowd of over 400 was in attendance for this event. Approximately 160 youth between the ages of 4 to 18 were there to participate in this program."

"Later in that same morning, I gave a welcoming address at the cheer leading program at Nixon Gym. Several teams from other schools were present at this fund raiser for relay-for-life."

"Since last month I attended and spoke at the Cherryville Main Street Program's downtown merchants meeting. EDC Director Richard Randall and Roger Hollifield also made presentations regarding the branding study and façade grant program. A small number of merchants were in attendance but a number of good questions and comments were made by our local business representatives."

"The Cherryville Chamber of Commerce hosted two ribbon cuttings recently that I attended. Dr. Tommy White has opened a new office on East Main Street and Creations by Chelsey opened its doors on N. Mountain Street. Both businesses are a welcome addition to our downtown district."

“Last Monday the city held its first budget retreat session at the local fire department. The session began at 10 a.m. and lasted till around 6 p.m. Council instructed city manager Blackburn and finance director Dixie Wall to present a formal balanced budget within the next few weeks where another session will be required to work toward a final budget to be presented for the coming year.”

“On March 17<sup>th</sup>, I attended the Electricities meeting in Concord where a vote was taken to implement a debt restructuring alternative. The vote for debt restructuring passed by an 11 to 5 margin or a weighted margin of 72-48. I feel that this was a positive vote in Cherryville’s favor for not implementing the 5.6% to 5.8% increase that was being considered. Hopefully this recommendation will be passed by ECG in June and the new policy will be implemented on July 1<sup>st</sup>.”

“And finally, this past Saturday our little league held its opening day ceremonies in which council member David Kiser and I took part in the festivities.”

“In closing, I want to encourage all of our citizens to remember this weekend, April 17<sup>th</sup> & 18<sup>th</sup> the Cherryville Chamber of Commerce will be hosting its annual Cherry Blossom Festival. This year the event will include two days of activities running until 10 pm each night. The feature band this year is “Nantucket”.”

**APPROVAL OF MINUTES:**

Mayor Beam and the Council Member’s had the minutes before them from the previous City Council meeting held March 9, the previous Work Session meeting held March 30 and the Budget Work Session held April 6. Council Member Kiser made a motion to approve all three sets of minutes as written. Council Member Dalton seconded the motion and the vote was unanimous.

**AGENDA APPROVAL/REVISION:**

Council Member Dalton made a motion to approve the agenda as written and it was seconded by Council Member Puett. The vote was unanimous.

**PRESENTATION OF THE STATE TREASURER’S AWARD FOR EXCELLENCE IN ACCOUNTING AND FINANCIAL MANAGEMENT, SHARON EDMUNDSON:**

Ms. Sharon Edmundson was unable to attend the meeting to present the award so Mr. James Burke approached the podium and shared the following:

“Mayor, members of the council, and city employees of Cherryville it is a pleasure to attend your board meeting this evening and be a part of this presentation to the City of Cherryville. My name is Jim Burke and I am with the Department of State Treasurer. The City of Cherryville was initially recognized as award winner on March 6, 2015 at the NC Governmental Finance Officers Association Spring Conference, however it has been decided to continue the tradition of presenting this award at a full board meeting. This is the 23<sup>rd</sup> year that the State Treasurer Award for Excellence in Accounting and Financial Management has been recognizing the outstanding achievements of local governments and public authorities across the state of North Carolina. Each year the Department of State Treasurer contributes applications packets encouraging local governments and public authorities to submit their entries to the award program. Complete entries are sent directly to a NC Association of CPA’S (NCACPA) where they are evaluated by members of the governmental accounting and auditing committee in January of each year. Entries include a description of improvements made, local government financial and accounting management programs, the systems of methods of procedures during the previous fiscal year. Hopefully these entries represent service improvements and cost savings to the local governments submitting these entries. The Department of State Treasurer is pleased that NCACPA is a part of this awards program. The program is extremely competitive in making the decision on which entries are winners is very tough each year. The winners are recognized on a state wide basis and at local board meetings such as this one. Now we are pleased that the City of Cherryville was chosen by the committee to receive this award in the category of best practices by municipalities with populations less than 7500. State Treasurer Janet Cowell is deeply committed to NC local governments and efforts made to improve the accounting and financial management practices. In establishing the awards program the treasurer saw two objectives as essential components. First, the individual recognition of the award winners to the board meetings such as this one so that local governments working to improve their financial management practices could receive recognition for their hard work. The other component is the information about successful efforts of the winners of the award program is communicated to local governments across the state so inquiries could be made regarding the winning entries. As a result many local governments can benefit by learning about the efforts of the City of Cherryville. This mutual sharing enables local governments to lavish their efforts for the benefits of all North Carolina citizens. The winning entry was adopted as the best practice of establishing an audit committee in order to assist the city council in better fulfilling its oversight responsibility related to the integrity of the City’s financial statements and financial reporting process and the City’s system of internal accounting and financial control. It fulfills its responsibility in performing the performance of internal audit functions, the annual independent audit of the City’s financial statements, the engagement of the independent auditor and the evaluation of the independent auditor’s qualifications and performance and independence. Also its oversight in compliance with the city with its legal and regulatory requirements, its evaluation of its enterprise risk issues and fulfillment of other responsibilities as assigned. Again congratulations to the City of Cherryville and it is indeed my pleasure to present this.”

Mr. Burke then presented Mayor Beam and the City Council with a plaque.

“As I said I am filling in for Director of Fiscal Management Sharon Edmundson and she wanted me to read this. I am sorry that I cannot be with you tonight to present this well deserve award. For a number of years you received letters from me highlighting all that was wrong with the City’s finances. We certainly did not know the whole story then and how your trust was being violated nor did we know the severity of the loss that the City would ultimately face. I am happy to say that Cherryville is well on the road to recovery and I was so pleased to have this opportunity to present the award to you. Please accept my congratulations to all that have worked so hard to set things right and who will continue to do the best for the citizens of Cherryville. If we can be of any assistance to you please do not hesitate to contact me.”

Mayor Beam stated, “In response to the NC State Treasurer’s accounting and financial statement award that was just presented, we have received a number of phone calls and comments from other city and county government representatives congratulating our city on this honor. Let me emphasize that this designation is of the highest honor given to cities and towns throughout our state as it pertains to accounting practices. Mayor Beam thanked Andy West, Ben Blackburn, City Council, and Dixie Wall.” He then thanked Mr. Burke for coming.

Council Member Dalton recognized former Mayor Bob Austell and shared that near the end of his tenor it was his idea to put this audit committee together. Council Member Dalton thanked former Mayor Austell. He also thanked Andrew West for agreeing to chair the committee and Mr. Bob Faires who was also at the meeting.

City Manager Blackburn thanked the citizens and the department heads. He thanks Mickey Payseur for his help in one of the matters that the city pursued in the auditing portion. Mr. Blackburn shared that this is an award that all of Cherryville can be proud of.

**CITIZENS TO BE HEARD:**

No citizens spoke at this meeting.

**METROPOLITIAN PLANNING ORGANIZATION (MPO) PRESENTATION TO DISCUSS REGIONAL HIGHWAY PROJECTS, BJORN HANSON:**

Mr. Bjorn Hansen, Senior Transportation Planner for the Gaston, Cleveland, and Lincoln County Metropolitan Planning Organization (MPO), was present to ask for feedback from Cherryville on the plans for Hwy. 279 Mr. Hansen gave an overview stating that the NCDOT is asking the transportation planning organization to review their candidate project lists from the previously project ranking process (SPOT 3.0) in preparation for the development of the next Statewide Transportation Improvement Program (STIP). The next project ranking process will be called SPOT 4.0. The MPO can choose to add, delete, or modify projects by September 2015.

MPO staff have initiated this process by evaluating the existing highway projects in the database and making recommendations on phasing or modifying the projects to increase competitiveness in the next iteration of the STIP. In several instances MPO staff have recommended removing the project from the STIP database due to a lack of demand in the near future for the project. Mr. Hansen had a presentation of maps showing SPOT 3.0 candidate projects and suggestions for SPOT 4.0 revisions. He then shared the next step for MPO members would be to review the existing projects in the SPOT database and consider a local resolution to add, delete or modify projects by the end of May in order to submit to the MPO staff for presentation to the TCC and MPO Board at their July meetings. The MPO Board will be asked at its July meeting to approve amendments to existing projects and to approve adding or deleting projects at its September meeting. Mr. Hansen explained the way the NCDOT determines the need for a project is they consider traffic counts, crash data, cost and congestion and they are not high enough on Hwy. 279 to widen it at this time. Mr. Hansen shared that Cherryville may want to look at splitting Hwy. 279 into sections and doing upgrades in phases. He shared that we could improve intersections that would not cost very much. Mr. Hansen stated that this is what was being offered because the NCDOT has to focus on congested area now and Hwy. 279 is not as congested as some other targeted areas.

Council Member Dalton asked Mr. Hansen if he would be the one to propose Hwy. 279 being broken up into sections since he is the senior planner. Council Member Dalton wanted to know how to make this happen. Mr. Hansen shared that he will work with Cherryville and he will make recommendations that he gets from board members. He explained that he works off the guidance of the board members.

Mayor Beam shared that former Mayors have worked very hard on this for years and at one time Hwy. 279 was in the top 2 or 3 on the list at the regional level. It was taken to the state and they said that it was not going to happen. After that the issue dropped back to the regional level again. Mayor Beam wanted to know why Hwy. 279 was not scoring any better now than when it was number 2 or 3 on the list. Mayor Beam wanted to know what happened to the high scores that we once received. Mr. Hansen explained that every two years points are given and the high points that Mayor Beam is referring to was four years ago and that score was based off the Lake Norman RPO and it was absorbed into the Gaston area after the 2010 census. The projects were sorted into tiers putting highways are at the division tiers, US routes are at the middle tier and interstates are at the highest level. He explained that the highways were given high scores but they still do not score high enough because the traffic counts are not high enough. The only section of Hwy. 279 to score high enough to be on the list of projects was in Dallas near Gaston College, because of the long length and the high cost of widening Hwy. 279 it did not score well. This is why Mr. Hansen is asking that Hwy. 279 be broken up and worked on in sections.

Council Member Parker asked Mr. Hansen if the MPO consisted of Gaston, Lincoln and Cleveland Counties. Mr. Hansen answered yes it does. Council Member Parker than asked Mr.

Hansen why there was a three county board when he was going to be the one to make the decisions. Council Member Parker asked why would have a three county board when what the board is recommending is not being considered. Council Member Parker shared that at one time one of our highways ranked number one and the other highway ranked number four by our MPO and when it went to Mr. Hansen or his committee they were knocked off the list. Council Member Parker wanted to know why our Mayors and many others should waste their time working so hard for these projects when no one is listening to their recommendations and the decisions are being made by others. Mr. Hansen responded and explained that he did not make any decisions. He shared that the rankings that Council Member Parker is referring to were submitted and they carried the full weight of the organization but we only contribute one quarter of the total score of a project. The division in Shelby contributes one quarter of the total score as well and the other 50% of the score is based on congestion and safety. Mr. Hansen shared that they do not do anything other than what they are directed to do by the vote of the board. Mr. Hansen stated they no changes are made without the direction of the board. Mr. Hansen shared that the NCDOT makes the decisions on what projects will take place and when. We provide the information and give our input but we are not the authority on how the money will be spent, at the end of the day it is the state's decision.

Council Member Puett asked Mr. Hansen if Hwy. 279 were to be broken down into sections for improvements when could we expect to see anything happen. Mr. Hansen shared that if a section made it on the list and it was a high scoring project then asphalt could be poured in two to three years. If it were a normal project it could be seven, eight or nine years. Right now a ten year list of projects are being approved. The intersection projects are what the State is funding not the widening projects. Mr. Hansen does not expect to see any widening occur until 2030 based on projections of how things are going.

Council Member Parker asked Mr. Hansen to explain the one cent sales tax because it could come to the citizens for a vote and he wanted to know who would control that money from the one cent sales tax. Mr. Hansen stated that for Gaston County it would be one quarter of a cent and we would need legislation to approve the one cent sales tax. Mr. Hansen stated that the money would go into the general fund. Mr. Hansen stated that before he attended the meeting he was talking to a state engineer about Hwy. 279 and they are willing to work with us on the intersection projects. Mayor Beam thanked Mr. Hansen for coming.

Mayor Beam shared the following, "Let me just add that I have met or spoken with former Mayors Bob Austell and Jack Davis concerning the needs of future highway projects for our city. Just last week City Manager Blackburn and I met with Mr. Bobby Lewis, Chief of Staff to NC Department of Transportation Secretary, Mr. Tony Tata and two of his staff members. We discussed the local highway projects concerning Cherryville directly, namely highways #279 and #150. City Manager Blackburn and I provided a detail account of the pressing needs our city has relating to various points, such as economic development, highway safety, connectivity to the surrounding county seats and their access to major highways and interstates and highway

travel efficiency to the motorists coming to and through Cherryville. Mr. Lewis and his staff appeared to be intently interested in our comments as we traversed highway 279 as well as highway 150. He shared ideas of NCDOT possibilities of future improvements to our local highway issues. He stated that he and another NCDOT official that he works closely with “often times thinks and works outside the box” if I may quote Mr. Lewis. After studying this matter Mr. Lewis said he would be contacting the city within the next few weeks with their ideas. If I may I would like City Manager Blackburn to explain what Mr. Lewis meant by “thinking and working outside the box.”

City Manager Blackburn stated, “My understanding was it was dealing with issues that normally do not apply to the scoring system. Those projects that Mr. Hansen was talking about and looking at ways of funding these projects that may apply to Cherryville.”

Mayor Beam stated, “Thank you City Manager Blackburn and we hope Mr. Lewis will be bringing us some positive ideas for our highway needs.”

#### **CONSIDERATION TO ADOPT THE BRANDING STUDY FOR MAIN STREET PROGRAM, ANDY WEST:**

Mr. Andy West Chairman of the Main Street Program approached the podium with the final branding study guide for the City of Cherryville. Mr. West shared that last August through December the Main Street Committee went through a process to rebrand Cherryville. The process involved over 200 citizens. In January Arnett and Muldrow and the Main Street Committee brought an overview of the study to the meeting to show what they had been put together. Then in February the steering committee from the Main Street Program met with Mayor Beam and the City Council again providing them with a more in depth review of the branding system. The final step in the branding process is the guide that each were given a copy of. The guide provides the specifications, the conventions and the safe guards for protecting our new branding going forward. It also provides us with copy rights to the branding. Mr. West asked the Mayor and Council to officially embrace this guide as the new branding system for the City of Cherryville by approving the adoption of the guide. Mayor Beam and the City Council were given a guide or catalog showing what the new logo, flags, colors, and signage will look like. The catalog is full of pictures and advertising ideas for Cherryville.

Mayor Beam shared that the guide is more in depth than anything he has seen so far. Mayor Beam also shared that he was happy that we have a guide that shows the colors and signs. Mayor Beam shared that he realizes that there have been concerns over changing the seal of Cherryville as well as other things but we did hire a professional company to help us. Mayor Beam asked Mr. West to give the back ground of Arnett and Muldrow.

Mr. West shared that Arnett and Muldrow and been in business a long time and they are a nationally recognized firm that has done rebranding implementations in virtually every state of

the union. They have completed more than 300 engagements to do branding for municipalities, county governments and other organizations. They have done the branding for over 30 cities in North Carolina and they are clearly the leader in the United States for branding. They frequently speak at conferences and they spoke at the Main Street Conference that was recently held in Morganton. The two gentlemen that did the rebranding for Cherryville were the ones that spoke at the conference where they highlighted Cherryville's new brand.

Council Member Dalton shared that he thinks the branding needs to catch people's attention and this catches you attention. He shared that he is excited about it and ready to see some of it put in place.

Mayor Beam shared that some of the branding has already been put in place at the recent basketball tournament that was held at Nixon Gym. The t-shirts had the new brand on them. Mayor Beam feels like some of the changes are very subtle especially the seal.

Council Member Kiser shared that the guide was very detailed and was much better than some of what they have seen in the past. He shared that he has been involved with the Main Street Program from the start and he like it.

Council Member Parker shared that he liked the guide as well.

Council Member Dalton shared that when you go through town now you only see the one flag that we have. He likes that the guide is showing a collection of different flags and they are all different. He commented that it is well designed and he likes it.

Council Member Puett shared that is will really make a difference when we see the banners go up and other things going on the streets.

Mayor Beam shared that even the way finding signs are all different from the Ironmen, the farmers market and the cherry blossom. They are all different and unique and he thinks that Arnett and Muldrow have done a great job.

Council Member Dalton made a motion to adopt the new branding guide as presented. Council Member Puett seconded the motion.

Former Mayor Wade Stroupe spoke from his seat stating that he realized he was totally out of order for an open meeting but he would have to question Council and ask, "Does the public have any input or right to view these documents of this branding before it is adopted by the city?"

Mayor Beam shared that maybe Mr. West could explain the procedure that Arnett and Muldrow went through and who they interviewed. Mayor Beam shared that the council did not make the decisions.

Former Mayor Stroupe stated, "I totally understand that and I am fully aware of the procedure and the policy and I have a lot of personnel observations about that, that I will not

belabor at this time but this is a branding study for the City of Cherryville. There has been no opportunity for public hearing or public opinion on it. I am setting here with two committee members that have never seen the documents that you are looking at. They are on the committee they have been on the committee for over a year. I took part in one of the initial meetings. I was invited to come, I met for one hour with a representative from Arnett and Muldrow myself. Since that time I have not been asked to review or witness any presentation or anything. So, I realize I am totally out of order with that but I just think that a project of this magnitude, a branding study that the City spent \$15,000 I believe on, before you put in the final document and you just admitted that everybody has not seen the final document. Yes early revisions of that yes, but not the final document don't you think you should have some kind of public hearing or public presentation. That's my only point thank you."

Mayor Beam shared, "Your concerns are noted but I will say that we have seen this over and over. It's not a decision that we are just going to make just tonight and this is the first time we have seen the final product, we have seen it all through the stages."

Former Mayor Stroupe stated, "But that's my point, that's my point, you are proving my point."

Mayor Beam stated, "As far as taking it before the citizens, you are going to have 200 different views, you are never going to get anything done. That is why you hire a branding committee to do that work for you and you proceed after that. As far as point of order we already have a motion on the floor and a second so we really have to proceed with that vote. Is there any discussion with any of the Council Members? If not all in favor as motion was presented say I." Vote was unanimous.

#### **CONSIDERATION OF HANDICAP PARKING ACCESS AT CHERRYVILLE MINI PARK, SLOAN FORTENBERRY:**

Ms. Sloan Fortenberry owns Its Your Feet Plus on Main Street in the mini park. She specializes in feet, hands and skin care of senior citizens. Most of her clients are diabetics and are disabled. She has a client who is legally blind and a number of them use walkers or canes. Many clients are in their 80's and a few in their 90's and they have been citizens of Cherryville all or most of their lives. Mrs. Fortenberry also has clients that come to her from Shelby, Morganton, Lincolnton, Vale, Hickory, Charlotte, Concord and Rock Hill just to name a few. Ms. Fortenberry requested a handicap parking space be put beside her business in order for her clients to be able to access her business. She also shared that she schedules her client's appointments forty five minutes apart so the handicap spot will not be abused.

Brandon Abernathy went to the mini park to see if there was enough room along the red fence for a handicap space and there is. This will put Ms. Fortenberry's clients closer to her business and also the other businesses located at the mini park.

Council Member Parker made a motion to put another handicap parking space in the mini park along the red fence. Council Member Kiser seconded the motion and the vote was unanimous.

**CONSIDERATION OF ST. JOHN’S LUTHERAN CHURCH ELECTRICAL UPGRADES, SAM LOCKRIDGE:**

Mr. Lockridge was unable to attend the meeting. Mr. John Dellinger approached the podium and asked Mayor Beam and the City Council if they would reschedule this item until the May meeting. He shared that he needed to discuss more information with Public Works Director Brandon Abernathy. This will be placed on the agenda for May.

**PROCLAMATION RECOGNIZING EARTH DAY APRIL 22, 2015, MAYOR H.L. BEAM:**

Mayor Beam shared that Earth Day this year is April 22, 2015. Mayor Beam read a Proclamation recognizing this day.



**Earth Day Proclamation**

**Earth Day 2015**

**WHEREAS**, the global community now faces extraordinary challenges, such as global health issues, food and water shortages, and economic struggles; and

**WHEREAS**, all people, regardless of race, gender, income, or geography, have a moral right to a healthy, sustainable environment with economic growth; and

**WHEREAS**, it is understood that the citizens of the global community must step forward and take action to create a green economy to combat the aforementioned global challenges; and

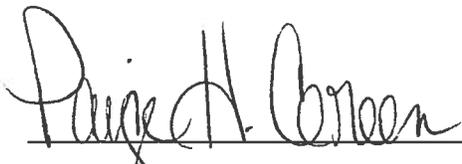
**WHEREAS**, a green economy can be achieved on the individual level through educational efforts, public policy, and consumer activism campaigns; and

**WHEREAS**, it is necessary to broaden and diversify this global movement to achieve maximum success; and

**WHEREAS**, Earth Day is the beginning of a new year for environmental stewardship commitments, to implement sustainability efforts and commit to an Earth Day resolution(s); and

**FURTHERMORE**, let it be known that the City of Cherryville hereby encourages its residents, businesses and institutions to use **EARTH DAY** to celebrate the EARTH and commit to building a sustainable and green economy;

**NOW THEREFORE, LET IT BE RESOLVED**, on the 13<sup>th</sup> day of April, 2015, that the City of Cherryville, hereby pledges this Earth Day, April 22, 2015, to support green economy initiatives in the City of Cherryville and to encourage others to undertake similar actions.

  
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City Clerk, Paige H. Green

  
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Mayor, H.L. Beam

(SEAL)

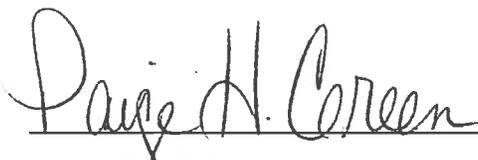
**OTHER BUSINESS:**

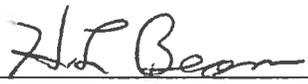
Council Member Dalton reminded Ms. Fortenberry that with the addition of the new handicap parking space would also come the fact that there are several times a year that the City blocks off the parking lot for special events. Council Member Dalton just wanted to make sure that she realized that. Ms. Fortenberry said that she understood.

**ADJOURNMENT:**

Mayor Beam asked for a motion to adjourn the meeting. Council Member Kiser made a motion to adjourn the meeting and it was seconded by Council Member Puett. The vote was unanimous. The meeting adjourned at 7:55 pm.

Adopted this 11<sup>th</sup> day of May, 2015

  
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City Clerk, Paige H. Green

  
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Mayor, H.L. Beam

(SEAL)

