REGULAR CITY COUNCIL MEETING

MONDAY JULY 11, 2016 @ 7:00 PM

CHERRYVILLE COMMUNITY BUILDING

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

CALL TO ORDER, HONORABLE MAYOR H.L. BEAM III:

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

INVOCATION BY: PASTOR BOB WISE, NORTH BROOK BAPTIST CHURCH:

Pastor Bob Wise gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Everyone recited the Pledge of Allegiance.

MAYOR'S COMMENTS:

Our thoughts and prayers go out to police department tele communicator Jon Mark Rudisill on the recent loss of his father. Please keep Jon Mark and his family in your prayers.

On June 19, I attended the funeral of Mr. Scott Keever, a former employee of the wastewater treatment plant. The funeral was held at St Paul's Lutheran Church in Crouse and a large crowd was on hand.

I was honored to speak on July 1 at our downtown Independence celebration held in our mini park. Estimates on the crowd were from 4,000 to 6,000 in attendance. I gave a countdown for one of the state's biggest and best fireworks display.

Thanks go out to the entire city staff and chamber volunteers for making this possibly the largest event in many years for our city.

On this past Friday evening around 8:30 pm, I received a call from fire Chief Jeff Cash. Chief Cash reported that our city had been hit hard by the recent storm. He stated that several parts of our city looked like a disaster area and a command center had been set up at the fire department to monitor plans to deal with the damages.

I immediately proceeded to the command center where I was amazed to see our city staff taking control of the situation.

We had five portable phones and five landline phones and calls were coming in at an alarming rate. City Manager Blackburn with his wife and daughter soon arrived and they were able to help with operating some of the phones. I can truthfully say, that I witnessed a well-oiled machine in progress as Chief Cash assigned duties to the large group of firefighter, police officers, public works staff, and all the volunteers that arrived and were ready to respond.

Around 12 mid-night Public Works Director Brandon Abernathy came to the command center and reported that most of the power outages and damages had been cleared except for First Street and a section of North Mulberry. It was decided at this point that those two streets would be left until daylight to deal with, as additional aid from Williams Electric of Shelby was to arrive next morning to assist with the damages.

On Saturday morning, after I personally witnessed the damages I proceeded to the command center. Council Member and Mayor Pro-Tem Brian Dalton was also at the command center it was decided at this time that I should declare our city a local disaster area. This was in an attempt to seek financial aid for the tremendous amount of money that our city has and will incur to mend these damages.

Late on Saturday evening as nighttime was approaching on First Street, I asked Public Works Director Brandon Abernathy for his final assessment of a time to have our entire city back on power. He assured me that the staff would work into the night until all city power could be restored.

I personally had never dealt with such large-scale damages to our city and I am so grateful beyond words to express how proud I am of our city in dealing with this disaster. Thanks go out to Chief Cash and all our city staff, especially to our firefighters, the volunteers, our police department, and all our public works staff for their dedication in dealing with such a large-scale undertaking. From your mayor and all our city council thanks for a job well done.

In closing, I want to remind all our citizens of the Community Revival to be held at Fraley Field and Starnes Auditorium in our city on the dates of July 31 through August 4, 2016.

APPROVAL OF MINUTES:

Councilmember Kiser made a motion to approve the minutes from the previous meeting on June 13, 2016. Councilmember Dalton seconded the motion and the vote was unanimous.

AGENDA APPROVAL/REVISION:

Councilmember Dalton made a motion to approve the agenda as written. Councilmember's Kiser and Parker seconded the motion and the vote was unanimous.

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. Scott Harrill of 809 Settlers Drive approached the podium to thank everyone for their support and help for the Inspire Program. Inspire is a program that Mr. Harrill started to bring churches in the community together to minister to the community. Inspire had approximately 270 volunteers that worked throughout the community building porches, decks, cleaning shutters, landscape work and replacing floors for citizens in the Cherryville community that needed the help. Mr. Harrill shared that ministry work begins at home and Inspire was a big success. Mr. Harrill hopes that the program will show the love of Christ to all.

Ms. Jean Skibo of and Mrs. Wanda Maning of the Cherryville Main Street Program approached the podium to present a rendering a drawing of the Cherryville New Year Shooters. Mrs. Skibo and Mrs. Maning have worked very hard to put together and raise money for this drawing to become a mural on Warren and Sandra Beam's building located on the corner of Mountain Street and Main Street. Mrs. Skibo and Mrs. Maning asked Mayor Beam and the Council to give their approval of the mural so the artist Joe McKenney can begin. Mayor Beam commented that a presentation needed to take place and a recommendation from the Main Street Committee needs to be brought to the council. Mrs. Skibo and Mrs. Maning stressed that they were ready to move forward. They shared that Mr. McKenney is a teacher and he would have about six weeks to work on the mural before school begins. Mrs. Skibo and Mrs. Maning will be on the agenda for the July work session for a presentation.

RESOLUTION HONORING THE CHERRYVILLE HIGH SCHOOL BASEBALL TEAM:

Mayor Beam read the following resolution honoring the Cherryville Ironmen Baseball Team for their 2016 State 1A Championship win:

RESOLUTION HONORING THE CHERRYVILLE HIGH SCHOOL IRONMEN 2016 STATE 1A CHAMPIONS

WHEREAS, the Cherryville High School Ironmen Baseball team is the 2016 North Carolina State 1-A Champions finishing the season with a record of 30-4; and,

WHEREAS, the Cherryville High School Ironmen Baseball team defeated the Whiteville Wolfpack in Zebulon winning the first game on Friday 5-4 and on Saturday June 4, 2016, winning the second game with a score of 7-4; and,

WHEREAS, the 2016 Cherryville High School Ironmen Baseball team has exemplified the very essence of competitiveness and sportsmanship and have brought a great deal of positive, uplifting attention to our entire community; and,

WHEREAS, the 2016 Cherryville High School Baseball team consists of the following members: Head Coach Scott Heavner, Assistance Coaches Seth Freeman, Dustin Wilson, and Brian Kiser and Jeff Williams. The team players were Ray Sensing, Lane Camp, Randall Long, Ryan Owens, Noah Eaker, Tyler Sanders, Austin Treadway, Carlton Jackson, Dayne Homesley, CJ Degree, Will Walker, Trevor Harrill, Johnathan McSwain, Nick Carpenter, Dawson Cody, Hunter Melton, Jared Emory, Matt Cain and manager Leeroy Montgomery.

NOW, THEREFORE, BE IT RESOLVED THAT the Cherryville Mayor, City Council and the citizens of Cherryville hereby congratulate Head Coach Scott Heavner and all the members of the Cherryville High School Ironmen Baseball team on winning the 2016 State 1A Championship.

Duly adopted the 11 day of July 2016.

_____
H.L. Beam III, Mayor

Attest:

(SEAL)

_____
Paige H. Green, CMC, NCCMC, City Clerk

PRESENTATION OF WATER PLANT HOUSE FUNDS TO THE CHERRYVILLE LITTLE THEATER:

Former Mayor Wade Stroupe of the Cherryville Little Theater (CLT) approached the podium to thank the City of Cherryville for the water plant house revenues for new bathrooms. Paige Thompson, Connie Fox, George Randall, Blair Beam, Wade Stroupe and Mickie Grisdale are CLT board members that were present. Board members that were not present were Jason Wofford, Lisa Howell and Terry Fisher. Former Mayor Wade Stroupe shared some interesting facts about the city building located at 305 W. Academy Street. The building was built in the 1950's and purchased by the City of Cherryville in the early 1970's. Gaston County Schools previously owned the building. The school adjacent to the CLT (West School) building had been vacant for approximately five years but the CLT group was using the auditorium. The purchase price was $37,500. The City of Cherryville agreed to make improvements to the building and lease the building to the theater group for one dollar a year. The theater group organized in 1972 and in May 1973, the first play, Barefoot in the Park, was held. In 1978, the theater group organized and incorporated as an official group. The building is known as the Cherryville Municipal Auditorium but has primarily been used by the CLT. Former Mayor Stroupe shared that The CLT is appreciative of the building and has a vested interest in it. He also shared that being an organized group for forty-four years, the CLT has held 105 different plays or shows in the

building and that count is a minimum. On average three or four performances of each show has been held for a total of 334 performances. Going back in time and looking at attendance records, approximately 35,000 people have attended the performances. This number does not included the people in the performances or the stage crews members. Currently practices for Alice in Wonderland are being held. Thousands of people pass through the doors of the building each year. Former Mayor Stroupe shared that this year will be the most aggressive year for the group as six plays are going to be held. In October, The Adams Family, and in December a Christmas production of The Best Christmas Pageant Ever will be performed. Former Mayor Stroupe also wanted to let everyone know that the money from the City of Cherryville will not be going to the CLT. The theater is self-funding and self-supporting for all plays. The money will be used to renovate the bathrooms because of their deplorable condition. Former Mayor Stroupe shared that Brandon Abernathy is called out for every performance to work on the bathrooms. Former Mayor Stroupe thanked Brandon and the city saying that the building is something to be proud of and at one time city council meetings were held at the theater. It is something that Cherryville should be proud of because we have a facility for performing arts. The CLT plans to put additional money with the money from the city to help with improvements.

Mayor Beam thanked former Mayor Stroupe and shared that he had read that the life for a theater group is usually five to ten years. To say that the Cherryville Little Theater has existed for forty four years shows how special the theater is to our community.

Former Mayor Stroupe pointed out that not all the performers are from Cherryville. When parents bring their children to practice and drop them off, the parents are spending money in the community at restaurants and shops. The dollars that are spent are helping Cherryville.

Councilmember Dalton shared that his coworker has a love of theater and has asked him how she could purchase an annual pass to every play that is performed at the theater. Councilmember Dalton shared that his coworker travels to areas all around Gaston County and she says Cherryville Little Theater has the best plays.

Councilmember Puett commented that she has enjoyed plays and events held by the Cherryville Little Theater and asked if the group had thought about having another theater dinner like the ones they had in the past.

Former Mayor Stroupe said that he would bring that up to the board. He has heard the request from others that also enjoyed the dinner theaters.

CONSIDERATION OF AUDIT CONTRACT FOR FY 2015 -2016:

City Manager Blackburn shared that the 2015 – 2016 audit contract would need approval by council. The only change was an increase of $700.00 from the previous year.

Councilmember Dalton shared that Collis & Associates attends audit meetings and city council meetings when needed and is always available for the City of Cherryville. Collis and Associates goes beyond the yearly audit contract and does a good job.

Councilmember Kiser made a motion to approve the audit contract with Collis and Associates for the 2015 – 2016 fiscal year. Councilmember Parker seconded the motion and the vote was unanimous.

PUBLIC HEARING RE: ZONING TEXT AMENDMENT FOR FENCES IN B-1 DISTRICT, CITY MANAGER BEN BLACKBURN:

Mayor Beam asked for a motion to enter into a public hearing. Councilmember Puett made a motion to enter into a public hearing. Councilmember Kiser seconded it and the vote was unanimous.

Mr. Jeff Hawkins approached the podium to update Mayor Beam and the Council that he did take the following zoning ordinance back to the planning board and ask the board members to agree on a final text for fences in the business/GMC districts. The ordinance is as follows:

CURRENT CITY OF CHERRYVILLE ZONING ORDINANCE(S) DEALING WITH FENCES IN THE BUSINESS/GMC DISTRICTS:

Section 5.4 Fences or Walls Permitted

Except as otherwise noted, fences or walls are permitted in the various districts subject to the following regulations:

5.4.1 In Residential (R) Districts:

a. When fences or walls are installed in a required setback area (required front, side, or rear yard), the maximum height shall be six (6) feet, except when such fence or wall is installed pursuant to Section 5.2 of this Ordinance it shall not exceed eight (8) feet in height.

b. No above ground electrical or barbed wire fences shall be allowed except in the R-40 district.

5.4.2 In B-1, B-2, B-3, and GMC Districts:

a. Maximum height shall be twelve (12) feet except that no maximum shall apply to jails and prisons where said wall or fence is installed behind any required setbacks.

b. No electrical fences except electrical livestock fences shall be permitted

PROPOSED TEXT ADMENDMENT TO THE CHERRYVILLE ZONING ORDINANCE(S) DEALING WITH FENCES IN THE B-1 DISTRICT: (CHANGES REQUESTED TO BE MADE ARE NOTED IN RED)

5.4.2 In B-1, B-2, B-3, and GMC Districts:

a. Maximum height shall be twelve (12) feet except that no maximum shall apply to jails and prisons where said wall or fence is installed behind any required setbacks.

b. No electrical fences except electrical livestock fences shall be permitted.

c. No chain-link fence(s) of any kind shall be allowed in the front yard or lot In any B-1 (General Business) District property, Except, Temporary chain-link fencing will be allowed under Emergency Circumstances to prevent death / serious injury from occurring when a building has been damaged.

****ALL OTHER TEXT WILL REMAIN THE SAME****

At the last city council work session they wanted this text amendment sent back to the Planning board for further clarification and to be defined more. It was reviewed again by the Cherryville Planning Board on 5.16.2016, 2016 at 6pm.

After much discussion they recommended that the Text amendment be approved as Re-Written below and voted unanimously to recommend to the Cherryville City Council that it be approved as re-written on 5.16.2016.

c. No chain-link fence(s) of any kind shall be allowed in the front yard or lot in any B-1 (Central Business) District property, Except, Temporary chain-link fencing will be allowed under Emergency Circumstances to prevent death or serious injury from occurring when a building has been damaged.

Any other type of fence in the B-1 District would need approval from the Zoning Administrator.

Mayor Beam asked if any citizens would like to speak. No citizens spoke. Councilmember Parker made a motion to exit the public hearing. Councilmember Kiser seconded the motion and the vote was unanimous.

Councilmember Dalton made a motion to approve the ordinance as written above for fences in the B-1 district. Councilmember Kiser seconded the motion and the vote was unanimous.

CONSIDERATION OF PROCLAMATION IN SUPPORT OF THE CHERRYVILLE COMMUNITY REVIVAL:

Mayor Beam read the following proclamation supporting The Cherryville Community Revival:

A PROCLAMATION
IN SUPPORT OF
THE CHERRYVILLE COMMUNITY
REVIVAL

WHEREAS, from the earliest days of our history our people have been accustomed to turn to the Almighty God for help, guidance and spiritual revival; and

WHEREAS, since the first call to prayer in 1775, when the Continental Congress asked the colonies to pray for wisdom in forming a nation, the call to prayer and spiritual renewal has continued throughout our history; and

WHEREAS, throughout our city and nation's history spiritual awaking has occurred through the fervent prayers and sermons of the circuit riding evangelist, minister of the gospel, and the countless lay people sharing the sole burden of proclaiming the good news of the Gospel of Christ; and

WHEREAS, by proclaiming the Gospel of the Kingdom of God, forgiveness through the cross of Christ, we seek spiritual renewal of God's people, transformation in the lives of children and adults, and to bestow His blessing on our community, state, and nation; and

WHEREAS, through the devout purposes of rendering the Sovereign of the Universe and the Benefactor of Mankind the public homage due to His holy attributes; of seeking His merciful forgiveness and his assistance in the great duties of repentance and transformation; and

WHEREAS, our community recognizes the need for spiritual restoration in our individual lives, families, and city.

THEREFORE, BE IT PROCLAIMED the City Council for the City of Cherryville does hereby support the Cherryville Community Revival for spiritual renewal for the dates of July 31, August 1, 2, 3, and 4, 2016.

BE IT FURTHER PROCLAIMED that the results of the Cherryville Community Revival be manifested through the Almighty God bestowing upon this community and its citizens His blessings of grace and forgiveness, and He will take the people under his care and protection now and forever.

ADOPTED this the 11 day of July 2016.

_____
H. L. Beam, Mayor

_____
Paige H. Green, CMC, NCAMC, City Clerk (SEAL)

OTHER BUSINESS:

Mayor Beam shared that the National Main Street Center has recognized Cherryville as the 2016 Main Street America Accredited Program for meeting the standards of performance in 2015. Mayor Beam shared that this is an honor for our city and he thanked everyone who is a part of the Main Street Program.

Fire Chief Jeff Cash had a handout that he passed out and he approached the podium to say that he had good news for the City of Cherryville. Chief Cash shared that his department received divergent points each year on the ISO rating due to some things that are beyond their control. One of the things that causes a loss in points is not having enough manpower to respond to false alarms. Chief Cash shared that we have many facilities that have alarms and when the fire department responds and the alarm is false, it hurts the grading of the department. Chief Cash stated that he approached the North Carolina State Firemen's Association President Kevin Gordon, who is from Waco, and Tim Bradley who is the executive director. Together they got in touch with Senator Harrington and Rep. Kelly Hastings and they introduced House Bill 19. House Bill 19 took the penalty for false alarms out of the process. Chief Cash shared that this will save all fire departments from being penalized and loosing points on the grading system. This will improve the ISO rating as well. Chief Cash stated that this is one of the things that he tries to do to keep the ISO rating where it needs to be. Chief Cash also stated that this will benefit all fire departments in NC and it all started here in Cherryville by getting the support of Senator Harrington and Rep. Hastings.

City Manager Ben Blackburn commented that he would like to add that, "Chief Cash took the bull by the horns and took this issue up to Raleigh. He spoke to several committees in Raleigh to see that this amendment to the General Statute was passed. A lot of credit goes to Chief Cash our very own fire chief."

Chief Cash shared that he wanted to take the time to comment on a few things that had been said earlier in the meeting. Chief Cash stated that earlier he received many accolades for the storm damage over the weekend. Chief Cash stated that he was able to stay in air condition, with a radio in his hand while drinking a glass of tea. Police Chief Hawkins and his department and Public Works Director Brandon Abernathy and his crews deserve all the credit because they worked nonstop all weekend.

Mayor Beam shared that he agreed with Chief Cash. Brandon and his crews as well as Chief Hawkins and his crew was in and out all night long. Mayor Beam shared that he was amazed at how smooth it all went. Mayor Beam never thought it could work as smooth as it did. Everyone was focused on what had to be done and got it done.

Chief Cash reported that the Independence Day Celebration was very successful and again his was given credit but the credit should go to Brandon and his crew, Chief Hawkins and his

crew and the firefighters. Chief Cash stated that it is the guys out on the streets that are doing all the work not him.

Mayor Beam commented that he is so proud that the city departments work so well with each other. Mayor Beam commented that the comradery between the departments is something that he is very proud of.

City Manager Blackburn commented that as an administrator he is proud to work with such a great group. City Manager Blackburn stated that every department within the city is affected when something like the recent storm hits, but Brandon Abernathy and his crews are the ones that you see in the neighborhood. They are the ones that restore the power and water. Because of Brandon Abernathy's experience and his networking with other engineering groups, Brandon is able to get the help in that we need like Williams Electric. City Manager Blackburn shared that this is something that is to be commended, and he thanked Brandon and his crews for their hard work in getting service back up and running.

Councilmember Puett shared that all the training that our employees have had, has been money well spent.

Mayor Beam shared that he was standing beside Brandon when Williams Electric was telling him what all they needed and Brandon had it ready for them. Whatever Williams Electric needed to help us they got in a timely manner and that helped to restore the power.

Police Chief Chad Hawkins invited everyone to a prayer vigil Thursday July 14 at 6:30 pm in Gastonia at the Mt. Zion Restoration Church. The church is located at 2311 Crescent Lane. The prayer vigil will be a worship service to help keep everyone's focus appropriate during the recent shooting of police officers.

ADJOURNMENT:

Councilmember Parker made a motion to adjourn the meeting. Councilmember Puett seconded the motion and the vote was unanimous. The meeting adjourned at 7:58 pm.

Adopted this 8 day of August 2016.

H.L. Beam, Mayor

(SEAL)

Paige H. Green, CMC, NCCMC, City Clerk