

CITY OF CHERRYVILLE

REGULAR CITY COUNCIL MEETING

MONDAY DECEMBER 9, 2013 @ 7:00 PM

CHERRYVILLE COMMUNITY BUILDING

Present at the meeting, Honorable Mayor Robert Austell, Mayor Elect H.L. Beam, Councilmember's Rick Campbell, David Kiser, Malcolm Parker, Brian Dalton and Councilmember Elect Jill Puett. City Manager Ben Blackburn, City Clerk Paige Green, City Attorney Palmer Huffstetler, Police Chief Chad Hawkins, Fire Chief Jeff Cash, Water Plant Superintendent Patty Hall, Finance Director Dixie Wall, Public Works Director Brandon Abernathy, and EDC Director Richard Randall. Michael Powell was present for The Cherryville Eagle.

The Honorable Robert Austell called the meeting to order at 7:00 pm in the Council Chambers. Mayor Austell welcomed everyone to the meeting and called on Pastor Tom Hartis of the First Nazarene Church for invocation followed by the Pledge of Allegiance.

MAYOR'S COMMENTS:

Mayor Austell shared that his final comments would include accomplishments from the previous two years. Mayor Austell shared that the past two years have been the best two years that he has served as Mayor. He went on to say that he wanted to lift up Council and staff because they have accomplished more in the past two years than all other previous years combined. Mayor Austell shared the following:

"It is my honor to speak to you this last time as your Mayor. In checking with other cities I find it is customary for a Mayor that is passing the gavel to a newly elected Mayor to first review what has been accomplished during their tenure as Mayor. During the last 10 years new structures: Walmart, Kentucky Fried Chicken, BB&T, Auto Zone, Dollar General, Carolina Care Cottages, Peak Resources, Cherryville Animal Clinic, The Pizza Hut building, the new Fire Department, new Little League facilities, and a skate park, Allen Eaker facilities Alcom on Dick Beam Rd., Martin Brown Masonary Unlimited building on Dick Beam Rd. There have been upgrades in buildings during the last 10 years. Great Out Doors to the old Winn Dixie, Bojangles to the old Burger King, the Cleco building on W. Church St., the McDonalds building, the Parkway Grill building, the Tuscany building, Carolina Cares Main building, Don's Handy Mart building, the old Blackwelders Textile building to Tire Cord, the Fleetnet building, the old Pizza Equipment supply building was remodeled by Pocono Coded Products and the old Bernhardt Furniture Building by Farris Fabs, Gaston Health Care Services beside Medical Center was recruited to Cherryville with help of Council and/or staff. The main purpose of bringing these things up tonight is to try to make it clear to everyone that our City is not drying up but instead

many people are investing in our City even in a bad economy. Our citizens should also be optimistic. Can you picture Cherryville without these investments over the past ten years?

In my closing comments tonight I want to report on the performances of this Council and staff during the last two years. It has been the most successful two years of my tenure. This Council and staff had to go through this troubling time but they had to keep their eyes focused forward and not in the back of their heads. In doing so they did an outstanding job. They effectively removed eight employees from our City but just as important they hired eight qualified people to replace them. While doing this they accomplished the following:

1. They set two outstanding budgets, the first budget was for the year July 1, 2012 through June 30, 2013. That budget produced over \$1,200,000 of fund balances. All three the General Fund, the Electric Fund, and the Water and Sewer Fund exceed state recommendations. It is important to note we had no embezzlement during that year and we received back \$150,000 from insurance due to the embezzlement. However, one must keep in mind in spite of these positives we paid a ridiculous amount of money when removing the City Manager due to a contract we had nothing to do with. We also absorbed approximately \$284,000 of Electricities cost due to not passing it on to our customers. We also paid approximately \$112,000 extending the new water lines for circulation purposes to improve the quality of our water. This Council and staff's second budget we are now operating with that runs until June 30, 2014 will again produce positive results.
2. We formed an Audit Committee and changed audit firms.
3. We developed a Whistle Blower Policy.
4. We initiated the Small Town Main Street Program. Currently about 30 volunteers are working on this program. Plans should be finished in approximately one year.
5. We over two years 5 dilapidated houses were torn down and 3 dilapidated mobile homes removed, 5 dilapidated buildings removed and caused 18 dwellings to be brought up to code.
6. We established a policy that if any retired employee enters a plea of guilty or any retired employee who is convicted to a felony will lose their insurance benefits.
7. We started the inmate program at our Public Works department to hopefully prevent hiring people during special seasons and special events. They are compensated \$1.00 per day. Currently we are using four inmates.
8. We worked in hand with the Chamber of Commerce to develop a Farmer's Market.
9. We established new meeting rules.
10. The City has put in 3528 linear feet of new side walk and they have resurfaced 13,190 linear feet of roadway at a cost of \$537,306 in the last two years.
11. The City has put in 5544 linear feet of new 12" water pipe in the last two years.
12. The City purchased and paid cash for a new \$30,000 leaf truck.
13. The Council and staff developed a (participant release of liability assumption of risk agreement) to protect the City when others are using or riding city equipment.

14. Councilman Campbell secured through his employer Walmart 5,000 lbs. of food for Cherryville Area Ministries.
15. The Council and staff developed a new license to reduce the number of Hawkers, Internet Merchants and Peddlers in our City.
16. Our junior firefighter program was awarded the National Junior Firefighter of the year honor.
17. Cherryville firefighter Jason Wofford was presented with the Western North Carolina Firefighter of the year award.
18. Our City received the NCDOL Gold award for safety for 2 years. We were the only City in Gaston County to receive this.
19. Our Council and staff developed a Strategic Planning Report which prioritizes our future focus.
20. We switched phone services and web site administrators to save money and become more user friendly.
21. The ABC Board was placed under the City Travel Policy.
22. We changed our yard sale policy.
23. Put a new Customer Service Policy in place that reduced our monthly debt from around \$80,000 per month to \$2,500.00 per month and put in a credit card utility payment program.
24. We changed our cemetery purchase policy that has reduced our bad debt from \$43,000 at year end to only \$4,515 this year end. We adjusted pay to those handling cemetery call duty saving a considerable amount of money. We also set new cemetery charges to be more consistent with cemeteries in the surrounding area. The money was allocated to finish all surveying and mapping of our cemetery by June 30, 2014.
25. A new city wide flushing program was put in place to hopefully reduce the amount of iron build up in certain spots.
26. The City held seminars for every city employee to improve our customer service.
27. Every City employee was given a \$500 bonus on July 1, 2012 since they have not received a wage increase since January 2009.
28. We developed a Land Use Plan.
29. The Council reduced their salaries 10% and eliminated the water credit. In prior years insurance coverage for spouses and family members had already been eliminated.
30. Changed Service Policy for payment allocations and negotiated cheaper risk coverage.
31. We partnered with Dixie Youth to replace four dug outs and install new fencing (\$6,500). We partnered with Little League to make the 3<sup>rd</sup> field at the Little League field's facilities. (\$6,500). We established new fee schedules for the ball fields. We bought the concession stands at the Dixie youth Fields up to code so hot dogs could be sold. It has increased their profits greatly.
32. The City put on or participated in two Cherry Blossom Festivals, two Christmas parades, two July 4<sup>th</sup> fireworks displays, two Thanksgiving meals, two 911 ceremonies, two National Prayer services and four National Nurses Day ceremonies at both nursing

- homes. The City also endorsed and supported Michael Philbeck as he put on Cherryville's first Relay for Life.
33. The Council made no overnight stays during these past two years and the various functions they attended were all day trips.
  34. The City successfully influenced Peak Resources to remain in Cherryville. Their land was annexed into the City and we were able to secure their electricity.
  35. The City established new commercial rates to closer mirror Duke Power new schedule. Two old programs were eliminated and one new competitive programs were established.
  36. A new lease was entered into with Gaston County on the Rescue Building. Previously it was leased to Cherryville Rescue Squad for \$1.00 per year. It is now leased to Gaston County for \$500 per month and the utilities will now be paid for by the County.
  37. Resolutions were presented to John Chavis baseball team for winning the Gaston County Championships, to Drew Reynolds for being selected all conference in baseball at East Carolina University and second team all American to Terry Whisnant for his participation on the ACC Champion basketball team at Florida State, for John Chavis girls softball team for winning the 2011 Gaston County Championship, to Dixie Youth girls softball for winning the State Championship, to Trent Friday at CHS for setting state records in track, to George Bradley for his many years of service to our community. And a proclamation for Military Order of the Purple Heart.
  38. The City awarded wireless transmission rights as our two water tanks to Black Dot for \$517,183.17.
  39. We joined the (connect our future program) to aid in communication with our neighboring Cities and place us in a better position for grants.
  40. No new debt was taken on during the past two years and it was reduced from \$761,896 to \$529,922 during that time.
  41. The City moved from now eliminated Lake Norman RPO to the Gaston-Lincoln-Cleveland MPO. Highway 150 from Delview Road to the new Shelby by pass and Highway 279 from Dallas to Cherryville moved from the RPO to the MPO highly ranked. The 150 project just survived the new MPO ranking and is one of four roads with 70 points which is the highest ranking in those three Counties. Highway 279 is in fifth place with a few other roads with 65 points.
  42. The City received six grants over the last two years bringing in \$988,543.
  43. Our water plant received the AWOP award from the state for 2012. This award was recognition for producing a high quality of water from our water plant.

In closing let me say to this Council and Staff. I have truly enjoyed these last two years despite the negative things that have taken place. This chair is being vacated tonight with a feeling that we and I say we got out of these past two years everything we possibly could. It has been a true honor for me to have served with each of you.

The greatest success we have achieved over the past ten years is replacing the City Manager and five of our eight department heads with really qualified and dedicated people. The City is strong in every area with personnel who will strive to please this new Council. It will continue to be necessary for the Council to communicate what will please them. I think those citizens, and they were many, that will continue to support us during the troubling times. I truly truly want to thank our staff for picking up the pieces and not becoming fragmented.”

Mayor Austell shared that he has enjoyed serving the City of Cherryville for the past 10 years and is excited about his replacement coming in. Mayor Austell feels like he is the perfect choice for the City.

PARTING COMMENTS BY OUTGOING COUNCILMEMBER AND MAYOR:

Councilmember Rick Campbell shared the following:

“First I want to thank the citizens for giving me the opportunity to serve for the past four years. I want to thank all city employees for their dedication to the City and the great job that they do. I want to thank the Mayor and Council for their support on the projects that I brought before them such as the cemetery, Dixie Youth and Little League. I am most pleased for my four years I have served to recover a \$96,000 debt that the city was carrying each month. It is now down to below \$1,000 and should be off the books totally by the end of the year. But most of all I want to thank my wife for putting up with this and God bless the City and the Council.”

Mayor Austell commented that he failed to lift up his wife and family but he could not have done it without them.

Councilmember Dalton shared that it had been a pleasure to work with Mayor Austell. He commented that they had not always seen eye to eye on some issues but they always worked them out. Councilmember Dalton shared that Mayor Austell has a work ethic that not many people have. Mayor Austell has worked tirelessly for the City and Cherryville. Councilmember Dalton shared that Mayor Austell had the best interest of Cherryville at heart.

Councilmember Kiser commented that he had enjoyed working with both Mayor Austell and Councilmember Campbell. He shared that he had learned a lot in the past three years.

Councilmember Parker commented that they all do not see eye to eye on a lot of things but they are able to work it out. Councilmember Parker shared that he has enjoyed working with Mayor Austell and Councilmember Campbell and he looks forward to working with the two newly elected officials.

Mayor Austell commented that the Council had not always seen eye to eye but that was a good thing because each Councilmember should always vote their conscience. When Council votes their conscience they are representing the citizens and their voice is being heard.

APPROVAL OF MINUTES:

Mayor Austell asked for a motion to approve the minutes from the previous City Council meeting and work session meeting. Councilmember Kiser made a motion to approve both sets of minutes. Councilmember Campbell seconded the motion and the vote was unanimous.

SWEARING IN CEREMONY OF NEW COUNCILMEMBER'S DAVID KISER, JILL PUETT AND MAYOR H.L. BEAM III:

Mayor Austell called on City Clerk Paige Green to swear in the newly elected officials. Councilmember David Kiser and his family stood before the crowd and he took his Oath. Councilmember Jill Puett took her Oath and her set on the Council. Mayor H.L. Beam took his Oath and his seat.

Mayor Austell shared that it was his pleasure to pass the gavel to Mayor H.L. Beam.

Mayor Beam then called former Mayor Austell back up to the front and honored him with a Resolution. Mayor Beam read the Resolution to Mayor Austell and thanked him for his service to the City of Cherryville. Mayor Beam then presented Former Mayor Austell with a plaque for his many years of service. The Resolution read as follows:

**RESOLUTION**

**WHEREAS**, Mayor Robert D. "Bob" Austell was first elected by the citizens of Cherryville, North Carolina in November 2003; and

**WHEREAS**, Mayor Austell since that time, has served five consecutive terms as mayor, longer than any previously known mayor in the city's legislative history; and

**WHEREAS**, Mayor Austell has been a strong advocate for the economic vitality of the city through lending his talents and boundless energy to this goal; and

**WHEREAS**, Mayor Austell has served his city in various capacities, such as: Chairman of the Cherryville Economic Development Commission, Vice-Chairman of the Lake Norman Transportation Planning Organization, Member to the Centralina Council of Government's Board of Directors, Co-Chairman of the Gaston 2012 Collaborative Partners Transportation Committee, as well as holding prominent positions of responsibility in numerous other local, church and civic organizations; and

**WHEREAS**, Mayor Austell has been a tireless promoter of his city through his dedication to its continuing focus on youth services and energetically encouraging the involvement of the city's youth in community projects; strengthening volunteer services and finding more ways to welcome and involve residents as active participants in civic life; and championing the cause for

regional co-operation with other agencies and departments for the benefit of the city and region as a whole; and

**WHEREAS**, Mayor Austell has passionately given his time marked by his exemplary dedication to making the City of Cherryville a great place to live, work and play; and

**WHEREAS**, Mayor Austell is recognized by his peers and City staff for being professional, hardworking, dependable and enthusiastic with a positive attitude towards all that he encounters.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council for the City of Cherryville hereby gratefully record and extend its sincere appreciation to Mayor Robert D. "Bob" Austell for his dedication, commitment and service to the City of Cherryville and its citizens and express its best wishes for his continued success, and good health in the years to come.

This the 9<sup>th</sup> day of December, 2013.

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Henry L. Beam, III, Mayor

Councilmember Kiser thanked the citizens for the opportunity to serve another four years and stated that he looks forward to working with the new Mayor and Council. Councilmember Kiser shared that he is available to any citizen to listen to any concerns they may have. He thanked his wife and family for their support.

Councilmember Puett thanked the citizens for voting for her and showing their faith in her. She stated that Cherryville is a wonderful town and she wants what is best for our community. She thanked her family and friends for their support and she stated that she will work hard for the City. Councilmember Puett also commented that no of us are strangers to each other so together we can do what is best for our City. She also commented that the city employees are some of the hardest working employees. She thanked everyone for their faith in her.

Mayor Beam shared that he will keep his comments as brief as possible. He shared the following:

"Six months ago I made the decision to seek the office of Mayor of this City. I did not make this decision hastily, but after countless hours and discussion with friends and family members my decision was reached. There were many reasons that I chose to seek this position but foremost was my love and concern for the future of our great City. After all I have spent my entire life in the City of Cherryville. My hope and prayer is for many future generations of citizens to enjoy the quality of life which all of us so deeply desire. I eluded throughout my campaign to the fact that my families bond and roots to this City are quite deep. I can boost that I had a great uncle, E.Z. Moss that was Mayor of Cherryville. I also have a second Cousin Aaron Moss that was Mayor of this City. I want to publically thank all of my family for their

support, confidence and encouragement they gave me in seeking this office. My wife Diana of 49 years gave 12 years of hard service to the City's Chamber of Commerce before recently retiring. My two daughters and sons in law have made their homes here and are raising their families in Cherryville as well. They have given us six wonderful grandchildren and we have been blessed to have them. My mother who is ninety years young is present here tonight along with my three sister and many other family members. I want to recognize all of them at this time and ask all of those that are kin to me to please stand. Next I want to publically thank the super six, as I so justly pinned them, for the diligent work on my campaign. They were Terry Fisher, Wade Stroupe, Jerry Hudson, James Russell Beam, Blair Beam and Tim Moss. These six guys got together and we started this campaign from scratch and in the end that was about all that was still left that was working on the campaign was those six. At the end I think Julie Stroupe came in and helped us stuff some envelopes. Basically those six guys did all the work on my campaign with the exception of Lisa Hastings and Natalie Moss Beam who help put my rally together that was held at the American Legion and it turned out to be a huge success. I especially want to thank my two opponents in the recent campaign, Paulette Sewell Gibson and Harvey Lee Patterson on the clean campaigns they conducted. I told each of them personally that I felt our City could not lose in this campaign regardless of which one the citizens chose. But most of all I want to thank all the citizens that came out and exercised their right to vote regardless of their choice of candidates. My campaign promise was to put TLC into city government. T was for transparency, L was for leadership and C was for commitment and I think my granddaughter has that shirt on that we drew up for that reason. My intension is to strive to do this to the best of my ability for the benefit of all the citizens of Cherryville. I am committed to work with all resources available, local, county, state or federal to develop avenues of prosperity for our city. I have already began to work in many of these areas and have formed some strong bonds with many of our surrounding leaders. I am also committed to work and lead in any other areas of our city. I know my goals and my plans for the future of Cherryville cannot come to fruition without the support of these four people you see before you. I know all of them have worked hard over the past two years and they have accomplished a lot of great things. I look forward to developing a fruitful relationship with them for the future. I will work just as hard with our new Council people, our City Manager, our City Attorney, and all personnel and employees of our great city. Lastly I only ask that all of you here and all the citizens of Cherryville pledge their commitment for the support of city government. Please keep all of us up here in your prayers and may God bless you and the great City of Cherryville. Thank you."

#### AGENDA APPROVAL/REVISIONS:

Councilmember Dalton shared that with the new meeting rules Citizens to be Heard is at the bottom of the agenda. He made a motion that we move Citizens to be Heard up to item number seven because items number seven and eight are two items that will require votes. He

shared that this will give the citizens a chance to speak on these two items if they choose to do so. City Attorney Huffstetler asked if that motion was just for this meeting or all meetings in the future. Councilmember Dalton shared that he would like to see it at the top of the agenda for all meetings. City Attorney Huffstetler stated that it was fine to move this item on the agenda. Councilmember Puett seconded the motion and the vote was unanimous.

CITIZENS TO BE HEARD:

None.

AGENDA APPROVAL/REVISIONS:

Councilmember Kiser made a motion to approve the agenda. Councilmember Dalton seconded the motion and the vote was unanimous.

CONSIDERATION OF WATER FEES FOR GASTON COUNTY SCHOOLS, BEN BLACKBURN:

City Manager Ben Blackburn addressed the Mayor and Council and explained to them that we currently do not charge Gaston County Schools for the irrigation for Rudisill Stadium and Buck Fraley Field. Mr. Blackburn called around to all other Cities/Towns in Gaston County and they all charge for this service.

Mayor Beam asked for a motion discussion.

Councilmember Parker made a motion to start charging Gaston County Schools for this service and it was seconded by Councilmember Puett. Vote was unanimous.

City Manager asked if this date would be effective January 1, 2014. That will be the starting date and Mr. Blackburn will write a letter to Gaston County Schools letting them know that we will begin charging them for this service.

CONSIDERATION OF MAINTENANCE FEES FOR CEMETERY, PAIGE GREEN:

City Clerk Paige Green addressed the Mayor and Council and explained to them that on May 14, 2012 the City Council voted unanimously on fees for the new cremation section of the cemetery. At that time a fee for maintenance was not voted on. Mrs. Green met with the cemetery committee and it was voted unanimously by the board that a fee needed to be in place. Not only for the cremation section of the cemetery but also for a cremation grave that may be buried on top of an existing grave.

Councilmember Kiser made a motion to accept a maintenance fee of \$300.00 for outside residence that have cremation graves. Councilmember Dalton seconded the motion and the vote was unanimous. The fee will be added to the fee schedule.

CONSIDERATION OF MOVING THE DECEMBER WORK SESSION TO THE FIRST WEEK OF JANUARY 2014:

City Manager Ben Blackburn addressed the Mayor and Council explaining to them that the next work session would be in the middle of the Christmas and New Year holiday. Mr. Blackburn asked the Mayor and Council to consider moving the work session to the first week of January 6, 2014.

Council Parker made a motion to move the work session meeting to January 6, 2014. Councilmember Kiser seconded the motion and the vote was unanimous.

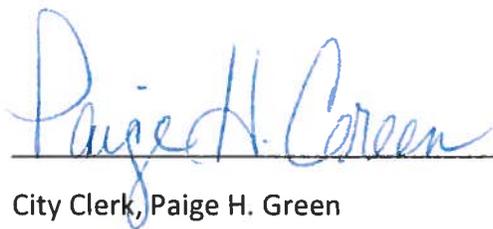
OTHER BUSINESS:

Councilmember Dalton commented that since we had come in under budget on the sidewalk project that we needed to extend the sidewalks at Rudisill Stadium on the Church Street side. Information will be put together for the work session so that this can be discussed.

ADJOURNMENT:

Councilmember Parker made a motion to adjourn the City Council meeting. Councilmember Dalton seconded the motion and the vote was unanimous. The meeting adjourned at 8:02 pm.

Adopted this 13 day of January, 2014

  
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City Clerk, Paige H. Green

  
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Mayor, H.L. Beam III

