



REGULAR CITY COUNCIL MEETING

MONDAY FEBRUARY 8, 2016 @ 7:00 PM

CHERRYVILLE COMMUNITY BUILDING

106 S. JACOB STREET CHERRYVILLE, N.C. 28021

The Honorable Mayor H.L. Beam called the meeting to order welcoming everyone. Councilmember's Jill Puett, David Kiser, Brian Dalton and Malcolm Parker were present. Also present was City Manager Ben Blackburn, City Clerk Paige Green, City Attorney Palmer Huffstetler Jr., Public Works Director Brandon Abernathy, Fire Chief Jeff Cash, EDC Director Richard Randall, and Police Chief Chad Hawkins. Michael Powell of the Cherryville Eagle was present for media coverage.

MAYOR'S COMMENTS:

I want to take this opportunity to thank Carolina Federal Credit Union, for the donation of a number of office chairs and conference table to city hall. These items make city hall look much more presentable and professional to the staff, the public and visitors to city hall as well.

Congratulations to the Main Street Program and Dixie Youth Softball programs for recently being awarded \$5,000.00 each from the Gaston County Community Foundation.

The Main Street Program has submitted its application for designation of the downtown area as a national historic district. Notification of the designation could come as early as mid-summer. This assignment would allow property owners to receive federal and state tax credits, which in turn will serve as an incentive to businesses to expand, locate, and improve their properties for the benefit of the downtown area

Thanks go out to City Manager and Public Works Director Brandon Abernathy on developing an operational protocol for our street department as it pertains to the downtown area during a snow event.

In partnership with the City of Cherryville and Cherryville Area Ministries, a combination of local churches from different denominations, Inspire, First Baptist Church has the desire to improve local homes in their community. Inspire is looking for homes in Cherryville that are in need of some minor inside and outside work. The work may be in the form of shampooing

carpet, painting, trimming hedges, pressure washing, landscaping, or other minor construction work. There will be minimal to no expense to the homeowner, and the Inspire volunteers, which are primarily youth with adult leadership, will provide the labor. This project will be associated with the local Cherryville churches, City of Cherryville, and Cherryville Area Ministries. Funding for the projects will come primarily through donations and generosity of local church. To determine if you are eligible to participate in this program, please contact First Baptist Church at 301 E. First Street or you can call 704-435-3796 with any questions.

City Manager Ben Blackburn and myself attended and spoke at the Gaston County Commissioners meeting regarding the Gaston County Health Lease proceeds. There were between 150 and 200 people in attendance. I am happy to announce that the commissioners voted with only one nay vote to award the Cherryville township half a million dollars. Below is a list showing allotment of the funds:

Cherryville High/Nixon Gym Floor (BOE)	\$ 88,500
Cherryville Crisis Pregnancy Center	\$ 20,000
American Legion Post 100 Renovations	\$ 25,000
City of Cherryville Projects/ * <i>Proposal B</i>	\$ 366,500
* Water line Upgrade (after match) - \$73k	
* Police Dept. Water Problem - \$75k	
* Park Upgrades - \$46.5k	
* Water Plant Upgrades - \$160k	
Total:	\$ 500,000

This past Wednesday Council Member Jill Puett and I attended the Gaston Lincoln County MPO Meeting in Gastonia. At this meeting, I was informed that improvements to highway 279 would begin as soon as the weather permitted and could be completed as early as this summer, but no later than early in 2017.

This past Friday, I attended and spoke at the Cherryville High School class of 1953's reunion held at the Cherryville Jr-Sr High School. We received a tour of the school led by Principal Doran and Athletic Director Scott Harill. A luncheon followed the tour and Nan Davis of the Cherryville High School Educational Foundation gave a presentation.

I was honored to present the key of our city to Mr. Bob Barker a graduate of the class of 1953. Mr. Barker has been a "rags to riches" success so to speak throughout his life. He has written a book entitled "I'm in cells" which describes his boyhood days in Cherryville to his multi-million dollar empire he built to the present. Mr. Barker has given his love, devotion, respect and financial contributions to not only Cherryville High School but to many projects within our community as well.

Finally, I want to take this opportunity to personally thank Councilman Brian Dalton for working with me this past Saturday on our audit report. I had some concerns with this audit and Councilman Dalton discussed them in details and aided me defining and accepting those

concerns. I know this was Brian's day off but I soon realized my job and city council's job do not necessarily have a day off. Thanks Brian.

APPROVAL OF MINUTES:

Councilmember Kiser made a motion to approve both sets of minutes from the January 11 and January 27 meetings. Councilmember Dalton seconded the motion and the vote was unanimous.

AGENDA APPROVAL/REVISION:

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

PRESENTATION OF 2014/2015 FISCAL YEAR AUDIT REPORT, MR. ROB COLLIS:

Mr. Rob Collis of Collis and Associates gave a presentation of the 2014/2015 fiscal year audit report. Mr. Collis highlighted the financial performance of the city saying that according to the financial statements the city has over \$2,645,000 in unrestricted cash compared to \$1,629,000 the previous year. Mr. Collis shared that the City of Cherryville has made great progress in building the fund balance and is much healthier today than when Collis and Associates began working with the city.

PRESENTATION OF THE CHAMBER OF COMMERCE MID-YEAR REPORT, CHAIRMAN PETE CRAFT:

Mr. Pete Craft, Chairman of the Chamber Board, approached the podium and gave the following mid-year report for the Chamber of Commerce. Below is his report:

"Mr. Mayor, Council members and citizens. It's my pleasure to be here tonight to give you and update on things going on with our Cherryville Chamber of Commerce. It has been an honor and privilege to serve as the Chairman of the Board of Directors for our Chamber for three years now, and if the board is not tired of me and decides to have me as their chairman again this year I will be happy to serve in that capacity again. Last time we gave an update we spoke of the importance of being a member of the Chamber of Commerce and how it is a help for the member to stay active in the community and it also helps our Chamber, its committees, our council and everyone involved. Everyone has talents that can be very useful and resourceful in many different ways and at different times. This has been proven most recently at our Christmas on Main Street event. This event was nearing an end a couple of years ago. There was lack of participation, several of the businesses were not staying open and decisions were in the process of being made to possibly just end the Christmas on Main Street. Here is where the talents come in to play! Some of our board members started talking at a monthly meeting about Who-ville and turning Main Street Cherryville into a little town from a cartoon we all watched as a child and that children are still watching today. The folks who came up with this immediately started to work on this and with their talents came up with scenes, characters

and this year a small house that was set in our mini park. This year the Little Theater along with the characters who were on Main Street put on a play for the two nights following called "A Suess-ical Christmas." This past December, the Main Street Christmas event nearly doubled in attendance with some rides for the children, most all the downtown merchants participated in this, and it was so nice to see such excitement on our Main Street of Cherryville! This Christmas event along with our current Main Street Program that is going on has brought excitement among our members as well as our community. We are currently in our yearly membership renewal phase and we have around 115 members, which consist of individuals, and businesses and most of them have already renewed for the 2016 year. I think this is an example of the positive things that are going on through our Chamber and in the City. We have organized an event committee that helps put together our Festivals and events to make them as successful as possible. This event team also has a follow-up meeting after an event to discuss the pros and cons of the event and to make those necessary changes to make these events the best they can be for our community. Lastly, I would be remiss if I didn't graciously thank you Mr. Mayor and City Council members. Our Cherryville Chamber of Commerce, our main street program committee and our Economic Development committee could not do the things we do without you co-operation, support and participation. We have one of the best "work together" relationships that I know of and for this relationship, we are most grateful. It will be by this continued relationship and working together, not forgetting to focus on things that are for the betterment of Cherryville, that we can look forward to more positive things to go on in our city and community. Thank you for your time and may God bless our City of Cherryville!"

SPECIAL RECOGNITION OF CHERRYVILLE PART TIME DRIVER ENGINEER KURT BLACK FOR RECEIVING THE WESTERN NORTH CAROLINA ASSOCIATION OF FIREFIGHTERS AWARD, MAYOR BEAM:

Mayor Beam recognized Kurt Black of the fire department. Kurt is a driver/engineer and he recently won a Firefighter of the Year award from the Western North Carolina Association of Firefighters. Mayor Beam also recognized Kurt's grandparents Reese and Pat Black and his cousin Ashley Black.

CITIZENS TO BE HEARD - CITIZENS THAT WISH TO SPEAK MAY DO SO BY COMING TO THE PODIUM AND STATING YOUR NAME AND ADDRESS BEFORE YOU SPEAK. COMMENTS WILL BE HELD TO 5 MINUTES PER PERSON:

Mr. Rashad Williams of 112 E. Ballard Street approached the podium to say that he is from Florida but has recently moved to Cherryville. Mr. Williams had concerns about water, electrical rates, late fees on utility bills, reconnect fees, garbage pickup and senior citizens. Mayor Beam thanked Mr. Williams for coming out and Mr. Blackburn shared that he will be happy to sit down with Mr. Williams and answer any questions he may have.

PRESENTATION OF THE END OF YEAR REPORT FOR CHERRYVILLE FIRE DEPARTMENT, CHIEF JEFF CASH:

Fire Chief Jeff Cash approached the podium and gave the end of year report for the Cherryville Fire Department. Chief Cash highlighted the following list:

TOTAL CALLS	1604
AVERAGE RESPONSE TIME	4 MINUTES AND 01 SECONDS
PROPERTY LOSS (approx.)	\$47,000
BUSIEST MONTH	DECEMBER – 179 CALLS
BUSIEST DAY	MONDAY, 244 CALLS
EMS CALLS	793 CALLS
BUSIEST SHIFT	A SHIFT, 535 CALLS
TOTAL TRAINING HOURS	4685.5 HOURS
AVERAGE RESPONSE ON STRUCTURES	7.42 FIREFIGHTERS (21 CALLS)
AVERAGE RESPONSE ON ALARMS	5.42 FIREFIGHTERS (52 CALLS)-
DAY	3.47 FIREFIGHTERS-NIGHT
FIRE FACILITY USE-NON EMPLOYEES	800 PEOPLE
INSPECTIONS	201
BUILDING PLANS APPROVED	18
FIRE EDUCATION PROGRAMS	209ADULTS / 700 CHILDREN

**Service Calls: unlock cars, smoke detector batteries, unauthorized burning, assist other departments

**Good Intent Calls: cancelled en route to call, authorized control burning, smoke scare, odor of smoke

CONSIDERATION TO SET A PUBLIC HEARING RE: REZONING CHANGE FROM B-3 (GENERAL BUSINESS) TO R-15 (SINGLE FAMILY RESIDENTIAL) FOR PROPERTY LOCATED AT 303 N. CHERRY STREET. (GASTON COUNTY PID #129272) CITY MANAGER BEN BLACKBURN:

City Manager Blackburn shared that Mr. Edward Gibson, property owner of 303 N. Cherry Street, has requested to have the parcel rezoned. Mr. Gibson is requesting the parcel be rezoned from B-3 (general business) to R-15 (single family residential). The planning board met and unanimously recommended that the parcel be rezoned. A public hearing date will need to be set for the rezoning. Councilmember Kiser made a motion to set a public hearing date for March 14, 2016 for the rezoning of the property at 303 N. Cherry Street. Councilmember Puett seconded the motion and the vote was unanimous.

CONSIDERATION OF HYDRANT FLUSHING & FLOW TESTING, FIRE CHIEF JEFF CASH:

Chief Cash, Brandon Abernathy and Patty Hall had several handouts for Mayor Beam and the City Councilmembers regarding hydrant flushing. City Staff performed a hydrant-flushing project in 2012 on the city's water distribution system. Hydrants were flushed in all quadrants of the city in approximately 61.50 hours. Approximately 2.5 million gallons of water was used and 21 staff members completed the project. Staff is proposing another hydrant flush sharing that it will greatly enhance water quality and help lower the ISO rating to help save on insurance rates. Chief Cash also shared that the only way to lower the ISO rating is for the hydrant testing to be certified. Chief Cash had a proposal from a company that can do the flow testing and inspection of the city's hydrants. This would then give us the points that we need for lowering the ISO rating. The proposed price is \$9,450.

After some discussion, Councilmembers agreed that a certified test needs to be performed. Councilmember Kiser made a motion to move forward and have a certified hydrant flow test performed. Councilmember Puett seconded the motion and the vote was unanimous.

CONSIDERATION OF ORDINANCE DECLARING A ROAD CLOSURE FOR THE 2016 CHERRYVILLE CHERRY BLOSSOM FESTIVAL, CITY MANAGER BEN BLACKBURN:

City Manager Blackburn shared with Mayor Beam and the Councilmembers that this ordinance was housekeeping and needs approval now that it is required to close a road. Councilmember Dalton made a motion to approve the ordinance for road closure for the 2016 Cherry Blossom Festival. Councilmember's Puett and Kiser seconded the motion and the vote was unanimous.

CONSIDERATION OF ORDINANCE DECLARING A ROAD CLOSURE FOR THE 2016 CHERRYVILLE CHRISTMAS PARADE, CITY MANAGER BEN BLACKBURN:

City Manager Blackburn shared that an ordinance would also need approval for the 2016 Christmas parade. Councilmember Kiser made a motion to approve the ordinance for road closure for the 2016 Christmas parade. Councilmember Dalton seconded the motion and the vote was unanimous.

**CONSIDERATION TO SPONSOR THE GASTON SYMPHONIC BAND & GASTON STRINGS
CONCERT ON APRIL 16, 2016 AT STARNES AUDITORIUM, MAYOR BEAM:**

Mayor Beam shared that the Gaston Symphonic Band and Gaston Strings will hold a concert on April 16 at Starnes Auditorium. The event will begin at 7:00 pm and the admission is free to everyone. Mayor Beam shared that Mrs. Sadie Broome shared a CD of their music and they are prenominal. Mayor Beam shared that the City of Cherryville is being ask to sponsor this event for \$400.00. The Gaston Symphonic Band will solicit an additional \$600.00. .

Councilmember Puett made a motion to sponsor the Gaston Symphonic Band for \$400.00. Councilmember Kiser seconded the motion and the vote was unanimous.

CONSIDERATION OF SALE OF THE WATER PLANT HOUSE, CITY MANAGER BEN BLACKBURN:

City Manager Blackburn shared that two additional bids have come in on the water plant house. Ms. Hilda Bates submitted a bid for \$24,000 on December 7, 2015. The City of Cherryville than began the upset bid process that is required by General Statue 160A-269. Mr. Danny Coffee submitted a bid for \$25,200 on February 1, along with Mr. Kelly Beam and Mr. John Burgin with their bid of \$28,000. City Attorney Huffstetler explained to Mayor Beam and the Council the process of the upset bidding and shared that would not need a vote to proceed with running another ad in the Cherryville Eagle next Wednesday February 17. If the ad is published on February 17, the next 10 day upset bid process will be February 29, 2016. Mayor Beam and the City Council all agreed to move forward.

OTHER BUSINESS:

Councilmember Parker stated, "For the past two years I have been concerned about the power bills with the amount of days. I have heard every excuse in the book that can be heard. Sick, raining, ice, vacations, and I just want to see what excuse I can get with this one. My power bill this month was 41 days. I went from \$637 to \$1018. Forty-one days is nineteen days more than my bill was last month. Nineteen days. That is over three weeks of the city employee working. This is not acceptable. Something has got to be done. That was an increase of \$380.00 just on my power bill. There are senior citizens out here and if they are getting an extra nineteen days on their power bills they can't afford it. They can't afford just a regular thirty days or twenty nine days or whatever we've been doing. But to throw an extra nineteen days on them. Something has got to be done and I just ask the Mayor and this Council to stand with me or whatever and make sure that something is done about these power bills and about the days that these citizens are being charged. They can't afford it. We had a man a while ago saying the power bills are outrageous just being normal and then to throw another nineteen days on it."

Mayor Beam asked, "What would be the longest length? Was forty one the longest or is there any longer than that?"

Mr. Blackburn stated, "Mr. Parker raises a good issue. This is an issue that has confronted the City of Cherryville for twenty plus years. We have had this discuss and this will lead to a conclusion if I could Mr. Mayor and Councilmembers. It does fall in on weekends, and it does fall in on vacations, and it does fall in on sick days, and it does fall in on holidays. This extra time is built in from the shortness of the December billing period because of the holiday and weekends and then we had a snow event. This is no excuse because the electric customer out here still has to pay the electric bill. So in response to Mr. Parkers comments last week city staff set down and formulated a plan in which the electric meters will be read the first week of the month. The will constitute a thirty day usage period, give or take, a couple of days on either side and that deals primarily with weekends. Therefore, you may have a twenty-eight or twenty-nine day reading or you may have a thirty-two or thirty-three day reading. Again that depends on if it stopped on a Friday and you have a Saturday or Sunday before it is picked up. Mr. Abernathy and his staff has worked out this proposal for Council's consideration. We feel that all the electric bills or meter readings will be done within that three or four day period, which will again normalize that period. We will have two people reading that first week. One will go out reading the water meters and one will go out reading the electric and then that should eliminate the concerns of the citizens out here paying the bills."

Councilmember Parker, "So what you are saying is that by doing this procedure there shouldn't be more than three days more or a three day fluctuation because you only got Saturday and Sunday. Then if you got a holiday that would be three days."

Mr. Blackburn, "And the months affect typically would be January or September with New Year's or Labor day looking at the current holiday schedule."

Mayor Beam, "How many people do we have that are capable of reading the electrical? I am more concerned with the electrical than I am the water because the water is cheap enough."

Mr. Blackburn, "Ninety five percent of the electrical meters can be read electronically. It is primarily the commercial customers that you have to do the manual read. But answering your question we have several people that can read those meters."

Councilmember Parker, "But I just can't understand, how did we get nineteen days behind? For a city worker that's three weeks and one day."

Mr. Blackburn, "The best answer I can give is that we had a short reading in December and January was the catch up."

Councilmember Dalton, "I think your plan might help and I see what you are saying but, from my experience you don't get change unless you hold somebody accountable. You don't get improvements unless somebody is held accountable, and what would be wrong with us implementing a policy that we can't bill a customer for more than thirty-five days. Period. Can't do it."

Councilmember Parker, "I am not even sure it is legal."

Councilmember Dalton, "And if we find out that somebody didn't read their meter and it hits that thirty six day, than someone is held accountable. Simple as that. I don't see why we don't get serious about his because we have been talking about this I know for the four and a half years I've been here."

Mr. Blackburn, "It is my belief and I feel very strongly and I have spoke with Brandon Abernathy, he has talked with his staff and billing with our Finance Director Dixie Wall. She has signed off on this as well, so the three of us have signed off on this. I feel very very strongly that this will correct especially as it relates to the electrical billing."

Councilmember Dalton, "Are you not in favor of setting a policy where we can't bill them?"

Mr. Blackburn, "I have no objections to setting a policy."

Councilmember Dalton, "I think that saves, a forty one day bill is astronomical. I know you are saying you may have gotten a benefit the month prior, but that still hurts a business or an individual's cash flow. You know."

Councilmember Parker, "It hurt the senior citizens, because if they get a short bill they are happy with it, but when they get hit next month for somebody that draws \$600.00 a month just social security to live on it kills them."

Finance Director Dixie Wall, "Councilmember Dalton if I could, when you say don't bill them, get a policy where we don't bill over thirty five days, how would billing do that?"

Councilmember Dalton, "If you get that bill and you read it and it shows we've got them billed for right now for thirty seven days were going have to take two days off."

Mrs. Wall, "How do you do that though, it's a reading off of a meter."

Councilmember Dalton, "Well, then somebody's going to held accountable whether it's the city manager, whether it's the public works director, whether it's finance director, somebody's gotta be held accountable for why that individual didn't get by there by the thirty fifth day. It's that simple."

Councilmember Puett, "Could you average it?"

Councilmember Dalton, "You could do a lot of different things."

Mrs. Wall, "Computer estimate, and that's going to hit them higher than."

Councilmember Dalton, "There is no excuse for us not to go by, it's not like we got to get out and manually read many of these, you said yourself that ninety ninety-five percent of our electric meters we are riding by hitting a button and it's reading."

Mr. Blackburn, "And that is why I think ladies and gentlemen that the proposal that's being put before that council will correct a lot of those questions that each one of you have, as well as address the concerns of our citizens and electric customers."

Mrs. Wall, "Let me explain the meter reading maybe that will help the citizens and council see what happens. We load books, and we can't load all the books into the handheld. We load three sets of routes and he goes out and reads those ok. Then he comes in and goes back out and reads to more sets and you do that with thirteen books. Councilmember Parker is in the last set so where we read December and the meter reader got to them fast. The electric meters are all electronic read, now don't get them mixed up with the touch of a button and all the readings come in city hall. That's more infrastructure that we need to put in, which I am in favor of. However, that book Councilmember Parkers book didn't go out in the handheld until that day, until the end of the month, so it couldn't have read his electric meter. That's why the city manager said we are going to putt all the electric books, all the routes, all the electric meters into one handheld the first week of the month and read those meters. So we can mash that button and have them all in there. You can't just mash a button right now and drive around this city because they are not all loaded in that handheld."

Mayor Beam, "The question that I have is if we had another person taking a set of those books instead of one or two people, say we had an extra employee doing that, would that not help speed it up."

Mr. Blackburn, "That's what we will initiating next month. Now we have used when we have gotten down like last month or the previous month we used additional staff to assist in the meter reading."

Mr. Abernathy, "Mayor I can address that as well."

Mayor Beam, "I think this is very doable, the plan you have. I can see that it can be very doable."

Mrs. Wall, "But that's just going to be the electric meters, it won't be water. We may still see the thirty-nine days on water."

Mr. Blackburn, "But you will have, it still should come out in that thirty day range."

Councilmember Parker, "Well I don't feel like a water meter, a senior citizen that lives by themselves, I don't feel like that water meter will exceed their minimum."

Mr. Blackburn, "That's correct, you are correct."

Councilmember Dalton, "Now forty-one days is the most I have ever heard. I have never heard of one that high. And I agree with Mr. Parker, I think we are getting very close to violating state law. I don't believe you can bill people."

Mrs. Wall, "It's by the usage, not by the day. It by the usage off of the meter."

Councilmember Dalton, "Well I have talked to an REA employee that says there are state laws that you can't bill people for more than X amount of days in a month's period."

Mr. Abernathy, "They fall under the utility commission and we don't."

Councilmember Dalton, "Maybe we need to adopt some of their principles then."

Mr. Blackburn, "But your point is taken, yes sir."

Councilmember Dalton, "That's just not acceptable."

Mayor Beam, "I think everyone is in agreement with that and we will entertain this new process that you have and if it's not corrected than we can address it again, but I do feel like it is going to work."

Mrs. Wall, "I think once we load them all into that handheld we will be able to read, I don't have a problem with that, I just want council to understand waters will be the waters will be the days that they are."

Councilmember Dalton, "Like I said we don't run into this problem even with electric a lot, its two to three months a year."

Councilmember Kiser, "Forty-one days is by far the most days I have ever heard of."

Councilmember Puett, "Especially in the Delview area."

Councilmember Parker, "I brought mine with me so I can show you on mine it has forty-one days."

Mr. Blackburn, "You know this is how change occurs."

Mrs. Wall, "And when we do it next month, just so you will be aware and the citizens, you will have a real short period. You're read at the end of the month around the 25th, so if we read you at the first of the month you are talking about fifteen days. Then the following month you would be back on a cycle."

Mr. Rick Hudson of 207 Dale Drive approached the podium and asked if the City of Cherryville could improve the property that use to be Gasland. Mr. Hudson stated that the property has looked bad for so long and he wanted to know if the city could clean the area up or take down the old car wash area and bill the property owner.

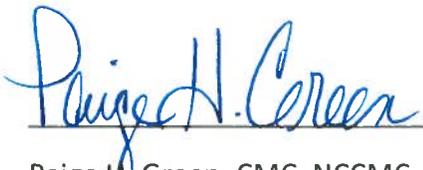
Mr. Blackburn responded to Mr. Hudson letting him know that the City of Cherryville has mailed letters and made many phone calls trying to get the area cleaned up. The property was sold and the new owner was reached last summer and told that the grass needed to be mowed. Mr. Blackburn stated that he would have Mr. Hawkins in planning and zoning reach out to the property owners again.

Councilmember Parker asked Mr. Blackburn if there had been any update on the BB&T building. Nothing at this time.

ADJOURNMENT:

Councilmember Parker made a motion to adjourn the meeting. Councilmember Dalton seconded the motion and the vote was unanimous. The meeting adjourned at 8:30 pm.

Adopted this 14 day of March 2016.



Paige H. Green, CMC, NCCMC, City Clerk



H.L. Beam, Mayor

